

Course Outline

COURSE: LAWS 4800A – Environmental and Social Justice

TERM: Fall 2021

PREREQUISITES: LAWS 2908 and Fourth-Year Honours Standing

CLASS: **Day & Time:** Friday 11:30 – 14:30
Room: This course is offered online.

Seminars in this course will be delivered in live online sessions using the Zoom conferencing platform during our regularly scheduled class time. In the event that a class is cancelled, a pre-recorded video and alternative assessments will be made in lieu of a live synchronous seminar.

INSTRUCTOR: Professor Danika Billie Littlechild

CONTACT: **Office Hrs:** Wednesdays 13:00 – 15:00 on Zoom or by appointment.
Zoom link for Office Hours will be provided on Brightspace
Telephone: To be provided
Email: danikalittlechild@cunet.carleton.ca

CALENDAR COURSE DESCRIPTION

The potential of environmental law to protect the environment and people while promoting opportunities for informed participation in environmental decision making by groups traditionally excluded from these processes; contemporary issues of social justice raised by legal regulation of the environment.

COURSE DESCRIPTION

Environment and social justice have become central issues of global concern. We are constantly reminded of the urgency of environmental action: extreme wildfires, flooding, toxic contamination, climate change and biodiversity loss, to name only a few. Through the course of the past few years alone, we have seen more focus on the idea that environmental problems affect people and communities differentially.

Marginalized people often bear the brunt of environmental costs, while contributing little to their creation. This course sets out to offer an overview of environmental and social justice as a legal discourse, addressing how notions of justice, rights and well-being of human and non-human

communities can deepen our understanding and environmental and social justice.

Emerging perspectives around decolonialism, environmental racism, sustainability and intersectionality will be engaged to understand the issues, actors and laws related to environment and social justice.

REQUIRED TEXT

Coolsaet, Brendan (ed.) *Environmental Justice: Key Issues in Environment and Sustainability* (2020) – available at the Carleton University Bookstore, available for purchase online at: <https://www.bkstr.com/carletonstore/home>

Liboiron, Max *Pollution is Colonialism* (2021) – available at Octopus Books <https://shop.octopusbooks.ca/LAWS4800>

TEACHING METHOD AND EVALUATION

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.

As our course is based on class discussions, in each class the professor will provide an introduction to topics, issues and central questions for discussion. This will be followed by students' reading presentations. In every session, at least two students will discuss the readings under the guidance of the professor. The discussions will provide student reflections, illustrations and critiques of the readings. This will hopefully contribute to engaged discussion.

Student engagement is important for the success of the course. Given the seminar setting of the course, our collaborative learning will be contingent on everyone's active involvement and contributions.

As such, it is important that you be present during the class, have your camera on as much as possible, and do your best to contribute to the dialogue and discussion, whether verbal or written. Your participation will not only be assessed on how much you speak / post, but also on the quality of your engagement, the thoughtfulness of your response, respectful listening and commitment to creating a safe learning environment in which everyone feels valued and respected.

The students will be divided into two groups. Group 1 will have a synchronous session every Friday from 11:30 – 1:00 pm; Group 2 will have the same synchronous session every Friday from 1:00 -2:30 pm.

In addition to participation in regular class hours for synchronous sessions via Zoom or similar platform, the format of the course will be a mix of Student Reading Presentations and four (4) Reading Reflections to be completed by each student over the term. Each student may also participate in a one-on-one meeting with the professor.

One-on-One Meeting (Virtual/Online via Zoom or similar platform)

The purpose of this online/virtual meeting is to replace in-person interactions that would naturally occur if the course were offered in person.

During this meeting, we will get to know each other a bit more, discuss progress and engagement in the course, speak about preparation for the final paper, or talk about other topics related to the course.

The student may fulfil this requirement through attending regular office hours or schedule a separate Zoom meeting with the professor.

There are no specific preparations or materials required for this meeting. The meeting will be at least ten (10) minutes in duration. This meeting may be scheduled at any time during the term up to 16:00 on December 10, 2021. It is your responsibility to contact the professor to schedule this meeting.

