



Experiencing citizenship through pipeline politics:
The case of the Trans Mountain Expansion Project in Canada.

Leah Solveig Hayward

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leah.hayward@nmbu.no

Noragric

Department of International Environment and Development Studies

P.O. Box 5003

N-1432 Ås

Norway

Tel.: +47 64 96 52 00

Fax: +47 64 96 52 01

Internet: <http://www.nmbu.no/noragric>

Declaration

I, Leah Hayward, declare that this thesis is a result of my research investigations and findings. Sources of information other than my own have been acknowledged and a reference list has been appended. This work has not been previously submitted to any other university for award of any type of academic degree.

Signature.....

Date.....

Abstract

In recent years, several major oil and gas pipeline projects have been proposed in Canada including Kinder Morgan's Trans Mountain Expansion project [TMX]. There has been strong opposition to the TMX and other pipeline projects, and recent changes to Canada's regulatory framework have imposed limits on public participation in the National Energy Board's [NEB] public hearings for these projects. This thesis uses the TMX as a case study to explore Canadians' conceptions of citizenship and the role of the public in energy infrastructure projects. Data for this study was collected using unstructured narrative interviews with respondents who participated, abstained, or were rejected from the NEB's public hearings.

Results show that respondents believed the NEB review process lacked procedural fairness, was not addressing the issues that concerned them, and afforded citizens little power over the TMX decision. Respondents expressed considerable distrust for the Conservative government and the NEB, which has arguably resulted in them reconsidering the legitimacy of these authorities, and perceiving their actions as coercive. Respondents' conceptions of their rights and responsibilities included agency and voice, information and knowledge, quality of life, and healthy democracy. They engaged with these rights and responsibilities by collecting and spreading information, fostering social connections, using formal democratic avenues, and exerting power. Their engagement outside of the NEB review can be understood as creating new political communities and new articulations of political life, which challenge dominant understandings of citizenship in constructive ways.

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Glossary and abbreviations

AB: Alberta, Canada

ATP: Application to participate in an NEB public hearing

BC: British Columbia, Canada

B/d: barrels per day (1 barrel = 119.24 litres)

Bill C-38: *Jobs, Growth, and Long-term Prosperity Act* (see [Section 1.5](#))

Bill C-51: *Anti-terrorism Act, 2015* (see [Section 1.7.2](#))

Bitumen: heavy, viscous oil extracted from oil sands

BNIM: Biographic-Narrative Interpretive Method (see [Section 3.3.1](#))

CAPP: Canadian Association of Petroleum Producers – the representative organization of Canada’s oil industry

CBC: Canadian Broadcasting Corporation – Canada’s state-owned news source

CEA Agency: Canadian Environmental Assessment Agency

CEAA: Canadian Environmental Assessment Act

CEO: chief executive officer – the highest-ranking person in a company

CI: Critical infrastructure – national security term used to describe infrastructure that is essential to the proper function of the nation

Commenter: participant in an NEB public hearing (in the case of the NGP see [Section 1.4.2](#); in the case of the TMX see [Section 1.6.2](#))

Condensate: light oil used to dilute bitumen so that it can flow through pipelines

CSIS: Canadian Security Intelligence Service – Canada’s intelligence agency

Directly affected: one of the grounds on which standing in a public hearing is granted (see [Section 1.5.2](#))

EA: Environmental assessment

Enbridge: a Canadian energy infrastructure company, proponent of the NGP

FANI: Free Association Narrative Interview (see [Section 3.3.1](#))

First Nations: Indigenous peoples of Canada

Gestalt: framework of meaning through which people understand their lives (see [Section 3.3.1](#))

GIC: Governor in Council – the Queen’s representative in Canada, acting on the advice of government Ministers

Intervenor: participant in an NEB public hearing (in the case of the NGP see [Section 1.4.2](#); in the case of the TMX see [Section 1.6.2](#))

JRP: Joint Review Panel for the NGP

KM: Kinder Morgan – a Texas-based energy infrastructure company, proponent of the TMX

LOC: Letter of comment in an NEB public hearing

NEB (also Board): National Energy Board of Canada – Canada’s independent federal energy regulator (see [Section 1.3](#))

NEB Act: the *National Energy Board Act*

NGO: Non-governmental organization

NGP (also ENGP): Enbridge’s Northern Gateway Project (see [Section 1.4](#))

Oil sands (also tar sands): unconventional oil deposits composed of earth, water, and bitumen (see [Section 1.1.1](#))

PM: Prime Minister of Canada

Registry: the NEB’s online public registry for the hearing in question

RCMP: Royal Canadian Mounted Police – Canada’s national police force

R/R: Rights and responsibilities

SQUIN: Single Question aimed at Inducing Narrative (see [Section 3.3.2](#))

TMX (also TMEP): Kinder Morgan’s Trans Mountain Expansion Project (see [Section 1.6](#))

US: United States of America

1 Background

The topic of this thesis is the Kinder Morgan Trans Mountain Expansion Project – a Western Canadian oil and gas pipeline project that was proposed in 2013 and was under review at the time of this research in 2015-2016. This research is focused, more specifically, on individuals' experiences with the public review process for the project, conducted by the National Energy Board of Canada.

This is a highly political and actively unfolding topic. The views expressed by my interview respondents are potent and challenging, and it is very important to provide a detailed context through which one might understand their forceful responses.

In this Background section I introduce my topic through discussions of the Canadian oil industry, the political leadership at the time of my research, and Canada's energy regulator. I then move on to discuss the pipeline issues themselves, through my description of both the Northern Gateway and Trans Mountain Expansion projects, as well as two extremely relevant pieces of legislation passed by the Government of Canada during this time: the *Jobs, Growth, and Long-term Prosperity Act*, Bill C-38; and the *Anti-terrorism Act, 2015*, Bill C-51. I conclude this section with a discussion of the strong opposition by Aboriginal nations that these pipeline projects have faced, followed lastly by a brief summary of this section.

1.1 Canada's oil industry

Canada's oil and gas industry has experienced unprecedented growth in recent years, and Canada is currently the fifth largest producer of crude oil and natural gas in the world (Canadian Association of Petroleum Producers [CAPP], 2015a). The CAPP, which is the representative organization of Canada's oil industry, estimates Canadian oil reserves at 172 billion barrels – the third largest in the world after Saudi Arabia and Venezuela (CAPP, 2015a). The vast majority of this oil is contained in unconventional oil deposits called bituminous sands, or more commonly referred to as “oil sands” by government and industry, or “tar sands” by non-governmental organizations [NGO] and activist groups.

1.1.1 Oil sands

Canada's oil sands are contained in three major deposits in Northern Alberta [AB], depicted here in [Figure 1](#). These deposits underlie 142,000km² of boreal forest, and contain approximately 167 billion barrels of recoverable oil (CAPP, 2015b).

Oil sands are composed of earth, water, and a very heavy oil called bitumen. At room temperature bitumen flows very slowly like cold molasses; at 10°C it is as hard as a hockey puck (CAPP, 2015b).

Since bitumen is so viscous, it cannot simply be pumped out of the ground and transported through pipelines the way conventional oil can. Bitumen must be extracted using the following techniques (as described in CAPP, 2015c):

- *Mining* uses heavy machinery to dig up bitumen-soaked earth, from which bitumen is extracted using heat and water.
- *In situ* uses water, heat, and pressure to liquefy bitumen underground and pump it to the surface.

Once extracted, bitumen is diluted with natural gas condensate so that it can flow through pipelines. Diluted bitumen must be processed in upgrading facilities before it is considered synthetic crude oil, and synthetic crude requires further processing in refineries before it can be consumed or sold as products like gasoline, diesel, jet fuel or heating oil (CAPP, 2015c).

The technological complexity and high input requirements for this extraction process hasn't impeded the development of Canada's unconventional oil industry. Canadian energy

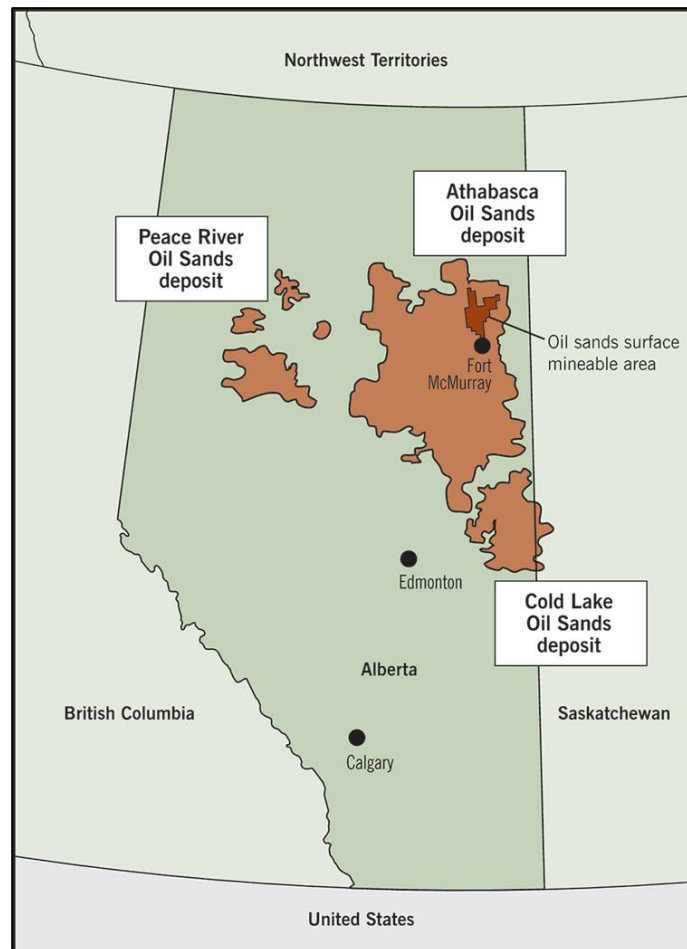


Figure 1 – Map of Canada's oil sands

Image source: (Gelfand, 2014)

production has more than doubled since 1980 (CAPP, 2015a). In 2014, the oil sands were producing approximately 2.16 million barrels per day [b/d] of crude oil, and the 2015 industry forecast expects this amount will rise to 3.95 million b/d by 2030 (CAPP, 2015d).

1.1.2 Oil prices

The 2015 prediction referenced above is quite different from previous years’ forecasts.¹ In their 2014 Crude Oil Forecast, CAPP (2014) estimated that oil sands production would reach a much higher level: 4.8 million b/d by 2030. Their 2013 prediction was higher still: 5.2 million b/d by 2030 (CAPP, 2014). This means that between their 2013 and 2015 Crude Oil Forecasts, CAPP lowered their oil sands production estimates by 1.25 million b/d – or 24%. See Table 1.1 for a simplified presentation of this information.

Table 1.1 – CAPP forecasts for oil sands production

Year of publication	Production forecast for 2030
2013	5.2 million b/d
2014	4.8 million b/d
2015	3.95 million b/d

(Adapted from and CAPP, 2014 and 2015d)

CAPP attributes these dramatic forecast changes to shifts in the global oil market: increasing global supply has resulted in lower oil prices. Indeed, oil prices fell more than 70% between June, 2014 and February, 2016 (Krauss, 2016). Figure 2 illustrates the fluctuation of crude oil prices over the past 10 years.

¹ I feel compelled to note here that since publishing their 2015 Crude Oil Forecast, CAPP has removed all previous versions of this document from their website. When I contacted them to request this information, I was informed that “As a matter of policy, once CAPP’s newest forecast is published, CAPP no longer makes the previous report available to the public” (CAPP, 2016). Although I was able to use a previously-downloaded copy of the 2014 forecast to illustrate the recent changes, the picture I paint here is unfortunately shallow due to a lack of information. CAPP’s industry forecasts undoubtedly influenced the policy decisions discussed herein, and the fact that they are no longer accessible is a notable barrier to understanding the full context of this study.

Crude oil (barrel)

7:19 AM ET 05/12/2016

\$46.61 -\$24.69 -34.63%



Figure 2 – Global crude oil prices over the past 10 years

Image source: (Krauss, 2016)

Although the current drop in price is not the most precipitous one experienced in recent years – the 2008 financial crisis saw oil prices plunge from over \$140 to nearly \$30 per barrel – it is particularly worrisome for the Canadian oil industry. Not only did prices fall to their lowest point in over a decade earlier this year, but experts do not expect them to recover quickly due to an over-supply in the global market (Krauss, 2016).

This has heavy implications for Canadian oil sands producers. As alluded to in [Section 1.1.1](#), oil sands extraction methods require large inputs which makes them very expensive. When oil prices are this low, many operators are in fact *losing* money by producing oil sands crude (Hulshof, Irving, and Yan 2015; Hulshof, Irving, and Yan 2016). This has caused many producers to shelve projects, scale back production, and lay off employees. CAPP estimates that approximately 100,000 jobs Canada’s oil sector were lost in 2015 (Hussain, 2015) and the Conference Board of Canada predicts a second consecutive year of recession for Alberta in 2016 (Conference Board of Canada, 2016).

1.1.3 Market access

In addition to its struggle with low commodity prices, the Canadian oil industry also struggles to get its product to market. Alberta, the province where the majority of oil sands deposits are located, is a land-locked province. Without access to tidewater and international shipping routes, the United States [US] is virtually the only foreign market that Canadian oil producers

can sell their product to, and is the destination for over 99% of Canadian oil exports (National Energy Board, 2015a).

According to a Fraser Institute report (Angevine and Green, 2013) Canadian oil fetches a substantially lower price when sold to the US than it could if it were sold on the world market. The report asserted that this price “discount” was costing the Canadian economy \$47 million *per day* in lost revenue in 2013 – which translates to over \$17 billion every year. Although these claims have been contested by economists (Marsden, 2013) and laypersons alike, this “discount” narrative has been employed liberally by industry and government officials arguing the need to access foreign markets.

Regardless of the merit of these arguments, the undeniable truth is that if Canadian oil producers wish to access global markets they must get their product to tidewater. To tackle this challenge, several pipeline operators have proposed major infrastructure projects in recent years. Table 1.2 provides a brief overview of the four most noteworthy pipeline projects recently proposed in Canada, listed in the order they were proposed.

Table 1.2 – List of major Canadian pipeline projects proposed in recent years

Project name	Proponent	Capacity	Description	Status
1. Keystone XL	TransCanada	830,000 b/d	1,897km from Hardisty, AB (Canada), to Steele City, Nebraska, (USA).	Denied Nov 2015
2. Northern Gateway	Enbridge	718,000 b/d (525,000 crude oil + 193,000 condensate)	Twinned 1,177km pipeline from Bruderheim, AB, to Kitimat, BC	Approved June 2014
3. Trans Mountain Expansion	Kinder Morgan	890,000 b/d (300,000 existing + 590,000 new)	Twinning of an existing pipeline which runs 1,150km between Edmonton, AB, and Burnaby, BC.	Under review until May 2016
4. Energy East	TransCanada	1,100,000 b/d	4,600km pipeline spanning 6 Canadian provinces, from Hardisty, AB, to Saint John, New Brunswick	Under review until March 2018

(Adapted from: TransCanada Corporation, 2016a; TransCanada Corporation, 2016b; Northern Gateway Pipelines Limited Partnership, 2010; Trans Mountain Pipeline ULC, 2013).

In this thesis I will be discussing two of the four projects identified above:

- The Trans Mountain Expansion Project [TMX] (described in detail in Section 1.6) which is to be the case study of this thesis; and
- The Northern Gateway Project [NGP] (described in detail in Section 1.4) because it has had a major impact on recent pipeline politics in Canada.

Before moving on to these project descriptions, however, it is important to understand the political climate and regulatory framework in which the following events took place.

1.2 The Harper government

Between February of 2006, and November of 2015, the Government of Canada was led by the Conservative Party of Canada with its leader, Stephen Harper, as Prime Minister [PM]. The Harper government was forthright in its desire to grow Canada's economy by developing its energy sector, and envisioned Alberta's oil sands as the primary driver for this growth. In the near-decade that the Conservatives were in office, they pursued this goal with remarkable focus.

In its political rhetoric, both domestically and abroad, the Harper government took great care to build an identity for Canada as an oil-producing nation (Way, 2011). In his first major speech outside of Canada as PM, Harper (2006) spoke plainly of “the emerging ‘energy superpower’ our government intends to build” and described the oil sands as “an enterprise of epic proportions, akin to the building of the pyramids or China's Great Wall. Only bigger.”

PM Harper was not alone in this: many prominent government officials forwarded pro-oil rhetoric. Examples of this include then-Natural Resource Minister Gary Lunn's adoption of Harper's “emerging energy superpower” slogan (Way, 2011) and then-Environment Minister Peter Kent's adoption of the “ethical oil” narrative popularized by conservative media personality Ezra Levant, which frames Canadian oil as *morally* superior to “conflict oil” oil from the Middle East and Northern Africa (Levant, 2011).

The Conservative government followed up its rhetoric with action. They withdrew Canada from the Kyoto Protocol on climate change. They spent millions on advertising campaigns both domestically and abroad, which promoted the development of Canada's natural resources – especially the oil and gas sector (Canadian Press, 2013). To encourage investment they lowered Canada's corporate tax rate by nearly half, from 28% in 2006 to 15% in 2012 (Hartley 2015), and negotiated trade agreements such as the Canada-China Foreign Investment Promotion and Protection Agreement.

These strategies were met with remarkable success in terms of oil sands investment. State-owned enterprises, especially those in Asia, have invested over \$50 billion in Canada's unconventional oil and gas sector since 2004 (Turner and Glossop, 2014), and this foreign investment has been a key factor in the prodigious growth of the oil sands described in Section 1.1.1.

1.3 Canada's regulatory framework

Major Canadian infrastructure projects, such as the pipeline projects introduced in Table 1.2, require approval from the federal body responsible for regulating them. In the case of oil and gas pipelines, this would be the National Energy Board [NEB; Board], which is the independent federal regulator for the Canadian energy industry, established in 1985 by the *National Energy Board Act* [*NEB Act*].

Among other components, the NEB's review process consists of an environmental assessment [EA] and a public hearing (NEB, 2013a). The criteria for EA in Canada are laid out in the *Canadian Environmental Assessment Act* [CEAA], and prior to 2012 the Canadian Environmental Assessment Agency [CEA Agency] was involved in EA of pipeline projects. The regulatory framework for EA has changed significantly in recent years, which will be discussed further in Section 1.5.

The NEB's public hearings are generally conducted by a Panel of three members who preside over the hearing process in the same way a judge presides over a court proceeding. In this capacity, the NEB acts as a quasi-judicial body. The NEB is granted "all such powers, rights and privileges as are vested in a superior court of record." (*National Energy Board Act*, 1985: s.11(3))

Each public hearing is guided by the Board's Hearing Order for that project, which provides the public with essential information about the project and the hearing process. Each Hearing Order is different, and might include a description of the project, a list of issues that will be addressed in the hearing, how and when the hearing will proceed, and information on how to participate (NEB, 2013a).

It is important to note that the NEB's public hearing process is the *only* formal mechanism for public participation in the decision-making process for major energy infrastructure projects such as the NGP and TMX. Also important to note are the considerable changes that this process has undergone in recent years, which I will discuss further in Sections 1.5 and 1.6 below.

1.4 The Northern Gateway Project

1.4.1 Project description

In May of 2010, Enbridge² submitted an application to the NEB for its Northern Gateway Project [NGP]. This project has three components:

- an oil export pipeline,
- a condensate import pipeline, and
- a tank farm and marine terminal near Kitimat, British Columbia [BC].

The twinned pipeline would run 1,177 km from Bruderheim, AB, across the Rocky Mountains and through several First Nations territories, to Kitimat, BC (Northern Gateway Pipelines Limited Partnership, 2010). Figure 3 illustrates the route proposed for the NGP.

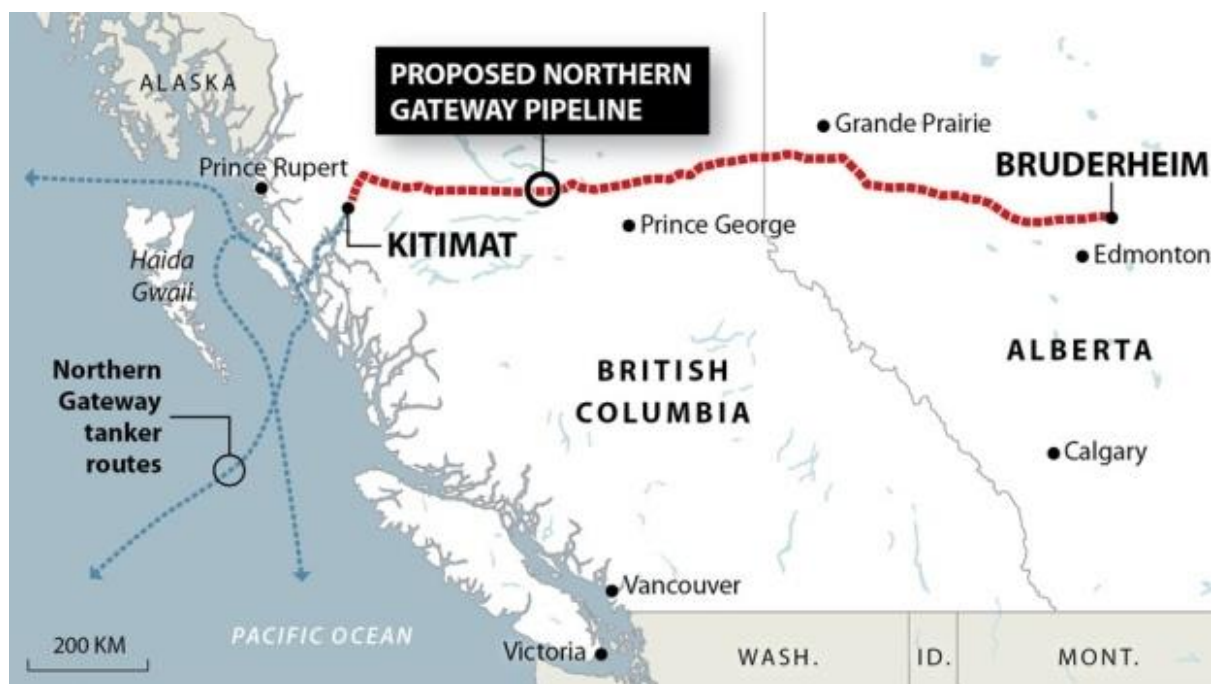


Figure 3 – NGP Route Map

Image source: (Canadian Press, 2014)

² The proponent of the Northern Gateway Project is more accurately Northern Gateway Pipelines LP, a limited partnership including Enbridge Inc. and others. I have chosen, in this thesis, to identify the proponent of the NGP as “Enbridge” to avoid confusion between different possible meanings for the term “Northern Gateway”.

When it was proposed, the NGP triggered an environmental assessment under both the *NEB Act* and the *CEAA*. To satisfy both of these requirements, the CEA Agency and the NEB formed a Joint Review Panel [JRP] which would represent both organizations in reviewing the project.

1.4.2 Public participation

In May of 2011, the JRP issued its Hearing Order for the NGP (NEB, 2011) which invited the public to participate in the hearing in four capacities:

Letter of Comment – These participants could submit a letter of comment [LOC] expressing their knowledge, views, and concerns about the proposed project. They were neither allowed to question the evidence of others, nor to make a final argument.

Making an oral statement – These participants could make an in-person statement at one of the community hearings along the proposed pipeline route, expressing their knowledge, views, and concerns about the proposed project. Such statements were sworn testaments and could be up to 10 minutes long.

Intervenor – These participants could submit written or sworn oral evidence, submit information requests about the written evidence of others, participate in oral cross-examination at the final hearings, participate in notices of motion submitted, and submit a final argument.

Government Participant – These participants were government representatives at the federal, provincial, territorial, or municipal levels. This level of participation was essentially equivalent to Intervenor status, albeit requiring prior approval from the Board for certain actions.

Although the latter three options required a prior *registration*, none of these methods required an *application*, resulting in no member of the public being denied participation in the NGP hearings.

The public review process for the NGP drew an unprecedented amount of public attention and participation. The oral portions of the hearing were held in cities and towns along the proposed pipeline route, beginning in January, 2012 and concluding in June, 2013 – almost a full year longer than originally anticipated by the NEB. Over the course of the NGP review, the JRP heard cross-examined oral evidence from 393 participants, untested oral statements from 1,179 people, and read over 9,000 letters of comment (NEB, 2013b).

1.4.3 Approval

In December, 2013, the JRP published its report ultimately recommending the NGP for approval, albeit with 209 conditions (NEB, 2013b). In this report the JRP revealed that most of the 9,000 letters it received had in fact argued *against* approving the project, although it did not quantify this statement. Rather, it emphasized that its recommendations were “based on technical and scientific analysis rather than the on (*sic*) number of participants sharing common views either for or against the project” (NEB, 2013b: 14). The only published tally of the support and opposition to the project comes from Dogwood Initiative (2013) who counted two oral statements in favour of the project, and 1,159 against it.³

Despite it receiving federal approval in June, 2014, construction has not yet begun on Enbridge’s NGP, and there has been much speculation that it never will. The project faces numerous court challenges by environmental groups and First Nations – one of which recently concluded with the Supreme Court of BC ruling that the province had failed in its duty to consult with First Nations (CBC News, 2016). Also, since being elected in October of 2015, PM Justin Trudeau (Liberal Party of Canada) has ordered a tanker ban on BC’s North Coast which would prevent tankers from reaching Kitimat, where the NGP’s export terminal was to be built (CBC News, 2015).

With these and numerous other obstacles precluding construction, it is increasingly unlikely that the Northern Gateway Pipeline will ever be built. Even the chief executive officer [CEO] of Enbridge has publically stated that the likelihood of construction starting before the end of 2016 – which is one of the NEB’s 209 conditions – is “really quite remote” (Bickis, 2016).

³ I have included this tally not as a point of fact, but rather as a rough indicator of the strength of opposition to the NGP. In their press release, Dogwood does not provide definitions for the terms “opposed” and “in favour” nor do they elaborate on their counting methods.

