

Dr. Sam Bookman

sambookman.me | [@sbookman](https://twitter.com/sbookman) | sbookman@law.harvard.edu

Research interests

My research explores the obligations owed by private parties and governments in the context of climate change. I ask how climate change *disrupts* existing legal relationships and gives rise to *new* obligations and liabilities. In doing so, I utilize doctrinal, interpretive, and qualitative empirical methods.

Academic positions

HARVARD LAW SCHOOL

Postgraduate Fellow, Project on the Foundations of Private Law

Graduate Fellow, Edmond & Lily Safra Center for Ethics 2023–2024

Byse Fellow, Harvard Law School 2022–2023

MELBOURNE LAW SCHOOL

Senior Fellow, Melbourne Law Masters 2025

NYU LAW SCHOOL

Nonresident Fellow, Guarini Center for Environmental Law 2025–

Global Law Fellow, Hauser Program Fall 2024

BOSTON COLLEGE LAW SCHOOL

Adjunct Professor, Climate Law & Policy Spring 2024

VICTORIA UNIVERSITY WELLINGTON LAW SCHOOL

Tutor, Torts 2016

Teaching interests

Environmental law; constitutional law; torts; climate change and the law; comparative law

Qualifications

HARVARD LAW SCHOOL

SJD (Doctor of Juridical Sciences) 2025

LLM (Master of Laws: requirements met, degree waived) 2018

UNIVERSITY OF AUCKLAND LAW SCHOOL

LLB (Hons) 2015

BA (English Literature; Political Science) 2015

Selected practice experience

CYRUS R. VANCE CENTER FOR INTERNATIONAL JUSTICE

Senior Staff Attorney 2023–

Staff Attorney 2021–2023

Fellow 2018–2021

HARVARD LAW SCHOOL HUMAN RIGHTS PROGRAM

Research Coordinator 2019–2023

OFFICE OF THE CHIEF DISTRICT COURT JUDGE OF NEW ZEALAND

Adviser 2017

Judge's Clerk 2015–2016

Publications
(available on
[SSRN](#))

UNITED STATES LAW REVIEWS

Breakthrough Climate Constitutionalism, 97 COLO. L. REV.
(forthcoming 2026)

The Puzzling Persistence of Nature's Rights, 2025 UTAH L. REV.
165 (2025)

Defensive Environmental Constitutionalism: American Possibilities,
26 U. PA. J. CONST. L. 1284 (2024)

Demystifying Environmental Constitutionalism, 54 ENV'T L. 1
(2024)

- 2022 winner, [Colin B. Picker Graduate Prize](#), American Society of Comparative Law
- “Highly Recommended”, [Lawrence Solum's Legal Theory Blog](#)
- Cited by the Supreme Court of Pakistan in [Constitutional Petitions No. 4 and 14 of 2021](#)

PEER-REVIEWED LAW JOURNALS

Uncertainty and Tension on Constitutional Climate Adjudication,
GERMAN L.J. (forthcoming, 2025)

Smith v Fonterra and the Climatisation of Tort Law, 88 MOD. L.
REV. 192 (2025)

Conceptualising Just Transition Litigation, 7 NATURE
SUSTAINABILITY 1379 (2024) (with Annalisa Savaresi, Joana Setzer,
and 17 other co-authors)

The Distributional Implications of Rights-Based Climate Litigation,
14 GLOBAL JUSTICE: THEORY, RHETORIC AND PRACTICE 51 (2024)
(with Matthias Petel)

- 2024 runner up, [Colin B. Picker Graduate Prize](#), American Society of Comparative Law

Catalytic Climate Litigation: Rights and Statutes, 43 OXFORD J.
LEGAL STUD. 598 (2023)

- Winner, 2022 Richard Hart Prize, Public Law Conference, UCD Dublin

Nature's Rights in Comparative Perspective, 37 NAT. RES. & ENV'T
4 (2023)

Decoding Declarations in Taylor: Ambiguity and Reform, 2019
N.Z. L. REV. 259 (2019)

