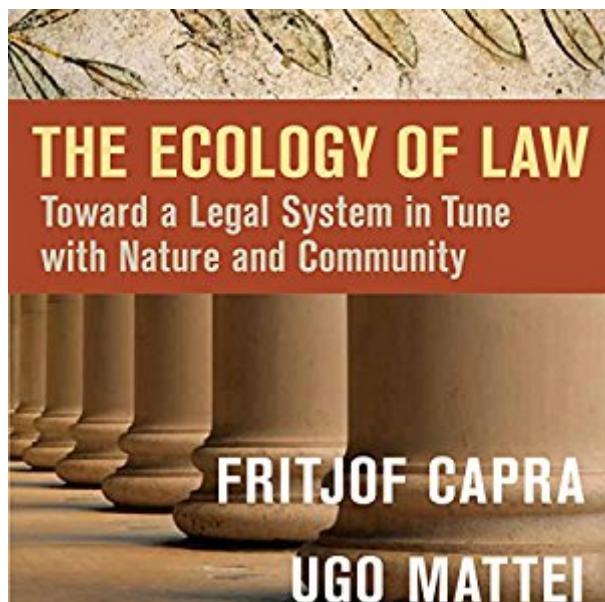


The book was found

The Ecology Of Law: Toward A Legal System In Tune With Nature And Community



Synopsis

At the root of many of the environmental, economic, and social crises we face today is a legal system based on an outdated worldview. In this groundbreaking book, best-selling author, physicist, and systems theorist Fritjof Capra and distinguished legal scholar Ugo Mattei show how, by incorporating concepts from modern science, the law can become an integral part of bringing about a better world. This is the first book to trace the fascinating parallel history of law and science from antiquity to modern times, showing how the two disciplines have always influenced each other - until recently. In the past few years, the scientific paradigm has shifted dramatically, from seeing the natural world as a kind of cosmic machine to understanding it as a network of fluidly interacting communities. But law is stuck in a mechanistic, 17th-century view that the world is made up of discrete individual parts. This has led to legal theory focusing on these parts and ignoring the bigger picture - for example, elevating the rights of individual property owners over the good of the community. But Capra and Mattei outline the basic concepts and structures of a legal order consistent with the ecological principles that sustain life on this planet. This is a profound and visionary reconceptualization of the very foundations of the Western legal system, with profound implications for the future of our planet.

Book Information

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Customer Reviews

The history of law and of the Western modern legal thought is deeply characterized by the construction of nature as a series of commodities that can be seized, occupied, traded and destroyed. As a consequence, human laws authorize, legitimize and protect people (and wealthy

people above all) when they enclose natural resources, grab land, privatize water and trade food throughout the world as an item whose value depends on exchanging and not on using. In this excellently written and enjoyable book, Fritjof Capra and Ugo Mattei combine their theoretical and practical backgrounds to expose the ecological unsuitability of "mechanistic" paradigm and propose a new and appealing "ecolegal" order that challenges the deepest and most rooted assumptions of most jurists, businessmen and political leaders. At a time when global warming is "changing everything" and when there is an increasing realization of the need for a new holistic paradigm is needed and urgent, the first seven chapters of the book (pars destruens) take scientists and jurists - but also non expert readers - through the history of ideas that contributed to the creation of the current (entrapped) state of the world and its naturalization. The last three chapters, which are highly destabilizing of the legal status quo and thought provocative, discuss the 'commons' and some of ongoing revolutionary struggles that try to make the new paradigm a reality as the funding pillars of "an ecologically transformed law [that] can transform capital into natural commons by producing a sustained investment into a sharing economy, into ecologically compatible architecture, or into environmental care.

A very important work for anyone following developments in the evolution of social and political thought, broadly construed. The book is a page-turner, and is written for both specialist and popular audiences. The key takeaway is intuitive: our epistemic understanding of the physical world has moved away from static models of properties and dynamics (Aristotelian, Cartesian, Baconian)--which were expressed as immutable "laws of nature"-- towards more fluid conceptions of the cosmos (Einstein, Bohrs, Heiselberg); our legal/regulatory models are in dire need of a similar paradigm shift. Western science has moved towards an epistemology/ontology that acknowledges that physical properties are contingent on related phenomena. As Heiselberg postulated, "The more precisely the position of an electron is determined, the less precisely its momentum is known in this instant, and vice versa." The marriage of physics with chemistry in the early part of the 20th century has now been supplemented with radically contingent theories of subatomic and macrocosmic dynamics. As a result, our understanding of foundational 'facts' about our environment, including the very premise of time as an absolute and linear measure, has been called into question. Western jurists and policymakers have a difficult time conceptualizing these more fluid network processes, and consequently, the dominant jurisprudential paradigm still rests on what Capra and Mattei call a model of "mechanical jurisprudence" -- where physical phenomena can be studied, deductively reduced to their least common measurable denominators, and then allocated through the process of

propertization to ostensibly "most efficient" uses.

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