1.5 Bill C-38

As mentioned in Section 1.4.2, the Northern Gateway Project drew an extraordinary amount of public participation, and as a result the review process lasted significantly longer than the NEB had originally anticipated. The Conservative government was seemingly frustrated by this – a sentiment best illustrated by an open letter from then-Natural Resource Minister Joe Oliver, published in January, 2012. This letter, released the day before the first NGP public hearing session, is an important precursor to the events that have since followed, and as such I have included the full text as Appendix A of this thesis.

In his letter, Oliver (2012) affirmed “Canada’s commitment to diversify our energy markets” and disparaged the efforts of “environmental and other radical groups” who sought to “block this opportunity” by “hijack[ing] our regulatory system to achieve their radical ideological agenda”.

Strong language aside, this letter was a clearly-stated intention to reform Canada’s regulatory review process for critical infrastructure projects. Oliver’s letter expressed a need to eliminate regulatory overlap, make the review process more timely and efficient, and prevent interest groups from using public hearings as platforms to address other issues. This was presumably the logic that led to the sweeping reforms tabled in the government’s budget implementation bill that year, called the *Jobs, Growth, and Long-term Prosperity Act*, or more commonly known as Bill C-38.

Bill C-38 was 425 pages long and amended or repealed 69 different pieces of Canadian legislation (Galloway and Leblanc, 2012). This was an unprecedented scope for a budget implementation bill, and as such Bill C-38 generated a great deal of controversy. In the two months it was debated in Parliament, opposition parties called for 871 amendments – not one of which was accepted by the Conservative majority (Galloway and Leblanc, 2012).

Bill C-38 touched more than a dozen pieces of legislation relevant to environmental protection in Canada. Although many of these legislative changes are significant, I will limit my discussion to the changes that are directly relevant to this thesis: changes to the *Canadian Environmental Assessment Act* and the *National Energy Board Act*.

1.5.1 The Canadian Environmental Assessment Act, 2012

The most striking change effected by the 2012 budget bill was the replacement of the existing *CEAA 1992* with an entirely new piece of legislation: the *Canadian Environmental Assessment Act, 2012* [*CEAA 2012*]. Meinhard Doelle (2012) offers a careful treatment of the differences between these two Acts, as well as their potential implications. For the purpose of this thesis, I will cover only two of these changes: the shift in who is responsible for environmental assessments [EA], and the legislated scope of the review.

Who is responsible for EA – The *CEAA 2012* limited the federal bodies responsible for EA to three: the CEA Agency, the Canadian Nuclear Safety Commission, and the National Energy Board. For projects where the NEB was identified as the responsible authority – such as major pipeline projects – it would be the sole federal agency conducting the EA. A joint panel review such as the JRP for the NGP was no longer permitted (Doelle, 2012).

Scope of the review – Although the NEB was now the sole regulatory body responsible for the EA, it still needed to conduct its review in accordance with EA legislation. This was where some of the other changes made in *CEAA 2012* became important:

- **Environmental effects:** The *CEAA 1992* defined the term “environmental effect” to include essentially *any* change to the environment caused by the project, and even extended this to include effects on things like health, socio-economic conditions, and cultural heritage (*Canadian Environmental Assessment Act, 1992: s. 2(1)*). By contrast the *CEAA 2012* set very specific limits on what it considered an “environmental effect”. For example, it included “change to [...] fish and fish habitat as defined in the *Fisheries Act*” (a definition which was also significantly altered by Bill C-38). While *CEAA 2012* did make mention of broader concerns such as health and cultural heritage, it did so strictly with respect to Aboriginal peoples, or in cases where other legislated federal duties apply (Doelle, 2012).
- **Comments from the public:** While the “Factors To Be Considered” in *CEAA 1992* included “comments from the public that are received in accordance with this Act and the regulations” the *CEAA 2012* explicitly qualified this factor in the case of NEB reviews, saying instead that it must consider comments from “interested parties” (*CEAA, 2012: s. 19(1)*) – the significance of which is discussed in the following section.

1.5.2 The National Energy Board Act

Bill C-38 also made significant changes to the *NEB Act*, two of which are crucial in the context of this study:

Decision made by the GIC – Prior to Bill C-38, the NEB itself had the power to approve or reject projects under its jurisdiction. The amendments made by Bill C-38 shifted this decision-making power to the Governor in Council [GIC] or, in other words, the government. The NEB was now tasked with preparing a report that made a *recommendation* to the GIC, which the GIC could then heed or ignore (*NEB Act*, ss. 52-54). As George Hoberg (2013) points out, this amounted to a removal of one of the “checks and balances” to federal power, in that it transferred decision-making power from an independent regulatory agency, to the government.

Standing – Perhaps the most significant change made to the *NEB Act* was the addition of Section 55.2 which provided a basis for determining who the “interested parties” referred to in the *CEAA 2012* were (i.e. who would be allowed to participate in the NEB public hearings). The right to participate was now granted by the NEB on two grounds (as elaborated in NEB, 2013a):

- **Directly Affected:** Any applicant who would be directly affected by the granting or refusal of the project application *must* be granted participation in the NEB hearing. The Board decides on a case-by-case basis whether or not an applicant is directly affected. When making its decision the Board may consider the nature of the person’s interest (specific or detailed interest, vs. general public interest) and whether or not the project would have a direct impact upon those interests (including the degree, likelihood, and frequency of the impact).
- **Relevant Information or Expertise:** An applicant who, in the Board’s opinion, has relevant information or expertise *may* be granted participation in the NEB hearing. In its decision, the Board may consider factors such as the source of the person’s knowledge, their qualifications, the extent to which their information / expertise are relevant within the scope of the hearing, and how much value their information / expertise will add to the Board’s decision or recommendation.

When Bill C-38 passed, the review process for the Northern Gateway Project was already underway, and the changes were only partially implemented for that process. The full impact

of these changes were not felt until an entire review process, from start to finish, unfolded under the new legislated rules – which was exactly what occurred in the NEB’s subsequent review of the Trans Mountain Expansion Project.

1.6 The Trans Mountain Expansion Project

1.6.1 Project description

The Trans Mountain pipeline system has been in operation since 1953 and runs 1,147km between Edmonton, AB and Burnaby, BC (a neighbouring city to Vancouver) (Trans Mountain Pipeline ULC, 2013). This pipeline system is owned and operated by the Canadian branch of Kinder Morgan Inc., a Texas-based energy infrastructure company.

The Trans Mountain Expansion Project [TMX] seeks to expand the existing pipeline system's capacity from 300,000 b/d to 890,000 b/d, and includes the following components:

- reactivation of 193km of existing pipeline;
- addition of 987 km of new pipeline to “loop” the existing system;
- construction of 12 new pump stations and 20 new storage tanks; and
- expansion of the Westridge Marine Terminal in Burnaby (Trans Mountain Pipeline ULC, 2013).

Figure 4 on the following page shows the routes of both the existing Trans Mountain pipeline, as well as the route for the proposed expansion project.

Kinder Morgan [KM]⁴ submitted its application for the TMX to the NEB in December of 2013. Following the legislative changes outlined above, the TMX was assessed by the NEB only, which stands in contrast to the NGP which was assessed by a JRP representing both the CEA Agency and the NEB.

⁴ The proponent of the Trans Mountain Expansion Project is more accurately Trans Mountain Pipelines ULC: a Canadian corporation which, through a web of corporate structures, is ultimately owned by Kinder Morgan Inc. I have chosen, in this thesis, to identify the proponent of the TMX project as “Kinder Morgan” to avoid confusion between different possible meanings for the term “Trans Mountain”.

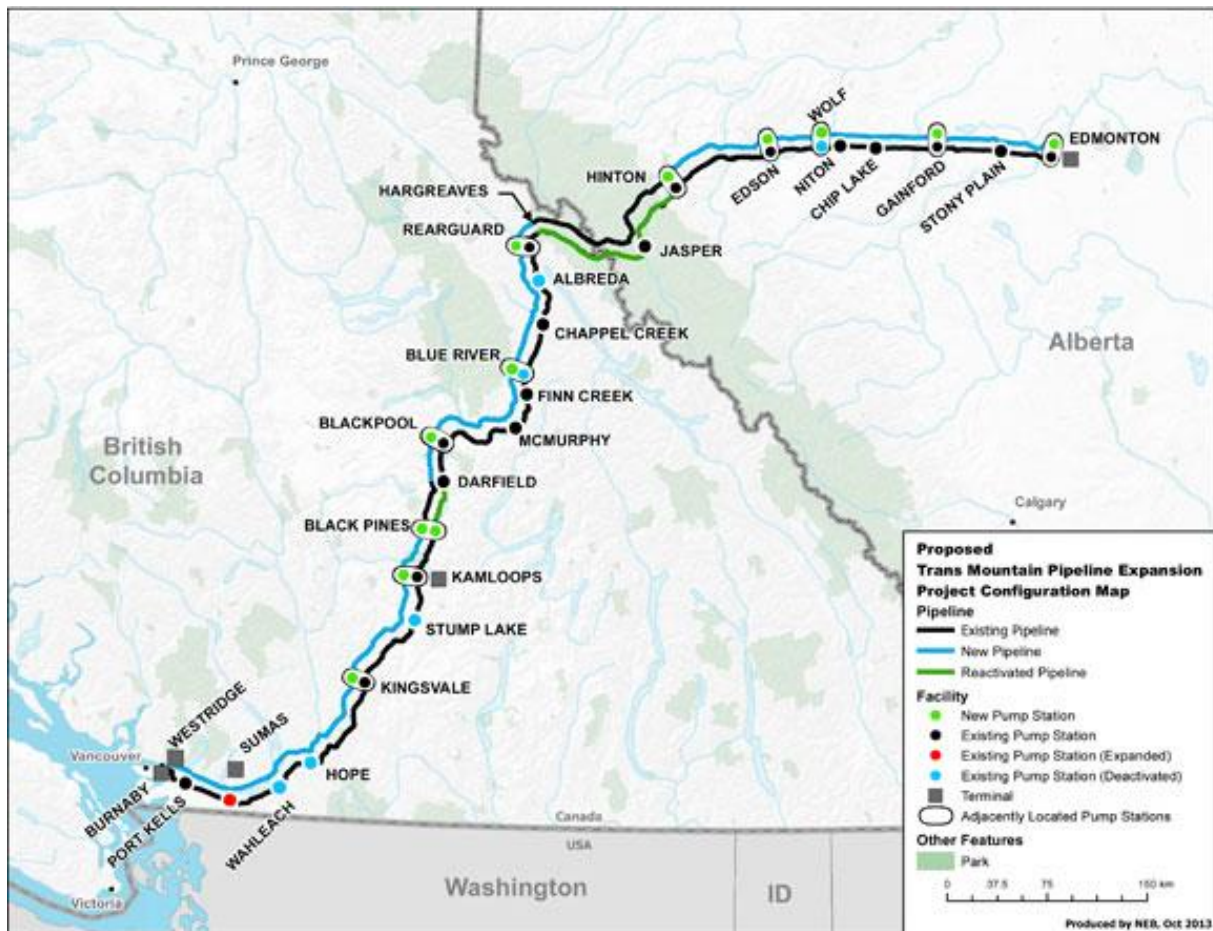


Figure 4 – TMX Route Map

Image source: (NEB, 2016)

1.6.2 Public participation

Following the above noted changes to the *NEB Act* (see [Section 1.5.2](#)) those who wanted to participate in the TMX review had to submit an *application* to the NEB demonstrating, to the satisfaction of the Board, that they were either directly affected by the decision or had relevant information or expertise (NEB, 2013a). This stands in contrast to the NGP review process, in which the public could register or submit comments at will (subject, of course, to deadlines).

Furthermore, in contrast to the four levels of public participation offered in the NGP review, only two levels of participation were offered in the TMX review (NEB, 2014a):

Letter of Comment – these participants could submit a single LOC expressing their opinions on the proposed project. Commenters could neither question the evidence of others, nor make a final argument.

Intervenor – these participants could submit written evidence, submit information requests questioning the written evidence of others, participate in motions, and present a written and oral final argument.

The other two methods of participating that were offered in the NGP review – namely oral statements and government participants – were no longer offered in the TMX review. Another important difference to note here is the changes made to the “Intervenor” status between the two projects. The TMX review put a far greater emphasis on *written* rather than oral submissions – a significant departure from the NGP’s extensive oral community hearings.

By the time the NEB issued its Hearing Order for the TMX project, it had already ruled on who would be allowed to participate in the public hearings, and in what capacity. Of the 2,118 applications to participate received by the NEB, 400 applicants were granted Intervenor status, 1,250 were granted Commenter status, and 468 applicants were denied participation rights in the process (NEB, 2014b).

The Hearing Order also contained a list of the issues that would be considered in the hearing process, thereby defining the scope of the review. In addition to this list of issues that the Board *would* consider, it also made the following statement about the issues it would *not* consider:

The Board does not intend to consider the environmental and socio-economic effects associated with upstream activities, the development of oil sands, or the downstream use of the oil transported by the pipeline (NEB, 2014a: 18).

1.6.3 Key events

The TMX review process was a somewhat bumpy ride. In June 2014, KM announced a new preferred route for the pipeline which would tunnel through Burnaby Mountain, and the NEB required KM to conduct seismic testing for its new route. This testing required KM to cut down trees in a conservation area protected by the City of Burnaby, which provoked over a week of mass protests on Burnaby Mountain in November 2014. During these protests a total of 126 people were arrested, and five people were served with a multi-million dollar lawsuit from KM for their roles in organizing the protests (Moreau, 2014).

As the NEB review continued, some notable participants withdrew from the hearing process including the former CEO of BC Hydro, Marc Eliesen; and the former CEO of ICBC (BC’s public auto insurance provider), Robyn Allan. Both Eliesen (2014) and Allan (2015) published

detailed and scathing critiques of the NEB review process, which were picked up by major Canadian news outlets such as the Canadian Broadcasting Corporation [CBC] and The Globe and Mail. These concerns, and others, were echoed in a public report from Sierra Club BC (2015). These important critiques of the NEB review process have had a significant impact on public opinion, not only of the TMX review, but of the NEB itself as a federal regulator.

In August, 2015, the entire NEB review process for the TMX was put on hold when Steven Kelly – an oil industry consultant who had prepared and submitted evidence in the TMX hearings on behalf of KM – was appointed to the NEB. The NEB acknowledged the impact that Kelly’s appointment might have on public confidence in the review process, and struck all evidence prepared by or under the supervision of Kelly from the record (NEB, 2015c).

The TMX public hearings drew to a close in February, 2016, amid more (albeit less dramatic) protests in Burnaby (McSheffrey, 2016). The NEB is expected to release a report with its recommendations to the GIC on May 20th, 2016, and the government is expected to issue a final decision on the TMX project three months later, in August of 2016.

1.7 National security

Although at first glance pipeline reviews and national security concerns may seem only distantly related, national security discourses and the implementation of Bill C-51 have had a significant impact on people's thoughts on contemporary pipeline issues in Canada, and therefore merit a brief introduction.

1.7.1 Critical infrastructure

The term critical infrastructure [CI] is commonly used in the domain of national security to refer to structures and systems that are essential to the proper function of the nation (Public Safety Canada [PSC], 2015). As discussed in Section 1.2, the Harper government considered the energy sector a national priority, so much of the infrastructure in the “Energy and Utilities” sector (one of ten CI sectors identified in PSC, 2015) was presumably considered critical.

Public Safety Canada (2014) emphasizes the need to “enhance the resilience” of Canada's CI through partnerships, information sharing, and risk management. This includes, among other things:

Multi-directional information sharing among critical infrastructure owners/operators, governments, and security and intelligence organizations (e.g. Royal Canadian Mounted Police (RCMP), Canadian Security Intelligence Service (CSIS) (PSC, 2014: 4).

With respect to “risk management”, PSC (2014) identifies some broad categories in the “risk environment” – such as terrorism, cyber threats, and natural disasters – but does not explicitly define such terms as “risk” or “threat”, leaving them open for interpretation. In the energy sector this has been problematic in the context of controversial pipeline projects – as demonstrated by the following two events, among others.

Spying allegations – In 2013 the Vancouver Observer published an article that documented a coordinated effort by the NEB, CSIS, and the RCMP (Canada's national police force), to “spy on” groups during the Northern Gateway hearings who were opposed to the oil sands (Millar, 2013). The article also suggested that these three government institutions were sharing this information with industry officials, and that they considered opposition groups a security concern, both to the NEB and to private interests (Millar, 2013). As a result, the British Columbia Civil Liberties Association (2014) filed a legal complaint against CSIS and the

RCMP, arguing that monitoring citizens' peaceful and democratic activities constituted a violation of their constitutionally protected freedoms of expression, assembly, and association.⁵

Criminal threat – A document leaked from the RCMP demonstrates how pipeline opposition can be explicitly defined as a threat to CI. The leaked RCMP (2014) report was a “Critical Infrastructure Intelligence Assessment” on “Criminal Threats to the Canadian Petroleum Industry”. In its key findings it stated that “Violent anti-petroleum extremists will continue to engage in criminal activity to promote their anti-petroleum ideology” and “pose a realistic criminal threat to Canada’s petroleum industry, its workers and assets, and to first responders” (RCMP, 2014: 1).

1.7.2 Bill C-51

To add another dimension to this struggle, the Government of Canada introduced a new *Anti-terrorism Act, 2015* in January of 2015. This Act, more commonly referred to as Bill C-51, enacted two new pieces of legislation and amended 15 others. Among its purposes were the facilitation of information sharing among federal institutions, lowering of thresholds for terrorism arrests, criminalization of the promotion of terrorism, and expansion of CSIS powers (Library of Parliament, 2015). Despite heavy criticism from many credible sources – such as the detailed concerns of law professors Craig Forcese and Kent Roach (2015), an open letter from four past Prime Ministers (Chrétien, Clark, Martin and Turner, 2015), and an open letter from over 100 Canadian academics (Abell et al., 2015) – the Bill received royal assent in 2015 and became law.

Significant to the above discussion about CI, one of the Acts enacted by Bill C-51 included in its definition of an “activity that undermines the security of Canada” it included – alongside “terrorism” – “interference with critical infrastructure” (Bill C-51, 2015a: s. 2(2)). Once again, it left these terms undefined and therefore open to interpretation. Taken alongside Joe Oliver’s (2012) open letter (see [Section 1.5](#)), and the events mentioned in [Section 1.7.1](#) above, this inclusion in the *Anti-terrorism Act* insinuated that pipeline opposition could conceivably be regard as terrorism.

When it was originally proposed, Bill C-51 specified “For greater certainty, it does not include *lawful* advocacy, protest, dissent and artistic expression” (Bill C-51, 2015b s. 2(2); emphasis

⁵ This case was still unresolved as of the submission date for this thesis (13/05/2016).

added). Considering that the Bill was put forth only two months following the (unlawful) mass protests on Burnaby Mountain, this was a significant concern for many people involved with the pipeline issues. The word “lawful” was ultimately removed from the above clause and is not present in the final version of the Bill. However, the above mentioned events – and many others – left a lingering distrust of federal institutions in many circles, which will be discussed at length in the remainder of this thesis.

1.8 Aboriginal Opposition

First Nations' opposition has been a fundamental component of Canada's recent pipeline issues. Since time immemorial the Indigenous people of Canada have occupied territories that these pipelines purport to cross, and their Aboriginal title to the land is not only unextinguished, it is *constitutionally protected* (British Columbia Treaty Commission, 2009). On Crown lands – that is, land that is publically rather than privately owned – the government has a duty to consult with First Nations, and economic development cannot proceed without the consent of the First Nations who live there (Tsilhqot'in Nation v. British Columbia, 2014).

The statutes and Supreme Court rulings that outline Aboriginal title suggest that regardless of the NEB's recommendation and regardless of the GIC's decision, pipeline projects *must* have the consent of any group holding Aboriginal title to the lands it passes through. This has heavy implications for recent pipeline proposals.

Many First Nations, particularly in BC, have consistently and resoundingly declared that the NGP and TMX projects do *not* have their consent. Indeed, several Nations have levelled serious legal challenges against the Northern Gateway Project, one of which recently concluded with the BC Supreme Court ruling that the government of BC had failed in its duty to consult with First Nations (CBC News, 2016).

Notable pieces of Indigenous law in this context include the Coastal First Nations Declaration, signed by ten Nations on the North Pacific coast (Coastal First Nations [no date]) and the Save the Fraser Declaration, signed by representatives of over 130 First Nations across Canada (Yinka Dene Alliance, 2013). The Unist'ot'en people of the Wet'suwet'en Nation have gone a step further and established a camp in their traditional territories, built upon the intersecting point of two proposed pipeline routes – one of which is Enbridge's NGP.

This opposition to oil and gas pipelines is only a small part of a much larger Indigenous resistance movement, characterized most powerfully by the Idle No More movement which “calls on all people to join in a peaceful revolution, to honour Indigenous sovereignty, and to protect the land and water” (Idle No More [no date]).

Given the unique nature of Aboriginal rights, First Nations' resistance has an unparalleled potential to shape the future of environmental governance in Canada (Clogg, Askew, Kung, and Smith, 2016).

1.9 Section summary

Canada is one of the world's top oil producers, and a large part of that oil comes from the oil sands in Alberta. Although this unconventional oil is costly and complex to produce, Canada's oil sector has seen massive investment and growth in recent years. This growth was not only encouraged but facilitated by Prime Minister Stephen Harper and his Conservative government in their nearly ten years in office.

The future of the Canadian oil industry is nonetheless uncertain due to both the crash in oil prices in 2015, and also the lack of access to global markets by way of international shipping routes. To address the latter challenge, several major oil and gas pipelines have been proposed in Canada in the past few years, including Enbridge's Northern Gateway project [NGP] which would run 1,177km between Bruderheim, AB and Kitimat, BC; and Kinder Morgan's Trans Mountain Expansion project [TMX] which would twin an existing 1,147km pipeline between Edmonton, AB and Burnaby, BC.

Major pipeline projects such as the NGP and TMX require regulatory approval from Canada's independent federal energy regulator: the National Energy Board [NEB]. The NEB's regulatory review process includes an environmental assessment and a public hearing.

The review process for the NGP drew an astonishing amount of public attention and participation. Although most participants in the NEB hearings argued against the pipeline, it received federal approval in 2014. Even so, the NGP is likely to never be built due to the numerous court cases levelled against it, strong Aboriginal opposition, and a newly-announced tanker ban on BC's North coast.

In 2012, while the NGP hearings were still underway, the Harper government passed its budget Bill C-38 which made sweeping changes to Canada's regulatory framework. Among these changes were new rules for which agencies conduct environmental assessment, a transfer of power over pipeline decisions from the NEB to the government, and limits on public participation in the NEB hearings.

The consequences of these changes became apparent in the NEB's subsequent review of the TMX project. People who wished to participate in the public hearings now had to apply, and 468 people were rejected. The TMX hearings were a predominantly written procedure, and notably oral cross-examination was eliminated from the process.

Some of the key events that took place over the course of the TMX hearings were the protests on Burnaby Mountain in November, 2014; the public withdrawal of two high-profile Intervenor; and the appointment to the NEB of a consultant who had submitted evidence in the review process on behalf of Kinder Morgan. Despite these delays, the NEB review process concluded in February, 2016, and the NEB is expected to release its recommendation on May 20th, 2016.

Also important in the context of the pipeline conflicts outlined above are discourses of national security. Pipeline opposition during the NGP hearings was treated as a security risk or even a criminal threat by powerful actors such as Canada's federal intelligence agency and police force, and Canada's newly-enacted *Anti-terrorism Act* Bill C-51 made a worrying link between pipeline opposition and terrorism.

Another essential aspect of Canada's pipeline issues is the strong opposition by First Nations in the form of legal challenges, Indigenous laws, resistance camps, and an inclusive, nationwide movement to honour Indigenous sovereignty.

2 Introduction to this research

2.1 Literature Review

Because the Trans Mountain Expansion project was only recently proposed and has not yet completed its regulatory review, there has been very little research done to date on this specific topic. Most of the research on the TMX has been for the purpose of the NEB review, and is focuses on assessing the project's potential impacts on economy (ex: Conversations for Responsible Economic Development, 2013; Goodman and Rowan, 2014; Bjarnason, Hotte, and Sumaila, 2015) and ecological systems (ex: Simpson, 2015; Lacy, Balcomb, Brent, Croft, Clark, and Paquet, 2015; Logan, Scott, Rosenberger, and MacDuffee, 2015). Some of the more inclusive studies include Trans Mountain Pipeline ULC's (2013) application for the TMX project, and a landmark independent project assessment prepared by Tsleil-Waututh Nation (2015).

Although the TMX itself is a recent phenomenon, it falls within the broader context of pipeline projects and regulatory review in Canada, which has been extensively researched. Of immediate importance in this field is the Northern Gateway project (introduced in [Section 1.4](#)). A considerable amount of the social research done on the NGP has focused on its dire implications for Indigenous rights and politics: in many ways the politics surrounding the NGP can be seen as new forms of colonialism, in that they devalue the unique nature of First Nations' experiences, knowledge, and identities (Panofsky, 2011; Preston, 2013; McCreary and Milligan, 2014). First Nations' resistance to the NGP in Canada can also be understood within a much broader web of Indigenous resistance to extractive resource industries worldwide (Veltmeyer and Bowles, 2014).

Other relevant research within the context of pipeline projects and regulatory review has focused on the potential impacts of the changes made to Canada's regulatory framework, as introduced in [Section 1.5](#). Much of the scholarly work in this domain has been very critical of the changes made by Bill C-38, in that they set inappropriate restrictions on public participation and allow for too much discretion in their application (Doelle, 2012; Gibson, 2012; Salomons and Hoberg, 2014; Fluker and Srivastava, 2016; Mikadze, 2016). Law professor Jason MacLean puts forth a detailed and compelling argument that the NEB pipeline review process, as applied for the TMX and Energy East projects, is in fact: "on a collision course with some of the most fundamental legal rules and principles making up sustainable development law,

constitutional law, and administrative law in Canada today” (MacLean, 2015: 14-15). Clogg, Askew, Kung, and Smith (2016) are much more hopeful in their argument that a revitalization of Indigenous law will fill the void created by federal deregulation.

