

Introduction

The Canadian Environmental Law Association (CELA) and the Canadian Environmental Law Research Foundation (CELRF) are non-profit organizations founded in 1970 by a coalition of environmentalists, lawyers, and laymen who believe that the law must be used to defend and enhance the environment. They know that preservation of the environment depends upon the involvement and support of the public in environmental issues and decisions and this means participation - but it must not be participation defined solely in light of government objectives. Frequently government agencies and crown corporations are the chief violators of the environment.

Because the law defines the parameters of participation, environmentalists have long understood the importance of citizens obtaining an understanding of their environmental rights and responsibilities. Thus early in their development CELA and CELRF realized the need for publications in each province to explain existing law and to educate the public about the need for legal reform.

CELA and CELRF had to make decisions about the nature of the publication. First, because most environmental laws are administered by the provinces it was decided that one book of Canadian environmental law would be too superficial to be of much use to either environmentalists or lawyers. We had to concentrate on one province. Because Ontario environmental law is as effective as the law in any Canadian province, because the human resources and expertise were available here, and because the market and funding support could be obtained here, Ontario was selected as the provincial model. The wisdom of this decision was reinforced by the fact that Ontario has since indicated its intentions to be the first province to introduce environmental impact assessment legislation - a major component of sound environmental legislation.

CELA and CELRF set several goals for Environment on Trial. First, they recognized that litigation and court room action are last resorts in terms of environmental protection. Thus the editors wished to emphasize the importance of the preventative aspects of environmental law: effective planning and control mechanisms and functional and independent administrative agencies.

Second, the editors wanted to achieve what was described as, if not impossible, then certainly difficult - writing both to laymen and the legal profession. Although it was decided that stress had to be on the lay audience, the editors wanted to be of service to the legal community as well, because most lawyers know very little about environmental law.

Third, the editors wished to produce a work that would have relevance to a wider area than just Ontario. In other words, they wished to publish an analysis that would be a useful educational tool to environmentalists and educators in other provinces and that would serve as a model for publications in other provinces.

Finally, the editors desired to get this book to the public at minimal cost so that price would not be a great deterrent to maximum distribution. To this end funds were obtained from major granting agencies to cover the costs of some of the research plus the printing costs. CELA and CELRF would make up the difference. With only a partial awareness of the scope of the task, these organizations set out to produce the first Canadian publication of its kind in the field of environmental law.

Environment on Trial

The results were very gratifying, and perhaps somewhat remarkable. All of the objectives were achieved which, we must admit, surprised even the editors.

1. The maze of laws surrounding the planning and administration of the environment were made clear to many Ontario citizens for the first time.
2. The editors achieved what was thought to be most difficult. Environment on Trial received praise from both environmental and legal journals.
3. Interest across Canada was extremely high. Orders came to CELA's office from all parts of the country from professionals and individuals. Moreover, large orders appeared from educators who were planning environmental and legal courses in colleges and universities.
4. The forward by J.A. Kennedy, Q.C., former Chairman of the Ontario Municipal Board was an effective addition to the book. Mr. Kennedy became a "folk hero" of sorts to citizens groups as he made attempts to open up the OMB to public (instead of exclusively, developers) participation. Mr. Kennedy's views on environmental law reform were extremely helpful.
5. Finally, widespread distribution was achieved. According to the distributor of Environment on Trial, the book became their best seller, much to their surprise. On the basis of direct-to-the-distributor, prepaid, single-order sales, this publication was a best-seller for a few weeks (best-seller lists are compiled by book stores and hence we could not receive credit for our sales through lists compiled in this manner).

Widespread distribution was assisted by the low price and the binding quality. A book with a stitched binding of 400 pages would normally sell for over \$5.00. With the aid of grants Environment on Trial was sold at \$2.95. Needless to say CELA and CELRF have not profited financially from its sales. And, not unlike other environmental groups, these unique organizations continually face serious financial restraints.

The book reviews and letters which follow, will more objectively explain the public's reaction to Environment on Trial. It gives us great pleasure to present copies of this book to members of the Awards Committee. We thank the Committee in advance for giving consideration to our book for the White Owl Conservation Award.