

Course Outline

COURSE:	LAWS 4800 B - Environmental and Social Justice
PREREQUISITES:	Fourth-year Honours standing
TERM:	Winter 2015
CLASS:	Day & Time: Tuesday, 6pm-9pm
	Room: Please check with Carleton Central for current room location
INSTRUCTOR:	Joel Harden
CONTACT:	Office: B442 Loeb Building
	Office Hrs: Tuesday 2:00pm – 4:00pm
	Email: Joel.Harden@carleton.ca

Academic Accommodations

You may need special arrangements to meet your academic obligations during the term. For an accommodation request the processes are as follows:

Pregnancy obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Religious obligation: write to me with any requests for academic accommodation during the first two weeks of class, or as soon as possible after the need for accommodation is known to exist. For more details visit the Equity Services website: <http://www2.carleton.ca/equity/>

Academic Accommodations for Students with Disabilities: The **Paul Menton Centre** for Students with Disabilities (PMC) provides services to students with Learning Disabilities (LD), psychiatric/mental health disabilities, Attention Deficit Hyperactivity Disorder (ADHD), Autism Spectrum Disorders (ASD), chronic medical conditions, and impairments in mobility, hearing, and vision. If you have a disability requiring academic accommodations in this course, please contact PMC at 613-520-6608 or pmc@carleton.ca for a formal evaluation. If you are already registered with the PMC, contact your PMC coordinator to send me your **Letter of Accommodation** at the beginning of the term, and no later than two weeks before the first in-class scheduled test or exam requiring accommodation (*if applicable*). After requesting accommodation from PMC, meet with me to ensure accommodation arrangements are made. Please consult the PMC website for the deadline to request accommodations for the formally-scheduled exam (*if applicable*) at <http://www2.carleton.ca/pmc/new-and-current-students/dates-and-deadlines/>

You can visit the Equity Services website to view the policies and to obtain more detailed information on academic accommodation at <http://www2.carleton.ca/equity/>

Plagiarism

Plagiarism is presenting, whether intentional or not, the ideas, expression of ideas or work of others as one's own. Plagiarism includes reproducing or paraphrasing portions of someone else's published or unpublished material, regardless of the source, and presenting these as one's own without proper citation or reference to

the original source. Examples of sources from which the ideas, expressions of ideas or works of others may be drawn from include but are not limited to: books, articles, papers, literary compositions and phrases, performance compositions, chemical compounds, art works, laboratory reports, research results, calculations and the results of calculations, diagrams, constructions, computer reports, computer code/software, and material on the Internet. Plagiarism is a serious offence.

More information on the University's **Academic Integrity Policy** can be found at:

<http://www.carleton.ca/studentaffairs/academic-integrity/>

Department Policy

The Department of Law and Legal Studies operates in association with certain policies and procedures. Please review these documents to ensure that your practices meet our Department's expectations.

<http://www.carleton.ca/law/student-resources/department-policies/>

Course Description

The relationship between our "environment" and "social justice" conjures up an array of meanings, all of which reveal a disputed intellectual terrain. This course surveys that terrain, and attempts to identify key ideas, themes, actors, and strategies.

Most agree our environment faces several urgent crises, not the least of which is the pressing issue of climate change. The pursuit of "social justice" has long been proposed to seek a more prosperous and sustainable future. And yet, despite these claims, decision-makers (in the political and economic realms) are reluctant to pursue measures that challenge the global fossil fuels industry. At times, modest green strategies are pursued when research suggests more urgency is required. In other places, like the Canadian context, outright denial meets those posing green questions.

And yet, these trends have not gone unopposed. In recent years, a grassroots "environmental justice" movement has championed principles informed by those most impacted by environmental degradation: Indigenous (Aboriginal) Peoples, Southern nations, racialized groups, coastal areas, and women in these (and other) marginalized populations. This movement has challenged powerful adversaries, and impacted elite conversations. Some insist it has changed the nature of green activism itself, transcending divisions between "conservationist" environmentalism and others calling for more radical change.