As outlined above, much of the contemporary research on pipeline reviews in Canada is focused on environmental and economic impacts, the appropriateness of the regulatory framework, and the implications of these projects and processes for Aboriginal rights. Very little research has been done to date on the lived experiences of the people participating in these regulatory reviews, and how these experiences have affected them. One such study, conducted by John Sinclair, Gary Schneider, and Lisa Mitchell (2012) focused on a much smaller project in Eastern Canada, and took place before Bill C-38’s regulatory changes were implemented. To my knowledge, no such study has been conducted in the context of the large and controversial pipeline projects discussed in Section 1.

To better understand the impact that regulatory changes have had on public participation, it is useful to understand how and why different members of the public participate in these reviews. Also, to better understand the intense controversy and conflict surrounding recent pipeline projects in Canada, it is useful to understand how citizens experience and perceive these issues. This research aims to fill this knowledge gap, using the Kinder Morgan Trans Mountain pipeline as an exploratory case study.

2.2 Research questions and objectives

This study was guided by the following primary research question:

How have people’s experiences with the Trans Mountain Expansion project affected their understandings of their role as citizens in energy infrastructure projects?
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To guide my research, I broke my primary research question down into the following three sub-questions:

1. How did people characterize their experiences with the TMX issue?
2. What did people understand to be their role in the TMX issue, and did they feel they were able to fulfill that role?
3. What did people understand to be the role of others in the TMX issue, and did they feel that others were fulfilling their roles?

2.3 Conceptual framework

2.3.1 Citizenship

Standard theories

According to the Stanford Encyclopedia of Philosophy, “a citizen is a member of a political community who enjoys the rights and assumes the duties of membership” (Leydet, 2011). Most traditional theories of citizenship assume the sovereign, territorial state as the basis for citizenship, and generally follow one of two political models: republican or liberal.

The republican camp conceives of citizenship as a role, citizens as political agents, and political action as a duty of citizenship. The liberal camp, on the other hand, conceives of citizenship as a legal status, and citizens as the bearers of rights, freedoms, and legal protections (Leydet, 2011). While the republican tradition still thrives in theory and academic applications, in practice most modern democracies, including Canada, follow the liberal model.

This thesis adopts a slightly different definition of citizenship, which might include but is not limited to the above definitions. I assert that citizenship is the relationship between the members of a political community, characterised by the way they claim their rights from, and/or fulfill their responsibilities to, the other members of the community.

One of citizenship’s most prominent theorists, Bryan Turner (1990), forwards a theory of citizenship described by two dimensions:

- **Active vs. passive citizenship:** In more active “bottom-up” forms of citizenship the citizen is an active political agent and citizenship is an act to be carried out, whereas with passive “top-down” forms of citizenship the citizen is the subject of an absolute authority, and citizenship is a state of being.
- **Private vs. public political space:** this distinction refers to the social “space” in which moral and political activity is carried out. The private sphere represents the individual citizen’s privately-held beliefs, property, home, and family life. The public sphere, on the other hand, is a collectively-held space for people to organize in pursuit of social or political goals.

The four possible combinations of these two dimensions describe Turner’s four typologies of citizenship, as illustrated in Table 2.1.

Table 2.1 – Turner’s four typologies of citizenship

	Active citizenship	Passive citizenship
Public space	Revolutionary context (ex: French revolution)	Passive democracy (ex: English parliament)
Private space	Liberal pluralism (ex: American individualism)	Plebiscitary authoritarianism (ex: German fascism)

Adapted from: (B. Turner, 1990)

An Arendtian perspective

Although she did not articulate her own distinct theory of citizenship, the philosophical works of Hannah Arendt provide some keen insights into the nature of citizenship. Her understanding of citizenship (as outlined in d’Entreves, 2014) was centred upon two concepts: the common world and the space of appearance.

Arendt’s common world is simply the world of human constructions: buildings and infrastructure, political institutions, histories. It is what provides people with a common frame of reference for interaction (d’Entreves, 2014).

The space of appearance is a physical space that is made political through speech and action. As Mick Smith (2005: 53) explains it, “what we say and do in concert, though not necessarily in agreement, with others, creates that public ‘space of appearance’ where we reveal *who* (rather than *what*) we are, where our unique individuality comes to the fore.” From an Arendtian perspective, then, political speech and action is a process of *self-actualization* (Smith, 2015).

For Arendt, the practice of citizenship is to appear in spaces of appearance, and to call forth commonalities from the common world by expressing political opinions. It is through this process that we can begin to negotiate the plurality that Arendt considered so central to the human condition. Arendt understood this plurality as the tension between equality and distinction, which she articulated quite poetically: “[...] we are all the same, that is, human, in such a way that nobody is ever the same as anyone else who ever lived, lives, or will live” (Arendt, 1958; p.8).

Although I have until now described Arendt’s theories of political action and plurality as complimentary to or perhaps even synonymous with citizenship, Latta (2006) employs these same theories to demonstrate how plurality is in fact *at odds* with citizenship. He argues that citizenship, while usually seen as a mechanism for inclusion in that it unites a diverse multitude,

can also be seen as a mechanism for *exclusion* in that the “citizen” exists only in the presence of its opposite: the non-citizen “other”.

Citizenship, for Latta (2006), is the “domain of struggle” between the citizen’s desire for an uncontested identity and the “other’s” desire for political recognition. In Arendtian terms, it is the struggle between the erasure of plurality through political closure, and the creative rebirth of the political through speech and action (Latta, 2006). Drawing upon the works of James Holston, Latta argues that the above described struggle can be conceived of as a space of “insurgent citizenship”.

Insurgent citizenship

Holston’s (2009) concept of insurgent citizenship was developed in the context of rights movements in disenfranchised urban communities in developing countries, particularly in Latin America and South Africa. Although it has not been widely applied outside of that context, when applied to *political* rather than urban spaces this theory becomes a useful tool in understanding the recent pipeline conflicts in Canada.

According to Holston (2009), insurgent citizenships are developed by residents of impoverished urban peripheries as a means of challenging the established structures of rule and privilege in the centralized civic square. “These are citizens who, in the process of building and defending their residential spaces, not only construct a vast new city but, on that basis, also propose a city with a different order of citizenship” (Holston, 2009: 246)

Holston decries the use of stigmatizing labels that paint the urban poor in totalizing, reductive ways, and instead emphasizes the diverse and creative ways in which residents develop strategies to better their everyday lives. Insurgent citizenships emerge when these ingenuities coalesce into movements that seek to redefine existing social structures and distributions of wealth and power. In brief, he argues that “sites of metropolitan innovation often emerge at the very sites of metropolitan degradation” (Holston, 2009: 249).

2.3.2 Public participation

Many of the foregoing discussions of citizenship emphasized active citizen participation in political processes. Indeed, the importance of public participation is so widely accepted in democratic contexts that it is legally prescribed in many decision-making processes, such as the NEB and CEA Agency processes discussed in Section 1. A report by the US National Research Council on public participation in EA decision-making (Dietz and Stern, 2008) advises that

agencies should engage the public not only because they *have to*, but because it can actually help them do a better job by increasing the likelihood of better decisions and effective implementation.

That being said, it’s important to note that poorly executed public participation can in fact be a barrier to effective decision-making. As emphasized by the National Research Council:

A poorly designed process that lacks adequate support and engagement by the agency or that fails to meet major challenges posed by the specific context can decrease, rather than increase, the quality and legitimacy of an assessment or decision and damage capacity for future processes (Dietz and Stern, 2008: 227).

Participation as a ladder

One of the most influential illustrations of the positive and negative facets of citizen participation is Sherry Arnstein’s (1969) ladder of citizen participation, shown here as Figure 5. Arnstein very explicitly equates citizen participation to citizen power, and explains that “participation without redistribution of power is an empty and frustrating process for the powerless. It allows the power holders to claim that all sides were considered, but makes it possible for only some of those sides to benefit. It maintains the status quo.” (Arnstein, 1969: 216)

Arnstein uses a ladder metaphor to illustrate eight levels of participation. The rungs at the top of the ladder represent a real transfer of power to citizens; the middle rungs a potential or symbolic transfer of power; and the bottom two rungs entail no power shift at all, but rather a preservation of existing power relationships.

Arnstein’s ladder, and much of the ensuing literature, casts public participation in an always-desirable

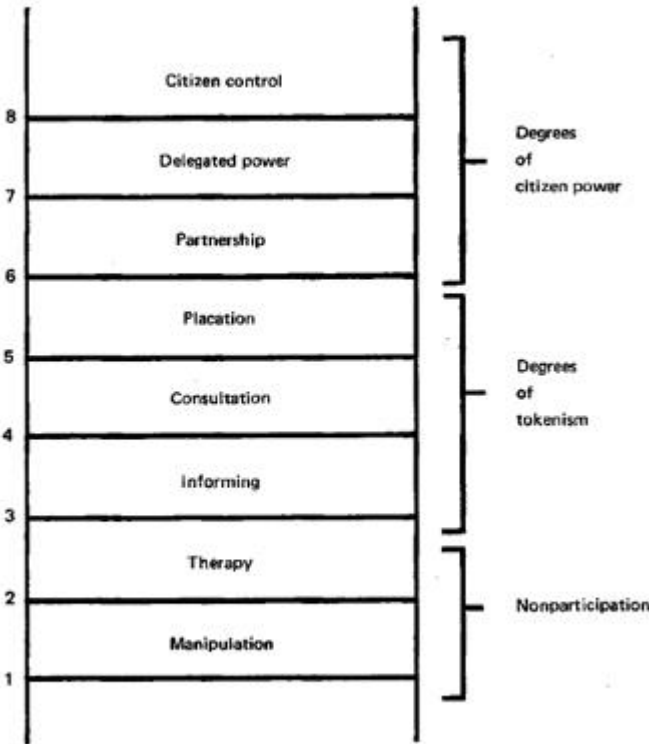


Figure 5 – Arnstein’s ladder of citizen participation

Source: (Arnstein, 1969: 217)

light. However, as argued by Margot Hurlbert and Joyeeta Gupta (2015: 101), “participation is not always necessary, not always useful, and may not always lead to consensus.” Building on Arnstein’s model, Hurlbert and Gupta propose a split ladder of participation, shown here as Figure 6, to help assess what sort of public participation is appropriate for the problem in question.

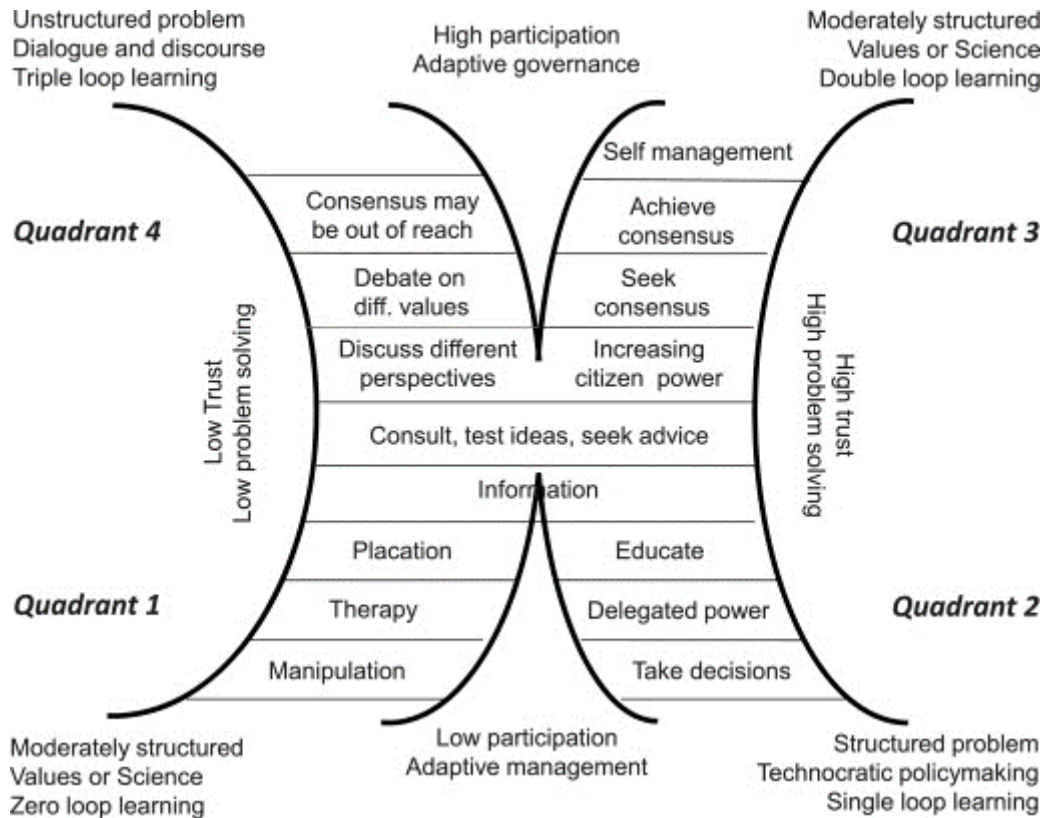


Figure 6 – Hurlbert and Gupta's split ladder of participation

Source: (Hurlbert and Gupta, 2015: 104)

In Hurlbert and Gupta’s ladder, the level of public participation needed depends, in part, on the nature of the problem being considered (as described in Hurlbert and Gupta, 2015):

- **Structured** problems are problems in which there is general agreement on what outcomes are desirable, and what knowledge sources are relevant.
- **Moderately** structured problems are problems where there is some level of agreement on either norms or knowledge, but not both.
- **Unstructured** problems are problems where there is disagreement both on what outcomes or values are desirable, and also on the knowledge or science required to solve the problem.

The extent to which a policy problem can be seen as structured or unstructured depends in large part on how it is framed, which is in itself a value-laden process. Hurlbert and Gupta (2015) warn that “Structural disconnects between major groups and their ‘perspectives’ may result in a democratic deficit in which democratic systems lose viability”.

Another important factor in determining the appropriate level of public participation is the type of social learning needed to address the problem (as described in Armitage, Marschke and Plummer, 2008)

- **Single-loop** learning identifies alternative actions or behaviours to resolve specific problems.
- **Double-loop** learning reconsiders the values and worldviews that shape actors’ behaviour. This type of learning is facilitated by trust-building efforts, transparency, and a high degree of public participation.
- **Triple-loop** learning reconsiders the governance structures that underlie single- and double-loop learning. It involves reflection, system orientation, integration, negotiation, and participation.

Learning requires mutual trust, explain Hurlbert and Gupta (2015, p.103). This might be the trust that people have in those they know, but more importantly it includes social trust in people they don’t know, but where they have confidence in the social structure in which they interact.

Participation as a cube

As emphasized by Arnstein (1969), citizen participation can be understood as citizen *power*. The nature of power, however, is also widely theorized. One theory of power that sheds considerable light on public participation is John Gaventa’s (2006) “power cube”. Gaventa’s power cube (shown in Figure 7) outlines three dimensions of power in public participation: the levels, spaces, and forms of power.

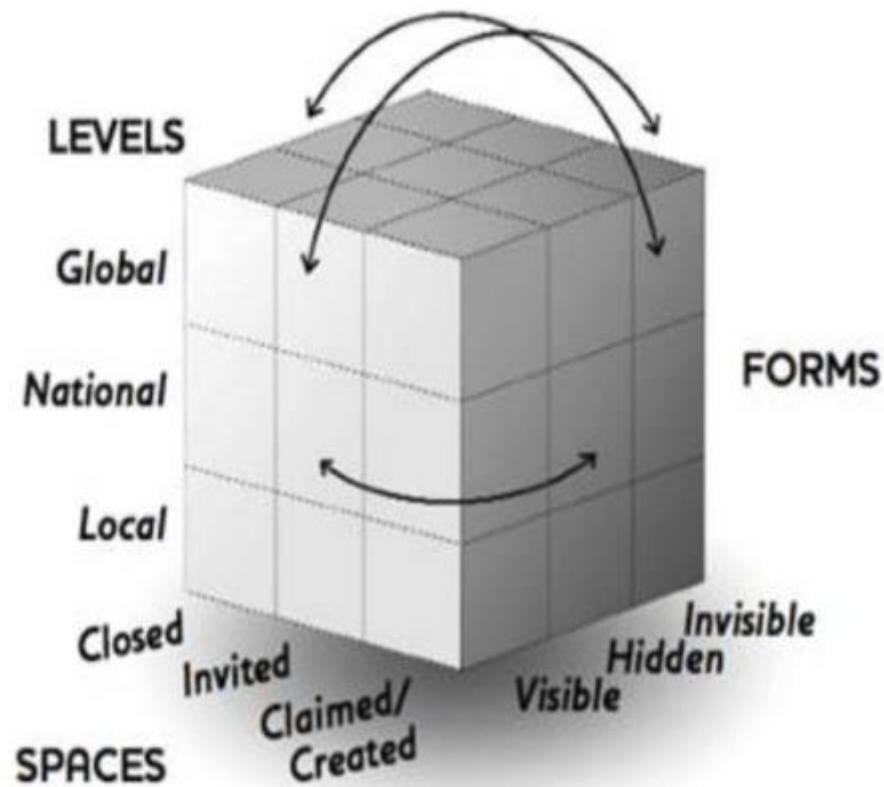


Figure 7 – Gaventa’s power cube: the levels, spaces, and forms of power
 Source: (Gaventa, 2006: 25)

The levels of power in participation are fairly straightforward: power can be held at the local level of everyday community life, the national level of the sovereign nation-state, or the global level of international institutions.

Spaces for participation are the “opportunities, moments, and channels where citizens can act to potentially affect policies, discourses, decisions, and relationships that affect their lives and interests” (Gaventa, 2006: 26). These spaces (as described in Gaventa, 2006) can be closed, invited, or created:

- **Closed spaces:** the powerful make decisions without consultation or public participation.
- **Invited spaces:** authorities invite people to participate in decision-making in formal, institutionalized arenas.
- **Created spaces:** the less powerful carve out spaces to gather, debate, discuss, and resist outside of institutionalized policy arenas.

Forms of power in participation is the extent to which conflict over key issues and the voices of key actors are “visible” in the spaces outlined above. VeneKlasen and Miller (as cited in Gaventa, 2006) suggest that power can be visible, hidden, or invisible:

- **Visible power:** the formal rules, structures, authorities, institutions and procedures of decision making.
- **Hidden power:** the powerful maintain their power by controlling who gets to participate in decision-making, and what makes it onto the agenda. This form of power operates on many levels to exclude or devalue the concerns and representations of less powerful actors.
- **Invisible power:** this form of power is used to shape the psychological and ideological boundaries of participation – that is, how individuals think about their place in the world. This form of power shapes people’s beliefs, sense of self, norms, and ideas about what is acceptable and desirable.

2.3.3 Authority relationships

Authority is a fundamental characteristic of organized social interaction – so much so that it is rarely identified or discussed explicitly. In this thesis, I use the term authority relationship to refer to a power relationship in which one person or group attempts to control the actions of another person or group. Such relationships of authority and obedience are necessary in order to maintain or change group norms, making it essential to the existence of every social community (Passini and Morselli, 2009).

In order for an authority to exert its social influence, it must be obeyed. Tom Tyler (2001) identifies two processes by which authorities can incite obedience. The first process is what he calls command and control in which obedience is rewarded and disobedience is punished. These strategies require large amounts of resources for both rewards and surveillance, making them costly, inefficient, and ineffective. It is much more effective and efficient, he argues, to earn the consent and cooperation of the people being regulated. In this second process, people self-regulate because their morals tell them they *ought to* follow social rules. Obedience, in this case, is based on the perceived legitimacy of the authority.

Legitimacy

People judge the legitimacy of institutions and authorities based on the *fairness* of their decision-making procedures. Tyler (1997) suggests the following four criteria by which people judge fairness in decision-making:

- **Trustworthiness:** the extent to which the authority cares about and is acting in the best interest of the people.
- **Respect:** the extent to which people are treated politely, with dignity and respect, and with consideration for their rights and status within society.
- **Neutrality:** the honesty, impartiality, and professionalism of the authority. Among other things, this might be evidenced by even-handed application of rules, lack of bias, and reliance on facts rather than opinions in decision-making.
- **Voice:** the extent to which people are allowed to participate in the decision-making process for problems or conflicts that concern them, by stating their case and expressing their opinions.

Persuasion, authority, and coercion

John Turner (2005) situates this concept of authority in a broader framework that describes the power that authorities wield through others by getting them to act on their behalf. In Turner's theory, the basis for power – and thereby authority – is shared social identity, or the extent to which the target of a demand identifies with the maker of the demand. Turner suggests that such power relationships can play out in three ways: persuasion, authority, and coercion.

- **Persuasion**, is the process through which one tries to change people's private attitudes, values, and beliefs to align with their own. "If one can persuade others of the correctness of some belief or the rightness of some action, then they are likely to act on it as a matter of their own volition, as free, intrinsically motivated and willing agents" (J. Turner, 2005: 6-8).
- **Authority** is the power that a social group accords to one or several of its members, to control the rest of the group. A group confers authority upon someone they believe embodies the norms, goals, and identity of the group. Obedience is voluntarily, not

because the group is persuaded of the legitimacy of each individual command, but because they are persuaded of the authority's legitimacy to make commands.

- **Coercion**, on the other hand, is controlling others against their will by restricting their freedom or manipulating their behaviour. It is a decidedly negative experience for the target, and fosters mistrust and resentment. .

Turner's three processes are perhaps best understood through his graphical presentation of his theory, shown here in Figure 8.

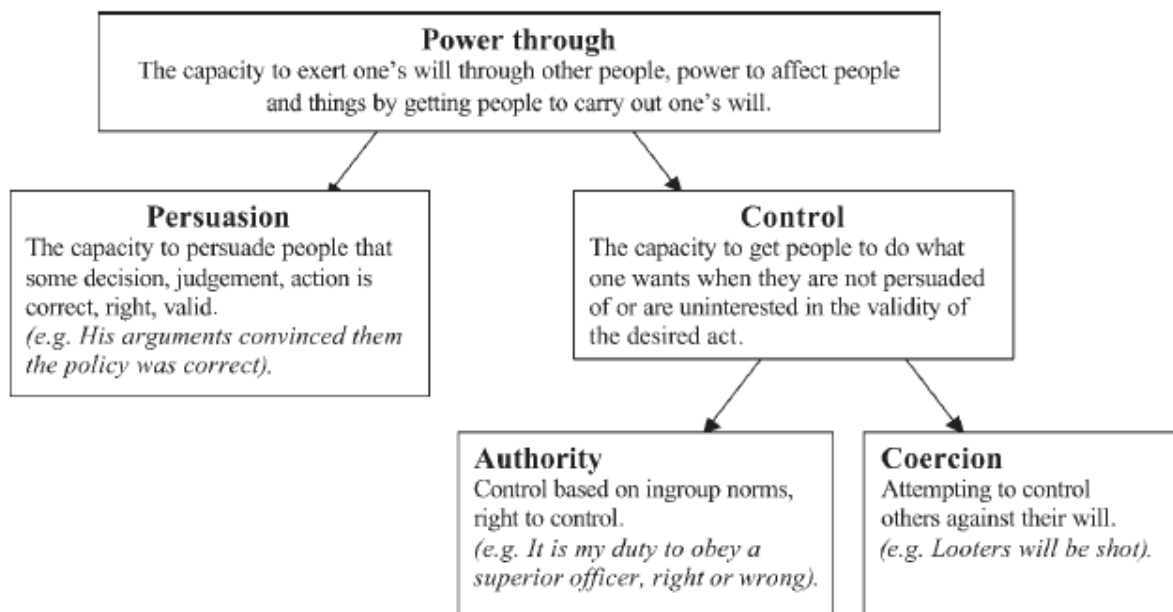


Figure 8 – Turner's three-process theory of power

Source: (J. Turner, 2005: 7)

As shown above, legitimate authority and coercion are two faces to the same coin: control. The difference between the authority and coercive control, Turner argues, has nothing to do with the command itself but rather how the target *perceives* the one controlling them – whether they embody the norms and “collective will” of the group, or not (J. Turner, 2005).

Morality and disobedience

Coercion, in Turner's view, is a counter-productive means of control. It makes the target aware of the social distance between the authority and the group it means to represent, and provokes an inner rejection of the position advocated by the authority. The more coercion is used:

the more it brings into being a countervailing source of power as the targets develop a collective identity defined by their rejection of coercion and the goal of defeating the coercive agents who threaten their freedom (J. Turner, 2005: 13).

According to Turner, the only way for an authority to maintain its power when employing coercive control against members of its own group, is to prevent other members of the group from *identifying* with their victims “by negatively categorizing and stereotyping the target as different from the group as a whole” (J. Turner, 2005: 17). In Albert Bandura’s (2002) view, this negative portrayal of the victim is only one of many “mechanisms for moral disengagement”.

Moral disengagement is a psychological process through which one might convince themselves that their immoral actions are justified. It includes mechanisms such as advantageous comparisons (ex: contrasting poor behaviour with horrible behaviour); distortion of consequences (ex: discrediting evidence of harm), and displacement of responsibility (ex: self-exonerating obedience) (Bandura, 2002). Bandura’s full presentation of mechanisms for moral engagement is shown in [Figure 9](#).

