
TABLE OF CONTENTS

<i>Preface</i>	vii
1. Introduction.....	1
I. Human Domination.....	1
II. The Anthropocene's Global Socio-Ecological Crisis.....	4
III. The Anthropocene's Global Socio-Ecological Crisis and the Law.....	6
IV. Constitutionalism and the Anthropocene.....	7
V. Environmental Constitutionalism	11
VI. Global Aspects of Environmental Constitutionalism	14
VII. Global Environmental Constitutionalism Through the Lens of the Anthropocene.....	16
VIII. About this Book.....	17
IX. Original Contribution	20
2. Law and the Anthropocene's Global Socio-Ecological Crisis	21
I. Introduction.....	21
II. About this Chapter	23
III. The Anthropocene and the History of Earth	24
IV. Turning Rock into Air: A Brief History of the Anthropocene.....	26
V. The Anthropocene: What Lies Behind a Word?	32
VI. The Anthropocene and Regulatory Institutions	38
VII. Conclusion	41
3. Constitutionalism	43
I. Introduction.....	43
II. About this Chapter	44
III. Constitutional Concepts.....	47
A. Constitution	48
B. Constitutionalism	50
C. Constitutionalisation	52
D. The Constitutional State.....	54
IV. The Turn Towards Constitutionalism and Counter-constitutionalism Considerations	57

V.	General Elements of the Contemporary	
	Constitutional State	61
	A. A Constitution	62
	B. The Rule of Law	65
	C. Separation of Powers	71
	D. Judicial Independence and Powers of Review	74
	E. Constitutional Supremacy	77
	F. Democracy	79
	G. Rights	82
VI.	Conclusion	87
4.	Global Aspects of Constitutionalism	89
	I. Introduction	89
	II. About this Chapter	90
	III. From the Local to the Global	91
	A. The Inappropriateness of Domestic Constitutionalism for the Global Sphere	91
	B. The Appropriateness of Domestic Constitutionalism for the Global Sphere	93
	IV. Why (Not) Constitutionalise the Global Order?	96
	A. Globalisation	96
	B. Fragmentation	98
	C. Enhanced Regulation for Global Problems	99
	D. Critiquing Global Constitutionalism	100
	V. Approaches to and Meaning of Global Constitutionalism: A Devil with Many Faces	102
	A. The Internationalist Approach	103
	B. The Regionalist Approach	104
	C. The International Regulatory Regime Approach	106
	D. Global Civil Society Constitutionalism	107
	E. Transnational Comparative Constitutionalism	109
	F. Towards a Singular Vision?	110
	VI. In Search of Constitutionalism's Features in the Global Sphere	111
	A. A Global Constitution	112
	B. Global Rule of Law	114
	C. Global Separation of Powers	116
	D. The Global Judiciary	118
	E. Global Constitutional Supremacy	121
	F. Global Democracy	125
	G. Global Rights	128
VII.	Conclusion	131

5. The Fundamentals of Environmental Constitutionalism.....	133
I. Introduction	133
II. About this Chapter.....	134
III. A Historical-conceptual Account of the Convergence Between Environmentalism and Constitutionalism	136
A. Should Trees have Standing?	137
B. Jonas and the Imperative of Responsibility.....	138
C. Kloepper's Environmental State.....	138
D. Bosselmann's Ecological <i>Rechtsstaat</i>	140
E. Verschuuren's Environmental Constitutional Democracy	142
F. Steinberg and the Ecological Constitutional State.....	143
G. Green Constitutionalism	144
H. Boyd's Environmental Rights Revolution.....	145
I. 'Thin' and 'Thick' Environmental Constitutionalism	146
J. Environmental Constitutionalism as a Discursive-contemplative Framework.....	147
K. Global Comparative Environmental Constitutionalism	148
L. Structural and Fundamental Environmental Constitutionalism	150
IV. A Contemporary Description of Environmental Constitutionalism	151
V. Environmental Constitutionalism in Domestic Constitutional Orders.....	153
A. Formal and Substantive Environmental Constitutions.....	154
B. Environmental Rule of Law.....	159
C. Separation of Environmental Governance Powers	162
D. Judicial Independence and Powers of Review	165
E. Constitutional Supremacy.....	168
F. Democracy	169
G. Environmental Rights.....	172
VI. Conclusion.....	175
6. The Prospects of Environmental Constitutionalism in the Anthropocene.....	176
I. Introduction	176
II. About this Chapter.....	177
III. Revisiting Law in the Anthropocene: The Urgency of Constitutional Transformations	178
A. Law and Order: The Anthropocene's Constitutional Moment.....	178

B.	The 'Global' Regulatory Space of the Anthropocene	184
C.	Ethics, Vulnerability and Responsibility of Care	188
IV.	The Prospects of Environmental Constitutionalism in the Anthropocene	192
A.	Higher-order Juridical Guarantees and Care	192
B.	A Foundational Determinant of Secondary Regimes	193
C.	Benchmarking Environmental Protection Through Transnationalism	194
D.	Regulatory Longevity	195
E.	Environmental Awareness and Societal Involvement	196
F.	Inter-generational Reach	196
G.	Legitimation of Environmental Law and Governance	197
H.	Levelling the Sustainable Development Playing Field	198
V.	Conclusion	199
7.	A Vision of Global Environmental Constitutionalism in the Anthropocene	201
I.	Introduction	201
II.	About this Chapter	202
III.	From Domestic to Global Environmental Constitutionalism	203
IV.	Global Environmental Constitutionalism's Five Approaches	206
A.	The Internationalist Approach	206
B.	The Regionalist Approach	210
C.	The International Environmental Regulatory Regime Approach	214
D.	Global Civil Society Environmental Constitutionalism	217
E.	Transnational Comparative Environmental Constitutionalism	221
V.	The Elements of Global Environmental Constitutionalism	224
A.	A Global Environmental Constitution	224
B.	Global Environmental Rule of Law	227
C.	Separation of Global Environmental Governance Powers	229
D.	The Global Environmental Judiciary	230

E. Global Environmental Democracy.....	237
F. Global Environmental Constitutional Supremacy.....	239
G. Global Environmental Rights	242
VI. Conclusion.....	245
8. Conclusion	246
<i>Bibliography</i>	248
<i>Index</i>	271