ResponsAbility Contents

	About the authors Foreword JUSTICE ANTONIO HERMAN BENJAMIN	vii x
	Introduction BETSAN MARTIN	1
1	Ngā Pou Rāhui: responsable laws for water and climate BETSAN MARTIN	12
2	Reclaiming the global commons: towards earth trusteeship KLAUS BOSSELMANN	35
3	Responsibility, state and international law PIERRE CALAME	47
4	Public responsibility: a fundamental concept reflected throughout the ages; where did we lose the plot? GAY MORGAN	65
5	Confronting the insupportable: resources of the law of responsibility ALAIN SUPIOT	89
6	Responsibility and the transformative role of law NEETU SHARMA	102
7	The principle of responsibility in the global response to climate change: origins and evolution ADRIAN MACEY	114

vi Contents

An ethic of responsibility in Samoan customary law his highness tui atua tupua tamasese ta'isi efi	126
Indigenous law and responsible water governance hon sir edward taihākurei durie knzm	135
Governance of water based on responsible use – an elegant solution? LINDA TE AHO	143
	constitutionalisation:
freshwater claims, proprietorship and "stewardship" MARK HICKFORD	162
Rivers as ancestors and other realities: governance of waterways in Aotearoa/New Zealand DAME ANNE SALMOND	183
The power and potential of the public trust: insight from Hawai'i's water battles and triumphs KAPUA SPROAT AND MAHINA TUTEUR	193
From rights to responsibilities using legal personhood and guardianship for rivers CATHERINE IORNS MAGALLANES	216
GERALD TORRES	240
	Indigenous law and responsible water governance HON SIR EDWARD TAIHĀKUREI DURIE KNZM Governance of water based on responsible use – an elegant solution? LINDA TE AHO Reflecting on landscapes of obligation, their making and tacit freshwater claims, proprietorship and "stewardship" MARK HICKFORD Rivers as ancestors and other realities: governance of waterways in Aotearoa/New Zealand DAME ANNE SALMOND The power and potential of the public trust: insight from Hawai'i's water battles and triumphs KAPUA SPROAT AND MAHINA TUTEUR From rights to responsibilities using legal personhood and guardianship for rivers CATHERINE IORNS MAGALLANES Making law GERALD TORRES