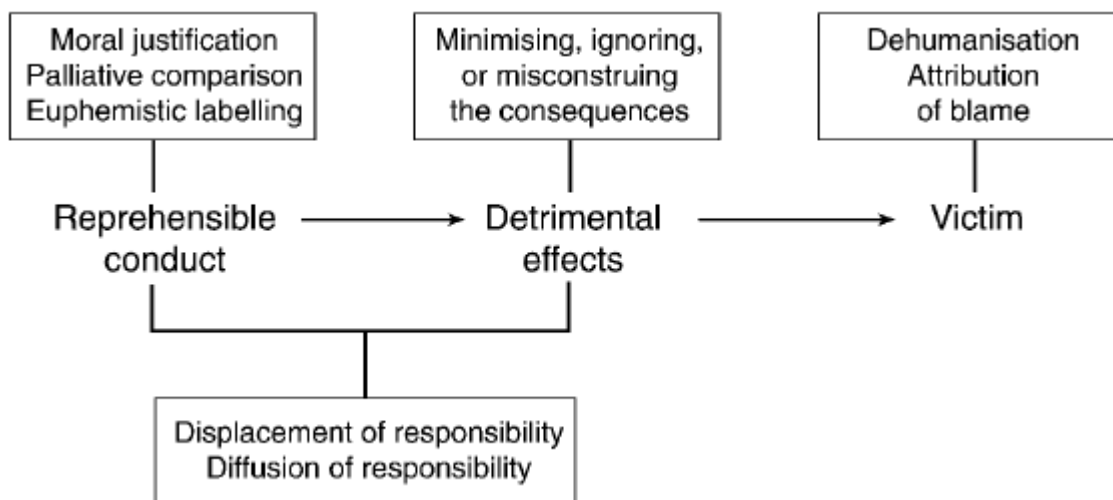


Figure 9 – Bandura’s mechanisms of moral disengagement

Source: (Bandura, 2002: 103)

Stefano Passini and Davide Morselli (2009) draw upon concepts from Bandura’s model to distinguish between constructive and destructive forms of obedience and disobedience. They warn that both obedience and disobedience can be destructive if the actor fails to consider alternatives, displaces responsibility for their actions, and considers only a narrow and exclusive understanding of their community when evaluating the impacts of their decision. Conversely,

they argue that both obedience and disobedience can be constructive if the actor identifies and considers alternatives, takes personal responsibility for their actions, and adopts a wide and inclusive understanding of their “community” when evaluating the impacts of their actions.

Passini and Morselli (2009) explain that when people fail to take a critical and active role in controlling the actions of authorities, they make it easy for them to resort to coercive power. Disobedience, then, can be seen as “an instrument for controlling the legitimacy of authority’s demands, becoming a protective factor against authoritarianism and the loss of democracy” (Passini and Morselli, 2009: 99-100).

2.4 Section summary

There has been plenty of research done on the potential environmental and economic impacts of the TMX, as well as the appropriateness of the regulatory framework and the implications of these projects and processes for Aboriginal rights. There nonetheless remains a considerable research gap in the area of people's lived experiences of these issues, and how these experiences have affected them.

This research aims to fill this gap by using the TMX as a case study to explore people's experiences with the project, as well as how these experiences have affected their understandings of their role as citizens in energy infrastructure projects. I sought to understand these experiences using three theoretical lenses: citizenship, public participation, and authority relationships.

Citizenship is often described as either a role or a status. This thesis defines citizenship as a relationship between the members of a political community. Fundamental to most theories of citizenship are public versus private spaces, and active versus passive parties.

While public participation can be very useful, it can also be harmful if executed poorly. The citizen's experience is often determined by the amount and type of power they are afforded in decision-making, and the amount of social trust and learning present.

Authority relationships, in which one actor controls the actions of another, are fundamental to the proper function of society. Both the extent to which an authority can control other actors, and the way others perceive that control, depend on whether or not the authority is perceived to embody values and goals of the group.

3 Methods

The NEB hearing process is a social phenomenon, and therefore most appropriately studied using a naturalistic paradigm. According to Egon Guba (1981), the trustworthiness of naturalistic inquiries depends upon its credibility, transferability, dependability, and confirmability. Throughout this Methods section, I've taken care to identify the ways my research satisfies these criteria.

I start here by pointing to one thing all four criteria have in common: the need for a detailed description of the research design and methods. As a measure of trustworthiness, I have been as explicit and comprehensive as possible in the below descriptions of my research project.

I begin this Methods section by describing the research design I used, followed by an overview of my sample and the methods I used to select my respondents. Next, I describe provide a detailed description of how I collected, transcribed, coded, and analyzed my interview data. I conclude this section with a discussion of the inherent limitations to this research, and finally the measures I took to ensure it was conducted ethically.

3.1 Research design

This research is what Bruce Berg and Howard Lune (2012: 337) an exploratory case study. While I did have a basic conceptual framework and research design, I also left some aspects flexible to allow me the freedom to explore intuitive paths. Berg and Lune (2012: 337) recommend this type of research as a pilot or prelude to a larger social scientific study because it allows the researcher to observe a social phenomenon in its natural, raw form.

This study explores the stories of people who engaged in various capacities with the TMX, and follows the connections and pathways revealed in their narratives. Rather than providing an in-depth analysis of any one aspect of the TMX issue, this study provides a glimpse into the lived experiences of people who opposed the TMX, grounds these experiences in theory, and recommends areas for further, more extensive research (see Section 6.2).

3.2 Sampling

3.2.1 Sample overview

All of the information and documents associated with the NEB's public review process for the TMX project, are publically available in the NEB's online public registry for the project [the Registry].⁶ This includes Kinder Morgan's project application, all NEB rulings and procedural directions, all participants' applications, submissions, motions, and other important documents. This database has been invaluable to me and is the main tool I used when selecting my sample.⁷

The range of the concerns addressed by those who participated in the review were very broad – everything from technical engineering specifications, to ecological impacts of oil spills, to residents' concerns for their own property and wellbeing. While many of these discussions were compelling and important, the majority of them were not specifically relevant to my research. This raised a concern for me: how could I ensure that my data helped answer my research questions, when my unstructured interview methods (see Section 3.3 below) offered me little control over the topics my respondents spoke about?

The Registry provided me with a solution to this puzzle: reading their written submissions allowed me to glimpse the thoughts and concerns of everyone involved in the NEB review. I noted which respondents had initiated discussions related to my research themes – democracy, power, justice, and the rights and obligations of citizenship. This allowed me to purposefully select respondents who were likely to provide me with interview data that were directly relevant to my research (Berg and Lune, 2012). As a measure of trustworthiness, I have provided as Appendix B my specific reasoning for selecting each of my interview respondents, including (where possible) specific passages from public documents in the Registry.

My initial contact with my respondents was via email. These messages were personalized to some degree, to show individuals that I was not sending out a mass email fishing for respondents, but rather that I had chosen them specifically because I felt that they had something

⁶ Available from: <https://docs.neb-one.gc.ca/ll-eng/llisapi.dll?func=ll&objId=2392873&objAction=browse&viewType=1>

⁷ Because the NEB hearings were still underway during my research, the Registry was frequently updated during this time. I've therefore included sampling dates where appropriate to indicate when this information was valid. The contents of the Registry have changed significantly since the sampling dates provided, and these changes were not reflected in my sample.

of value to share. Regardless of the degree of personalization, every email contained essential information about me, my project, and the role my respondents could play in my research.

My final sample consisted of 17 interview respondents. As a measure of credibility, I made a conscious effort to triangulate my data sources by maximizing the diversity present in my sample. My respondents included men and women, young professionals and pensioners, students and professors, politicians and revolutionaries, lawyers and activists, individuals and representatives of large organizations, Aboriginal leaders and people from immigrant families.

Another level of diversity reflected in my sample is the different capacities in which citizens engaged with the TMX issue. My sample consisted of three categories: ‘Participated’, ‘Abstained’, and ‘Rejected’. These categories can be further divided into sub-categories, as detailed in the following three sections.

3.2.2 ‘Participated’ category

This category consisted of eight respondents who participated formally in the TMX review process. Of these eight participants, four were Intervenors, and four were Commenters (as defined in Section 1.6.2).

Intervenors – I selected this sample from the Registry’s “Intervenors” folder. I chose to limit my sample to include only Intervenors who had a minimum of five documents in their folder (as of July 16, 2015) so that my sample would include only highly engaged participants.

I browsed the contents of these files to gauge the nature of each Intervenor’s concerns, and noted those whose concerns resonated with my research interests. I tried to reflect a diversity of interests by including an elected official, an environmental NGO, an Aboriginal group, and a grassroots citizen initiative. I also gave special consideration to individuals who had been particularly outspoken or visible in the media coverage of the TMX issue.

Commenters – I selected this sample from the Registry’s “Commenters” folder. When I began sampling, only 48 Commenters had submitted their LOC so I read or browsed each one. I decided to cut off my sampling when the number of letters submitted exceeded 100 (July 15, 2015). Once again I focused on Commenters who addressed themes that were relevant to my research. I made a specific effort to include at least one person who had originally applied to be an Intervenor but was instead granted Commenter status, as well as someone who had originally applied as a Commenter and was granted their desired status.

3.2.3 'Abstained' category

This category consisted of six respondents who made an informed and deliberate decision *not* to participate in the TMX review process. Of these six respondents, three were people who Withdrew from the TMX hearings, and three were people who Did Not Apply.

Withdrew – To indicate that a participant had withdrawn from the process, the NEB added “(withdrawn at their request)” to the title of their Registry file. In my sampling, I used a simple ‘search’ function to pull up all such files. As of my sampling date (July 21, 2015) there were 11 Intervenors who had formally withdrawn from the TMX review process.

Seven of the individuals who withdrew kept their reasons private, and I did not contact them for interviews. The remaining four Intervenors provided relevant reasons, and I contacted all of them for interviews. I also came across one Commenter who announced her withdrawal in her LOC, and I contacted her for an interview as well.

Did Not Apply – This is the only subcategory of my sample that I *did not* use the Registry to find. Since a list of people who did not apply to the TMX hearings simply does not exist, I had to rely on other resources for sampling.

Early on in my research, I came to the realization that many of the major Canadian environmental NGO’s were absent from the review process. Big names (internationally, nationally, provincially and locally) like Greenpeace, the Sierra Club, the World Wildlife Federation, the David Suzuki Foundation, and Dogwood Initiative had not even applied to participate in the TMX hearings. This surprised me, because I was under the impression that issues like the TMX were a major reason such organizations existed. I decided to contact two of these organizations for interviews. I chose Greenpeace, because of their status as a global leader in environmental issues; and Dogwood Initiative, because of their local scope and focus on democracy and public engagement.

I also sought to include an individual perspective from someone who was highly engaged with the TMX issue, but who had not applied to the NEB review process. To do this I browsed the news coverage of the TMX issue and searched the Registry for the names of prominent actors identified in the news. If there was no record of them in the Registry, I could reasonably assume that they had consciously decided to abstain from the NEB hearings despite their newsworthy engagement with the issue.

3.2.4 'Rejected' category

My sample included three respondents who had applied for the right to participate in the NEB review process, but had their applications rejected⁸ by the NEB.

The Registry contains a list of all 468 people whose applications were rejected (NEB, 2014b). To select my sample I numbered each of the names on this list and used an online random number generator⁹ to select participants whose applications I would read. Once again, I noted participants who focused on themes that were relevant to my research. I continued to read randomly-selected applications until I had identified six relevant respondents, all of whom I contacted for interviews.

⁸ This includes only people who were outright denied participation in the process; it *does not* include applicants who requested Intervenor status but were instead granted Commenter status (these people have been considered in my 'Commenter' subcategory).

⁹ www.random.org

3.3 Data collection

3.3.1 Theoretical approach

I chose to collect my data using a series of unstructured narrative interviews, based upon two methodologies: free association narrative interviewing [FANI] (as described in Hollway and Jefferson, 2009) and biographic-narrative interpretive method [BNIM] (outlined in detail in Wengraf and Chamberlayne, 2006).

I chose this methodology to enhance the confirmability of my findings – the extent to which they are free from the influence of the researcher (Guba, 1981). In structured or semi-structured “question-and-answer” interviews, the researcher influences the data by identifying which themes are important, selecting the order in which they will be addressed, and phrasing the questions in his or her language. Narrative interviews address this concern by positioning the subject as a storyteller rather than a respondent, and the researcher as a listener rather than an interviewer (Hollway and Jefferson, 2009).

Central to both FANI and BNIM is the concept of gestalt: the framework of meaning through which people understand their lives. These methodologies understand the wandering nature of storytelling to be an expression of the subject’s gestalt, and seek to elicit it intact by encouraging the respondent to say more about their lives without offering any structure, interpretations, or judgements (Hollway and Jefferson, 2009).

FANI also understands interview subjects as “defended” in that they will subconsciously defend themselves against anxiety-inducing memories by selectively remembering, or recalling painful memories in a more benign way (Hollway and Jefferson, 2009). The major strength of FANI methodology is that it allows these defences to play out, thereby mapping the respondents’ anxieties in a way question-and-answer interviews cannot. According to Hollway and Jefferson:

anxieties and attempts to defend against them, including the identity investments these give rise to, provide the key to a person’s gestalt. By eliciting a narrative structured according to the principles of free association, therefore, we secure access to a person’s concerns which would probably not be visible using a more traditional method (Hollway and Jefferson, 2009: 12).

3.3.2 Narrative interviews

My interviews consisted of one or two sessions, which were each approximately one hour long. I began each interview by giving my respondents an “Information and consent form” that they could read through, ask questions about, and sign if they found the terms appropriate. I have included the full text of this form as Appendix C of this thesis.

After my respondents had understood and consented to the terms of my research, I began the interview by asking the following SQUIN – a single question to induce narrative (Wengraf and Chamberlayne, 2006):

I'd like for you to tell me the story of how you [decided to participate in / decided to abstain from / were denied participation in] the TMX public review, and what that experience has been like. Please start at the beginning of your story, and just keep going until you feel you've reached the end. Take as long as you need, and don't be afraid to just stop and think for a minute. I won't interrupt, I'll just listen to your story and take a few notes. You can start whenever you're ready.

The wording of this question was very intentional. I referred twice to their interview response as a “story” to make it clear that I was looking for a narrative response. I also asked “what that experience has been like” to indicate that I wasn't necessarily looking for a chronological account, but rather a description of the events and the meanings my respondents assigned to them. I asked them to start at “the beginning” and keep going until “the end” but left these terms undefined so that they would themselves choose where their story began and ended.¹⁰ Finally, I hinted that silences were a normal part of the interview by encouraging them to “stop and think for a minute” and ensuring them that I wouldn't interrupt, so that they wouldn't feel anxious or uncomfortable during the inevitable silences.

After the respondent concluded his or her narrative, we transitioned into a second interview sub-session in which I asked questions aimed at deepening the original narrative. Consistent with BNIM and FANI methodology, I asked *only* about things my respondents had mentioned,

¹⁰ In my pilot interview, I offered “Why don't you start with the day you heard about the proposal, or even earlier if you'd like.” This caused some confusion for my respondent, as she spoke specifically about the event I suggested and held back the rest of her narrative in anticipation that I would be asking her about it. I had to prompt her several times to continue, which fragmented her narrative or broke up her gestalt. I changed the phrasing for subsequent interviews, and obtained better results.

following the same order they used in their narrative, and using the same wording and language they had used (Wengraf and Chamberlayne, 2006).

These two first sub-sessions of the interview were aimed at eliciting the respondent's gestalt through their storytelling. Most of my interviews also included a third sub-session in which I asked questions focused on the themes from my research rather than respondents' narratives. In many cases this third sub-session consisted of a couple of exploratory questions tacked onto the end of the narrative interview, but for respondents who were willing to donate a second hour to my research this consisted of a separate interview session at a later date.

3.3.3 Transcription

I chose to transcribe my interviews manually rather than using an automatic transcription tool because it allowed me a deeper understanding of the interview as a whole – the respondent's gestalt – before I began to break it down into its component themes using the traditional code-and-retrieve method.

After transcribing each interview I sent a copy to the respondent for review, giving them the opportunity to clarify their message, request changes or omissions, and generally confirm that I had represented them correctly in my transcriptions. According to Guba (1981:85) “[This] process of member checks is the single most important action inquirers can take, for it goes to the heart of the credibility criterion.”

My interviews produced over 19 hours of audio recordings, which translated into approximately 133,000 words of transcribed data.

3.4 Data analysis

I used a software program called MAXQDA¹¹ to assist me in transcribing, organizing, coding, and analyzing my interview data.

I analysed my data using a more or less grounded approach. The two central features of grounded theory are that it develops theory from data rather than fitting data into pre-conceived theoretical frames, and that research is an iterative process (Bryman, 2008) perhaps best described as “spiralling rather than linear in its progression” (Berg and Lune, 2012: 25).

3.4.1 Data coding

Pursuant to grounded theory I coded my data using an inductive approach, in which I “immersed” myself in my interview transcripts and identified themes that seemed meaningful to the producer of the message (Berg and Lune, 2012: 358). To do this, I read through each sentence and paragraph of each interview transcript and tried to answer the question “What is he/she talking about here?” Since my respondents were rarely speaking of one thing in isolation, my data often had numerous codes assigned to the same segment, and coded segments frequently overlapped.

Consistent with grounded theory’s iterative research process, I frequently revisited my initial open coding of my data as my research progressed, and performed what Bryman (2008) calls focused coding, in which I refined or re-evaluated my codes based on new insights and understandings.

3.4.2 Data analysis

To answer my research questions, I needed to explore two aspects of my coded data: the content of the code itself (“what did my respondents say about this?”) and its relationship to other codes (“what *else* were my respondents talking about when they mentioned this?”).

Code content – For this type of analysis, I used MAXQDA to pull up a list of all segments assigned to the code in question. In some instances I’ve presented a full list of all segments

¹¹ Product website: <http://www.maxqda.com/>

without further analysis; these instances are found exclusively in the Appendices section, in Tables labelled “Overview of all segments coded as [code name]”.

In other instances, I read through all segments in a code and presented only the segments that were relevant to the specific topic or phenomenon being discussed. Such analyses are presented in Tables labelled “Statements about [topic]”.

Finally, there were instances where I categorized and counted all segments in a code and presented a tally summarizing the content. Such analyses are presented in Tables labelled “Summary of [code name]”

Relationship to other codes – For this type of analysis, I used MAXQDA to determine which codes most frequently co-occurred with the code in question. MAXQDA identifies codes as “co-occurring” when they intersect – referring to a segment of data that is coded for more than one code (depicted graphically in Figure 10).

MAXQDA’s “Code relations” analysis function counted the number of intersections between codes, and I interpreted this number as a general indicator of how strongly two codes were related – a high number indicating a strong relationship and a low number indicating a weak relationship.¹² In my analysis, I focused exclusively on the strong relationships. Such analyses are presented in Tables labelled “Code relations for [code name]”.

Many of my discussions required a more detailed look into the relationship between two codes. In these instances I used MAXQDA to retrieve a list of all the segments where two selected codes intersected. I then read through the retrieved segments, and where I felt it was appropriate, I’ve added a ‘Sample quote’

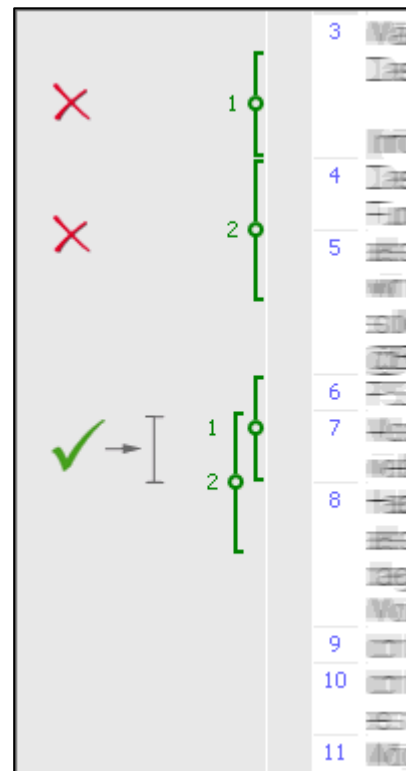


Figure 10 – Graphical representation of an ‘intersection’ in MAXQDA analyses

Source: (VERBI Software, 2016: 225)

¹² Although this analysis method uses numerical values, it uses them to suggest noteworthy relationships between *qualitative* codes. I do not suggest that they represent correlation between variables, or any other form of quantitative analysis.

column to my code relations table. For this column I selected quotes that were particularly powerful, clear, concise, and/or relevant to other discussions in my thesis.

3.5 Limitations and ethical considerations

3.5.1 Researcher bias

As Guba (1981: 78-79) suggests, I myself am the primary instrument used throughout my research (see the above discussions of my research methods in [Sections 3.2](#), [3.3](#) and [3.4](#)). As such, it is important that I acknowledge the effects that my own background, views, and predilections might have on my findings.

I am Canadian. I've lived most of my life in Winnipeg, Manitoba, near the proposed Energy East Pipeline route. My father and brothers live there still. My mother lives in a small island community in BC, located along Kinder Morgan's tanker route. Many of my close friends and my wider social network are Canadian. My children will be Canadian. The pipeline issues in Canada are not only academically interesting to me – I, as a Canadian, have a direct interest in their outcome.

My educational background is in Environmental Studies, and I am passionate about environmental and social justice issues. I am also quite left-leaning in my political beliefs, and as such I was very unhappy with the political direction that Stephen Harper and the Conservative government took over the past decade.

I am not in favour of expanding oil sands production, nor am I in favour of building export pipelines such as the TMX and NGP. My deeper concern with these pipeline issues, however, is not the risks associated the projects themselves, but rather the lengths to which my nation's democracy and institutional framework have suffered in the process.

As discussed throughout this Methods section, I have taken efforts to reduce the presence of these biases in my findings. My interviewing methodology (see [Section 3.3](#)) allowed me to elicit relevant responses without asking leading questions. In my discussions of my data (see [Section 5](#)) I have been as explicit as possible in my reasoning, and have used various theoretical models to support my discussions.

3.5.2 Sample bias

Given my above mentioned biases and my purposive sampling methods (see [Section 3.2](#)), I do realize that my efforts to 'select respondents whose views are relevant to my research' could be misinterpreted as 'selecting respondents whose views I sympathize with'. This was not my

intention. The bias present in my sample is not a manifestation of my own biases, but rather a product of what is present in the NEB's online public registry for the TMX.

The majority of the Intervenors and Commenters who participated in the TMX review process were opposed to the project. There was an underlying sense of anger and futility throughout many of the submissions in the Registry, and these negative sentiments were reflected in discussions of things like democracy, power, justice, and public engagement. That is to say, the people who initiated discussions relevant to my research were generally critical of the NEB process. On the other hand, the participants who *were* in favour of the TMX argued almost exclusively in terms of economic benefit and risk management. They made no mention of the regulatory process – only the outcomes.

In effect, by limiting my sample to include only people who I could reasonably expect to provide relevant data, I also unintentionally limited my sample to include only people who were unhappy with the process.

3.5.3 Limited transferability

In addition to the above discussed sample bias, another limitation of my purposive sampling methods is the limited transferability of my results. While purposive sampling allowed me to select relevant respondents, it precluded selecting a sample that was *representative* of a wider population:

Since the findings of a qualitative project are specific to a small number of particular environments and individuals, it is impossible to demonstrate that the findings and conclusions are applicable to other situations and populations (Shenton, 2004: 69).

Although this is certainly a limitation to my research, this is not necessarily a weakness. In eschewing results that can be generalized to wider contexts, I have produced results that are very specifically relevant to the given context of my study (Guba, 1981) – a context which I have taken care to defined clearly in Sections 1 and 3.2.

3.5.4 Informed consent

The principle of informed consent required me to communicate my research goals to my potential respondents, to ensure that they were participating in my study both *knowingly* and *willingly* (Berg and Lune, 2012). I provided clear information about my research both in my introductory email to each respondent, and immediately before the interview in my

“Information and Consent” form, which I have included as Appendix C of this thesis. I informed all of my respondents that I would be taking an audio recording of the interview, and I let them know when I was starting and stopping the recording. I also made sure that they knew that they had the right to withdraw their consent at any stage in the research process, given sufficient notice.

3.5.5 Data handling and anonymity

The data I gathered from my respondents was in many cases personal or private, so I took care to protect their identities. In this thesis I have anonymized all of my respondents by referring to them by their interview number rather than by name. I have also taken care not to include any identifying information in my presentation of my interview data.

I stored all information related to this research (interview recordings and transcripts, copies of email correspondences, and signed consent forms) on my personal computer which is password protected. I am the only person who has access to this data, and I used it exclusively for the purpose of this study. After my thesis has been submitted and graded, I will delete these files.

4 Results

In my analysis, I identified 114 codes of meaning in my data. I assigned to these codes 2879 segments of data that I considered either relevant to my research objectives, or bearing significant meaning in the respondent’s narrative. Table 4.1 lists the 20 codes with the highest number of coded segments.

Table 4.1 – Twenty most frequently-occurring codes

Code	Coded segments
Government	155
Citizen engagement	110
Distrust / Lack of faith	90
Morality	76
Money	72
Having a say / voice	66
Risk / Uncertainty	64
Education / Awareness	63
NEB – Impartiality	55
Power	55
Citizenship / Democracy	54
Rights / Responsibilities	52
Critical thinking	49
Arrogance / Lack of respect	43
Industry	43
Transparency / Access to information	43
Climate change	42
Hope / Positivity	42
Public interest	42
Quality of communication	42

Table 4.1 demonstrates the types of codes I used, and gives a general impression of how many segments were assigned to my

Interpretation of Tables

- See Section 3.4 for definitions of analytical terms

- Columns are arranged by numerical value, and also alphabetically for items with equal values.

- All data presented in ‘Sample quotes’ columns are direct quotes from interview responses.

- (##) following a quote identifies the respondent being quoted.

- Text in *italics* reflects original emphasis by the respondent.

- Text in [square brackets] are additions I have made to convey non-verbal interview data, such as respondents’ gestures or tone of voice.

- [...] indicates an omission of text from a direct quote. I have used this only in instances where a statement can be shortened without altering the respondent’s original or intended meaning.

codes. This table is meant for context and will not be used in any of my analyses.

The below presentation of my results is split into three sections: first, my respondents' experiences and views regarding the NEB review process; second, their conceptions of citizenship, as demonstrated by their discussions of citizen engagement, rights, and responsibilities; and third, some patterns I identified in their interview responses that were relevant to my research interests. Finally, I conclude this section with a summary of the results presented herein.

4.1 The NEB review process

Since the NEB review process for the TMX project is the main topic of my thesis, it became the framework through which I communicated with my respondents, and therefore the framework through which they responded. The results presented in later sections can only be understood in this context, so I present here a detailed summary of my respondents' experiences with the NEB review process.