Class Participation

Students are expected to participate in and contribute to each class session. Students can respond to the student-led Reading Presentations in each class session. Student participation and contributions in synchronous sessions may also consider assigned supplemental readings, reflect on environmental and social justice issues that have been raised in other classes or in the media, or otherwise demonstrate interest and engagement with environmental and social justice.

When guest lecturers have been invited to share their knowledge, students are encouraged to ask questions and contribute to the discussion where synchronous or provide to the professor where pre-recorded.

Reading Presentation

Every student will give a presentation on the readings. This presentation will take the form of a summary of, and a critical response to, the assigned readings.

For every class, there will be at least one or two students presenting. Where there is more than one student scheduled to present in a class session, those students can collaborate on their presentation and divide the readings, provided the chosen approach enables each student to fulfil the criteria below.

Each student will provide a brief summary of the readings assigned for the relevant session. The summary should focus on analyzing the central claims and supportive evidence of the authors. The student may also criticize the claims of the author or provide personal responses. Drawing on the readings, the strength of the summary presentation and response should lie in the ability to examine or challenge the views of the author. Students are encouraged to use examples, counter-examples, outside readings, audio-visual materials or other evidence to support their positions on the issues.

The student must submit via Brightspace a brief written statement (1-2 pages) at least 2 days prior to their presentation. This written statement may include the speaking notes of the student, any references they plan to make during their presentation, and enclose a copy of their proposed PowerPoint, if applicable (Note: PowerPoint presentations are not a requirement for the Reading Presentations, but students often find them helpful).

This work will represent 20% of the total grade. This grade will reward serious effort made by the student to examine the materials, and to present them accordingly.

The schedule of the Reading Presentations will be confirmed on Brightspace. There are 11 eligible class sessions in the term and it is expected that every student will have the opportunity to present.

Reading Reflections

Unlike the Reading Presentation, the Reading Reflections will be submitted directly to the professor via Brightspace. The Reading Reflections will not be shared in class sessions (unless the student elects to share their reflection as a method of class participation).

Each student is required to submit four (4) Reading Reflections over the term, and will select which readings/class session they wish to submit on. The intent is to provide some flexibility to the student, who can assess their workload over the term as well as where their research or other interests lie.

What is a Reading Reflection? It is an opportunity to engage in the material in a deeper way, and to construct new meaning from it. It is also an opportunity to respond to the readings in a creative or non-academic way.

As such, I will accept reflections that contain visual arts, dance, design, music, videos, poetry or similar. You can submit various kinds of files via Brightspace.

If you prefer to provide a submission that employs academic writing, I will also accept reflections that include a short summary or reference to other academic readings or works that resonate with your understanding of the assigned readings.

Your reflections may contain original work or utilize the work of others. Please ensure appropriate attributions and citations in your submissions.

Your response need not be long, and the intent is not to burden you with significant hours of additional work.

Your response should clearly indicate your careful reading of the assigned readings for that week, and thoughtful reflection. You can keep two ideas in mind while preparing your reflection. What is the central theme of the readings? Is there anything surprising or confusing that emerges for you in the readings? It is ok if your responses are emotive rather than analytic.

COURSEWORK

Research Paper (15-20 double spaced pages)	30% of Final Mark
Reading Presentation	20% of Final Mark
Reading Reflections (4)	20% of Final Mark
Class Participation	20% of Final Mark
One-on-One Virtual Online Meeting with Professor Littlechild. (10 minutes or longer)	10% of Final Mark

LATE PENALTIES AND REQUESTS FOR EXTENSIONS

All assignments and exercises for this class are to be submitted via Brightspace.

The Reading Presentation must be provided in class, on the date scheduled. The related Written Statement for the Reading Presentation is due two (2) days prior to the scheduled Reading Presentation.

The Reading Reflections are due by midnight on the day of the class session for which you are submitting. For example, if you want to submit a Reading Reflection for the week on Toxics, your submission is due by midnight on the day that class is held.

The deadline for the final paper will be midnight on December 10, 2021. There will be a penalty of 5% for each day late.

The One-on-One meeting with the professor must be held by 16:00 on December 10, 2021. It is your responsibility to schedule this meeting with the professor.

