

Jordi Jaria i Manzano, Nathalie Chalifour and Louis J. Kotzé (eds.),
Energy, Governance and Sustainability (Cheltenham: Edward Elgar,
2017)

In 2014, the International Union for Conservation of Nature's (IUCN) Academy of Environmental Law organized its annual colloquium themed "Energy for a Fair Society on a Safe Planet", and the present edited collection was subsequently published as a selection of research by legal experts from across the globe on the future of energy governance and the role of law. As a result of the changing climate, energy transition and environmental justice have been at the forefront of both the debate about energy security and environmental concerns. By focusing on the law, this timely book provides a sharp insight and novel ideas for rethinking sustainable energy governance. On a structural level, the book is divided in three parts (foundations, experiences, and governance gaps) and fourteen chapters giving different perspectives on the issue at stake.

The book does contain interesting parts, and it neatly weaves together legal theory, human rights, environmental justice and their application to create new cutting-edge energy policies. In Foundations (section I), the theoretical, legal and conceptual frameworks are laid out in a way that highlights legal innovations for renewable energy development from constitutional law and transnational developments through international agreements to environmental justice and innovative financing techniques. Of particular interest in this section, Klaus Bosselmann's chapter about the legal concept of *Energiewende* (German for "energy transition") might help scholars and practitioners think anew and be more proactive when it comes to pushing for social changes. His radical ecocentric approach tries to bridge the gap between legal scholarship and legal activism. In this chapter, he posits that rather than looking at sustainability from a legal viewpoint, environmental lawyers should look at the law from the perspective of sustainability. To him, shifting to and legislating in favour of renewable energy is both a matter of consciousness and ethics: are human societies sufficiently concerned and aware of their impacts on the environment to make a conscious choice to change?

As the title may suggest, Experiences (section II) discusses and analyzes case studies of energy governance in several jurisdictions. For example, Daya-Winterbottom gives a fascinating overview of the complex legal development and challenges for renewable energy investment in New Zealand. Through a careful analysis of New Zealand case law, the author shows that New Zealand has not yet developed a coherent environmental policy regarding renewable energy and climate change despite having plenty of renewable energy sources accessible (hydro and geothermal energy as well as wind and tidal energy). This lack of a coherent policy has led the courts to step in, strengthen and sometimes weaken the legal framework for renewable energy development and climate change mitigation. Although in terms of climate change the judiciary might have rendered climate litigation untenable, the courts have also played an important role in balancing the protection of the environment

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alongside developing wind energy projects.

Albeit brief Governance Gaps (section III) might be the most interesting section, and the book might have gained in having expanded this section a little further. Prior to this section, the book comes across as western-centric mainly focusing on energy governance in European and other countries in the Northern hemisphere. The final two chapters of this book highlight global energy governance and the impact of environmental changes on developing countries. Eloamaka Carol Okonkwo's chapter might be one of the most interesting in the entire book as she focuses on the negative impacts of oil and gas exploration and extraction on local communities living on the Niger River's delta. She highlights the urgent need to protect environmentally displaced persons that have been affected by environmental pollution. Okonkwo calls for the development of a new legal framework in both Nigerian and international law. She further emphasizes the need to implement both regional and international instruments and guidelines to provide for normative protection to displaced communities. In the meantime, oil companies should be challenged for infringing fundamental human rights such as cultural rights and the right to a healthy environment. Okonkwo also suggests that challenging the government for encouraging such behaviour might also help.

As mentioned above, a volume of this nature is indeed timely. Although the book does a great job at giving a broad range of experiences and research, it is safe to say that the book's omission of the Arctic region might be a shortcoming when discussing energy transition and governance on a world scale. Communities across the globe are diversifying their energy sources with cleaner, lower-cost, renewable options while also developing non-renewable forms of energy. While each region comes with its own set of local preconditions and challenges, energy transition and sustainable energy governance development are also present in regions such as the Arctic. Shifting the focus of research to less-talked-about regions might help changing the narrative around energy development and facilitate investment in these regions.

This criticism aside, the book provides a rather comprehensive overview on the possibility for new forms of energy governance that could lead to fairer, safer and more sustainable societies. New solutions do exist and new forms of energy governance are on the rise. Governments and legislators should be pushed to make the energy transition happen and to regulate in favour of renewable energy and sustainability. As Anaïs Guerry (chapter 10) points out, energy transition should be understood as a cultural change as well as a radical change in the way we legislate and govern. More local production paired with citizens taking back control of the means of energy production might help bring about the radical - and much needed - change in energy governance. Social theories of taking back control of

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the means of production are not new ideas, but applying them in the context of energy transition and governance provides keys to better understand the issue. The book is quite technical at times and its in-depth perspectives and high-quality legal research might not be for newcomers to the field of environmental law. However, *Energy, Governance and Sustainability* will without doubts be of interest to legal practitioners, lawyers and policymakers as well as legal scholars well-versed in energy, natural resource and environmental law. Its affordable paperback version might also be an excellent addition to graduate and postgraduate environmental law students' reading list.

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