My respondents' overall regard for the NEB review process was very negative. Without exception, every person I interviewed took issue with the quality of public participation afforded by the NEB. Many of the concerns expressed by my respondents have also been raised publically. I highlighted some noteworthy criticisms of the NEB process in Section 1.6.3, and many more are available. The discussion contained in this section, however, is focused exclusively on the results obtained from my interview data.

4.1.1 Impartiality

The impartiality of the NEB was a major concern throughout my interviews. I used the code 'NEB – Impartiality' when respondents spoke about the objectivity or disinterestedness of the NEB, including the presence, absence, or need for impartiality in the Board. I have included a list of all 55 statements I coded this way as Appendix D of this thesis. Table 4.2 lists the codes that most frequently co-occurred with 'NEB – Impartiality', as well as sample quotes to demonstrate the type of comments I interpreted this way.

Table 4.2 – Code relations for ‘NEB – Impartiality’

Code	Intersections w/ ‘NEB – Impartiality’	Sample Quotes
Distrust / lack of faith	22	The fact that every pipeline the National Energy Board reviews is approved gives you some reasonable doubt that they’re actually having an exhaustive review process (16)
Enbridge NGP	8	The whole process is corrupt. I can’t say I’m surprised, because of what happened with Northern Gateway, and the restrictions that were put on all the Intervenor and Commenters. (10)
Kelly appointment	8	It’s so bad that it’s all on hold now, because of a conflict where Harper appoints someone who actually <i>submitted evidence</i> on behalf of Trans Mountain – he’s been appointed to the NEB board. You can’t make this stuff up. (11)
Government	7	First of all, the changes that the Harper government made to the NEB, and to the environmental process in Canada generally over the last several years, made it kind of obvious to me that this wasn’t really a <i>review</i> process; this would be a rubber stamp process. (05)
Industry	7	We need an <i>unbiased</i> organization to look at this, <i>not</i> the National Energy Board who have been bought and paid for a thousand times over. Who are funded by the oil industry. Who are <i>captive</i> of the oil industry. (04)
Not being listened to	7	The fact that they’re listening selectively. I mentioned at that other process, all these people got up and spoke <i>eloquently</i> and <i>knowledgeably</i> about the problems, and they just ignored them. That’s the impression I get about what’s happening with Kinder Morgan, and the NEB in this case. (08)
Arrogance / lack of respect	6	I had not been treated with the same respect, in the hearing, as Kinder Morgan’s economic experts are. I know that. I know that based on the decisions the board has made. (12)

The results presented in [Table 4.2](#) show that my respondents were very doubtful of the NEB’s impartiality. Respondents generally felt that the NEB was heavily influenced by industry and government – both of which many respondents also harboured a general distrust for (see [Section 4.3.1](#)). Many referred to Steven Kelly’s appointment to the NEB (see [Section 1.6.3](#)) as evidence of this.

Respondents also felt that the NEB was neither listening to, nor respecting the citizens who participated in their hearings. Many of my respondents pointed to the NEB’s approval of the NGP despite substantial public opposition as evidence of this.

4.1.2 Logistics and procedure

Many respondents took issue with logistical or procedural aspects of the NEB review process. Some examples of this include the complexity of the application processes, the elimination of cross-examination, frequent deadline changes, unrealistic time frames, unclear instructions, and cumbersome legal language.

Logistics and timeline – I used the code ‘NEB – Logistics / timeline’ when respondents spoke about things like the application procedure, the document submission process, time allotments, deadlines, and changes to these things.

The tone of voice and language used by many respondents when speaking of logistics or timelines conveyed annoyance, inconvenience, or frustration. Many used strong words such as “horrible”, “outrageous”, “ridiculous”, and “absurd”. Very few respondents elaborated on *why* they felt this way, but the respondents who did choose to elaborate expressed worthwhile insights about the procedural fairness of the NEB process. These statements are provided in Table 4.3.

Table 4.3 – Statements about logistics and procedural fairness of the TMX review

Sample Quotes
[...] now you have to <i>apply</i> – a 10-page application process – in order as a citizen to give your opinion. [Mockingly] Aaaaand your opinion can oooooonly be about XYZ! It cannot be about [serious] the <i>most important</i> issues: climate change. It can’t be about upstream or downstream effects; tankers going down my coast. [Incredulous] This is a democratic process? A democratic hearing? <i>No!</i> That’s not democracy! (07)
And there would be a <i>fair</i> application procedure that was relatively easy and did not disenfranchise people. Meaning that when these applications are several pages long, and quite difficult, it disenfranchises people who do not have reading and writing skills, or people who are functionally illiterate. [...] I mean <i>I</i> get on there, and I’ve had 18 years’ worth of education or something. And it was still a real pain for me. And I’m thinking of somebody who’s functionally illiterate; they’re not going to do it! <i>They’re not going to be able to</i> . So they are completely disenfranchised. (08)
It’s all this unbelievably bureaucratic nonsense, which– they made it difficult in the beginning, and they kept on putting firewalls up, and adding bricks to the wall to make it more and more difficult to climb it. I don’t think it’s a democratic process. I don’t think it was from the beginning. (10)

No Canadian citizen should have to be faced with that kind of nonsense. I am outraged by the fact that unless you have a strong career in these issues, with a strong background in business and how to deal with bureaucracy, it gets increasingly difficult to participate. No Canadian citizen should *have to have* this kind of background, to be able to sort through the barriers. They've created a huge maze that very few people can navigate. That is anti-democratic. (12)

Statements such as these suggest that some respondents regarded the logistical complexity of the NEB process as a barrier to participation and democracy.

Cross-examination – I used the code ‘NEB – Cross-examination’ when respondents spoke about the NEB’s decision to omit cross-examination from the TMX review. Six of my respondents pointed out that cross-examination was absent from the TMX hearing process, and most were quite frank about why this concerned them. Table 4.4 provides statements from all six of the respondents who spoke about the removal of cross-examination.

Table 4.4 – Statements about elimination of cross-examination from the TMX review

Sample Quotes
<p>Then another change has been that the system for cross-examination by intervenors is no longer in place, to determine the validity of claims by the applying company. The way I read this – and this really concerns me – PR can now stand as information. [...] We need to take a step backwards, look at that, decide what’s valid and what isn’t valid, and without the cross-examination, you get: “Oh we’ve got a submission from professors of environmental studies [...] on the one hand, and we have PR from the company that’s applying on the other hand; and they sort of balance out.” I thought, [incredulous] <i>no they don’t</i>. (03)</p>
<p>The process is one in which they denied us immediately the ability to cross-examine witnesses. Now... I’m a lawyer. I have been trained over the course of years to look at whether or not a process is fair. And whether you are involved in something that eventually will allow whoever is the trier of fact (whoever makes the final decision) to be able to see the positions taken scrutinized carefully. That isn’t the case here. The idea of eliminating any cross-examination meant there was no opportunity for us to test their experts in the crucible of a hearing, and a proceeding. (04)</p>
<p>The fact also that the Intervenors are not allowed to cross-examine Kinder Morgan. Kinder Morgan makes its statements, and the NEB is not questioning it. They’re accepting these statements as gospel truth. When the Intervenors – who are not allowed to verbally cross examine them in the hearings – question some of the statements and the claims that Kinder Morgan makes, the NEB is not forcing Kinder Morgan to answer those questions. [Incredulous] This is totally unacceptable. How can you <i>not</i> force them to prove their claims? (08)</p>
<p>Unlike the previous examples of the Enbridge and other National Energy Board processes, there was no cross-examination. It was essentially “submit your questions”. The second part of this was that the answers were just inappropriate. And the NEB sided with the project proponent <i>so often</i> that</p>

it was absurd. Like “I need a reference for this” and they side with the proponent “You have enough information”... *No* you don’t. (11)

We’ve got to remember that the National Energy Board is a quasi-judicial body, independent from government and industry (it’s not, but it’s supposed to be), there on behalf of the public interest. Like a judiciary. It’s supposed to be fair and objective. Cross-examination is the most important engine for the determination of truth in our society. And they’ve removed it from this hearing process. (12)

I certainly would love to participate. However, it became really clear– New legislation came in federally that just shut that process down even more. Not only could you no longer give an oral statement, there was no cross-examination. Stuff like that. (14)

As seen in [Table 4.4](#), five of the six respondents who mentioned cross-examination gave specific and likeminded reasons for their objections: they considered cross-examination the primary mechanism for testing the quality, completeness, and truth of the information put forth in the review. By eliminating it, respondents felt the NEB had compromised the quality of the evidence produced in the hearing process.

4.1.3 Scope of the review

I used the code ‘NEB – Scope of the review’ when respondents spoke about the issues that were included or excluded from the review. Easily the most prominent concern my respondents had about the scope of the review was the exclusion of climate change. Eight respondents expressed explicit concern that it had been omitted from the NEB review.

I knew my data extremely well by this point, and when I looked through this list of eight respondents I felt strongly that it was incomplete. Some respondents who had expressed deep concerns over climate change were missing from this list, so I also scanned through my ‘Climate change’ code for a more complete picture. My ‘Climate change’ code contained, quite simply, all references my respondents made to climate change (including alternate phrasing).

Several segments from my ‘Climate change’ code made a direct connection between pipeline projects reviewed by the NEB and climate change, which might be considered as *implying* that climate change ought to be considered in the NEB review. For the sake of completeness I have included four such statements in my presentation of my data, and for the sake of clarity I have added a column identifying my results as either *explicit* or *implicit* statements about the exclusion of climate change from the NEB review. [Table 4.5](#) provides statements from each of

the 12 respondents who explicitly or implicitly expressed concern about the exclusion of climate change from the scope of the NEB review.

Table 4.5 – Statements about climate change being excluded from the NEB review

Sample Quotes	Explicit / Implicit?
And the fact that the National Energy Board won't allow us to speak to climate change is really odd to me. It doesn't actually at all fit my idea of what their job is. Their job is to look at this project and [...] anything that will result from this project needs to be included in this assessment. (01)	Explicit
When I mentioned the business about reasons for doubt, I didn't mention that climate change is not one of the issues up for discussion. With a strict interpretation of who's directly affected, naturally climate change goes out the window. (03)	Explicit
Mostly what I've been talking about is the legal side of this, the regulatory side of this, the local side of this. I haven't talked much about climate change – that was motivating a <i>lot</i> of people involved here. [...] I think the vast majority of people were aware that there is this local level of concern about the local environment – the space you live and use and depend upon – but also that <i>global</i> layer of the whole problem, which is absolutely inseparable for many people. Climate change is happening, it's happening rapidly, it's directly connected to fossil fuels. (05)	Implicit
The first thing that got my attention was the Enbridge Northern Gateway, and the plan that we were going to greatly increase the rate at which we were extracting our non-renewable fossil fuel resources, and consuming them, and pumping the into the atmosphere, and affecting the long term climate, and the viability of this planet to be our habitat. (06)	Implicit
[Incredulous] we're not allowed to talk about <i>climate change</i> ? Jesus Murphy! That's like saying "Tell me how you feel about the First Nations' problems, but <i>don't talk about residential schools</i> ." Like, <i>what</i> ? (07)	Explicit
The simple fact that, in all of this, they're not taking into consideration climate change is mind-boggling. Because climate change is more important than anything else that's going on in the world right now. It's going to dictate the future. It's going to dictate economics. It's going to dictate <i>everything</i> . And they're totally ignoring this for the short-term prospect of increasing a bit of income from oil. It's <i>mind-boggling</i> . (08)	Explicit
Another thing that we were told we <i>could not discuss</i> was climate change. Obviously, that really angered me. Because it is my major motivation in this involvement. Besides all those local issues, which I mentioned, my <i>major</i> concern is climate change. (10)	Explicit
Along comes Trans Mountain. Now, I cannot <i>fathom</i> in any effort to try to combat global warming, a substantive increase in fossil fuel exports worldwide. Particularly out of a jurisdiction like Vancouver – a city that's trying to brand itself as the world's	Implicit

greenest city by 2020 – you can’t become one of the world’s largest fossil fuel exporters <i>and</i> the world’s greenest city. It’s incompatible. (11)	
I took exception to the fact they weren’t allowing the costs of climate change to be involved. I said, basically, “I’m very concerned that the scope of this review is not looking at greenhouse gasses, climate change, and the <i>actual economic impact</i> on our environment. I’m <i>very</i> concerned that this is excluded. (12)	Explicit
And on top of that, this is an effort that’s being made to <i>increase</i> the amount of fossil fuels to the world. The number one way to end – or at least mitigate – the climate crisis is to stop moving, and stop exploiting fossil fuels. So as far as I’m concerned, it affects me. It affects me in so many ways. (15)	Implicit
So when Harper introduces omnibus bills and gave the National Energy Board an even more narrow purview – their criteria that they’re allowed to listen to and decide on who’s allowed to speak and who isn’t – was so narrowly focused that you can’t talk about climate change. (16)	Explicit
The one issue we all agree on – especially here in BC – is that the NEB process cannot address climate change. That is just [emphasis] wrong on so many levels. (17)	Explicit

While climate change was certainly the most frequently-raised concern with regards to the scope of the NEB review, it was not the only concern my respondents had. Other scoping concerns that were frequently raised by respondents included:

- limitations set on discussions of tanker traffic and oil sands development; and
- limitations set on discussions of alternatives / challenges to the economic rationale behind the TMX project (ex: the need to transition to a lower-carbon economy)

4.1.4 Standing

In addition to their concerns about *what* was considered relevant to the review, many respondents raised concerns about *who* was considered relevant. Such discussions were found in my code ‘NEB – Who can participate’ which I used when respondents spoke about people having – or not having – the right and/or ability to participate in the NEB review.

The majority of the statements in my ‘NEB – Who can participate’ code took issue with the limitations set on public participation in the review (see [Sections 1.5](#) and [1.6](#) for a discussion of these limitations). The respondents who raised these concerns generally felt that the NEB was *not* justified in setting limits on public participation in a public review process. [Table 4.6](#) provides a sample of statements demonstrating this feeling among my respondents.

Table 4.6 – Statements about limiting public participation in the TMX review

Sample Quotes	Category of respondent
Including people that are going to be affected, and anybody who is going to be affected needs to be heard. It [the NEB] decides who can speak, and it decides who cannot speak, and that, to me makes... If people feel that they are directly affected by it, I think that they should be allowed to speak to it. (01)	Participated
I was pretty sure, based on my read of the criteria that were established, that I would be denied. And yet my understanding of my role as a citizen of this country, and a citizen of my city, and my province, is that that’s <i>absurd</i> to even propose that I should not have standing to comment on a project of this magnitude, that would affect me. The government doesn’t really have the right to say that it’s <i>not</i> something that would affect me. (02)	Rejected
I guess where I’m going here is: reasons for doubt about the fairness of the National Energy Board review process. [...] One is that participation was, according to the new rules for review processes, participation was restricted to people directly affected, or who have relevant expertise. And having an interest in defending the public interest, or preserving the environment for future generations, is not good enough. (03)	Participated
I was wondering about the selection process. How do they pick and choose who comes to their hearings? [...] It kind of upset me though, because... Something that is going to impact my country, something that’s going to impact what’s going on around the world, something that’s going to impact the next seven to ten generations; <i>I want to be a part of that</i> . I want a say. I want my voice heard. That’s the whole reason I signed up for it. (09)	Rejected
[...] and the term “directly affected” was used. Which meant that I had to justify why I should be able to have comment. [...] Now I <i>hated</i> that process, because it seemed– I’m a <i>citizen of this planet</i> . Number one. Before anything. I’m a <i>member of the human species</i> . Number two. It seemed selfish, and self-involved, and <i>inappropriate</i> that I had to do that. (10)	Participated
The right to participation has also been violated, as we’ve clearly seen in the Kinder Morgan application. The National Energy Board culled a lot more people than they historically ever have. They’ve started to limit our rights to participation. (12)	Abstained
You had to apply to even get accepted as a Commenter. [...] You had to apply to even participate in the process. So now they’re saying “ <i>We’re going to decide whose input is legitimate. We’re going to decide who actually be a stakeholder in this process</i> ”. Which <i>doesn’t feel very good</i> , as just a regular citizen. Like, I was born here in British Columbia. I spend all of my time in this province [laughs]. I have a deep and passionate love for BC. I <i>care</i> about these things. (14)	Abstained

<p>This was no longer a public consultation; this was now a consultation by appointment. Like a Royal Committee, where if you want to be part of the process, you need to apply. And the application, in a formal committee, requires that you have some standing. A public meeting, with public consultation, suggests to me that the only <i>standing</i> that I need to have is that I <i>can stand</i>, or can get there. (15)</p>	<p>Rejected</p>
<p>So when Harper introduces omnibus bills and gave the National Energy Board an even more narrow purview – their criteria that they’re allowed to listen to and decide on who’s allowed to speak and who isn’t – was so narrowly focused that you can’t talk about climate change. You can’t talk about anything but how that pipeline will directly affect you. You basically had to live next door to the pipeline. (16)</p>	<p>Abstained</p>

Some respondents conveyed their disapproval through their tone of voice, while others used more explicit and strong language such as “absurd”, “inappropriate”, and “violated” rights. It’s interesting to note that these concerns were raised not only by those who were Rejected by the NEB, but also by respondents who had Participated or Abstained from the process.

4.2 Conceptions of citizenship

Since I almost never explicitly asked my respondents what they considered to be their ‘role’ in issues like the TMX process, this section is focused on discussions that I interpreted this way. Given the definition of citizenship employed in this thesis (see [Section 2.3.1](#)), the statements I considered to be the clearest expressions of citizenship were my respondents’ discussions of ‘Citizen engagement’ ([Section 4.2.1](#)) and their discussions of their ‘Rights and responsibilities’ ([Section 4.2.2](#)).

4.2.1 Citizen engagement

My ‘Citizen engagement’ [Engagement] code was the second most frequently-occurring code in my data, with 110 coded segments. I used this code when my respondents spoke about the activities they themselves engaged in, activities that other people engaged in, as well as assertions of the importance of certain engagement activities. I have included a list of all segments coded for Engagement as [Appendix E](#) of this thesis.

It’s important to note that I *did not* include participation in the NEB review process in my Engagement code. Since I was specifically asking my respondents about the NEB review, a large amount of my interview data was centred on this theme. I felt that the importance of other forms of engagement would have been drowned out by the sheer mass of data about the NEB process if I were to include it in the same code. This section is therefore focused on engagement *outside* the NEB review process (the NEB review is discussed separately in [Section 4.1](#) above).

To get a general sense of the engagement activities my respondents valued, I read through every segment in my Engagement code and kept a tally of the activities mentioned.¹³ [Table 4.7](#) shows the results of this process.

¹³ Because my respondents used diverse language to describe their engagement activities, the boundaries between them were often blurred. For greater certainty I repeated my count several times, and the data presented in [Table 4.7](#) are the mean values of these repetitions.

Table 4.7 – Summary of engagement activities

Activity	Frequency
Protests / demonstrations	31
Speaking with others	23
Speaking / writing to the media	16
Staying informed	14
Meetings	13
Physical blockades	12
Voting	11
Community-focused activities	11
Engaging elected officials	10
Running / supporting a campaign for office	10
Helping others engage	9
Critical thinking / reflection	6
Violence / acting out	5
Petitions	4
Tables / information stands	4
Music / Art	3
Social media	3
Fact sheets / publications	2
Treaties	2
Movie screenings	2
Donations	1

Although the above presentation is a numerical tally, I will not be using these values because the number of times each activity was mentioned is a poor measure of the *importance* my respondents assigned to these activities. For example, the most frequently mentioned activity in Table 4.7 is ‘Protests / demonstrations’ not because my respondents believed that protesting was the most important way to engage, but because many of them mentioned the Burnaby Mountain protests in their accounts of the TMX issue. Rather than focusing on *specific*

engagement activities and how often each was mentioned, I am more interested in the *general* themes that underlie citizen engagement, as expressed by my respondents.

As I systematically re-read and processed my Engagement data, I began to understand the deeper thematic links between the different engagement activities my respondents mentioned. I have illustrated these links in [Figure 11](#).

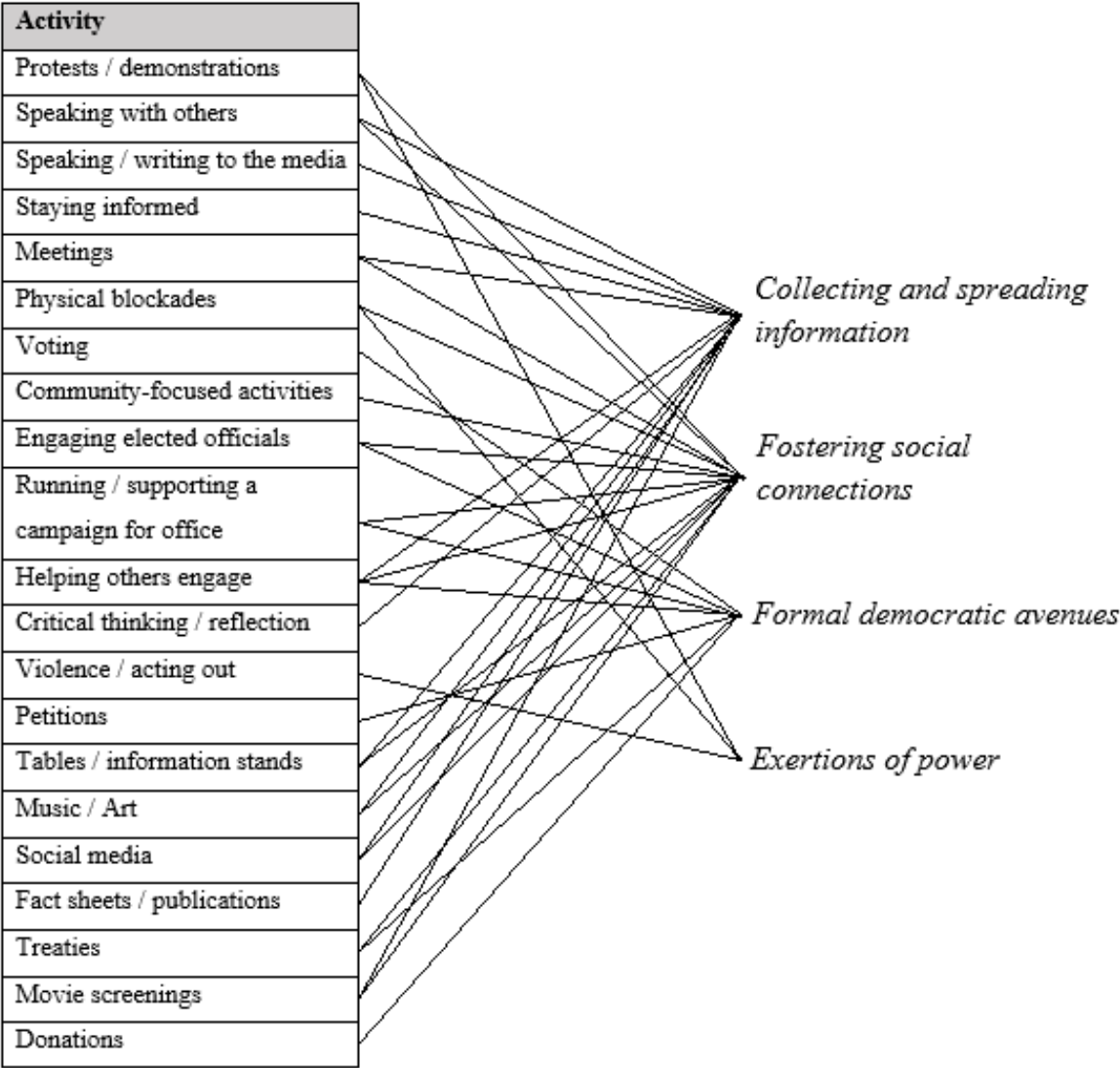


Figure 11 – Categorization of engagement activities

The four broad, non-mutually-exclusive themes I identified as a result of this process are described in more detail in [Table 4.8](#).

Table 4.8 – Themes underlying respondents’ discussions of citizen engagement

Theme	Type of activity
<i>Collecting and spreading information</i>	Activities focused on accessing, gathering, analyzing, and spreading facts and opinions.
<i>Fostering social connections</i>	Activities focused on interacting with, caring for, and building strong relationships with other people.
<i>Formal democratic avenues</i>	Activities focused on institutionalized, legally-sanctioned forms of democratic engagement.
<i>Exertions of power</i>	Activities focused on results – the outcomes often superseding other considerations like social norms, justice, and due process.

4.2.2 Rights and responsibilities

Most of my respondents’ statements about rights and responsibilities [r/r] were contained in the following two codes:

- ‘Rights / Responsibilities’: I used this code when my respondents spoke *explicitly* about their civic rights, freedoms, responsibilities, obligations, or what they “need to” or “have to” do.¹⁴ I have included a list of all the statements I coded as ‘Rights / Responsibilities’ as Appendix F of this thesis.
- ‘Citizenship / Democracy’: this code contained more *implicit* discussions of citizens’ r/r. I used this code when respondents spoke about citizenship and democracy both in direct discussions of what these concepts mean to them, as well as when respondents evoked these concepts as a part of another discussion. I have included a list of all the statements I coded as ‘Citizenship / Democracy’ as Appendix G of this thesis.

¹⁴ It’s important to note that most respondents did not differentiate between *legal* and *moral* r/r. (For example: freedom of speech in Canada is a constitutionally protected right, while obligations to future generations are strictly moral).

To get a sense of what my respondents felt were their r/r in this context, I read through every segment I coded as ‘Rights / Responsibilities’ and ‘Citizenship / Democracy’ and kept a tally of the different r/r they identified or implied.¹⁵ Table 4.9 lists the r/r mentioned, as well as the frequency each one was mentioned.

