

DEEPA BADRINARAYANA

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Environmental Law Professors Blog
Editor

CURRENT POSITION

Professor of Law, 2014-present

Associate Professor of Law, 2011-Present

Chapman University, Dale E. Fowler SOL, Orange, California

Courses: Torts, International Law, International Trade Law, International Environmental Law, Environmental Justice, Freshman Foundations course (Globalization (2017); the Carbonvore's Dilemma (2016))

Adjunct Professor, Spring 2011, 2013-present

MA in International Studies (MAIS)

Chapman University, Wilkinson College of Humanities and Social Sciences, Orange, California

Course: Environment and Sustainable Development

Research Focus: Equal protection, environmental justice, intersection between climate change, energy, and economics; international and comparative law (India focus) and Torts.

OTHER ACADEMIC POSITION

Visiting Professor, Spring 2013

University of California, Irvine, School of Law, Irvine, California

Course: Torts

Adjunct Professor

Golden Gate University and the University of Paris Ouest (Nanterre La Defense) Summer Comparative Law Program, Paris, France

Course: Comparative Environmental Law (American and EU Environmental Law) with Professor Pauline Abadie (University of Paris)

Assistant Professor of Law, 2008-2011

Chapman University School of Law, Orange, California

Courses: Environmental Law, Global Climate Change Governance, International Energy Security and Climate Change, International Regulation and Corporate Social Responsibility, Wills and Trusts, Torts, International Trade Law, and International Environmental Law

Visiting Assistant Professor of Law, 2007-2008

Chapman University School of Law, Orange, California

Course Taught:

Environmental Law Fellow, 2006-2007

Center for Environmental Legal Studies, Pace University School of Law, White Plains, New York

Visiting Scholar 2005- 2006

Center on Global Legal Problems, Columbia University School of Law, New York, New York

Researcher 2001- 2007

Professor Frank P. Grad, Columbia University School of Law, New York

Research Officer 1997- 2000

National Law School of India University, Government of India-World Bank Project on Environmental Capacity-Building (Law Component), Bangalore

PUBLICATIONS

ARTICLES AND SHORT ESSAYS

“A Constitutional Right to International Legal Representation: The Case of Climate Change,” *Tulane Law Rev.* __ (forthcoming).

“The “Right” Right to Environmental Protection: What We Can Discern from the American and Indian Constitutional Experience,” 43 *Brooklyn International Law Journal* 75 (2017).

“The Jewel in the Crown: Can India’s Strict Liability Theory Deepen Our Understanding of Tort Law Theory?” 55 *UNIVERSITY OF LOUISVILLE L. REV.* 25 (2016).

“GATTING” the New Climate Treaty Right: Leveraging Energy Subsidies to Promote Multilateralism, 39 *FORDHAM INT’L L. J.* 179 (2015).

Trading Up Kyoto: A Proposal to Amend the Protocol, Part I, 41 *B.C. ENVTL. AFF. L. REV.* 1 (2014) (lead article)

India’s State of Legal Education: The Road from NLSIU to Jindal, 63 *Journal of Legal Education* 521 (2014)

The Kyoto Protocol’s Emissions Trading Scheme, Realistic or Unjust Solution for Potential Developing Country Signatories?, 42 *ELR* 11157 (2012) (Publication is derived from a panel discussion on climate change and justice, at the 2012 Annual Meeting of the American Association of Law Schools, solicited).