Maintainable Process Model Driven Online Legal Expert Systems, 27
ARTIFICIAL INTELLIGENCE & L. 93 (2019) (with Johannes Dimyadi,
David Harvey, and Robert Amor)

*CROCodile Tears or Provisions with Bite? The New Principles of
the Oranga Tamariki Legislation Act*, 2019 N.Z. L. J. 267 (2019)
(with Andrew Becroft)

Searching for Principle: Reconciling Tribal Membership and Liberal Values, 16 INDIGENOUS L. J. 1 (2018)

Judges and Community Engagement: An Institutional Obligation, 26 J. JUD. ADMIN. 3 (2016)

Providing Oxygen for the Flames? The State of Public Interest Litigation in New Zealand, 24 N.Z. U. L. Rev. 442 (2013)

BOOK CHAPTERS

Environmental Constitutionalism in A RESEARCH AGENDA FOR COMPARATIVE CONSTITUTIONAL LAW (BOJAN BUGARIC & MARK TUSHNET EDS., EDWARD ELGAR PUBLISHING, FORTHCOMING)

The Body Politic and Climate Change: An Organic Whole or a Site of Struggle? in EDWARD ELGAR RESEARCH HANDBOOK ON CLIMATE JUSTICE (DINA LUPIN, ALANA LANCASTER, MARIA ANTONIA TIGRE & AVLEEN KOHLI EDS., EDWARD ELGAR PUBLISHING, FORTHCOMING)

Indigenous Peoples, Private Law, and Climate Change in OXFORD HANDBOOK OF PRIVATE LAW & CLIMATE CHANGE (DOUGLAS KYSAR & ERNEST LIM EDS., OXFORD UNIVERSITY PRESS, FORTHCOMING)

Constitutional Mechanisms for Environmental Governance in PALGRAVE MACMILLAN HANDBOOK OF ENVIRONMENTAL POLICY AND LAW (ROBERT C. BREARS & JADE LINDLEY EDS., PALGRAVE MACMILLAN 2025) (with Ron Levy, Cristy Clark, Liz Hicks & Julia Dehm)

Intergenerational Equity in CAMBRIDGE HANDBOOK ON CLIMATE LITIGATION (SARAH MEAD & MARGARETHA WEWERINKE SINGH EDS., CAMBRIDGE UNIVERSITY PRESS, FORTHCOMING) (with Margaretha Wewerinke-Singh)

Bottom Lines & Changing Values: The New Zealand Supreme Court's Environmental Law Cases 2015-2024 in THE NEW ZEALAND SUPREME COURT: THE SECOND TEN YEARS (JANET MCLEAN & MICHAEL LITTLEWOOD EDS., LEXISNEXIS 2024) (with Corinne Marti)

The Constitutional Role of a Law Professor: What do Academics Do? in PRINCIPLE AND PRAGMATISM IN COMMON LAW CONSTITUTIONAL SYSTEMS (SAM BOOKMAN, HANNA WILBERG, EDWARD WILLIS & MAX HARRIS EDS., INTERSENTIA, 2022)

Blog posts
(A full list of my
media commentary
and blogposts can
be found [here](#))

[Smith v Fonterra: A Common Law Climate Litigation Breakthrough](#),
CLIMATE LAW: A SABIN CENTER BLOG (FEB. 12, 2024)

[What We Learned in Held v. Montana](#), HARV. ENV'T L. REV. ONLINE
(2024)

[Held v. Montana: A Win for Young Climate Advocates and What It Means for Future Litigation](#), ENVIRONMENTAL AND ENERGY LAW PROGRAM, HARVARD LAW SCHOOL (Aug. 8, 2023)

[Is Rights-Based Climate Litigation Possible in Australia](#), RIGHTNOW
(Mar. 1, 2023)

[What's Wrong with Good "Scholactivism"?](#), VERFASSUNGSBLOG (Aug.
26, 2022)

[Indigenous Climate Litigation in Anglophone Settler-Colonial States](#),
VERFASSUNGSBLOG (Mar. 12, 2022)