Table 4.9 – Summary of rights and responsibilities

RIGHTS	Frequency
Right to participate / have a say	17
Freedom of speech	11
Right to know / information	8
Right to protest / dissent / civil disobedience	6
Right to a responsible democracy	6
Right to vote	4
Freedom of assembly	3
Right to a good / meaningful life	3
Right to a healthy economy / economic freedom	3
Right to a clean environment	2
Right to run for office	1
Total	64

RESPONSIBILITIES	Frequency
Duty of care for future generations	10
Responsibility to hold politicians accountable	8
Responsibility to participate / speak out	7
Responsibility to vote	7
Responsibility to critically reflect	6
Responsibility to learn	6
Duty of care for nature / resources	5
Duty of care for others	5
Obligations to community	3
Responsibility to protest / dissent	3
Responsibility to run for office	3
Responsibility to support / enable others to engage	3
Total	66

¹⁵ Like with my tally of engagement activities, the boundaries between the r/r described by my respondents were often blurred, and the wording they used varied a lot. I repeated this process several times and have presented the mean values in Table 4.9.

Similarly to my Engagement tally from [Section 4.2.1](#) above, these numerical values are an inaccurate measure of the importance my respondents assigned to these r/r, and I will therefore not be using them further in my data analysis. Instead I sought to identify the general themes underlying my r/r data, using much the same process as in my analysis of my Engagement data. This process is illustrated in [Figure 12](#).

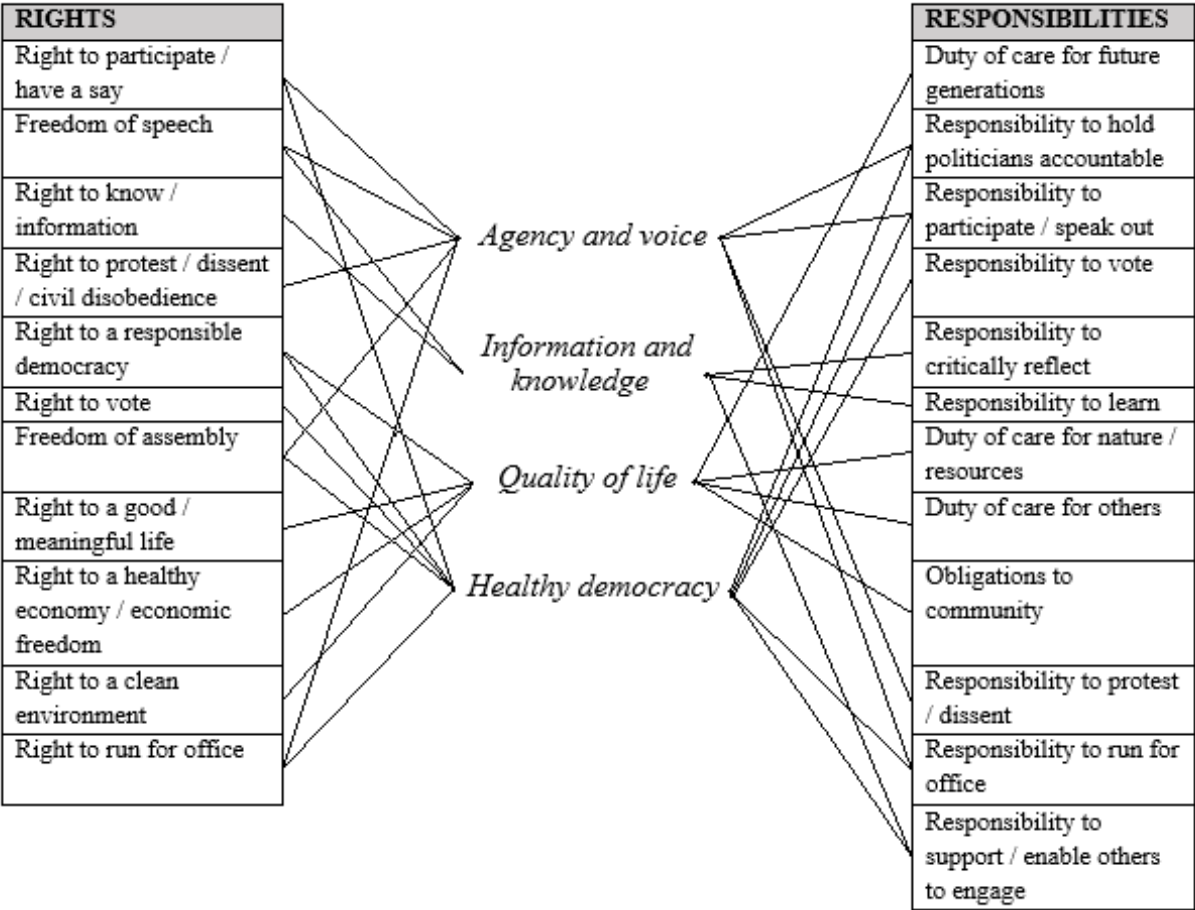


Figure 12 – Categorization of rights and responsibilities

The four broad non-mutually exclusive themes I identified as a result of this process are presented in more detail in [Table 4.10](#).

Table 4.10 – Themes underlying respondents’ discussions of rights and responsibilities

Theme	Right	Responsibility
<i>Agency and voice</i>	Right to have a say in the decision-making process	Responsibility to make one’s voice heard
<i>Information and knowledge</i>	Right to accessible information and knowledge	Responsibility to learn and critically reflect upon information
<i>Quality of life</i>	Right to a healthy and happy life	Duty of care for others, future generations, and the natural world
<i>Healthy democracy</i>	Right to a responsive, accountable democracy	Responsibility to hold those in power accountable

4.3 Relevant patterns in interview responses

As mentioned in Section 3.3.2, Since I offered no definitions for terms such as “experience” “beginning” and “end”, respondents defined what these things meant to *them* through their storytelling. They focused on topics that they considered important, and drew links to other issues that they felt were related, which led to some revealing discussions.

In this section, I have selected four such discussions that I consider particularly relevant to this research.

4.3.1 Expressions of distrust

One of the most frequent codes present in my data was ‘Distrust / Lack of faith’ [Distrust]. I used this code when my respondents expressed distrust, doubt, cynicism, or a general lack of faith in something or someone. Given the subjective nature of this code I have included a list of all 90 statements I coded this way as Appendix H.

Table 4.11 lists the codes that co-occurred with Distrust a minimum of five times, as well as sample quotes to demonstrate the type of comments I interpreted this way.

Table 4.11 – Code relations for ‘Distrust / Lack of faith’

Code	Intersections w/ ‘Distrust / lack of faith’	Sample Quotes
Government	23	I <i>truthfully</i> feel like there is a lot of government... that the fossil fuel industry is really, at the moment, in charge of our Canadian government. That’s why you become fearful, you become like... “I don’t know if I can trust these guys...” (01)
NEB – Impartiality	22	The fact that every pipeline the National Energy Board reviews is approved gives you some reasonable doubt that they’re actually having an exhaustive review process (16)
Enbridge NGP	12	My experience with the Enbridge pipeline probably made me feel that way more than anything. The opposition was so overwhelming, and it got a green light anyways. I was a little bit jaded by that. (06)
Industry	10	I know perfectly well who the board of the NEB is. They’re all ex-industry people, from the energy industry. So I knew from the beginning I was up against that. I figured: logic isn’t

		going to work. They're already steeped in this stuff. It's in their <i>veins</i> . (10)
Public interest	7	And we're finding, especially considering the current federal government, we're finding, rather than an interest in protecting the public interest, we're finding an interest in promoting the project, and having it go through as quickly as possible. This isn't what one would expect from a reviewing body. (03)
Morality	5	It was the kind of thing that makes everyone aware that this company will say anything that will advance its purpose. So the idea that people are genuine, or that they're doing the best they can, or that they're working to try to achieve a better community, is completely lost for anybody that lives in our city. (04)
Quality of communication	5	I went to a Kinder Morgan public... it was supposed to be consultation, but it wasn't consultation at all, it was just a big PR thing. It was a joke. (07)

The code relations and quotes presented in [Table 4.11](#) suggest that the main objects of my respondents' distrust were the federal government, the NEB, Enbridge's NGP, and industry in general (as Enbridge is 'industry' in particular).

Even more telling than their strong relationship with Distrust, is the strong relationship *between* these four 'distrusted' codes. [Table 4.12](#) lists the five most frequently co-occurring codes for each of the four 'distrusted' codes identified in [Table 4.11](#). Notice that not only do these four codes co-occur frequently with Distrust; they co-occur frequently with *one another*.

Table 4.12 – Code relations tables for ‘Government’, ‘NEB – Impartiality’, ‘Enbridge NGP’, and ‘Industry’

Code	Intersections w/ ‘Government’
Distrust / lack of faith	23
Industry	22
Power	19
Oppression / control	13
Negative portrayal / labelling	12

Code	Intersections w/ ‘NEB Impartiality’
Distrust / lack of faith	19
Industry	7
Arrogance / lack of respect	6
Enbridge NGP	6
Government	5

Code	Intersections w/ ‘Industry’
Government	22
Distrust / lack of faith	9
Power	9
NEB – Impartiality	7
Money	5

Code	Intersections w/ ‘Enbridge NGP’
Distrust / lack of faith	11
Government	8
NEB – Impartiality	6
Citizenship / Democracy	5
Not being listened to	4

The results presented in [Table 4.11](#) and [Table 4.12](#) suggest that respondents distrusted both the government and the NEB because they felt these two institutions were looking out for the interests of industry, rather than the interests of the Canadian public. My respondents often linked their distrust to their experiences with the review process for the Enbridge NGP and the subsequent federal approval of the project.

4.3.2 Negative portrayal of dissent

Many respondents drew attention to negative portrayals of the people who were opposed to the project and/or its underlying ideologies. I assigned these discussions a code: ‘Negative portrayal / labelling’ [Negative portrayal]. I have included a list of all 32 statements I coded this way as [Appendix I](#).

[Table 4.13](#) lists the codes that co-occurred with ‘Negative portrayal’ a minimum of five times, as well as sample quotes to demonstrate the type of comments I interpreted this way.

Table 4.13 – Code relations for ‘Negative portrayal / labelling’

Code	Intersections w/ ‘Negative portrayal’	Sample Quotes
Government	11	How this <i>government</i> sees me, they’ve made obvious. They think I’m a terrorist, because I don’t toe their party line. That anybody who <i>disagrees</i> with their pipelines or any of their oil and gas, and coal, etc. based policies, is a <i>terrorist</i> . Which is crazy. (08)
C-51	7	The government’s gone very heavy on linking opposition to pipelines as akin to terrorism. We’re painted with the same brush. Which is very worrisome for us. Bill C-51 specifies this. (16)
Fear / danger	6	One of the ways to get away with it is to criminalize dissent. Make people afraid to speak. Make people afraid to show up to protest. Make people afraid to participate. (12)
Extremism / Terrorism / Radicalization	6	The people that they’re blasting and demonizing are like you and me; they’re basically democrats who think that we need to work for social justice, that the survival of life on Earth is more important than the profits of a few rich friends of the Prime Minister. This is what we’re talking about, regular people versus the extremists, who are telling it as if the extremists are the regular people. (03)
Having a say / voice	5	When we decide that <i>every</i> environmentalist is not only a tree hugger, but a <i>dangerous radical</i> , and that there’s <i>nothing</i> of any value in <i>anything</i> that they could be saying, and that they’re to be <i>shut out</i> of dialogue so that we can just go around in circles within the industries standing to make a profit, and hear from them only... then I know we’re demonizing. (03)

These statements and code relations suggest that many respondents felt the government was using political discourse and legislation such as Bill C-51 to label dissenting citizens as extremists, terrorists, and radicals. A few respondents considered this labelling so ridiculous it was funny, while many others explicitly expressed fear. One respondent summarized both sentiments in the following statement:

To say that people want to make changes in the world is not terrorism. That’s what people try to do: to make the world better. [...] So the effort by government to say that making the world a better place, in a group, by actually *challenging how the*

world works, is somehow a planned act of violence that will frighten, scare, or otherwise intimidate civilians into inaction and confusion – okay, it’s laughable. Except that when it’s actually passed, and in place, and *valid*, it is now *frightening*.
(15)

4.3.3 Feelings of oppression

Although it was infrequent, the topic of oppression came up often enough that I assigned it its own code – ‘Oppression / Control’ [Oppression]. I used this code for statements about oppressive political regimes and methods of social control, including historic examples of these things. My Oppression code contains only 19 segments, which is relatively few compared to the other major codes discussed in this Results section. However, despite its small size I feel that this code reveals the most significant result of this study.

I have included as [Appendix J](#) a list of all the segments I coded as Oppression. As a measure of trustworthiness, I’ve included an additional column in this list showing the interview question that prompted the discussion containing the segment in question. Consistent with BNIM and FANI methodology, I asked respondents *only* about things they themselves had mentioned, in the order they mentioned them, using the same language and terminology they used to express them.

[Table 4.14](#) lists the codes that co-occurred with Oppression a minimum of three times, as well as sample quotes to demonstrate the type of comments I interpreted this way.

Table 4.14 – Code relations for ‘Oppression / Control’

Code	Intersections w/ ‘Oppression / Control’	Sample Quotes
Government	14	How can I help be a solution to this, when the most problematic thing is my government? There isn’t an opportunity to <i>help</i> or even bring about a <i>voice</i> to this. They’re not going to listen. They don’t care. <i>They just don’t care.</i> That’s not democracy; that’s a dictatorship. (09)
Fear / danger	9	It’s a cheap and easy way to <i>control</i> somebody, to make them afraid. It’s like battered women. You make them afraid, you can keep battering them. If they think they have no choice– “I have to stay here and take this battering or else I’m going to be out on the street. That would be worse.” (07)

Citizenship / Democracy	8	It absolutely... <i>frightens</i> me that we have got a government in power right now that is doing things that so obviously fly in the face of participatory democracy. They're making it harder for people to vote. (06)
Power	7	It's somewhat reminiscent of Europe between the wars, and what was happening in Germany. It really is. And it scares the hell out of me. When the powers that be, the powers who are in government <i>manipulate</i> our laws, and our parliamentary process, and everything else, to their own ends... what do you do? It's really scary. (08)
Arrogance / lack of respect	4	We were at an Idle No More event, and he said "Something crazy is happening, because all you folks are here. The government are treating you <i>all</i> like Indians now." Ramming through legislation like this. Cutting funding, and cutting off connections to resources, etc. That's been our lived experience. That's been our experience in our own homelands and waters, and it's got to stop. (17)
Rights / responsibilities	4	That's an <i>amazing</i> violation of rights. In fact, it's the kind of violation of rights that ultimately lead to the social unrest we've seen in Latin America. When you look at the death squads, and you look at the way that they had to ultimately behave to shut people up— we are seeing the preconditions of that in our culture. That's what's chilling. (12)
C-51	3	It means that now, the work you do becomes <i>less free</i> . More clandestine. Perhaps in some ways illegal. Many of the things in the anti-terrorism legislation now, suggest that going about trying to organize disruptions of economic activity by peaceful means is a form of terrorism. Being denied the right as a member of the public to speak, on top of being classified as a terrorist for wanting to exercise public discourse to make change; that to me spells an end to freedom. (15)
Negative portrayal / labelling	3	One of the ways to get away with it is to criminalize dissent. Make people afraid to speak. Make people afraid to show up to protest. Make people afraid to participate. Make people afraid, and you've got the first <i>major</i> step towards controlling them. (12)

These results clearly demonstrate that the actions of the government – both discursively and through changes in legislation – made many of my respondents afraid for their rights and the state of democracy in their country.

I consider this the most significant result of this study. In *10 of my 17* interviews, my respondents' freely-associated responses led them into discussions of oppression. They evoked images of Nazi Germany, death squads in Latin America, the colonization of Aboriginal peoples, the shooting of protesters in Tiananmen Square, battered women, dictatorships, and fascist regimes. I was asking them about their experience with a pipeline review process and they responded by telling me they were afraid of the oppressive tendencies of their government. This is a shocking result.

4.3.4 Expressions of hope

While the majority of the results I've presented so far in [Section 4](#) have been quite negative, many of my respondents did express some hope and positivity in our interviews. In fact, 'Hope / Positivity' [Hope] was one of the '– Twenty most frequently-occurring codes' listed in [Table 4.1](#) on page 57. The code relations for Hope are presented in [Table 4.15](#).

Table 4.15 – Code relations for 'Hope / Positivity'

Code	Intersections w/ 'Hope / Positivity'
Catalyst for cooperation / change	7
Community	5
Election 2015	5
Government	5
Morality	5

[Table 4.15](#) shows that the code most strongly related to Hope was 'Catalyst for cooperation / change' [Change]. I found it surprising to see Change at the top of the list because there were only 12 segments in this code, compared to the 155 for Government and 76 for Morality. This signalled a particularly strong relationship between Hope and Change, which merited a deeper look. [Table 4.16](#) is a list of all seven instances where Hope and Change intersected.

Table 4.16 – Statements coded for both Hope and Change

Segment
<p>I think we’ve caught the imagination of people, across the country and across the continent, who are saying “well if they can do it we can do it.” If this little city can do it– 240,000 people and they’re standing ground against this multi-national corporation and the federal government. They’re prepared to fight this in the courts, they’re prepared to fight it as a constitutional issue, they’re prepared to fight it through the National Energy Board, and they’re prepared to fight it in hearts and minds of their citizens. That has been a real shock to the system.</p> <p>And I don’t think it’s going to end here. I think that more and more people are recognizing that we’re doing this for all the right reasons. We’re doing it because we strongly believe that not only is this right for our community, but it’s right for our country. (04)</p>
<p>There’s lots of times where I’m pretty pessimistic about things, but in this one “big picture” thing, I’m reasonably optimistic. One way or another, we’re being pushed and nudged and prodded in that direction. We’re being pushed and prodded and nudged because of fluctuations in the global economy – i.e. the price of oil in Canada right now. We’re being nudged and pushed there because of climate change and recurring disasters, sadly. Catastrophes and influential people speaking out about those problems. We’re being nudged and pushed that way because there are engaged citizens who push the issue, protest, do civil disobedience, talk to the media.</p> <p>There’s a <i>million</i> different little things that are <i>pushing</i> in that direction. So that makes me optimistic that we’ve got to get there, one way or another. It’s got to happen because the conditions of the world are pushing us there. (05)</p>
<p>I guess the positive thing in all this is that... because it’s been so outrageously anti-democratic, so many people have woken up. (07)</p>
<p>Waking up would be <i>doing</i> something. And then I think, if enough people woke up? Yeah, I think we could turn things around. (07)</p>
<p>This is not radical resistance. It’s <i>thoughtful</i> resistance. What we’re seeing is that very thoughtful Canadians are saying “Something’s wrong and we need to fix it before we move on. If we don’t, we are going to regret it.” So in that sense, there’s a very positive result from this. (12)</p>
<p>People are coming together around something like this. In some ways, it’s a shared threat; and they’re finding a shared purpose, shared values, and a shared <i>path forward</i> in a way that they never have before. I think people are <i>yearning</i> for that, in Canada – definitely in BC. It can get a bit depressing when the most catalyzing happens around a threat, versus happening around something positive that you want to move forward to. But I think BC is almost ready to make that transition. I think it’s incredibly healing.</p> <p>In the North, people often say about Enbridge: <i>thank you</i> Enbridge, and thank you government, for bringing us together. I’ve seen Chiefs whose Nations have been fighting for centuries, come together and do healing ceremonies, and put aside past – we’re talking <i>generational</i> hurt, and infighting – putting that aside and actually working together on a shared purpose. Just the <i>power</i> of</p>

those convening moments is totally changing the political landscape, and cultural landscape in the province. (14)

But what it *has* done is unified, united communities. There are even grassroots communities that have grown out of this process. Folks always thank us for our leadership on this file. (17)

The statements in Table 4.16 show that several respondents believe that recent pipeline conflicts such as the NGP and TMX have had a *positive* impact, in that they have provided a concrete issue for individuals and groups to organize around and work together to effect change.

4.4 Section summary

The results presented in Section 4 are lengthy and broad in scope, so for the sake of clarity I've included a brief summary below.

The results presented in Section 4.1 illustrate my respondents' broad dissatisfaction with the NEB review process as it was in 2014-2015. Respondents' chief concerns included:

- Concerns about the *impartiality* of the NEB. Respondents felt that industry had too much influence over the NEB, and that the NEB was neither listening to nor respecting the public.
- Concerns about *logistical and procedural* aspects of the NEB review. Respondents felt that the logistics and timelines were inappropriate, and that by removing cross-examination the NEB had compromised the quality of the evidence they heard.
- Concerns that the *scope of the review* was too narrow. Respondents were especially concerned about the exclusion of climate change from the review.
- Concerns about who was granted *standing* in the NEB hearings. Respondents felt that the NEB was not justified in limiting participation to the extent they did in the TMX review.

The results presented in Section 4.2 illustrate my respondents' conceptions of citizenship. Respondents expressed their citizenship in two ways:

- In terms of the *engagement activities* they considered important, which could be arranged into four major themes: collecting and spreading information, fostering social connections, formal democratic avenues, and exertions of power.
- In terms of the *rights and responsibilities* they had, which could also be arranged into four major themes: agency and voice, information and knowledge, quality of life, and healthy democracy.

In Section 4.3 I identified the following four patterns in my interview responses that I considered relevant to my research:

- One of the most widely expressed sentiments in my data was a *sense of distrust* – particularly of government, the NEB, and industry. Many respondents linked this distrust to their experiences with Enbridge’s NGP.
- Respondents also expressed concerns about the *negative portrayal of dissent*. Many felt that the government was using discourse and legislation such as Bill C-51 to portray dissenters as terrorists, radicals, or extremists.
- A surprising number of respondents expressed *feelings of oppression* in their interviews, and many used powerful imagery to convey this feeling. These respondents were afraid that the government’s use of legislation and discourse were impacting their rights and the state of democracy in Canada.
- Many respondents also expressed feelings of *hope and positivity*. Many saw recent pipeline conflicts – such as the NGP and TMX – as catalysts for co-operation and change, which they considered a very positive outcome.

5 Discussion

The overall tone of my interviews was quite negative. Although I have not included a full transcript of each interview, this negativity should be fairly apparent throughout the ‘snapshots’ of data presented in [Section 4](#), as well as in the [Appendices](#) to this thesis.

This Discussion section consists of three related discussions. Firstly, I broach the topic of engagement: I discuss my respondents’ perceptions of the NEB process, the different types of power embodied in it, as well as how people were engaging with the issue outside of the NEB hearings. Secondly, I explore the authority relationships present in the NEB and how they are shaped and re-shaped by perceptions. Finally, I explore conceptions of citizenship, and how my respondents’ experiences with the TMX are affecting their understandings of their roles in pipeline issues.

5.1 [Engaging with the TMX issue](#)

5.1.1 Procedural fairness in the NEB hearings

Recalling the results presented in [Section 4.1](#) my respondents expressed concerns over the impartiality of the NEB, the logistical and procedural aspects of the hearing process, and the limitations set on both scope and standing in the review. This negative impression of the NEB was echoed in the results presented in [Section 4.3.1](#), which demonstrates my respondents’ distrust for the NEB.

These concerns bear a striking resemblance to Tyler’s (1997) four criteria for judging [procedural fairness](#) (introduced on page 37). By applying these four criteria to the results from [Sections 4.1](#) and [4.3.1](#) we can glimpse how respondents judged the procedural fairness of the NEB review:

- **Trustworthiness:** respondents distrusted the NEB because they felt it was looking out for the interests of industry, rather than the interests of the Canadian public.
- **Respect:** respondents felt that the NEB was not treating participants with respect, dignity, or consideration for their rights and status as citizens.
- **Neutrality:** respondents felt the NEB was biased in favour of the proponent, and was not applying rules fairly.

- **Voice:** respondents felt that the limitations set on participation and the scope of the review were barriers to participation in decision-making. They also felt that the NEB was not listening to their opinions and concerns.

It goes without saying that my respondents judged the NEB's procedural fairness very poorly, and to avoid redundancy I will not emphasize this point any further. What *does* need to be mentioned here is the link between procedural fairness and legitimacy.

Tyler (1997) explains that people judge the legitimacy of institutions and authorities by the fairness of their decision-making procedure. Seen in this light, my respondents' perception of the NEB process as unfair may result in them to re-evaluating the legitimacy of the NEB as a federal authority. This marks a fundamental change in the authority relationship between the NEB and Canadian citizens, the implications of which are further explored in Section 5.2.

5.1.2 Lessons from the split ladder

The split ladder proposed by Hurlbert and Gupta (2015) (introduced on page 33) offers a good deal of insight into my respondents' concerns with the NEB process. Firstly, Hurlbert and Gupta (2015) assert that the appropriate level of citizen participation depends on the nature of the problem, which in turn is determined by how the issue is framed.

The list of issues presented in the NEB's Hearing Order framed the TMX as a structured problem (Quadrant 2), for which there was general consensus on the desired outcomes and the knowledge needed to reach them. In Hurlbert and Gupta's (2015) model, structured problems can be solved technocratically by experts and do not require high levels of public participation. In this case, the NEB's limiting public participation to include only people with expertise or who would be directly affected would be appropriate.

My results from Section 4.1.3 suggest that my respondents considered the TMX to be simply one component of a much broader issue, and were quite upset that the NEB had omitted their concerns from the scope of the review. Their responses, particularly their emphasis on climate change, show that they were attempting to address a larger unstructured issue (Quadrant 4) for which there was *not* consensus on which outcomes were desirable, nor on which types of information and knowledge were needed to solve the problem (Hurlbert and Gupta, 2015). Addressing unstructured policy problems is possible by transforming into moderately structured problems through prolonged dialogue, consensus-building, and identification of sub-problems (Hurlbert and Gupta, 2015: 105).

This leads to a second insight from the split ladder: the importance of trust. When rendering an unstructured problem into a moderately structured one, the outcome will depend on the level of social trust that exists among participants. If trust is high, double-loop learning can occur, consensus may be reached, and there will be a real distribution of power to citizens (Quadrant 3) (Hurlbert and Gupta, 2015). Conversely, if social trust is low, problems are not solved by learning at all but rather by powerful actors exerting control. In this case, less powerful actors may be placated or manipulated into accepting the dominant actors' positions (Quadrant 1) (Hurlbert & Gupta, 2015).

Given that my respondents were attempting to address an unstructured problem, and given the overarching distrust they expressed for the government, the NEB, and industry (see Section 4.3.1) it's reasonable to assume that this occurred in the case of the TMX. In the absence of trust, the NEB had to exert control in order to frame the TMX issue as a structured or moderately structured problem. As I explore in Section 5.2, when an authority exerts control on a group that does not trust them, their actions are will likely be perceived as coercive.