Three Climate Crises, 44 *Case Western J. Intl. L.* 435, (2011) (invited symposium piece)

International Law in a Time of Climate Change, Sovereignty Loss, and Economic Unity, Proceedings of the 104th Annual Meeting of the American Society of International Law, 2011

Environmental Challenges of Climate-Nuclear Fusion: A Case Study of India, 29 *UCLA JOURNAL OF ENVIRONMENTAL LAW AND POLICY* 102 (2011)

India’s Integrated Energy Policy: A Source of Economic Nirvana or Environmental Disaster?, 40 *ENVIRONMENTAL LAW REVIEW* 10706 (2010) (peer reviewed journal, solicited)

Global Warming: A Second Coming for International Law?, 85 WASHINGTON LAW REVIEW 255 (2010)
(Three Degrees Conference Issue, by selection, invited speaker)

Trade, Energy, and Climate Change Policies of BASIC Nations: One Step Closer to an Economic Interest-Based International Law? 2009 INDIAN YEARBOOK OF INTERNATIONAL LAW AND POLICY 1 (2010)
(peer reviewed journal, solicited)

Transporting India into a New Climate: The Implications for Energy Law and Policy, 40 CUMBERLAND LAW REVIEW 125 (2010) (invited symposium piece)

The Emerging Constitutional Challenge of Climate Change: India in Perspective, 19 FORDHAM ENVIRONMENTAL LAW REVIEW 1 (2009)

India's Constitutional Challenge: A Less Visible Climate Change Catastrophe, 1 JINDAL GLOBAL LAW REVIEW 213 (2009) (peer reviewed, solicited)

Karma or Dharma: India's Climate Catch 22, 8 GERMAN LAW JOURNAL 327 (March 2008)

To Trade or not to Trade...A Comparison of the Biosafety Protocol and the SPS Agreement, 32 ENVIRONMENTAL LAW REPORTER 10512 (2002) (peer reviewed journal)

BOOK CHAPTERS

India's climate change mitigation strategy, in ELGAR ENCYCLOPEDIA OF ENVIRONMENTAL LAW, VOL. 1, CLIMATE CHANGE LAW 503-504, (DANIEL A. FARBER & MARJAN PEETERS EDS., 2016)

Financing of Adaptation Measures, in *The Law of Adaptation to Climate Change: U.S. and International Aspects* (Michael Gerrard and Katrina Kuh (eds), ABA Publication (2012)

Introduction to International and Domestic Climate Change Regulation, in *Climate Change, Indigenous Peoples, and the Search for Legal Remedies*, (Randall Abate and Elizabeth Kronk, (eds) (2013)

India's Constitutional Challenge: A Less Visible Climate Change Catastrophe, in CLIMATE CHANGE LAW AND DEVELOPING COUNTRIES, LEGAL AND POLICY CHALLENGES (Benjamin Richardson, Heather McLeod-Kilmurray, and Stepan Wood, eds., (2009)

BOOK REVIEW

Andree Kirchner (Ed.), International Marine Environmental Law, Institutions, Implementation, and Innovations, in 16.2 REVUE QUEBECOISE DE DROIT INTERNATIONAL (2003)

NEWSLETTER COMMENTS

The U.S.-India Civilian Nuclear Energy Agreement—Facing an Unclear Future, Homeland Security Committee Newsletter, ABA Section on Environment, Volume 3, No.1 (May 2008)

OP-ED

Paris talks: don't break out the bubbly yet, THE L.A. DAILY JOURNAL, December 17 (2015)

Challenges to Regulating Climate Change, THE L.A. DAILY JOURNAL, April 22 (2010)

BLIND PEER REVIEWS AND OTHER PEER REVIEW (BY REQUEST)

Work-in-progress review for junior faculty workshop at Chapman University (2017)

Article for Arizona State University Jurimetrics Journal

Textbooks on Environmental Law and on Climate Change, Aspen Publishers

Article for Stanford Journal of Law, Science and Policy

What Climate Can Do for Tort Law, Doug Kysar
Human Rights and Adaptation, law review article for scholars
Review of Book Proposal for Edward Elgar Publishers, UK

BLOGS

Environmental Law Professors Blog, Editor with Blake Hudson, Lesley McAllister, and Dave Owen.

CONFERENCES

SELECT PRESENTATIONS/LECTURES/PANEL PARTICIPATION/WORKSHOPS/GUEST LECTURE

Paris, Policy, and The Grid: The Future of Transnational Energy Policy, University of Connecticut International Law Review Symposium, University of Connecticut, April 2018 (invited panelist).

