



**ERS 375/675**

**Parliament, Cabinet and the bureaucracy: an anatomy of federal environmental and sustainability decision-making institutions and processes**

Course Outline, Fall, 2020

**Course Instructor:** Trevor Swerdfager, School of Environment, Resources and Sustainability, Faculty of Environment, University of Waterloo, [trevor.swerdfager@uwaterloo.ca](mailto:trevor.swerdfager@uwaterloo.ca)

**Teaching Assistant:** TBC should class size warrant

**Office Hours:** Mondays 13:30-17:00 in EV2 - 2011

**Course Location and Time:** TBD

**Calendar Description**

The Government of Canada makes an enormous range of decisions directly affecting Canada's environmental and sustainability futures on a regular basis. From large-scale decisions such as passing new legislation or approving major developments like pipelines, to issuing regulations, standards or policies, through to more daily and individually focused decisions such as setting speed limits in National Parks or issuing permits to shoot ducks, the federal government is a major player in the environment and sustainability domain. This course is taught by a recently retired senior federal public servant and is designed to enhance student understanding of the anatomy of this system; in other words, how it is structured, how it functions and how it can be influenced. It is intended to appeal to students interested in understanding and influencing governments in Canada with respect to climate change and broader environmental and sustainability issues. It builds on ERS 201 Environmental Policy, Politics and Governance (though 201 is not a prerequisite) and complements courses in Geography, Political Science and other departments.

**Course Outline**

The course begins with a broad overview of the general roles of Parliament, the Cabinet and the federal Public Service and the linkages between them. (Note that while the Supreme Court and the judiciary are important government actors in the environment and sustainability portfolios, they are beyond the

scope of this course.) Primary course modules then focus on describing each of these institutions in more detail with respect to the environment portfolio. Regarding Parliament, the course launches with a discussion of the constitutional division of powers with respect to the environment and then shifts to the legislative process, the role of parliamentary committees, the roles, attitudes and interests of Members of Parliament and their political staff and the functions of key parliamentary officers including the Commissioner for Sustainable Development housed in the Office of the Auditor General. Major statutes passed by Parliament related to environment and sustainability are also canvassed to ensure that students have a basic understanding of the federal legislative environmental regime.

Turning to Cabinet, the course outlines the role of Ministers and the factors influencing them, the machinery and structure of Cabinet and the nature of the Cabinet decision making process. The discussion begins at the general level and then hones in on the key Ministers associated with the environment and sustainability portfolio. While not part of Cabinet per se, the role of the Privy Council Office, the Department of Finance and the Treasury Board are also considered in this module.

Attention then shifts to a deeper focus on the environmental and sustainability related agencies of the federal government. Beginning with a careful consideration of the structure of Environment and Climate Change Canada, Parks Canada, Fisheries and Oceans, the Impact Review Agency and Natural Resources Canada are described in turn. Agencies with significant but somewhat indirect roles in the portfolio (e.g., Global Affairs) are touched on in a concluding component of this Public Service module.

In order to contextualize this descriptive material, the course looks briefly at similar systems in Australia, the European Union and the United States with a view to highlighted certain key differences between these regimes and those in place in Canada.

With this descriptive foundation in place, the course shifts gears to look at how this complex and highly inter-connected system of institutions and actors operates when it comes to environment related decision-making. It considers:

- the federal policy making process
- regulatory and program decision making mechanisms
- the roles of science, public opinion, economic and social factors and lobbyists in these processes
- the nature of lobbying, how governments are influenced and how coalitions of support for particular actions or initiatives have been effectively formed in the environmental domain; and,
- the concept of “deliverology” and the efforts of the federal government to more effectively translate policy and strategic commitments into environmental action.

In a concluding segment, more general observations about the ability of the federal system to meet the country’s environmental and sustainability decision making needs are offered together with several suggestions for how we might chart a new map for environmental and sustainability decision making in Canada. In this context,

**Learning objectives** – Following completion of this course, students should be able to:

- Develop and demonstrate refine a set of practical skills in the environmental policy domain including writing issue briefs, identifying stakeholders, analyzing policy documents and working with legislation and regulations;

- Describe the key institutions of government and their general roles and how they relate to the environment and sustainability portfolio;
- Describe the key agencies of the environment and sustainability portfolio, their core legislative mandates, their organizational structures and their primary operational roles;
- Identify, link and critically evaluate multiple perspectives and actors in environment and sustainability related decision making in the federal system;
- Understand how federal environment and sustainability related decision making works and generate insights into how best to develop and position solutions to today's sustainability issues and challenges in this context; and,
- Advance and deepen their thinking regarding potential future transformation of environment and sustainability related decision making and governance at the federal scale.

## Evaluation Framework

There are four evaluation elements for this course.