The granting of extensions is determined by the professor who will confirm whether an extension is granted and the length of the extension. For requests for extensions lasting less than 7 days, please complete the form at the following link and submit it to the instructor prior to the assignment due date: <https://carleton.ca/registrar/wp-content/uploads/self-declaration.pdf>.

Extensions for longer than 7 days will normally not be granted. In those extraordinary cases where extensions lasting longer than 7 days are granted, the student will be required to provide additional information to justify the longer extension (up to a maximum of 14 days).

SCHEDULE**September 10****Introduction****September 17**

Positionality, Narratives and Perspectives: Chapter 2 of Coolsaet; Acknowledgments and Introduction of Liboiron (pp. vii – 38); Kojola, Erik and Pellow, David “New directions in environmental justice studies: examining the state and violence” (2021) Environmental Politics Vol. 30, Nos. 1-2, pp 100-118

- September 24** **Defining and Conceptualizing Environmental and Social Justice** Chapters 3, 4 & 5 of Coolsaet; McGregor, Deborah “Mino-Mnaamodzawin: Achieving Indigenous Environmental Justice in Canada” (2018) *Journal of Environment and Society Advances in Research*, Vol. 9 Issue 1, pp 7-24
- October 1** **Toxics and Contamination:** Chapter 10 of Coolsaet; Chapter 1 of Liboiron
Supplemental Reading: Report on the 2019 visit to Canada of the Special Rapporteur on the implications for human rights of the environmentally sound management and disposal of hazardous substances and wastes, available online at:
http://www.srtoxics.org/wp-content/uploads/2020/09/Canada-HRC-45_AUV.pdf
- October 8** **Biodiversity:** Chapter 11 of Coolsaet; Ray Justina, Olive Andrea and Beazley Karen “The biodiversity crisis in Canada: failures and challenges of federal and sub-national strategic and legal frameworks” (2021) *Facets* Vol. 6(1) pp. 1044-1068
Supplemental Reading: *Living Planet Report 2020: Bending the Curve of Biodiversity Loss*, WWF Canada, available online at:
<https://wwf.ca/wp-content/uploads/2020/09/Living-planet-report-2020.pdf>
- October 15** **Environmental Racism:** Chapter 17 of Coolsaet; Chapter 2 of Liboiron; Waldron, Ingrid “Environmental Racism in Canada” (2020) Canadian Commission for UNESCO
<https://en.ccunesco.ca/-/media/Files/Unesco/Resources/2020/07/EnvironmentalRacismCanada.pdf> .
- October 22** **Indigenous Peoples:** Chapter 20 of Coolsaet; Yellowhead Institute, *Land Back: A Yellowhead Institute Red Paper* (2019) Available online: <https://redpaper.yellowheadinstitute.org/>
- October 25 - 29** **Fall Break, No Classes**
- November 5** **Gender:** Chapter 18 of Coolsaet; Scott, Dayna Nadine et al (2015) The Production of Pollution and Consumption of Chemicals in Canada, In: *Our Chemical Selves: Gender, Toxics and Environmental Health*, pp3-30; and Pradhan Lisa “Why Queer Liberation is an Environmental Justice Issue” (*EarthJustice*) available online at: <https://earthjustice.org/blog/2020-june/why->

[queer-liberation-is-an-environmental-justice-issue](#) and Bacigal, Lindsey “What is Gender Based Environmental Violence?” in Briarpatch Magazine (December 28, 2020) available online at: <https://briarpatchmagazine.com/articles/view/what-is-gender-based-environmental-violence>

November 12

Intersectionality: Chapter 24 of Coolsaet; Maina-Okori, Naomi Mumbi et al “Reimagining Intersectionality in Environmental and Sustainability Education: A Critical Literature Review”(November 2017) The Journal of Environmental Education 49(1): pp1-11; Malin SA, Ryder SS (2018) Developing deeply intersectional environmental justice scholarship. Environ Sociol 4(1):1–7

November 19

Sustainability: Chapters 9 & 23 of Coolsaet; Chapter 3 of Liboiron and McGregor, D., Sritharan, M., and Whitaker, S. (2020) Indigenous Environmental Justice and Sustainability. *Current Opinion in Environmental Sustainability*, 43:35-40. <https://www.sciencedirect.com/science/article/pii/S1877343520300075>