The British Raj and the globalization of common law: the Rougher Civilizer of Nations?, Southern California International Law Scholars Workshop (SCILS), UCLA Law School, September, 2018.

Roundtable on Emerging Law of Energy Transition, Annual Meeting of the American Society of International Law, April, 2017 (invited speaker).

Southern California International Law Scholars Workshop, September 2017 (moderator, paper by Manoj Mate, Reconceptualizing Judicial Supremacy: Insights from the Indian Model).

Divergences in Adjudicating Rights and Cultural Explanations: A Comparison of Constitutional Law Responses to Environmental Justice in the United States and India, Annual Meeting of the Association on Law, Society, Culture, and Humanities, Stanford University School of Law, April 1, 2017 (selected paper presentation).

Comparing Environmental Justice, Symposium on Transnational Law and Contemporary Problems, October 2016, University of Iowa School of Law (invited speaker).

Equating Environmental Justice, Annual Colloquium on Environmental Scholarship, Vermont Law School, September, 2016 (selected paper presentation).

Energy Law, Nexus Symposium, October 23, 2015 (moderator).

Environmental Justice, LATCRIT Annual Conference October 2, 2015 (panelist by paper selection)

Limits of Constitutional Law, Human Rights Conference, Panel on climate change and human rights, University of Wisconsin School of Law, November 6, 2015 (*by invitation*)

Environmental Futures, Law and Policy Challenges, AALS Section on South Asian Law and Studies, Annual Meeting of the Association of American Law Schools, January 8, 2015 (organizer and chair)

International Law, Constitutional Rights, and Climate Change, Southern California International Law Scholars Workshop (SCILS), University of California Irvine Law School, September, 2015.

Energy Security, Rocky Mountain Mineral Law Foundation, Natural Resources Law Teaching Institute, University of Utah, S.J. Quinney College of Law, May 28, 2015 (*by invitation*, panelist)

- A New Climate Protocol, University of Denver, Seminar Workshop, 2014 (*by invitation*)
- A New Climate Protocol, University of Colorado Workshop for Environmental Law Scholars, 2014 (paper presentation, as well as commentator, by invitation)
- Afflicted by the “Midas Touch”: Challenges to Achieving Sustainable Wealth and Health in India, University of Washington, Seattle, Global Health Law Summer Institute, 2014 (*by invitation*)
- Security and the Fifth IPCC Assessment Report, Environmental Law Colloquium 2014 (*by invitation*)
- Inaugural Workshop, South Asian Law Association (SALA), 2014 (*by invitation*, discussant)
- China and India and the Future of Environmental Law, Yale Environmental Law Association (YELA), 2013
- Speaker, Yale Law Women's organization, 2013
- The Law of Climate Change: Adaptation and Financing,” Southern California Association of Law Libraries, April, 2013 (*by invitation*)
- Legal Reform and Legal Education in South Asia, Annual Meeting of the American Association of Law Schools, January, 2013
- Teaching International Law: Principles for Framing a Survey Course, International Law Weekend, Fordham Law School, October, 2012
- Challenges to teaching international law from a TWAIL Perspective in relation to BRIC Countries, SALT Teaching Conference and LatCrit/SALT Junior Faculty Development Workshop, University of Maryland School of Law, October, 2012
- Trading Up Kyoto, Faculty Workshop, Whittier Law School, September, 2012 (*by invitation*)
- Trading Up Kyoto, COTES Workshop, Chapman University School of Law, September, 2012
- Leveraging Energy Subsidies, Environmental Scholars Workshop, University of Washington School of Law, July, 2012 (*by invitation*)
- Leveraging Energy Subsidies, University of Minnesota School of Law, Workshop on New Directions in Environmental and Energy Law, Policy and Geography, May, 2012 (*by invitation*)
- A BRIC in the Wall: Rule of Law Challenges facing Africa*, ASIL Conference on Africa and International Law: Taking Stock and Moving Forward, Albany Law School, April, 2012 (by paper selection)
- International Studies Association, San Diego, April, 2012 (moderator and chair of session, *by invitation*)
- Of Two Sovereignties, Expanding Critical Spaces Symposium, Whittier Law School, March, 2012 (*by invitation*)
- Leveraging Energy Subsidies, Global Crisis Conference, University of Santa Barbara, March, 2012 (*by invitation*)
- Leveraging Energy Subsidies, Junior International Law Scholars Association (JILSA), University of Georgia, February, 2012