1. Class participation – 10%. (note that details regarding how this will be assessed will be presented in the first class.)
2. Annotated Bibliography – 25%  
The annotated bibliography is to include:
  - a) A summary of the Impact Assessment Act, the Species At Risk Act, the Migratory Birds Convention Act, the Canadian National Parks Act and the Fisheries Act; and,
  - b) A 400-700 word summary of at least **three** sources pertaining to the one of the five major assignment questions in element 4 below.
3. Mid-term paper – 25%
  - The paper is to describe the structure and role of the Privy Council Office, the Treasury Board Secretariat, the Department of Finance as well as the structure, mandate and key priorities of one line department of relevance to the student's major assignment topic.
4. Major Assignment paper – 40%
  - Five assignment questions will be provided to students at the outset of the course. Each student will select a question to focus on and will carry out assignments one, two and three with this question in mind. The final paper itself must describe the issues at play, the roles of Parliament, Cabinet, central agencies and the key line

departments at play in addressing the issue. Using government documents, the course reading list and other easily available sources, the paper is to identify and describe the roles and interests of the key players in the issue and how the lead line department has dealt with the issue and the challenges it has faced in doing so. The paper's conclusion should outline the elements of a proposed solution based on this analysis.

### **Late Policy for All Assignments**

This course is designed to give you exposure to life beyond the university. Consequently, a strict penalty of 10% (absolute, not of earned grade) per 24-hour period including weekends will be assigned to late work. All assignments are due to the relevant dropbox on Learn no later than 11:30 p.m. on the day they are due.

### **Intellectual Property:**

Students should be aware that this course contains the intellectual property of their instructor, TA, and/or the University of Waterloo. Intellectual property includes items such as:

- Lecture content, spoken and written (and any audio/video recording thereof);
- Lecture handouts, presentations, and other materials prepared for the course (e.g., PowerPoint slides);
- Questions or solution sets from various types of assessments (e.g., assignments, quizzes, tests, final exams); and
- Work protected by copyright (e.g., any work authored by the instructor or TA or used by the instructor or TA with permission of the copyright owner).

Course materials and the intellectual property contained therein, are used to enhance a student's educational experience. However, sharing this intellectual property without the intellectual property owner's permission is a violation of intellectual property rights. For this reason, it is necessary to ask the instructor, TA and/or the University of Waterloo for permission before uploading and sharing the intellectual property of others online (e.g., to an online repository).

Permission from an instructor, TA or the University is also necessary before sharing the intellectual property of others from completed courses with students taking the same/similar courses in subsequent terms/years. In many cases, instructors might be happy to allow distribution of certain materials. However, doing so without expressed permission is considered a violation of intellectual property rights.

Please alert the instructor if you become aware of intellectual property belonging to others (past or present) circulating, either through the student body or online. The intellectual

property rights owner deserves to know (and may have already given their consent).

**Academic integrity:** In order to maintain a culture of academic integrity, members of the University of Waterloo community are expected to promote honesty, trust, fairness, respect and responsibility. [Check [the Office of Academic Integrity](#) for more information.]

**Grievance:** A student who believes that a decision affecting some aspect of his/her university life has been unfair or unreasonable may have grounds for initiating a grievance. Read [Policy 70, Student Petitions and Grievances, Section 4](#). When in doubt, please be certain to contact the department's administrative assistant who will provide further assistance.

**Discipline:** A student is expected to know what constitutes academic integrity to avoid committing an academic offence, and to take responsibility for his/her actions. [Check [the Office of Academic Integrity](#) for more information.] A student who is unsure whether an action constitutes an offence, or who needs help in learning how to avoid offences (e.g., plagiarism, cheating) or about "rules" for group work/collaboration should seek guidance from the course instructor, academic advisor, or the undergraduate associate dean. For information on categories of offences and types of penalties, students should refer to [Policy 71, Student Discipline](#). For typical penalties, check [Guidelines for the Assessment of Penalties](#).

**Appeals:** A decision made or penalty imposed under [Policy 70, Student Petitions and Grievances](#) (other than a petition) or [Policy 71, Student Discipline](#) may be appealed if there is a ground. A student who believes he/she has a ground for an appeal should refer to [Policy 72, Student Appeals](#).

**Note for students with disabilities:** [AccessAbility Services](#), located in Needles Hall, Room 1401, collaborates with all academic departments to arrange appropriate accommodations for students with disabilities without compromising the academic integrity of the curriculum. If you require academic accommodations to lessen the impact of your disability, please register with AccessAbility Services at the beginning of each academic term.

**Turnitin.com:** Text matching software (Turnitin®) may be used to screen assignments in this course. Turnitin® is used to verify that all materials and sources in assignments are documented. Students' submissions are stored on a U.S. server, therefore students must be given an alternative (e.g., scaffolded assignment or annotated bibliography), if they are concerned about their privacy and/or security. Students will be given due notice, in the first week of the term and/or at the time assignment details are provided, about arrangements and alternatives for the use of Turnitin in this course.

It is the responsibility of the student to notify the instructor if they, in the first week of term or at the time assignment details are provided, wish to submit alternate assignment.