November 26

Rights of Nature: Chapter 21 of Coolsaet; Gordon, Gwendolyn, Environmental Personhood (2017). Available at SSRN: <https://ssrn.com/abstract=2935007> ; and Geddis, Andrew and Ruru, Jacinta, Places as Persons: Creating a New Framework for Māori-Crown Relations (2019). Jason Varuhas (ed), “The Frontiers of Public Law” (Hart Publishing, 2019), Available at SSRN: <https://ssrn.com/abstract=3380028>

December 3

Climate Change: Chapter 12 of Coolsaet; Murdock, Esme “On Telling the Truth Unflinchingly: Climate Catastrophe and Colonialism” (2021) Atmos <https://atmos.earth/climate-crisis-colonization-environmental-justice/> ; Indigenous Climate Action, *Decolonizing Climate Policy in Canada* (2021) Available online: https://static1.squarespace.com/static/5e8e4b5ae8628564ab4bc44c/t/6061cb5926611066ba64a953/1617021791071/pcf_critique_FINAL.pdf

COVID-19 PREVENTION MEASURES

All members of the Carleton community are required to follow COVID-19 prevention measures and all mandatory public health requirements (e.g. wearing a mask, physical distancing, hand

hygiene, respiratory and cough etiquette) and [mandatory self-screening](#) prior to coming to campus daily.

If you feel ill or exhibit COVID-19 symptoms while on campus or in class, please leave campus immediately, self-isolate, and complete the mandatory [symptom reporting tool](#). For purposes of contact tracing, attendance will be taken in all classes and labs. Participants can check in using posted QR codes through the cuScreen platform where provided. Students who do not have a smartphone will be required to complete a paper process as indicated on the [COVID-19 website](#).

All members of the Carleton community are required to follow guidelines regarding safe movement and seating on campus (e.g. directional arrows, designated entrances and exits, designated seats that maintain physical distancing). In order to avoid congestion, allow all previous occupants to fully vacate a classroom before entering. No food or drinks are permitted in any classrooms or labs.

For the most recent information about Carleton's COVID-19 response and required measures, please see the [University's COVID-19 webpage](#) and review the [Frequently Asked Questions \(FAQs\)](#). Should you have additional questions after reviewing, please contact covidinfo@carleton.ca

Please note that failure to comply with University policies and mandatory public health requirements, and endangering the safety of others are considered misconduct under the [Student Rights and Responsibilities Policy](#). Failure to comply with Carleton's COVID-19 procedures may lead to supplementary action involving Campus Safety and/or Student Affairs.

ACADEMIC ACCOMMODATIONS

Academic Accommodation

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 accommodation regarding a formally-scheduled final exam, you must complete the [Pregnancy Accommodation Form](#).

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 [click here](#).

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).

Survivors of Sexual Violence

As a community, Carleton University is committed to maintaining a positive learning, working and living environment where sexual violence will not be tolerated, and where survivors are supported through academic accommodations as per Carleton's Sexual Violence Policy. For more information about the services available at the university and to obtain information about sexual violence and/or support, visit: <https://carleton.ca/equity/sexual-assault-support-services>

Accommodation for Student Activities

Carleton University recognizes the substantial benefits, both to the individual student and for the university, that result from a student participating in activities beyond the classroom experience. Reasonable accommodation will be provided to students who compete or perform at the national or international level. 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: <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>

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: <https://carleton.ca/registrar/academic-integrity/>.

Accommodation for Student Activities

Carleton University recognizes the substantial benefits, both to the individual student and for the university, that result from a student participating in activities beyond the classroom experience. Reasonable accommodation must be provided to students who compete or perform at the national or international level. Please contact your instructor 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. Read more here: <https://carleton.ca/senate/wp-content/uploads/Accommodation-for-Student-Activities-1.pdf>.

For more information on academic accommodation, please visit: <https://students.carleton.ca/services/accommodation/>.

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: <https://carleton.ca/law/student-experience-resources/>