The United Nations and Environment on the Eve of Rio 2012, UNA OC Annual Brunch, January, 2012 (*Keynote speaker, by invitation*)

ASIL Mid-Year Meeting, ASIL Research Forum, Environmental Scarcity and Sustainability, November, 2011 (*discussant, by invitation*)

Legitimacy of Adaptation, Third World Approaches to International Law (TWAAIL), University of Oregon, October, 2011

Climate Justice, Sixteenth Annual LatCrit Conference, San Diego, October, 2011

“Redressing Climate Change in a Different Tort Suit,” Blank Lecture, Chapman University School of Law, September, 2011

“Three Climate Crises,” Frederick K. Cox International Law Center Symposium, “International Law in Crisis,” Case Western Reserve University School of Law, September, 2011 (*by invitation*)

“Redressing Climate Change in a New Tort Suit,” Junior Faculty Forum, University of California Irvine School of Law, September, 2011

“The Influence of Global Trade, Energy, and Climate Change on Local Land Use Policies,” Annual Meeting of the Southeastern Association of Law Schools, July, 2011

“All but Migration: Reconciling Global Trade with Globalization of Climate Change by finding the New “Bottom,”” Law and Society Annual Meeting 2011, San Francisco, June, 2011

“Global Warming and India’s Constitutional Rights,” A3: A Conference on Climate Justice, University of Irvine School of Law, April, 2011 (*by invitation*)

“Governing Climate Change, Achieving Human Security, Sustaining Democracy,” International Studies Association Annual Meeting, March, 2011 (*discussant, by invitation*)

“Nuclear Energy Science and Policy,” Guest Speaker, Environmental Seminar Series, Environmental Science and Policy Course, Chapman University Science Department, Spring 2011 (*by invitation*)

“Intellectual Property Protection and Food Security,” Guest Speaker, Food Sciences Course, Chapman University Science Department, Spring 2011 (*by invitation*)

“Climate Change, Nuclear Energy and the Upcoming Governance Challenges,” Law and Society Speaker Series, Suffolk University School of Law, February, 2011 (*by invitation*)

“Litigation and Climate Justice,” Civil Litigation as a Tool for Regulating Climate Change (the 25th Monsanto Proceedings on Tort Law and Jurisprudence,” Valparaiso School of Law, February, 2011 (*by invitation*)

“The Unbreakable Heaviness of Economic Interests in Shaping Climate Law: The Case of India’s Civilian Nuclear Program,” International Economic Law in a Time of Change: *Reassessing Legal, Doctrine, Methodology, and Policy Prescriptions*, 2010 Biennial Economic Interest Group Conference, American Society of International Law, University of Minnesota School of Law, November, 2010 (*co-organizer of panel*)

“Climate Change and Nuclear Energy Policies of India: Setting the Stage for Injustice,” Conference on Environmental Justice, Florida A & M University, School of Law, November, 2010 (*by invitation*)

"The Challenges of Climate Change and Nuclear Energy," Conference on Globalization in India and the USA: Law, Governance and Business, jointly organized by O.P. Jindal Global University (JGU) and Yale University, October, 2010 (*by invitation*)

"Governance Challenges to Deploying Nuclear Energy to Foster a Green Economy: Focus India," UNITAR-Yale Conference on Environmental Governance and Democracy, Yale Law School, September, 2010 (*by selection*)

"India's Nuclear Energy and Challenges to the Environment," Pace University School of Law, September, 2010 (*by invitation*)