5.1.3 Power in the TMX hearings

As emphasized by Arnstein (1969: 216), "citizen participation is a categorical term for citizen power" but not all forms of participation constitute a real redistribution of power in which citizens might truly affect outcomes. Gaventa's (2006) power cube (introduced on page 34), is a useful tool in understanding whether or not the NEB process constituted a real redistribution of power to citizens.

As discussed in Section 5.1.2, my respondents were attempting to address an issue that far exceeded the narrow scope of the NEB review. In Gaventa's model, this might be understood as the NEB (which is powerful at the national level) preventing citizens from exerting power over a global issue (climate change) by limiting the power they had in decision-making to the local level ("directly affected").

In Gaventa's (2006) model the NEB public hearings can be understood to be an invited space because while they provide a means for citizen participation in decision making, they are created and administered by the NEB. Within the space of its hearings, the NEB can be seen as exerting all three forms of power identified by Gaventa (2006):

- **Visible power:** this can be seen in the formal rules for the NEB hearing process, as prescribed, for example, by the *NEB Act*, the *CEAA 2012*, and the NEB's Hearing Order for the process.
- **Hidden power:** the NEB is afforded considerable discretion in its hearing process, which provides it with opportunities to exert hidden forms of power. For example, while the Board was legally required to grant "directly affected" citizens standing, whether or not someone was directly affected was a matter of the Board's *opinion*. Likewise, the list of issues that the Board used to frame the TMX as a structured problem (see my discussion in [Section 5.1.2](#)) was also determined at the discretion of the Board. In this way the NEB controlled who participated in its process, and also what made it onto the agenda.
- **Invisible power:** some examples of invisible power in the NEB review might include the implied superiority of technical information and expert knowledge over layperson experiences or citizen science; or the discouragement of global or long-term thinking by putting emphasis on immediate local impacts.

While the NEB did invite citizens into the space of its public hearings, it clearly maintained control over what occurred within that space.

Furthermore, it is very important to remember that the product of the NEB hearing process was not a decision, but a *recommendation*. Following the changes made to the *NEB Act* by Bill C-38 (see [Section 1.5.2](#)) it is the government, and not the NEB, that has the power to order an approval or rejection of the TMX project. The process by which the government makes this decision is a decidedly closed space where *no* public opinions are considered beyond those that the NEB chooses to include in its recommendation.

This combination of closed decision-making by government and managed citizen participation in an invited space casts considerable doubt on whether or not the NEB's hearing process for the TMX truly constituted a re-distribution of power to citizens. I can say with certainty that my respondents did not perceive it as such.

It seems that not much has changed about public hearings in the nearly 50 years since Arnstein (1969) developed her ladder. Arnstein identified public hearings as an example of her "Consultation" rung, which she characterized in the following quote:

What citizens achieve in all this activity is that they have ‘participated in participation.’ And what the powerholders achieve is the evidence that they have gone through the required motions of involving ‘those people’ (Arnstein, 1969: 219).

This was more or less exactly how my respondents felt about their experiences with the NEB public hearing process – in fact many even used Arnstein’s exact phrasing, calling it a “rubber stamp” process and a “window dressing” ritual. To rephrase this in the language of authority relationships, to be discussed in [Section 5.2](#) below, my respondents felt that they were being coerced by the NEB.

5.1.4 Engaging outside the NEB process

As mentioned in [Section 1.3](#), the NEB hearing process is the *only formal avenue* for citizen participation in the decision-making process for the TMX. As discussed in [Sections 5.1.1](#) and [5.1.3](#) above, respondents felt that the NEB process lacked procedural justice and did not afford them any real power over the TMX decision. If they wanted to influence the TMX decision, they would need to find another way.

Still using Gaventa’s (2006) model, citizens might then carve out their own spaces for power: created spaces. In the context of the TMX and NGP projects, this can be seen in recent protests and demonstrations such as the pipeline protests at the BC Legislature in 2012, and the protests on Burnaby Mountain in 2014 (see [Section 1.6.3](#)); the emergence of grassroots citizens’ organizations such as BROKE (Burnaby Residents Opposing the Kinder Morgan Expansion), PIPE UP Network (Pro-Information Pro-Environment United People Network), and North Shore NOPE (NO Pipeline Expansion); the rise in membership and activity among NGOs campaigning on energy issues, such as the Dogwood Initiative, Greenpeace, and the Sierra Club of BC; and organized opposition by First Nations such as the Save the Fraser Declaration and Unist’ot’en camp discussed in [Section 1.8](#).

While my respondents’ experiences with the TMX were generally quite negative, the results in [Section 4.3.4](#) suggest that several of my respondents actually *valued* these conflicts because they had the capacity to bring people together. One respondent expressed this quite powerfully:

Honestly, the antidote to those feelings of ‘fog’ and despair is community organizing. I’ve seen it over and over, in the fields. People are coming together around something like this. In some ways, it’s a shared threat; and they’re finding

a shared purpose, shared values, and a shared *path forward* in a way that they never have before. I think people are *yearning* for that, in Canada – definitely in BC. It can get a bit depressing when the most catalyzing happens around a threat, versus happening around something positive that you want to move forward to. But I think BC is almost ready to make that transition. I think it's incredibly healing.

In the North, people often say about Enbridge: *thank you* Enbridge, and thank you government, for bringing us together. I've seen Chiefs whose Nations have been fighting for centuries, come together and do healing ceremonies, and put aside past – we're talking *generational* hurt, and infighting – putting that aside and actually working together on a shared purpose. Just the *power* of those convening moments is totally changing the political landscape, and cultural landscape in the province.

(14)

As the above quote demonstrates, the created spaces that arise from conflicts such as the TMX and NGP issues can be understood not only as spaces for citizen power, as Gaventa (2006) theorizes, but as spaces for community and identity-building, creativity, and co-operation for social change. In this capacity, these created spaces can be understood as spaces of insurgent citizenship, to be discussed in Section 5.3.4.

5.2 Understanding authority relationships

5.2.1 Control and the legitimacy of federal authorities

The conflicts over pipelines in Canada might be understood as two broad social groups (pro-pipeline and anti-pipeline) attempting to steer Canada in the direction of their group's morals or goals, by getting other Canadians to act in ways that advance those morals or goals. In this way, the TMX issue can be discussed in terms of power through others, which Turner (2005) categorizes as persuasion, authority, and coercion (see Section 2.3.3).

Much of the power asserted by various sides in the TMX issue can be seen as attempts at persuasion: the people within these groups were, in one way or another, convinced of the “correctness” of their group's beliefs and actions, and the actors were willing agents acting of their own volition (J. Turner, 2005). For example, the protesters on Burnaby Mountain were presumably persuaded that the TMX project should not be built, and were protesting Kinder Morgan's testing not because anyone told them to, but of their own free will. Likewise, actors within the oil and gas industry were likely persuaded of the urgent need to diversify markets for the sake of Canada's economy, and that these pipeline projects were in the national public interest.

While members *within* these anti- and pro-pipeline groups were generally persuaded of the correctness of their group's position, members of the opposing groups were certainly not. In order for either one of these groups to move forward in the direction they believed was right and appropriate, they would need to exert some degree of social control over the other group.

Ideological conflicts between different social groups within a large country like Canada are unavoidable. What makes this particular conflict so dramatic is the fact that the Canadian government did not remain a neutral governing body, but rather took a clear pro-pipeline stance in the conflict. This transformed a conflict between two groups of Canadians into a struggle between certain Canadians and their own government.

In Turner's (2005) model, this has heavy implications not only for citizens but also for government – some of which are strikingly evident in my results. By positioning themselves as pro-pipeline, the Harper government effectively alienated its anti-pipeline citizens. If, as Turner suggests, we understand the legitimacy of an authority to be the extent to which their social

group identifies with their values and goals, then in doing so the Harper government called its own legitimacy into question among certain groups of citizens.

As mentioned above, since they were unable to persuade their opponents of the need for the TMX and NGP, pro-pipeline groups would need to assert control over anti-pipeline groups if they wanted these pipelines built. I argue here that the regulatory changes implemented by Bill C-38 (described in Section 1.5) can be seen as such.

As evidenced by Oliver's (2012) open letter, the Harper government considered the regulatory changes not only desirable but sorely needed. In Turner's (2005) model, those who identify with the Conservative government's values and priorities, and therefore consider them a legitimate authority, would likely see this type of control as a legitimate use of authority. To them obedience would be accompanied by feelings of pride, empowerment, and a renewed sense of their government's legitimacy.

For those who do *not* share the Conservative government's values and goals, and therefore question their legitimacy as an authority, these very same changes would be seen as coercive control and would be felt as a loss of freedom. This was undoubtedly the case with my respondents. As discussed in Section 5.1, they felt that the changes implemented by Bill C-38 had resulted in a regulatory process lacking any semblance of procedural fairness, and that the government was manipulating them into accepting its position. This not only lines up with the strong distrust for both the NEB and the government demonstrated in Section 4.3.1, it also sheds considerable light on my respondents' feelings of oppression demonstrated in Section 4.3.3.

Turner (2005) himself emphasizes that the difference between the two forms control might take – authority and coercion – has nothing to do with the act itself, but rather how the target *perceives* the one controlling them:

The same commands can be experienced as either legitimate or coercive. Authority can be and frequently is transformed into coercion and coercion can be and frequently is cloaked in legitimacy and transformed into authority. *What matters is the subjective experience of the target.* Does he or she feel that the source is seeking to persuade on the basis of a common identity, values and interests, with no ulterior motives, or not? (J. Turner, 2005: 13; emphasis added).

My results suggest that the answer to Turner's above question was, for my respondents, a resounding "no". They did not feel the NEB nor the government were acting on the basis of shared social identity, and did indeed feel that they were being coerced and even cowed by these authorities.

5.2.2 Managing perceptions

Since the difference between legitimate authority and coercive control is a matter of perception, it becomes quite important to an authority exerting control that their actions are *perceived* as legitimate. Continuing with the example from the previous section, I believe very few Canadians would objectively consider a barrier to democratic rights (such as limitations set on public participation in public hearings) as legitimate – unless, of course, to quote Joe Oliver (2012), those rights were being abused by “radical groups” in an attempt to “hijack our regulatory system to achieve their radical ideological agenda”.

Oliver's open letter, provided in full as Appendix A of this thesis, is rife with what Bandura (2002) calls “mechanisms for moral disengagement” (described in Section 2.3.3). The title of the letter alone employs two such mechanisms: moral justification (“Canada's commitment to diversify our energy markets”; “in order to advance Canada's national economic interest”) and euphemistic labelling (“streamlining the regulatory process”).

Both Bandura (2002) and Turner (2005) agree that a particularly effective way for an authority to manage in-group perceptions of their actions is to negatively portray or even dehumanize the victims, thereby preventing other members of the group from identifying and sympathizing with them. Indeed, the results presented in Section 4.3.2 show that many respondents felt the government was using political discourse and even legislation to label dissenting citizens as extremists, terrorists, and radicals.

This perception becomes rather difficult to discredit after reading Oliver's (2012) open letter. The fact that a government Minister would explicitly and publically label certain groups of citizens as “radical” and characterize their participation in public hearings as “hijacking”, both highlights and reinforces a considerable social distance between the government and the citizens in question. This social distance has two simultaneous and contradictory functions: as Turner emphasizes, it is what makes control appear coercive; and as Bandura emphasizes, it is what makes control appear legitimate. Once again, the difference lies in *perception*.

5.2.3 Constructive interactions with authority

Although I used Oliver's open letter as my example in the above section, I want to make one thing clear: the current pipeline issues have exposed a wide social distance between different groups of Canadians, and the above described mechanisms for managing others' perceptions are being employed *on both sides* of the rift. The online "Comments" section of any major Canadian news story about pipelines provide a shocking testament to this.¹⁶

This is *not* to say that the TMX conflict is being carried out on a level playing-field – as discussed in [Section 5.1](#) there is a considerable power imbalance among the different actors involved. But the fact that both sides are attempting to manage others' perceptions of the issue *does* make it very difficult to objectively understand the reality of the conflict, including the power and authority relationships that shape it.

This, in essence, is what makes it so difficult to navigate pipeline issues such as the NGP and TMX: depending on where you stand and who you listen to, the conflict looks very different. If the difference between coercion and legitimate authority is perception, and perception is constantly being shaped by those fighting for control, how can a citizen possibly know when and whom to obey?

The answer to this question, for Passini and Morselli (2009), is a function of critical thinking and moral inclusion. Following their description (introduced in [Section 2.3.3](#)) obedience and disobedience are two parallel factors that can be either constructive or destructive to an authority relationship.

For example, obedience can be destructive if the actor fails to evaluate the legitimacy of the authority's demand, thereby shifting responsibility for their actions off of themselves and onto the authority (Passini and Morselli, 2009). In the context of the TMX, this might be the case for any NEB employee who simply applied the "directly affected" test because the NEB Act prescribed it, without stopping to *think* whether or not they should be limiting participation by the public in their public hearings. This type of obedience without critical thought or consideration for those who might be impacted by the prescribed action, can be seen as

¹⁶ A particularly extreme example of this is the "Comments" section of CBC News' coverage of the Burnaby Mountain protests from November 21, 2014 (Available from: <http://www.cbc.ca/news/canada/british-columbia/more-kinder-morgan-protesters-arrested-on-burnaby-mountain-1.2844576>)

destructive: even though the authority itself is being obeyed, the underlying authority relationship between the NEB and Canadian citizens it is being undermined by that obedience.

The consequences of this are made clear by my respondents' lack of faith not only in the NEB review process, but in the NEB *as an institution*, as evidenced by the statements in Appendix H. Neither is this distrust an isolated phenomenon; the nationwide decrease in public confidence in the NEB is perhaps best demonstrated by current PM Justin Trudeau's election promise to "modernize and rebuild trust in the National Energy Board" (Liberal Party of Canada, 2015).

Passini & Morselli (2009) argue that in order to uphold important authority relationships such as this, citizens must evaluate the legitimacy of the authority's demand, take responsibility for their actions, consider alternatives to the status quo, and define their community inclusively. In this sense, both obedience and disobedience can be constructive in that they allow people to control the legitimacy of an authority's demands while still upholding the authority relationship.

In this sense, the withdrawals of Marc Eliesen, Robyn Allan, and others from the NEB public hearings (see Section 1.6.3) might be considered acts of pro-social disobedience. Those who publically withdrew from the NEB process did so to contest what they considered to be an unfair, illegitimate regulatory process. They were driven not by personal or group gains, but rather out of concern for the broader public interest and the state of democracy in their country.

All Canadians, whether or not they were happy with the Harper government, would probably agree that Canada needs a government. I expect that many Canadians would also agree that Canada needs a federal energy regulator, the NEB. By obeying or disobeying constructively, citizens can affect the way these important Canadian institutions operate without undermining their legitimacy as federal institutions.

5.3 Experiencing citizenship through pipeline politics

5.3.1 Citizenship as a relationship

I begin this section by recalling the definition of citizenship I employ in this thesis: citizenship is the relationship between the members of a political community, characterised by the way they claim their rights from, and/or fulfill their responsibilities to, the other members of said community.

As established in Section 2.3.1, all theories of citizenship – whether they follow the liberal tradition, the republican tradition, or break from tradition – are centred upon the rights and/or responsibilities of citizens. Thus, a person’s understanding of their rights and responsibilities tells them what it means to be a citizen.

From this theoretical standpoint, my respondents’ discussions of r/r may serve as an indicator of their conceptions of citizenship. Recalling the results presented in Section 4.2.2 on ‘Rights and responsibilities’, the r/r my respondents discussed fell into in four general categories:

1. Agency and voice
2. Information and knowledge
3. Quality of life
4. Healthy democracy

Rights and responsibilities are not, in and of themselves, citizenship. Citizenship is about how people *engage* with their r/r – for example, in Turner’s (1990) typology, citizens engage with their r/r actively or passively; publically or privately. Citizens’ engagement activities are therefore just as important as their r/r in understanding their conceptions of citizenship. Recalling my results from Section 4.2.1 on ‘Citizen engagement’, my respondents engaged with the TMX issue in four ways:

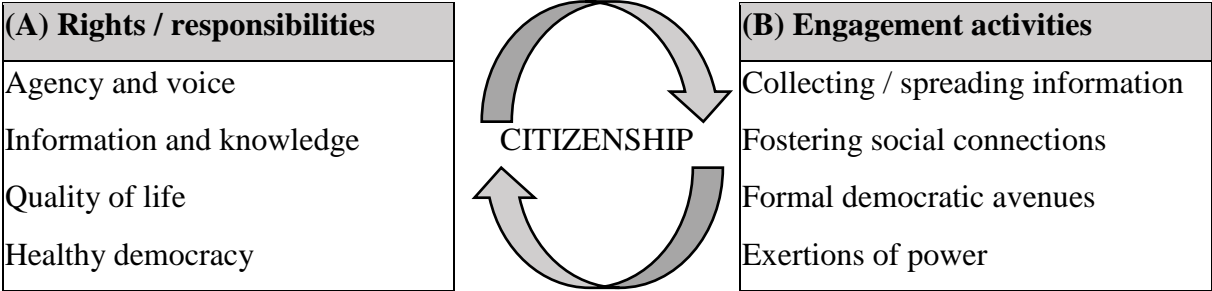
1. Collecting and spreading information
2. Fostering social connections
3. Formal democratic avenues
4. Exertions of power

I suggest that my respondents’ conceptions of their citizenship in the context of the TMX can be read in the ways they claimed their rights and fulfilled their responsibilities through citizen

engagement. I have illustrated this relationship in [Table 5.1](#), which I suggest can be read in the following statement:

“I have a right / responsibility to (A), and I engage with it by (B) activity.”

Table 5.1 – The citizenship relationship: engaging with rights and responsibilities



The above diagram intends to characterize the citizenship relationship that my respondents felt they had within their political community. The only question that begs asking, then, is: how did my respondents define their political community? Following Latta’s (2006) lead, I argue that they were struggling to do just that (see [Section 5.3.3](#)).

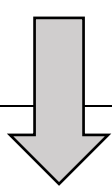
5.3.2 The privatization of public space

Canada is a liberal democracy: it follows the liberal political tradition in that citizens are granted individual rights and freedoms by way of their status as citizens, and its parliamentary government is democratically elected by citizens. In Turner’s (1990) typology of citizenship (see [Section 2.3.1](#)), revisited in [Table 5.2](#) below, Canada can be loosely categorized as a passive democracy. Understood as such, the only thing separating Canada from Turner’s plebiscite authoritarianism is the emphasis it puts on public institutions such as the court system and public regulatory bodies such as the quasi-judicial NEB.

As discussed in [Section 5.1.3](#), the NEB’s review process can be seen as an invited space, and the changes made by Bill C-38 have arguably constituted a closing of the space for public participation in the TMX review. In Turner’s model, the privatization of public space in a passive democracy signals a shift towards authoritarianism, depicted here in [Table 5.2](#).

Table 5.2 – Turner’s typology of citizenship revisited

Active citizenship	Passive citizenship	
Revolutionary context (ex: French revolution)	Passive democracy (ex: Canada)	Public space
Liberal pluralism (ex: American individualism)	Plebiscitary authoritarianism (ex: German fascism)	Private space



Adapted from: (B. Turner, 1990)

Seen alongside the perception of coercive control and negative portrayal of dissent discussed in [Section 5.2](#), the above application of Turner’s theory of citizenship certainly accounts for the feelings of *oppression* that my respondents expressed (see the data presented in [Section 4.3.3](#)). Many of my respondents were afraid for their rights as citizens and the state of democracy in Canada, and these theoretical models offer a compelling explanation for why they might have felt that way.

This understanding also highlights the importance of the created spaces described in [Section 5.1.4](#). If the difference between Turner’s passive democracy and plebiscitary authoritarianism is a healthy public sphere, then the public spaces that citizens have created in response to the TMX and NGP conflicts can be seen as an important measure for maintaining the health of Canada’s democracy in the face of the political closure outlined in [Section 5.1.3](#).

5.3.3 The struggle for a plural political community

From an Arendtian perspective (see [Section 2.3.1](#)), the social and political “spaces” discussed in [Sections 5.1.3](#), [5.1.4](#), and [5.3.2](#) might be understood as spaces of appearance. Arendt considered the spaces of appearance to be essential to political life: not only are they the spaces in which people realize their distinct political *selves*, they are the spaces in which these diverse selves bind themselves together as political equals in a common world (Latta, 2006). This, I would argue, is the essence of political community.

My respondents’ individual experiences with the TMX were different, of course, but a common theme underlying nearly all of their stories was the emergence of a political self in relation to a common world of others. One of my respondents gave a particularly moving account of this process:

Early on when I became active in all this, I came across a poster, I think it was on the internet somewhere. It was a picture of a demonstration or a protest somewhere. This guy is carrying a sign and it was coarsely written on brown paper: 'I always wondered why somebody didn't do something about that. Then I realized: *I am somebody.*'

It was just the right timing for me to see that, because I was getting to that point where 'I've got to *do* something.' I really identified with that idea. I printed it out, put it in a frame and I have it on my desk, just to remind me: I'm *somebody*, and I have a responsibility to do whatever it is I can, within my personal limits, to try and make not just my life... [emotional] The life of people, my grandchildren, the future generations, and the natural world... (07)

My respondents considered themselves connected to others; I expect that most human beings do. The way I interpreted their stories, my respondents were expressing not only a responsibility to others by way of that connection, but more fundamentally an assertion of their *right to be connected* to others.

If we understand the spaces where the TMX issue unfolded in terms of Arendt's spaces of appearance, then they are the spaces in which people might *connect* with one another to form political communities. In the definition of citizenship employed in this thesis, the political community is where the citizen relationship described in Section 5.3.1 is carried out.

From this perspective, the political closure discussed in Section 5.1.3 can be seen as a barrier not only to political action, but to the political community itself and thereby the existence of citizenship relationships. Likewise, the created spaces that have emerged in response to this political closure (see Section 5.1.4) might be seen not only as spaces of citizen power, but – as Latta (2006) suggests – spaces of insurgent citizenship.

5.3.4 Spaces of insurgent citizenship

While Holston articulated his concept of insurgent citizenship in the context of *urban* life (see Section 2.3.1), it is equally useful in when applied to *political* life. Holston (2009) states very explicitly that insurgent citizenships are fundamentally manifestations of peripheries. This holds true when applying his concept to pipeline conflicts in Canada. As discussed in Section 5.1.3, the citizens who opposed the TMX project did not have very much power by way of the NEB hearings; and as discussed in Section 5.2, the government attempted to control them using

legislation, and managed others' perceptions of this control by characterizing them as *different* from other Canadians.

Holston (2009: 255) calls this differentiated citizenship in which different categories of citizens are given different rights and different treatment. In such systems of citizenship, membership is universal (ex: we are all Canadians) but distribution is inegalitarian (ex: only certain Canadians have the right to participate). While Holston's insurgent citizens are the product of urban peripheries, the insurgent citizens of Canada's pipeline conflicts are the product of *political* peripheries.

Holston (2009: 249) asserts that the degradation of urban peripheries often breeds metropolitan *innovation*:

(...) residents use their ingenuity to create daily a world of adaptations, connections, and strategies with which to inhabit modern metropolises on better terms than those imposed by the powerful local and international forces that would have them segregated and servile.

I believe this assertion also survives the transition from urban to political space. The created spaces discussed in Section 5.1.4 might similarly be seen as sites for *political* innovation, in that they propose creative new incarnations of political life. These citizens do not seek to uphold democracy by simply reinforcing existing democratic institutions such as the NEB review process; they have forged new social connections and found new ways to speak and engage. They have created a form political life that hitherto did not exist in the context of pipeline politics in Canada. This attitude is echoed in my 'Hope' results from Section 4.3.4 which emphasize, above all, the effect that the TMX and NGP conflicts have had in promoting social *change* and co-operation.

It is an undeniable fact that the recent pipeline issues in Canada have given rise to communities of resistance. Following both Holston (2009) and Latta (2006) I argue that these communities of resistance can be seen not as people struggling to claim rights and fulfill duties within the confines of citizenship as defined by dominant groups, but who are instead proposing a new formulation of citizenship that challenges the status quo.

Turner (2005) warns that authorities that rely on coercive control (which as argued in Section 5.2.1, is the case with the government's control of pipeline opposition), risk:

[...] bring[ing] into being a countervailing source of power as the targets develop a collective identity defined by their rejection of coercion and the goal of defeating the coercive agents who threaten their freedom (J. Turner, 2005: 13).

This was arguably the case in the areas where I conducted my research, in the weeks before the 2015 federal election. Public sentiment against the Conservative government was so palpable that stop signs were being vandalized and NGO's were running voting campaigns to "Stop Harper".

Holston (2009) echoes this concern when he points out that insurgent citizenships do not always coexist peacefully with more dominant citizenship structures. They can be violent, unjust, racist, inegalitarian. To use Passini and Morselli's (2009) terms, they can be destructive or anti-social (see Section 2.3.3). Interactions with authority risk becoming destructive if actors fail to think critically about the consequences of their actions, and if they consider only a narrow moral community.

This was certainly not the case with my respondents. As discussed in Sections 5.1.2 and 5.3.3, many respondents were concerned about the *global* impacts of the TMX, and spoke movingly about intergenerational justice. No single one of my respondents was opposed to the TMX because of the immediate harm or inconvenience it could cause to them or their immediate social network; their concerns, both with the project and the NEB process, were *categorically* rooted in a broader concern for democracy, nature, society, or humanity as a whole.

If the insurgent citizens of Canada's pipeline issues can be understood as disobedient in that they resist the control that the government and NEB are attempting to impose, then surely their disobedience can be seen as constructive in that they promote social change addressed to society as a whole (Passini and Morselli, 2009: 102). I argue that these communities of resistance – these insurgent citizenships – are *systems* of pro-social disobedience. They do not seek to overthrow Canada's important authorities, such as the federal government and the NEB. Rather, they seek to *uphold* these important institutions by challenging their undemocratic or inegalitarian demands (Passini and Morselli, 2009: 102).

