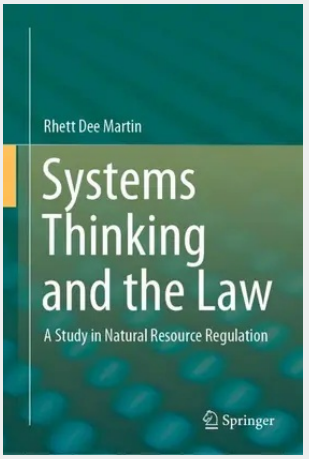
Martin

Systems Thinking and the Law

A Study in Natural Resource Regulation



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This book is about how system thinking can better inform the law in terms of policy development, understanding normative conceptions of the law, cross-disciplinary conceptions of law, and potential inputs into drafting regulation for natural resource sectors. The aims of this book are to better reflect the real world with regulation recognising value of natural ecosystem services to address productive use of natural resource sectors, whilst contemporaneously balancing ecological protection. This book asserts that system thinking uses a rule-based approach to thinking systematically about systems. This is very much about understanding the real world and addressing the many systems operating within it. Modern society faces many problems, and some of the most pressing are about use and exploitation of natural resources which sit within ecological systems. This book adopts a case study approach of the Victorian forestry sector and examines how this natural ecosystem has multiple ecosystem values capable of productive use, subject to not irretrievably damaging the resource base. The main premise of the book is to use system thinking to align legal regulation to better reflect the natural ecosystem of the forest. The outcomes of this research posit that properly constructed regulation using system thinking in construction reflects the true nature of the ecosystem and the true value of multiple ecosystem values within that sector. True reflection of these values enables regulation to be constructed that acknowledges the ecosystem and multiple ecosystem values with an appropriate prioritization. The topics covered in this book are of potential interest to legal, science and sustainability scholars, town planners, economists, engineers, and government staff involved in regulation preparation and drafting.

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