"Briefing Session for Post-Graduate Diploma in Environmental Law," National Law School of India University, Bangalore, India, June, 2010 (*by invitation*)

"The Copenhagen Accord: Back to the BASICS of Climate Negotiations," United Nations Association/Orange County and Chapman University, Chapman University, April, 2010 (*by invitation*)

"Energy, Climate Change, and the Law," Beyond Copenhagen Conference, Chapman University School of Law, April, 2010 (*organizing committee member, moderator*)

"How Best to Engage India post-Copenhagen on Climate Questions," India and Climate Change, UCLA Law School, April, 2010 (*by invitation*)

"Global Warming: A Second Coming for International Law," American Society of International Law, Annual Meeting, March, 2010 (*proposed panel*)

"Sovereignty and Climate Change," Annual Meeting of the American Association of Law and Property, Georgetown Law Center, March, 2010

"Nuclear Energy, Climate Change, and Justice: A Case Study of India," Symposium on The Intersection of Renewable Energy Development and Geoengineering, Washington and Lee University School of Law, March, 2010 (*by invitation*)

"International Law and Climate Justice," Fourteenth Annual LatCrit Conference, American University, Washington College of Law, October, 2009

"Global Warming: A Second Coming for International Law?," Distinguished Lecture, Human Securities Law Program, William and Mary Law School, September, 2009 (*by invitation*)

"Global Warming: A Second Coming for International Law?," Annual Meeting of the Southeastern Association of Law Schools, August, 2009

"The Silent Ethanol War: Climate or Power Concerns?," ABRI-ISA Joint International Meeting, Pontifical Catholic University, July, 2009

"Climate Change and India's Constitutional Challenge," International Seminar on Climate Change: Law, Policy and Governance, New Delhi, June, 2009 (*organize, presenter, and moderator*)

"Global Warming, Justice, and International Law," Conference on the Law of Climate Change and Human Rights, University of Washington School of Law, May 2009 (*by invitation*)

"The Future of Climate Change Law," Chapman Earth Day Panel for Celebrating Earth Day: Positive Solutions to a Planetary Crisis, Chapman University, April, 2009 (*by invitation*)

“Transporting India into a New Climate Future,” Transportation Energy Policy in National and Global Perspective: a New Beginning, Cumberland Law School, Samford University, February, 2009 (*by invitation*)

“The Future of Climate Action,” AALS Annual Meeting, Joint Field Trip of the Section on Environmental and Natural Resources Law, January, 2009

“Climate Change: India’s Constitutional Challenge,” Climate Law in Developing Countries: Post-2012, IUCN Academy on Environmental Law, University of Ottawa, September, 2009

“The Future of the Kyoto Treaty: The Effect of the Presidential Election, Geopolitical Considerations Affecting International Cooperation, and the Role of the U.S. Business Community,” Orange County Bar Association International Law Section, Newport Beach, September, 2008 (*by invitation*)

“Trade and Climate Change: Is There a Path to Sustainable Development under Law?,” Virtual Environmental Law Guest Speaker Series, Mercer Law School, April, 2008

“Global Warming and Corporate Social Responsibility,” Public Lecture Series, Center for Environmental Legal Studies, Pace University School of Law, April, 2008 (*by invitation*)

“The Role of Corporations in Shaping Climate Law and Policy,” Conference on Transnational Corporate Social Responsibility for the 21st Century, George Washington University School of Law, April, 2008

“Globalization, Trade, Human Rights and Climate Change: India in Perspective,” Conference on Law, Poverty, and Economic Inequality, Valparaiso University School of Law, April, 2008

“CBD and Climate, Time to Redefine “Conservation?,” 10th Annual International Wildlife Law Conference, University of Granada, March, 2008

Global Warming Debate, Event sponsored by the Federalist Society as part of a nation-wide teach-in on climate change, Chapman University School of Law, January, 2008

“U.S. and Indian Pollution Control Laws: A Comparative Analysis,” Karnataka State Pollution Control Board, India, December, 2007 (*by invitation from the Chairman of the Board*)

