

From the Editors

America prides itself as a place that fosters ingenuity. We build better mousetraps and the world follows our lead—or at least it used to. The painful restructuring of the antiquated American automobile industry during the 1980s is but one example of the United States learning a simple lesson the hard way: Other nations have much to teach U.S. businesses. (American CEOs, however, are choosy creatures—they'll happily copy Japanese plant management, but are more skeptical of that country's more equitable salary distribution!)

Unfortunately, the lesson learned by American corporations has not yet reached this nation's hallowed chambers of law. The U.S. legal system has been virtually closed to ideas from the outside. Courts and attorneys nimbly utilize a comparative approach to adopt theories from sister states, but rarely do they dare venture beyond our borders for answers to domestic problems. This stifling attitude begins in law schools which don't require classes in the history of the Common Law, much less requiring study of Civil Law systems. Ignorance transforms itself into arrogance as U.S. lawyers can't be bothered to see if foreign jurisdictions might have lessons analogous to the ones General Motors learned from Honda.

In this issue, **Paul Kibel**, an attorney at the Pacific Environment and Resources Center, suggests that the European Union's recent experience with integrating human rights and environmental issues into trade alliances should be used to make NAFTA a more effective document. Similarly, just as we fail to take foreign laws into account in far-reaching policy decisions, **Deborah Dyer** explores how U.S. agencies do not factor in foreign (or "exotic") species in comprehensive natural resource management.

On a different tack, **Kaylee Newell** critiques a recent California Supreme Court decision that allows negligent polluters to escape responsibility for the emotional distress they impose on innocent people exposed to deadly carcinogens. Then, with a focus on local government, **Seth Merewitz** examines how another California case, *DeVita v. County of Napa*, permits a complete bypass of the benefits of informed environmental planning. Finally, **Chad Carlock** examines the need for environmental planning on a regional scale, and examines some of the legal and practical impediments to such an approach.

The common thread uniting all of these articles is learning lessons from what went before. In keeping with this theme, *Environs* is learning from its sister journals, both at UC Davis and at other institutions. Over the next few years we plan to expand our readership on-line, nationally, and abroad through their helpful advice. Along the way, we hope that part of our spirit rubs off on them: That legal writing is about the free exchange of ideas, where journals are victories of substance over form.



Conrad Huygen is a 2L at King Hall.



Chad Carlock is a 3L at King Hall.



Redwood Grove, by Gus Dizerega, 1996.