

***Canada's Crumbing Sustainability
Façade: Or, Whether Citizen
Sustainability Interventions can help
Fix its Foundation?***

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Structural Framework

- Theory: Panarchy & Discourse Analysis
- Sustainability as a Legal Principle
- Canada's Approach & behind the façade
- The Retreat:
 - Form, Extent & Cumulative Impact
- Sustainability Interventions:
 - Form & Function



The Theory

- *Anthropocene*: human-influenced epoch
- *Panarchy*: conceptualizes linkages between nested natural and social systems that experience transformational cycles across temporal and spatial scales; law is an important social system that is often excluded
- *Discourse Analysis*: identification of the ‘institutional software’ behind environmental regulation. Jargon, rhetoric, agents, motives, assumptions etc. Helps explain ‘institutional hardware’ (law!)



The Theory

- *Discourses:*
 - Limits & Survival
 - The Promethean Response*
 - Administrative Rationalism
 - Democratic Pragmatism
 - Economic Rationalism*
 - Sustainable Development/Sustainability*
 - Ecological Modernization
 - Green Consciousness & Green Politics



Sustainability: A Legal Principle

- Defining sustainability remains a difficult task
- To see beyond Sustainable Development, or to prioritize ecological integrity, we must look to its earlier iterations and the functionality of its ancillary principles:
 - Precautionary and science-based decision-making
 - Habitat protection and adaptive ecosystem-based management
 - Transparency and robust public participation
 - EIAs



Canada's Superficial Adherence to Sustainable Development/Sustainability

- Acknowledged on department websites
- Recognized and endorsed in key pieces of legislation that utilize ancillary principles (*CEPA, 1999, CEAA, 2012, Fisheries Act*)
- *Federal Sustainable Development Act* → Federal Sustainable Development Strategy
- The Strategy “shall set out ... goals and targets and an implementation strategy for meeting each target ” (s 9, *FSDA*)



...

- *Planning for a Sustainable Future: A Federal Sustainable Development Strategy for Canada (2013-2016)*
 - Espouses fidelity to precautionary decision-making, which requires scientific inquiry
 - Theme 1: Addressing Climate Change and Air Quality – references all key sectors & international leadership
 - Theme 3: Protecting Nature and Canadians – improve species at risk trends and migratory bird populations; contribute to the national goal of conserving, by 2020, “at least 17% of terrestrial areas are inland water” and “10% of coastal and marine areas” through “networks of protected areas and other effective area-based conservation measures”



Juxtapose: The Retreat

- 1) Diminished emphasis on science
 - Funding cuts, reductions, and closures
 - Muzzling of federal scientists
- 2) Climate change
 - Oil & gas sector excluded
 - International regression (*Kyoto* & recent target)
- 3) Habitat protection
 - *Fisheries Act* amendment
 - *Species at Risk Act* executive inaction
- 4) Other impacted principles



Behind The Sustainability Façade

- Government would like you to believe that they are a meaningful participant
- Undoubtedly, this retreat helps the economy trump the environment, energy triumph over nature, and short-term gain overshadow significant future problems



Behind the Sustainability *Façade*

Canada's superficial sustainability façade has been erected to cover its Promethean tendencies. Federal sustainability rhetoric is empty and actions evince a hesitation, or even an unwillingness, to fully employ the tenets that give sustainability its legal force. Conversely, this federal government is hostile to environmental legislation and the processes they are supposed to administer, mechanistically “neglect[s] the existence of *ecosystems*” and habitat protection in favour of an economy geared towards steady growth trends, demonstrates international “foot-dragging” regarding global environmental problems, and is attempting “politicization of scientific advice.”



Sustainability Interventions

“It is not that we do not, and should not, rely on public officials. It is simply that we should not rely solely on them; and where fundamental rights are in question, we never do rely solely on them. We want and need the state to be vigilant on our behalf, but we treasure our rights, and we know the value of being able to invoke the machinery of the law to protect those rights.”

- Joseph Sax

Sustainability Intervention - any action taken by a citizen or group of citizens in the face of perceived government failure that is motivated—at least in part—by the desire to move society (locally, regionally, or globally) towards a more sustainable state



Sustainability Interventions

- 1) Collective Responsibility & Individual Action
- 2) Democracy in Action
- 3) The Citizen Scientist
- 4) Litigate!
- 5) Concerted effort to foster the availability of future interventions (*i.e.*, proposed *Canadian Environmental Bill of Rights*)



Discussion



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