Still, various perspectives clash around our "environment" and "social justice", leading many to question the value of this perceived relationship in the first place, and the means by which to address key problems. How effective, for example, are judicial arenas for green activism? What is the role of green activism and social movements, and what are their contradictions? Can (or should) green activism discuss colonialism, capitalism, patriarchy, racism, and other structural barriers to social justice? And what role can established left groups (e.g.: unions, political parties, or non-governmental organizations) offer in proposing green alternatives, torn as they are between existing power structures, and grassroots opposition to them?

Based on the active participation of seminar participants, we explore these and other questions in this course. Our collective experience, interest, and commitment will be crucial.

EVALUATION*

*All components must be completed in order to get a passing grade

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Standing in a course is determined by the course instructor subject to the approval of the Department and of the Faculty Dean. This means that grades submitted by the instructor may be subject to revision. No grades are final until they have been approved by the Department and the Dean.

1) Class participation, 30% of your final mark.

Your grade for class participation is based on your active engagement in our learning process. Some may think this means speaking frequently in class, while others who are shy might assume they can hold back and express themselves to me privately.

Both assumptions are false. Above all, we are interested in the quality of your contributions, not the quantity of them. Students who face challenges around shyness should speak to me immediately about how they can facilitate effective class participation.

At a minimum, I expect you to discuss the merits of our course readings. I also expect you to engage in our learning process, and demonstrate a commitment to active listening and appreciative inquiry as others do the same (we will establish our expectations for these and other things during our first class).

You are also expected to facilitate our group discussion for one of our thematic weeks. This work will be done with three or four of your fellow co-learners, and avoid the use of slide presentations.

2) Weekly written reflections (250-500 words), 30% of your final mark.

Due: 9pm the evening before our class (submitted by email).

Each week, you will write a reflection that provides a thesis, evidence, antithesis, and synthesis drawn from our course materials. Expectations for this work will be explained in our first and second classes.

3) Short essay: “What is ‘Environmental Justice’”? (1500 words), 10% of your final mark.

Due: January 20, 2015.

For this assignment, you will reflect on the meaning of “environmental justice” in contemporary debates on green issues. You will offer your own definition of this key term, and identify contrasting positions which clarify your analysis. Special emphasis will be placed on developing a strong antithesis to highlight contradictions or concerns with your own assumptions.

4) Take home exam, 30% of your final mark.

Due: April 7, 2015.

Our take-home exam will invite you to reflect on several of our key course themes. A certain degree of choice will be available, but you will be expected to demonstrate a mastery of overarching narratives in this syllabus. A comparative analysis of different cases will also be important.

Our take-home exam will be assigned at the end of our March 31 class, and due the following week.

COURSE TEXT

Speaking for Ourselves: Environmental Justice in Canada, ed. By Julian Agyeman, et al. (Vancouver: UBC Press, 2009).

- **Please note:** these are available at Octopus Books (116 Third Avenue in the “Glebe”). Any additional readings are online at www.joelharden.org.

SYLLABUS*

***Winter Break is February 16 – 20, 2015: No classes.**

1. Getting to know “us”

No assigned readings.

2. Perspectives on “Environment” and “Social Justice”

Eliza Griswold, “How Silent Spring Ignited the Environmental Movement”. *The New York Times* September 21, 2012.

Ezra Levant, “Climate Change Hoax: Report by UN Body May Suggest Climate Crisis Overblown”. *The Toronto Sun*. September 16, 2013.

Amy Goodman and Naomi Klein, “Capitalism vs. the Climate: Naomi Klein on Need for New Economic Model to Address Ecological Crisis”, *Democracy Now!* (September 18, 2014).

Joel Harden, *Quiet No More: New Political Activism in Canada and Around the Globe* (Toronto: Lorimer, 2013), pp. 60-72.

