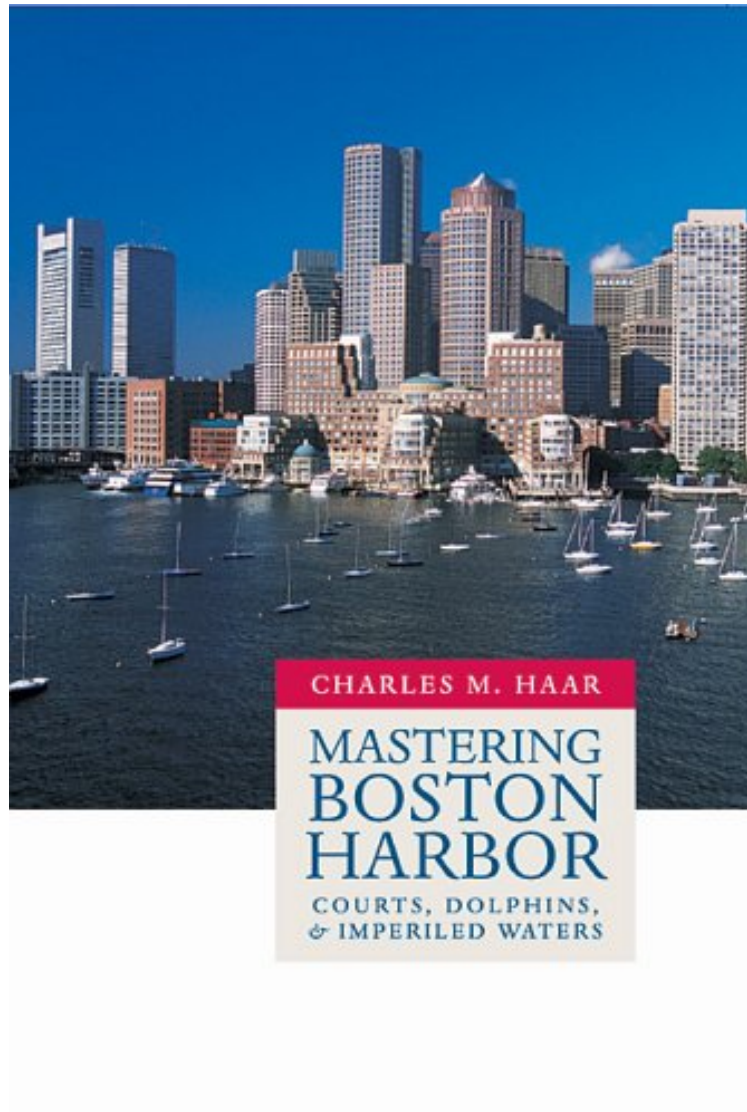


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# Mastering Boston Harbor: Courts, Dolphins, and Imperiled Waters

*Charles M. Haar*

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**Charles M. Haar : Mastering Boston Harbor: Courts, Dolphins, and Imperiled Waters** before purchasing it in order to gauge whether or not it would be worth my time, and all praised Mastering Boston Harbor: Courts, Dolphins, and Imperiled Waters:

0 of 0 people found the following review helpful. AN INCREDIBLE STORY OF HOW A CITIZEN, A JUDGE AND A LAW PROFESSOR CLEANED UP BOSTON HARBOR By Francis X. Meaney During the 1988 Presidential election, soon to be President George H.W. Bush took to the waters to proclaim Boston Harbor as the "dirtiest harbor in America," then under the stewardship of his rival Governor of Massachusetts Michael S. Dukakis. In the words of

the New York Times on January 5, 2014, "Today the harbor is the pride of Boston, a playground for pleasure boaters and even swimmers as it glistens like a necklace, ringed by glassy towers, upscale restaurants and pricey hotels." The clean-up of the harbor came about because of one disgusted resident of Quincy sick of fecal material washing up on his beach who sued the state, a creative, activist state judge Paul Garrity and the incredible volunteer efforts of Harvard Law School Professor Charles M. Haar appointed as a special master by Judge Garrity. Haar's special report conclusively established the facts pinning responsibility on state government for the ongoing pollution and laid out a plan for how to clean up the harbor. The public uproar triggered by the report, and the pressure applied by the then Senate President William Bulger, whose South Boston district abutted the harbor, finally forced the reluctant Governor Dukakis to adopt the Haar plan and begin the costly process to end the filth of Boston Harbor. It took years and billions of dollars to accomplish, and tragic loss of life, but the glistening, clean harbor of today is a monument to what can be accomplished by a handful of determined citizens to force an unresponsive government to act in the public interest. 0 of 0 people found the following review helpful. It is a great book, which I used on numerous occasions in ...By Saulius Simoliunas It is a great book, which I used on numerous occasions in comparing the advanced water system in Boston and the obsolete system in Detroit. 0 of 0 people found the following review helpful. I thought it was well done. An extraordinary case ...By Robert L. Moore III thought it was well done. An extraordinary case where many of the basic rules of litigation were bypassed to solve a very complex situation.

Mastering Boston Harbor chronicles how America's most glorious and historically significant harbor was rescued from decades of pollution and neglect by a community of caring citizens who were linked to an environmentally committed judge and his special harbor master. This dynamic public-private team shaped novel legal and political procedures for governing and restoring the harbor. Charles Haar provides a fascinating study of the convergence of judicial supervision with political, environmental, financial, and technological interests. He challenges those who will instantly decry an "activist" judiciary and pulls back the curtain on the serious problems a court faces when it must grapple with an intractable problem affecting public interest. Haar demonstrates that at times only a resolute judiciary can energize and coordinate the branches of government to achieve essential contemporary social goals--goals that are endorsed and supported by a majority whose voice is often ignored in legislative and executive back rooms. Because of his experience as special master in the dispute, Haar provides the reader with an insider's view of a modern brand of judicial decision-making that is not anti-majoritarian, and could be applied to similar crises in which the legislative and executive branches of government are impotent. Citizens concerned about the conflict between unbridled economic liberty and environmental protection will gain important insight from this eyewitness account of how the "harbor of shame" became a vibrant focal point for the renewal of Boston as a world-class city.

Mastering Boston Harbor is a major work that combines the story of a single immense litigation with an analysis of the story's lessons about law and about judicial activism. Boston Harbor was a mess, largely because all levels of government ran from their responsibilities. A rare judge, the late Paul Garrity, then intervened. Acting unjudicially, he appointed Professor Charles Haar as special master and directed Haar to develop a plan to clean up the harbor. Today the harbor is vastly cleaner, citizens pay a surcharge on their water bills, and the law has been served. The story is riveting. Also, it is the best work on the subject of activist judicial takeovers of poorly functioning government agencies and processes. (Lance Liebman, Columbia University Law School) Haar draws on his insider's perspective as Judge Garrity's special master and close friend to illuminate the stories, both large and small, that led to the harbor's recovery. We gain, for example, considerable insight into Garrity's quirky personality and the roots of his activist legal philosophy... The end result: a wide-ranging record of the public and not-so-public negotiations that resolved one of the most important legal cases in Massachusetts history. (Michael Rawson New England Quarterly) About the Author Charles M. Haar was Louis D. Brandeis Professor of Law, Emeritus, Harvard Law School.