

ECOPOLITICS PODCAST: Additional Pedagogical Resources (Episode 7)

[Episode 7: Canadian Environmental Law and Policy](#)

Overview: Dr. Angela Lee (Ryerson) and Dr. Heather McLeod-Kilmurray (Ottawa) discuss the current structure of environmental law in Canada and how the law successfully (or not so successfully) helps protect the environment.

Key Takeaways

- Environmental politics intersects with many different areas of law and legislation, including Indigenous and settler practices and principles of law, that expand national boundaries to international law.
- The regulation of activities and products related to the environment in Canada has complicated the question of legal jurisdiction; often this requires cooperation between provincial, federal, municipal, and Indigenous governments.
- Different actors have differing levels of access to the tools that shape legislation. This often leaves citizens and communities outside of discussions about environmental regulation and protection.
- Canada's environmental legislation and policies are shaped by the local, national, and global political context, resulting in a complex array of issues and concerns for action.

Discussion Questions

1. Citing examples, what do you think are the most effective types of legislative or policy tools used by governments in Canada to protect the environment?
2. How would you characterize the relationships between the environment and individual rights located within the Canadian Charter of Rights and Freedoms?
3. Do you think we should afford legal rights (such as “personhood”) to nature?
4. How do you think the political context, including the climate crisis, shapes current environmental politics and legislation in Canada?

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Learn more about our Guests

Dr. Angela Lee

- <https://www.ryerson.ca/law/faculty-and-research/faculty/faculty-law/angela-lee/>

Dr. Heather McLeod-Kilmurray

- <https://commonlaw.uottawa.ca/en/people/mcleod-kilmurray-heather>

Select articles and videos

- **Heather McLeod-Kilmurray, Angela Lee** and Nathalie Chalifour (eds.), *Food Law and Policy in Canada* (Toronto: Carswell, 2019).
- **Lee, Angela.** “The Milkmaid’s Tale: Veganism, Feminism, and Dystopian Food Futures” (2019) 40 *Windsor Review of Legal and Social Issues* 27-66.
- **Lee, Angela** and Pierre Cloutier de Repentigny. “Farming the Sea, a False Solution to a Real Problem: Critical Reflections on Canada’s Aquaculture Regulation” (2018) 50:1 *Ottawa Law Review*. 29-63.
- **McLeod-KilMurray, Heather.** “The Incorporation of an Environmental Ethic in the Courtroom.” in *Environment in the Courtroom*. Ed. Ingleson, Allan. Calgary, AB: University of Calgary Press. 2019.
- Collins, Lynda and **Heather McLeod-KilMurray.** “Common Law Tools to Protect the Environment” in *Compliance and Environment of Environmental Law*. Edward Elgar Publishing. Paddock, Leroy C, David L. Markell, and Nicholas S. Bryner (Eds). 2017.
- Anthropocene to the Ecozoic. “**Heather McLeod-Kilmurray** – What would interspecies justice look like?” June 17 2018. <https://www.youtube.com/watch?v=n9Epmfu7Mm8>

Environmental Law and Justice Research Projects within Canada

- Environmental Justice Research and Law in Canada <https://environmentaljustice.ca>
- Indigenous Environmental Justice Project <https://iejproject.info.yorku.ca>

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Explore resources mentioned in this episode

- Boyd, David R. *Unnatural Law : Rethinking Canadian Environmental Law and Policy* . Vancouver: UBC Press, 2003. Print.
- Boyd, David R. *The Optimistic Environmentalist: Progressing Toward a Greener Future*. ECW Press. 2015.
- CBC News. "Opposition MPs pass Kyoto bill despite Tory resistance." February 14 2007. <https://www.cbc.ca/news/canada/opposition-mps-pass-kyoto-bill-despite-tory-resistance-1.644855>
- Government of Canada. "Canadian Environmental Protection Act." 1999. <https://laws-lois.justice.gc.ca/eng/acts/c-15.31/>
- Government of Canada. "Green Gas Pollution Pricing Act." 2018. <https://laws-lois.justice.gc.ca/eng/acts/G-11.55/>
- M'Gonigle, Michael. "Green Legal Theory." *Ökologisches Wirtschaften - Fachzeitschrift* 23.4 (2008).
- Mueller, Martin Lee. *Being Salmon, Being Human: Encountering the Wild in Us and Us in the Wild*. Chelsea Green Publishing. 2017.

Learn more about different Environmental Worldviews and Legislation:

- Mulrennan, Monica E., Colin H. Scott, and Katherine Scott. *Caring for Eeyou Istchee : Protected Area Creation on Wemindji Cree Territory*. Vancouver, British Columbia: UBC Press, 2019.
- Westra, L. *Environmental Justice and the Rights of Indigenous Peoples: International and Domestic Legal Perspectives*. Earthscan: London. 2008.