Brian Lee Crowley, “Energy East has Benefits: Just Not the Ones Many People Think”, *The Globe and Mail* (November 28, 2014).

Robert Lovelace, “Notes from Prison: Protecting Algonquin Lands from Uranium Mining” in *Speaking for Ourselves: Environmental Justice in Canada*. UBC Press: Vancouver, 2009.

3. Film screening and discussion: *The Island President*.

*Note: short essay is due.

4. Environmental Justice – Global Implications

Vandana Shiva, “Climate Justice Requires a New Paradigm”, *New Left Project*. November 28, 2011.

Yeb Sano, “It’s Time to Stop This Madness – Philippines Plea at UN Climate Talks”, Speech to the *United Nations Climate Change Convention’s 19th Conference of the Parties*, Warsaw, Poland. November 13, 2013.

Naomi Klein, “Sharing the Sky: The Atmospheric Commons and the Power of Paying our Debts”, in *This Changes Everything: Capitalism vs. the Climate* (Toronto: Alfred A. Knopf Canada).

5. Issues in Environmental Justice: Environmental Justice and Aboriginal Peoples in Canada

Pam Palmater, “Feathers Versus Guns: The Throne Speech and Canada’s War with the Mi’kmaw Nation”, *Rabble.ca*. October 18, 2013.

Sarah Fleisher Trainor *et al.*, “Environmental Injustice in the Far North: Persistent Organic Pollutants and Arctic Climate Impacts” in *Speaking for Ourselves*.

Deborah McGregor, “Honouring Our Relations: An Anishnaabe Perspective on Environmental Justice”, *Speaking for Ourselves*.

Joel Harden, *Quiet No More*, pp. 70-83.

6. Issues in Environmental Justice: Environmental Racism

Howard McCurdy, “Africville: Environmental Racism” in Laura Westra & Peter S. Wenz, eds., *Faces of Environmental Racism: Confronting Issues of Global Justice*. Toronto: Rowman and Littlefield, 2001.

Robert Bullard, “Introduction”, and “Environmental Justice for All” in Robert Bullard, ed., *Unequal Protection: Environmental Justice and Communities of Colour*. San Francisco: Sierra Club Books, 1993.

Beenash Jafri, “Rethinking ‘Green’ Multicultural Strategies” in *Speaking for Ourselves*.

7. Issues in Environmental Justice: Ecofeminism

Barbra Rahder, “Invisible Sisters and Environmental Justice in Canada” in *Speaking for Ourselves*.

Mary Mellor, “Towards a Feminist Green Socialism” in Carolyn Merchant, ed., *Ecology: Key Concepts in Critical Theory* Second Edition. Amherst, NY: Humanity Books, 2008.

8. Legal Mobilization and Environmental Justice

Dayna Nadine Scott, “Body Polluted: Questions of Scale, Gender, and Remedy”, Occasional CLPE Research Paper No. 21. Toronto: Osgoode Hall Law School, 2010.

Ramani Nadarajah and Renee Griffin, “The Failure of Defamation Law to Safeguard Against SLAPPs in Ontario” *Review of European Community and International Environmental Law* 19: 1. 2010.

9. Struggles for Recognition in the Context of Environmental Justice

Chief Bernard Ominayak with Kevin Thomas, “These are Lubicon Lands: A First Nation Forced to Step into the Regulatory Gap” in *Speaking for Ourselves*.

10. The Case For (and Against) the ‘Energy East’ Pipeline

Course materials are available at www.joelharden.org

11. Seeking Environmental Justice: Controversies and Debates

Sharmeen Khan, “Just Environmentalism? An Interview With Clayton Thomas Muller” *Upping the Anti* 7 (2009).

Henia Belalia, “Is Professional Activism Getting in the Way of Real Change?”, *Alternate* (October 29, 2013).

* **Note:** take-home exam is assigned.

12. Take-home exam

* **Note:** take-home exam is due.