**Selected
presentations**

CURRENT PROJECT: CLIMATE PRESENTISM

- Sabin Center Colloquium on Innovative Environmental Law Scholarship, June 2025
- Online Environmental Law Scholars Workshop, April 2025
- S.J.D. "Pizza & Puzzles" Workshop, Harvard Law School, April 2024
- Grantham Research Institute on Climate Change and the Environment, London School of Economics, February 2024

CURRENT PROJECT: IMAGINING A CLIMATE CANON

- Public Law Conference, University of Ottawa Faculty of Law, July 2024

FORTHCOMING PROJECT: INDIGENOUS PEOPLES, PRIVATE LAW, AND CLIMATE CHANGE

- Yale Law School Conference on Private Law and Climate Change, April 2025

FORTHCOMING PROJECT: UNCERTAINTY AND TENSION IN CONSTITUTIONAL CLIMATE ADJUDICATION

- Graduate Fellows Colloquium, Edmond & Lily Safra Center for Ethics, April 2024
- "Constitutional challenges – Judging under pressure", Hertie School Centre for Fundamental Rights, February 2024

THE PUZZLING PERSISTENCE OF NATURE'S RIGHTS

- Faculty Workshop, Fordham Law School, November 2024
- Faculty Workshop, University of Hawai'i Law School, November 2024

- Faculty Workshop, Seton Hall Law School, November 2024
- Faculty Workshop, FSU Law School, October 2024
- Faculty Workshop, FIU Law School, October 2024
- Faculty Workshop, George Washington University Law, October 2024
- Faculty Workshop, Boston College Law School, September 2024
- Faculty Workshop, Hofstra Law School, September 2024 (Online)
- Junior Environmental Law Scholars Conference, Pace Law School, September 2024
- Law & Society Conference, Denver CO, June 2024
- Sciences Po Law School, Paris, February 2024
- Online Environmental Law Scholars Workshop, January 2024 (Online)
- Harvard Law School S.J.D. Colloquium, November 2023
- Visiting Scholar Workshop, Delaware Law School, October 2023
- Graduate Fellows Colloquium, Edmond & Lily Safra Center for Ethics, September 2023
- ICON-S Annual Conference, Wellington NZ, July 2023

DEFENSIVE ENVIRONMENTAL CONSTITUTIONALISM: AMERICAN POSSIBILITIES

- University of Pennsylvania Journal of Constitutional Law Annual Symposium, Penn Carey Law School, January 2024

THE DISTRIBUTIONAL NATURE OF RIGHTS-BASED LITIGATION

- American Society of Comparative Law Annual Conference, Florida International University, November 2023
- ICON-S Annual Conference, Wellington NZ, July 2023
- Center on Comparative Equality & Anti-Discrimination Law, UC Berkeley Law, February 2022 (Online)
- Conference on Human Rights and Climate Change, Universiteit Leiden, January 2022 (Online)

DEMYSTIFYING ENVIRONMENTAL CONSTITUTIONALISM

- Younger Comparativists Committee Conference, American Society of Comparative Law, October 2023
- S.J.D. “Pizza and Puzzles” Workshop, Harvard Law School, March 2023
- Earth Systems Governance Conference, University of Toronto, February 2023
- Science and Technology Studies Circle, Harvard Kennedy School, October 2022

- ICON-S Annual Conference, Wroclaw Poland, July 2022
- Comparative Constitutional Law Roundtable, University of New South Wales, December 2021 (Online)
- Junior Scholars Conference, Tel Aviv Law School, November 2021

CATALYTIC CLIMATE LITIGATION: RIGHTS AND STATUTES

- Public Law Conference, University College Dublin, July 2022

***Research
collaborations
& networks***

Sabin Center for Climate Change Law: Country rapporteur (New Zealand), 2021–2025

British Institute of International and Comparative Law: Adviser and Peer-Review, [Corporate Climate Litigation Project](#), 2023–

Grantham Research Institute: Contributor, [Climate Change Laws of the World Database](#), 2023–

World Commission on Environmental Law: Member, 2022–

***Bar
admissions***

New York: 2021 (currently active)

New Zealand: 2016 (currently inactive)