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9-30-2009

### Global Warming: A Second Coming for International Law?

Deepa Badrinarayana

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*Guest Lecture*

*By*

*Deepa*

*Badrinarayana,*

*Chapman*

*University*

*School of Law*

**Wednesday, September 30**

**5 PM, Room 124**

**William & Mary Law School**

**“Global Warming:**

**A Second Coming**

**for International Law?**

*Sponsored by the  
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Climate change is potentially the gravest catastrophe threatening humanity. Yet, even as nations negotiate a new climate agreement, it is uncertain whether international law can adequately address a range of global warming related problems, particularly the threat to territorial integrity and security of several nations. In her lecture, Professor Badrinarayana argues that prominent international law theories provide insufficient explanation of the effectiveness of international law in influencing state behavior. She presents an alternative view of the limits of international law in addressing global warming--that the economic foundation of international law, based on the violation of traditional rights, has effectively created an economic dependency among nations. The thickening of such economic dependency over a period of time constrains timely and satisfactory action on global warming related problems. Although the lecture is not prescriptive in nature, it suggests that the reinstatement of a traditional rights approach, specifically in the climate context through adaptation and taxation measures and generally through restatement of general international law to reduce existing fragmentation, may be the first step in creating a meaningful space for law in international relations.