“The Novartis Case and its Impact on the Protection of Traditional Knowledge under TRIPS and Indian Biodiversity Law,” ASIL Seminar on Intellectual Property Protection for Traditional Knowledge, Santa Clara Law School, November, 2007

“Climate Change and International Environmental Justice,” City University of New York Law School, April, 2007 (*by invitation*)

“NAFTA: The Silk Route to Trading Sovereignty?,” Fifth Annual Idaho Symposium on International Law, University of Idaho, March, 2007

“Historic Preservation in India: Legal Challenges,” Columbia University School of Architecture, December, 2004 and December, 2002 (*by invitation*)

EDUCATION

DEGREES

Doctor of Juridical Studies in Environmental Law (SJD) (2007)

Pace University School of Law, White Plains, NY
 Dean's Writing Grant; Pace Law School Scholarship
 Thesis: "A New Environmental Order"

Masters in Environmental Law (LL.M.) (2001)
Pace University School of Law, White Plains, NY
 Henry M. Feldschuh Fellow in Environmental Law (full academic scholarship)

Bachelor of Arts and Bachelor of Law (B.A. LL.B (Hons)) (1997)
National Law School of India University, Bangalore, India
 State Bank of Mysore Scholarship

CERTIFICATES

Certificate on Global Legal Issues Facing the United Nations: Legal, Humanitarian and Political Perspectives (July 2004) (full scholarship)
United Nations Summer Institute of UN Studies and Columbia University School of Law, New York, New York

Certificate in Training the Trainers in Environmental Law (June 1998) (by invitation)
United Nations Environment Programme, World Conservation Union and Asian Pacific Center on Environmental Law, National University of Singapore, Singapore

CHAPMAN UNIVERSITY SERVICES AND AWARDS

SERVICE:

- Law School: Current: Law Review Faculty Board of Advisors; Promotion and Retention (chair, Fall 2017); International Law Society (faculty advisor)
- Past: Academics Standard, Admissions, Career Services, Long Range Planning, and Library Committees; Faculty Advisor—South Asian Law School Association (SALSA) and Jessup Moot Court Team; ASIL Institutional Partnership;
- "International Seminar on Climate Change: Law, Policy and Governance," in collaboration with Chapman University School of Law, Center on Global Trade and Development, O.P. Jindal Global Law School, and UCLA Centers on Climate Change and on Land Use, June 2009 (Key Organizer), and
- "Climate Change and the Future of California Environmental Law," in collaboration with Chapman University School of Law Centers on Global Trade and Development and on Land Resources, March 2009 (Key Organizer).
- University: Faculty Senate (Member, Governance Council; Environmental Committee); Curriculum Committee, Masters in Arts in International Studies; Team Member COP 15 Meeting of UNFCCC, Copenhagen, December 2009; and Member of Organizing Committee, "Beyond Copenhagen: An International

Conference on Climate Change, April 2010, (Member of organizing committee), 2010.

AWARDS:

Curriculum Innovation in Sustainable Development Teaching Award (University level), 2011

PROFESSIONAL MEMBERSHIP AND COMMITTEES

Member, Organization Committee, South Asian Legal Academics, 2017-

Member and Chair-Elect, AALS Section on Law and South Asian Studies, 2013-2015

American Society of International Law (ASIL), Member, Co-Vice Chair, Teaching International Law Interest Group, 2012-2013; Member, ASIL, Present.

ASIL Midyear Meeting and Research Forum 2011, Member, Host Committee

American Bar Association

Energy Law and Climate Change Specialist Group, Environmental Law Commission, IUCN (by invitation)

Commons Law Project, Member (by invitation)

Committee on Environmental Law, World Conservation Union, IUCN, Member (since 1998)

International Environmental Law Committee, Association of the Bar of the City of New York, Student Member (December 2005-May 2007)

BAR ADMISSIONS

State of Karnataka, India (retired).