



Title	Introduction to nature conservation legislation.
Lecturer(s): Contact email address:	Prof. Christian Freitag, Indiana University Maurer School of Law, Dr. Orsolya Bernadett Papik (PhD., LL.M.) ELTE Law School orsolya.papik@ajk.elte.hu
Brief description	Understanding the difference between conservation versus more traditional environmental regulation. Understanding the conservation movement's social context, including past, present, and future issues. Basic understanding of legal tools in the conservationist's toolbox and how and when they're used. The course aims to provide a brief overview of the regulations of the United States and Hungarian legal systems in the above topics.
Schedule	1. Session <i>Introduction and Objectives</i> • <i>What does "Conservation" mean? Why do we care?</i> • <i>Definitions</i> • <i>Ethical considerations</i> • <i>Is conservation law different than other forms of environmental law?</i> • <i>How is conservation unique?</i> • <i>How is conservation changing over time?</i> 2. Session • <i>Origins and Historical Context</i> • <i>Where did the conservation movement come from? How did we get here?</i> ▪ <i>Early days: 1870-1920</i> ▪ <i>Mid-20th Century: 1920-1970</i> ▪ <i>Modern day: 1970-present</i> 3. Session • <i>How does conservation work in practice?</i> • <i>Government versus private.</i>

- *What are the conservationists' tools?*
- *Overview*
- *Fee title acquisition*
- *Conservation Easements*

4. Session

- *Working Lands versus "Natural" Lands*
- *Incentives for conservation practices*
- *How to select the right tool? Situational planning*

5. Session

- *Emerging Issues in Conservation Law*
- *Biodiversity, Habitat, and Endangered Species*
 - *Climate Change*
- *Environmental Rights*
 - *Human rights*
 - *Rights of Nature*
- *Human-wildlife conflict*
 - *Yellowstone wolves*
 - *Tanzania lions and elephants*
 - *Costa Rica Great Green Macaws and pineapples*

6. Session

- *Introduction to Hungarian nature conservation law*
- *Purpose of regulation,*
- *Sources of legislation*
- *Nature conservation tools in Hungary and the EU*

7. Session

- *Protected natural areas*
- *Real estate issues*
- *Protection procedure at national and local levels*

8. Session

- *Balancing interests*
- *Harmonizing economic and nature conservation goals in Hungary*
- *Legal remedies*
- *Natura 2000*

9. Session

Group work using the knowledge acquired so far. Presentation of the chosen topic. Giving feedback on presentations together.

10. Session

Group work using the knowledge acquired so far. Presentation of the chosen topic. Giving feedback on presentations together.

Materials/Recommended readings	Aldo Leopold, "The Land Ethic," from A Sand County Almanac (1949). https://www.uky.edu/~rsand1/china2017/library/Leopold1.pdf J. Drew Lanham, "Forever Gone," Orion Magazine, 2018. https://orionmagazine.org/article/forever-gone/ Public Lands and Their Administration (Sowards 2019), https://oxfordre.com/americanhistory/view/10.1093/acrefore/9780199329175.01.0001/acrefore-9780199329175-e-396 Conservation Easements in Indiana, https://www.extension.purdue.edu/extmedia/ID/ID-231/ID-231.pdf. IC 32-23-5 Uniform Conservation Easement Act. http://iga.in.gov/legislative/laws/2021/ic/titles/032/#32-23-5. Conservation Law Center's Conservation Easement Templates Rissman, Owley, Shaw, and Thompson, Adapting Conservation Easements to Climate Change, Conservation Letters (2014). Freitag, Nabatchi, Cook, and Foley, Pineapples, Parrots, and People: Challenges and Opportunities for the Great Green Macaw in Costa Rica (2022). Mills, Environmental Personhood: what is it and why should nature be given legal status? Feb 13, 2025, World Economic Forum, https://www.weforum.org/stories/2025/02/environmental-personhood/ Nonhuman Rights Project, #FreeHappy PSA, YouTube (May 11, 2022), https://www.youtube.com/watch?v=2dFRtvPyaCI Jack Davis, <i>The Legal Fight to #FreeHappy and the Importance of Dissent</i>, Nonhuman Rights Blog (July 7, 2022), https://www.nonhumanrights.org/blog/freehappy-dissents/ Martha C. Nussbaum, <i>Working with and for Animals: Getting the Theoretical Framework Right</i>, 94 Denv. L. Rev. 609 (2017), https://digitalcommons.du.edu/cgi/viewcontent.cgi?article=1061&context=dlr Katalin, Sulyok, Speaking in the Language of Law or Science? Epistemic Hard Cases and Reasoning Dilemmas for Courts in Adjudicating Climate Change PUBLISHED IN: NEW ZEALAND JOURNAL OF ENVIRONMENTAL LAW, 2024, Vol. 28. pp. 21-47 https://www.researchgate.net/publication/393196983_Speaking_in_the_Language_of_Law_or_Science_Epistemic_Hard_Cases_and_Reasoning_Dilemmas_for_Courts_in_Adjudicating_Climate_Change#:~:text=This%20article%20argues%20that%2C%20even%20though%20crafting,which%20judicial%20reasoning%20can%20respect%20this%20imperative.
--	--

Assessment /Exam	Oral presentation on a freely chosen topic from the course, following independent preparation.
------------------	--