

It's hard to talk about something if you don't have the right words to designate it easily. So it's interesting to look for the first appearance for some of the key words in the legal literature. Presumably, these words were in non-legal use a bit earlier, but their first use in law reviews tells us something about when concepts first received legal attention.

Based on Westlaw searches of the law journal database (JLR), here's what I found:

- "Environmental law" first appeared in 1970.
- "Air pollution" appeared in 1949.
- "Water pollution" in 1920, although a 1900 article was headed "Water — pollution"
- "Endangered species" — 1970.
- "Cost-benefit analysis" — 1963, in a sentence reading: "There is considerable controversy over cost-benefit analyses."
- "Climate change" - only one environmental use before 1980, in a 1970 article. The first mention of "global warming" was 1983.
- "Ecology" — fifteen uses before 1970, but only one in an environmental context.

The most interesting thing may be the emergence of water pollution as a term well before other environmental issues engaged attention in the legal literature.

I also tried the word "wilderness" but gave up because it is so often used metaphorically or as implying lack of value. It would be interesting to know when the term was first used with the connotation that land in the wild state was worthy of preservation.