



Public Lecture Offerings

Whiskey is for Drinking, Water is for Litigating

Mark Twain never actually said, "Whiskey is for drinking, water is for fighting over," but politicians, pundits, and journalists repeat the aphorism for good reason. The systems for allocating water in the western United States have left us ill-equipped to adapt to long-term drought and aridification caused by climate change. Western water law creates a thicket of entitlements that often stand in the way of creative and collaborative solutions to the increasingly dire situation of insufficient water to meet human and ecological needs. Through the story of two Western rivers, we will explore whether or not the fictitious quote is our fate.

The Upside Down Mountain: A Legal, Political, and Personal History of Grand Canyon National Park

America's most iconic national park is known to Paiute people as the "Mountain Lying Down," or the "Upside Down Mountain." To most visitors, the Grand Canyon's stunning rock layers appear to be the most natural and wild place in the lower forty-eight states. But the history of Grand Canyon National Park has a darker side, involving the dispossession of indigenous peoples, trade-offs that despoiled places outside of the Park, and other tales of hubris and misdeeds. Grand Canyon, in other words, is a deeply human place, constructed by laws and policies and imbued with everything—beautiful, terrible, and indifferent—that humans have to offer.

Native Nations and American Law: The Inherent Conflict?

There are 574 federally recognized Native nations (or American Indian Tribes) in the United States. They have a direct government-to-government relationship with the United States and are political sovereigns with distinct legal rights. And yet their sovereignty is defined and modified by the laws of the United States, creating inherent conflicts with the federal government that are both obvious and subtle. Through a case study of one Tribe's efforts to restore its connection to its aboriginal lands within a National Preserve, we will examine the enduring nature of this inherent conflict.

Classroom Discussion Topics

What Would Federal Environmental Law Look Like if Designed From Scratch?

The current moment of upheaval in environmental law and policy raises questions about its future. What is worth keeping from the environmental law-making moment of the 1970s, and what should be revised, reformed, or revamped?

Any of the above lectures can be modified for class discussion.