6 Conclusions

6.1 Summary of findings

I will begin this section by restating my research goals: this study used the Trans Mountain Expansion project as a case study to explore Canadians' conceptions of citizenship and their role in energy infrastructure projects. I used the following three sub-questions to guide my research:

1. How did people characterize their experiences with the TMX issue?
2. What did people understand to be their role as citizens in the TMX issue, and did they feel they were able to fulfill that role?
3. What did people understand to be the role of others in the TMX issue, and did they feel that those others were fulfilling their roles?

6.1.1 Experiencing the TMX

My respondents characterized their experiences with the TMX issue quite negatively. Most (if not all) of them considered the NEB process to be inadequate because it:

- lacked procedural fairness (see [Section 5.1.1](#)),
- was not addressing the issues that concerned them (see [Section 5.1.2](#)), and
- provided citizens very little power in the TMX decision (see [Section 5.1.3](#)).

Since my respondents were unsatisfied with the NEB process, many of them were engaging in other ways, as discussed in [Section 5.1.4](#). Several of my respondents expressed hope and positivity, often when they were speaking of the pipeline issues' potential to bring people together for social change (see [Section 4.3.4](#)).

My respondents' experiences with the pipeline conflicts and other related issues had left them feeling that the government and the NEB no longer embodied their values, goals, or collective will. This perceived social distance caused my respondents to:

- distrust the government and the NEB (see [Section 4.3.1](#)),
- question their legitimacy as federal authorities (see [Sections 5.1.1](#) and [5.2.1](#)),

- perceive their efforts to control citizens as coercive (see [Section 5.2.1](#)), and
- feel oppressed by their government (see [Section 4.3.3](#)).

6.1.2 The role of authority

My respondents' perceptions of coercion and democratic decline were not unfounded: the Conservative government's explicit pro-pipeline stance shows that the social distance my respondents perceived was very real (see [Section 5.2.1](#)). In fact, the government used this social distance to justify their coercive control of anti-pipeline groups (see [Section 5.2.2](#)).

The changes that Bill C-38 made to Canada's regulatory framework are an example of this control (see [Section 5.2.1](#)). Moreover, they can be seen as a shift in the fundamental character of citizenship in Canada, away from democracy and toward authoritarianism (see [Section 5.3.2](#)). Citizens who obeyed these new rules without considering their wider consequences might be seen as acting destructively, in that their obedience weakened the relationship between citizens and important Canadian institutions such as the federal government and the NEB (see [Section 5.2.3](#)).

6.1.3 The role of the citizen

My respondents conceived of their rights and responsibilities in the context of the TMX within four broad categories of (see [Section 4.2.2](#)):

- Agency and voice
- Information and knowledge
- Quality of life
- Healthy democracy

They engaged with these rights and responsibilities in four general ways (see [Section 4.2.1](#)):

- Collecting and spreading information
- Fostering social connections
- Formal democratic avenues
- Exertions of power

The relationship between the rights and responsibilities my respondents expressed, and the ways in which they engaged with those rights and responsibilities, can be understood as the citizenship relationship they believed they had within their political communities (see [Section 5.3.1](#)).

Political communities are formed when people connect with one another to build relationships of solidarity amid diversity, through political speech and action in public fora (see [Section 5.3.3](#)), and Bill C-38 can be understood as a privatization of these public spaces (see [Section 5.3.2](#)). The communities of resistance that have grown in response can be understood as insurgent citizenships, in that they build new relationships and communities of citizenship, which challenge the status quo – often in constructive, pro-social ways (see [Section 5.3.4](#)).

6.2 Areas for further research

As discussed in [Section 3.1](#), this research is an exploratory case study. In it I have explored the lived experiences of people who engaged in various capacities with the TMX, and in this section I identify some research opportunities uncovered by this study.

Because of the context-specific nature of case studies, the relevance of these findings in other contexts is not given. It would therefore be quite useful to repeat this study in other contexts to identify the broader truths underlying my findings. For example, research could be done on the lived experiences of people engaged in the upcoming regulatory review for the Energy East Project, or the recently-approved Site C Dam in Northern BC.

Since this study highlights the effect of social distance on the perception of government actions, it would also be useful to study the lived experiences with the TMX issue, of people who *did* identify with the Conservative government's values and goals. Likewise, since Canada's regulatory framework has remained largely unchanged since the 2015 election, it would be interesting to see whether and how people's perceptions of authority have changed with the new leadership, whom citizens may consider less or more representative of their values and goals.

Some of the theoretical models I used to illustrate my discussions are worthy of a far more detailed application in the context of Canada's pipeline issues. For example, a detailed and thorough application of Hurlbert and Gupta's (2015) split ladder has the potential to inform policy aimed at resolving these conflicts by building social trust and facilitating social learning. Likewise, a comprehensive application of Gaventa's (2006) power cube would provide a much clearer understanding of the power structures underlying Canada's regulatory framework, and indicate opportunities for a better distribution of citizen power in decision-making.

I also believe it would be worthwhile to revisit the citizenship dimension of this research in further depth, by contrasting it with other understandings from the lively and diverse academic discussions of citizenship. An especially compelling research direction regarding citizenship and pipeline issues in Canada, is the unique nature of Indigenous citizenship and the resistance movements introduced in Section 1.8.

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Appendices

Appendix A: Natural Resource Minister Joe Oliver's open letter

Natural Resources Canada

2012/1

January 9, 2012

An open letter from the Honourable Joe Oliver, Minister of Natural Resources, on Canada's commitment to diversify our energy markets and the need to further streamline the regulatory process in order to advance Canada's national economic interest

Canada is on the edge of an historic choice: to diversify our energy markets away from our traditional trading partner in the United States or to continue with the status quo.

Virtually all our energy exports go to the US. As a country, we must seek new markets for our products and services and the booming Asia-Pacific economies have shown great interest in our oil, gas, metals and minerals. For our government, the choice is clear: we need to diversify our markets in order to create jobs and economic growth for Canadians across this country. We must expand our trade with the fast growing Asian economies. We know that increasing trade will help ensure the financial security of Canadians and their families.

Unfortunately, there are environmental and other radical groups that would seek to block this opportunity to diversify our trade. Their goal is to stop any major project no matter what the cost to Canadian families in lost jobs and economic growth. No forestry. No mining. No oil. No gas. No more hydro-electric dams.

These groups threaten to hijack our regulatory system to achieve their radical ideological agenda. They seek to exploit any loophole they can find, stacking public hearings with bodies to ensure that delays kill good projects. They use funding from foreign special interest groups to undermine Canada's national economic interest. They attract jet-setting celebrities with some of the largest personal carbon footprints in the world to lecture Canadians not to develop our natural resources. Finally, if all other avenues have failed, they will take a quintessential American approach: sue everyone and anyone to delay the project even further. They do this because they know it can work. It works because it helps them to achieve their ultimate objective: delay a project to the point it becomes economically unviable.

Anyone looking at the record of approvals for certain major projects across Canada cannot help but come to the conclusion that many of these projects have been delayed too long. In many cases, these projects would create thousands upon thousands of jobs for Canadians, yet they can take years to get started due to the slow, complex and cumbersome regulatory process.

For example, the Mackenzie Valley Gas Pipeline review took more than nine years to complete. In comparison, the western expansion of the nation-building Canadian Pacific Railway under Sir John A. Macdonald took four years. Under our current system, building a temporary ice arena on a frozen pond in Banff required the approval of the federal government. This delayed a decision by two months. Two valuable months to assess something that thousands of Canadians have been doing for over a century.

Our regulatory system must be fair, independent, consider different viewpoints including those of Aboriginal communities, review the evidence dispassionately and then make an objective determination. It must be based on science and the facts. We believe reviews for major projects can be accomplished in a quicker and more streamlined fashion. We do not want projects that are safe, generate thousands of new jobs and open up new export markets, to die in the approval phase due to unnecessary delays.

Unfortunately, the system seems to have lost sight of this balance over the past years. It is broken. It is time to take a look at it.

It is an urgent matter of Canada's national interest.

The Hon. Joe Oliver

Minister of Natural Resources

Appendix B: Reasons for selecting interview respondents

Respondent	Category	Reasons for selection
01	Participated: Commenter	This respondent was a neighbour of mine during my research period. She was registered as a Commenter in the TMX review, and in several of our conversations she initiated discussions that were very relevant to my research. She agreed to be the subject of my pilot interview, which I have included in my final dataset.
02	Rejected	Passage from respondent's application to participate [ATP]: "As a resident and property owner in British Columbia, as a Canadian citizen, as a multiculturalist, as a mother of two young Canadians, as a professor of urban and environmental studies who teaches an average of 100 students per year about sound urban planning and policy and the potential for sustainable development and resiliency planning in British Columbian communities, as well as those communities further afield, and as a philosopher of sustainable development pathways and transitions, I am directly affected in multiple, overdetermined and intersecting ways by the prospect of twinning the transmountain pipeline [...]"
03	Participated: Commenter	In their LOC, this respondent emphasized the importance of impartiality in the NEB and expressed concern about the derogatory language being used to discredit environmentalists. (Direct quotes not provided due to respondent's request for anonymity)
04	Participated: Intervenor	This respondent participated as a representative of the City of Burnaby, one of the most active participants in the TMX review process. Mayor Corrigan made media headlines by publically stating that he would lie down in front of the bulldozers if the pipeline was approved.
05	Abstained: Did not apply	This respondent played a prominent role in the protests on Burnaby Mountain. I had expected someone so concerned and outspoken about the TMX issue to be engaged in the NEB review, but I did not find any record of him in the Registry.

06	Participated: Commenter	Passage from respondent’s LOC: “What can be my role in shaping the future? [...] I am not so naïve as to believe that my comments or concerns will sway your decision. There are bound to be many who believe that the decisions have already been made and that your position on this panel is due to your political convictions rather than your knowledge or ability to render a just recommendation. [...] We ask only that you speak truth to power for those that do not have the power to speak for their future.”
07	Abstained: Withdrew	Passage from respondent’s LOC: “[...] when the NEB recommended approval of Northern Gateway, I was stunned. Clearly, the hearing process was not what I had thought – a fair and democratic process intended to garner information from citizens and scientists in order to make a fully-informed decision in the best interests of ALL Canadians. Something else was at play. Since then, I’ve been thinking hard about whether or not to participate in the TMEP hearing as a commenter, especially since the hearing process has become even more restrictive than during the NGP hearings and since it has become clear that the National Energy Board is now, truly, as Mr. Eliesen stated in his public letter of withdrawal, ‘a captured regulator’.”
08	Abstained: Withdrew	In their LOC, this respondent emphasized the importance of impartiality in the NEB, questioned the fairness of the process, and questioned the morality of excluding climate change from the review. (Direct quotes not provided due to respondent’s request for anonymity)
09	Rejected	Passage from respondent’s ATP: “I believe this pipeline to be against the interests of the citizens of Canada, a disaster waiting to explode and destroy our natural resources, an obstruct of justice and inequality towards Aboriginal citizens of Canada and their land-ownership, and ignorance from all the political parties towards what the tax-paying Canadian citizens want. The government will do what they want but they can expect a battle from the citizens of this country. We refuse to be silenced any longer.”

10	Participated: Commenter	In their LOC, this respondent criticized the NEB process for violating fundamental democratic principles, and took issue with the labels assigned to different actors in leaked government documents. (Direct quotes not provided due to respondent’s request for anonymity)
11	Participated: Intervenor	This respondent is a widely respected climate scientist, and an elected member of the BC legislature. He has repeatedly voiced concerns about the hearing process, and at the time of my sampling had recently proposed a bill to the BC legislature that would give citizens more power in decision-making for projects such as TMX.
12	Abstained: Withdrew	<p>This respondent is a widely respected public figure, economist, and writer. She was one of the most active participants in the NEB review process prior to her withdrawal, and her highly publicized letter of withdrawal had a significant effect on public opinion of the review process.</p> <p>Passage from respondent’s letter of withdrawal: “The fight to protect the Canadian public interest must be conducted in an open and transparent forum, where those who desire to participate, have a right and opportunity to do so. The fight to protect the Canadian public interest must include those issues that fully represent the Canadian public interest, not limit them – as the Panel has done – to a definition serving industry. We are being conned by the very agency entrusted to protect us.”</p>
13	Participated: Intervenor	This respondent participated as a representative of PIPE UP Network, which has been one of the most active grassroots citizen organizations involved in the TMX review. PIPE UP seeks to empower the communities they represent through good communication and access to information.
14	Abstained: Did not apply	This respondent participated as a representative of Dogwood Initiative, an active BC NGO committed to empowering citizens in the decision-making process in BC. Dogwood played a significant

		role in boosting citizen participation in both the NGP and TMX public review processes.
15	Rejected	Passage from respondent's ATP: "The fact that I have to ask permission from the government to join a public hearing process is directly offensive to me. I get the impression that the government of Canada is trying to avoid public scrutiny on this project. I don't mean media scrutiny; I mean that this process is designed to intimidate people who lack the time, computer skills, patience or confidence to express how the KM pipeline project affects them. I want to criticize this process and demand that a public hearing needs to be simply public."
16	Abstained: Did not apply	This respondent participated as a representative of the Vancouver branch of Greenpeace, a major environmental NGO with a global presence.
17	Participated: Intervenor	This respondent is a member of Tsleil-Waututh Nation, the Aboriginal community living at the proposed terminus of the KM pipeline expansion. Tsleil-Waututh has been one of the most active participants in the NEB review process, and several of its members have been very visible and vocal in the media.

Appendix C: Information and consent forms

Introductory Information

About me:

I am a Canadian student pursuing a Master's degree in International Environmental Studies at the Norwegian University of Life Sciences (NMBU) in Ås, Norway. I'm interested in environmental politics and governance, and as a Canadian the TMX is a topic that I find both interesting and important. I have developed this project – with the help of two professors at NMBU in Norway, and Royal Roads University here in BC – as the basis for my upcoming Master's thesis.

About my project:

This research project will use Kinder Morgan's Trans Mountain Expansion project [TMX] as a case study to explore the relationship between political discourse, citizen engagement, and social / ecological resilience in Canada. I'll be conducting a series of in-person interviews with people who participated in, abstained from, or were rejected from the TMX public review process. I understand that you have [specify their connection to the issue and/ or my reasons for choosing them], and I was hoping to interview you about your experience so far.

This is a qualitative study; I won't be collecting numerical data for statistical analysis – I will be collecting stories and experiences, and looking for similarities or differences between them that might offer some insight into the links between the concepts I'm studying.

About this interview:

This interview will have three parts. In the first part, I will simply listen while you tell me about your experience with the TMX; how you heard about it, how you decided to get involved, and what the process has been like for you. I'll be asking you to tell me your story, the way *you* see it. You don't need to worry about “covering” certain topics or “going off on a tangent” – I want to see the TMX process through your eyes, and what makes it important to *you*.

The second part will be aimed at deepening that narrative. I'll ask you to elaborate on some of the events you mentioned, the views you expressed, or to clarify what you mean when you say certain things, so that we avoid misunderstandings.

The third part is the step where we'll connect your story to my research themes. This part will be much closer to the traditional “question-and-answer” interview format: I'll ask you a series of questions, and you can respond to them to the best of your ability.

Consent Form for Interview Participants

Thank you for your interest in my study. My project, *Linking Discourse, Citizenship, and Resilience: A Qualitative Study of Public Participation in Canadian Pipeline Projects*, is a qualitative thesis for my Master's degree in International Environmental Studies from the Norwegian University of Life Sciences (NMBU) in Ås, Norway. This project aims to use the Kinder Morgan Trans Mountain Expansion Project (TMX) as a case study to explore the role of discourse in shaping public conceptions of citizenship and political engagement, and the implications that this might have for the resilience of larger sociopolitical systems in Canada.

This consent form will inform you about your *role* and your *rights* as a participant in this study.

Your *role* in this study will be as an interview subject. Our interview will take place in person, in two one-hour sessions, over the course of two days (two hours in total). In the first session, I will ask you to tell me the story of your involvement with the TMX, and I will simply listen and take a few notes. The second interview session will have a more "traditional" interview structure, in which I will ask questions, and you can provide answers.

As a research participant, you have a *right* to anonymity and confidentiality; and as a researcher, I have a duty to protect your identity and your private information. The following few paragraphs will explain how I intend to fulfill this duty, and I will read through each of them with you before we begin our interview. I will ask you to sign your initials beside each of the following items to indicate that you have read and understood its content.

a. I will be taking an audio recording of our interview using my iPhone. I will let you know when I begin recording and when I stop. I will transfer this recording to my computer immediately following our interview, and delete it from my iPhone as soon as I have verified its quality. I will use this audio recording to transcribe our interview, and I will send you a copy of my transcription so that you can verify its accuracy.

b. I will store all interview files (recordings, transcripts, notes, etc.) on my personal computer, which is password protected. I will also store backup copies of these files on a USB storage drive, in a password-protected folder. I will be the only person who has access to these files. After my thesis has been submitted, defended, graded, and disseminated, these files will be destroyed. The estimated date for this is June 15th, 2016.

- c. *If you do not wish to be personally identified in your interview responses*, you and I can agree upon a pseudonym that will replace your real name in my transcripts, datasets, file names, my thesis, and any other documents associated with my project. I will keep a password-protected spreadsheet that links all of my respondents' pseudonyms to their real names (for the purpose of dissemination, data verification, and in case someone wants their responses removed from my study). If you choose to remain anonymous, the only place your real name will appear is in the abovementioned spreadsheet, and in this consent form. *If you wish to remain anonymous*, please initial the statement below.

"I, _____, wish to remain anonymous in my responses."

Pseudonym: _____

- d. *If you do wish to be personally identified in your interview responses*, you may choose to waive your right to anonymity. This means that I will not assign you a pseudonym, and I will instead use your real name in my transcripts, filenames, thesis, etc. *If you wish to waive your right to anonymity*, please initial the statement below.

"I, _____, hereby waive my right to anonymity."

- e. Certain participants (those who are participating as Intervenors and Commenters in the TMX hearings) are at a minor risk of being identified based on similarities between their interview responses, and the TMX hearing documents, which explicitly identify speakers and are publicly available online. This is highly improbable, and the consequences (if any) would be very mild.

- f. Your participation in this study is entirely voluntary, and you can choose to withdraw at any time without any negative consequences. You may decline to answer any of my questions that you do not feel comfortable answering. If you choose to withdraw from this study, you may have your responses removed from my thesis, so long as the request is made *at least two months prior* to the thesis submission date (i.e. before March 15th, 2016).

- g. If you are interested in reading the final product of this study, I can send you a copy of my thesis after it has been defended and graded. If you would like to receive a copy, please fill out your information in the space below. If you do not want to receive a copy, please leave this section blank.

- Please send an electronic copy to the following email address(es):

- Please send a hard copy to the following address:

If you have any further questions about this study, please don't hesitate to ask them. Further inquiries about this study can be directed to the following three people:

Primary researcher:

Leah Solveig Hayward
Master's student in International Environmental Studies
NMBU, Norway
leah.hayward@nmbu.no

Academic Supervisors:

Dr. Ian Bryceson
Professor
NMBU, Norway
ian.bryceson@nmbu.no

Dr. Richard Kool
Associate professor
Royal Roads University, Canada
rick.kool@royalroads.ca

* * *

By signing below, you confirm that you have read and understood the contents of this consent form, and agree to participate in this project.

Name

Signature

Date

Appendix D: Overview of all segments coded as ‘NEB – Impartiality’

Respondent	Segment
01	the panel, in my view, is basically already biased to just seeing the best way to go ahead with the project versus whether or not the project should go ahead. They’re already in a mindset of “what’s the best way to proceed?” versus “should this project even be allowed on our shores?”
01	<p>I knew when I got involved that– I was told by many people that 99.9% of projects that are heard by the NEB go ahead. When you hear that, you realize that the system is... pretty much set up for energy projects to go ahead, versus be scrutinized on a case-by-case basis. Unfortunately I don’t have a lot of... trust in what the National Energy Board will do with our comments. And actually take them seriously.</p> <p>And it showed in what happened with the Enbridge hearings. Over 2000 people spoke and I think, of that, there was less than 1% that were for the project, and still the project got a few, 207... they had to do certain things to allow the project to go ahead. But they were all things that were already in plans, so it was kind of a... yeah, rubber stamp versus an actual assessment of the project and whether it was going to work for all the parties concerned.</p>
01	The fact that the NEB would not allow her information into the room was, to me, a real sign that the system is flawed, and doesn’t appreciate the work that the people have put into our... experts in their field. She’s a biologist, she’s also got a lot of history in mapmaking and writing... so these are important things that should come out in these hearings. They should show that– if there’s things that are wrong in the proponent’s advertising of their project, then these things should come out. And they weren’t allowing that as part of the evidence. It was kind of a hard thing for me. At that point I started to really wonder what heck the NEB was about, and why that wasn’t allowed.
03	These are industry insiders on the NEB. They were appointed by the Governor in Council, which is I think responsible to cabinet, under the direction of cabinet. And we’re finding, especially considering the current federal government, we’re finding, rather than an interest in protecting the public interest, we’re finding an interest in promoting the project, and having it go through as quickly as possible. This isn’t what one would expect from a reviewing body. So without Environment Canada doing any kind of separate review, and with BC having waived its own right to have a separate environmental review, we’ve got... industry insiders– connected to industry, known to industry, who know that they’re there to serve their friends in industry– making decisions about environmental viability of a project.
04	We need an unbiased organization to look at this, not the National Energy Board who have been bought and paid for a thousand times over. Who are funded by the oil industry. Who are captive of the oil industry. To have the people who are judging an

	application being paid for by the people making the application, gives no one any sense of confidence in any of this.
04	We're frustrated by the failure to have any body that would look at this through unbiased eyes.
04	From the very beginning, they truncated this process in order to deliver, as quickly as they could, for the industry. They were not considering the best interest of the public. Right from the start, you realize that this is a process that is geared to the advantage of the company.
04	Each time we have made an application to them, to try to get any sort of fairness out of the system, we're rejected. Consistently. Kinder Morgan on the other hand, if they make an application, immediately it's granted. I think everyone has seen that throughout the process.
04	<p>The National Energy Board, despite our position, approved it. Ended up in court with Kinder Morgan, and Kinder Morgan was able to use the National Energy Board authority to enjoin us and anyone else in interfering in our own properties. Then we were compelled to try and provide police protection for them, when protesters came out. So then they tried to bill us for all of the police protection.</p> <p>We're saying to the National Energy Board: Why are you letting them go through a conservation area, against our wills, contrary to our bylaws? And ultimately it's because we [the NEB] are a federal government agency that has been mandated with the responsibility to give these oil companies anything they want. And you are getting in our way! Who wouldn't feel that process was unfair under those circumstances?</p>
04	And this latest appointment of a Kinder Morgan consultant to the board of the National Energy Board? I mean, you want to talk about— <u>Leah</u> : [Incredulous] Did that happen? <u>Respondent</u> : Yes! The National Energy Board just received a new appointment from the federal government. Their last act before they called the election was to appoint a Kinder Morgan consultant. One who actually did the economic analysis for Kinder Morgan on the Trans Mountain pipeline, was appointed to the board. They said “Well we're not going to let them sit on this hearing. It won't...” [rolls eyes]
05	it's like they don't even care to make it seem unbiased anymore. They figure “Yeah that's all out there now, everyone knows this is biased, so who cares? We'll just keep on...” [incredulous laughter].
05	So we are still awaiting a decision, and as I said earlier, I don't have a lot of faith. I think it is absolutely biased. I have no illusions that the NEB will turn down the TMX proposal. I am very certain they will OK it with a series of provisions, of conditions that have to be met. Much as we saw with Enbridge, perhaps less. Well there were what, like 200-some odd conditions attached to the Enbridge approval. I'm sure this one will be approved of a relatively long list of conditions, most of which I think will be smokescreen. Very simple things for companies to go “Oh so

	<p>you wanted us to put up some notices? We'll put up more notices, that's easy." The simple little things they'll be able to get by and make it look like they're actually doing something, whereas really it's simply, straight up, an approval.</p>
05	<p>First of all, the changes that the Harper government made to the NEB, and to the environmental process in Canada generally over the last several years, made it kind of obvious to me that this wasn't really a review process; this would be a rubber stamp process.</p> <p>The second thing that really confirmed that was the process with the Northern Gateway pipeline, which I watched very carefully. I followed the story, and I knew many of the 4000 people that testified or presented at the hearings for that pipeline. And as I'm sure you know, the vast majority— whatever it was 97%— of people were against that pipeline. I watched some videos of presentations online, and saw very impassioned critiques, and reasons for rejecting it, which I all found very persuasive. And then of course the NEB said yes, we're approving it.</p>
06	<p>My experience with the Enbridge pipeline probably made me feel that way more than anything. The opposition was so overwhelming, and it got a green light anyways. I was a little bit jaded by that.</p> <p>And some of the reading that I've done around decisions by the National Energy Board and various other approval agencies – the number of times that an energy project or a pipeline gets turned down, is somewhere close to zero, [laughing] on a percentage basis. Approaching zero percent of the time, does a project ever get denied. I think there was one, or maybe two projects, but I can't even remember if that was the case. Out of hundreds, they seem to always get approval.</p>
06	<p>I became somewhat disillusioned with the process because it really seemed to me that it was a foregone conclusion. That the pipeline would get a green light. I have to say that I feel the same way about the Trans Mountain pipeline. I feel that it's really a foregone conclusion, that it will get a green light. I'm sure that there will be conditions attached to that green light, but not conditions that would make it so that it just won't happen.</p>
07	<p>So that was kind of a turning point, when it was clear that they don't really care what anybody says they made up their mind a long time ago.</p>
08	<p>It also shows that the NEB is stacked. The board is stacked with people who are pro-pipeline, pro-development of the tar sands, etc.</p>
08	<p>I believe the process is extremely flawed. It is biased in favour of the proponent, in favour of Kinder Morgan. I could go through the reasons, but I put them in my letter of comment, which I presume you have a copy of.</p> <p>I feel that the whole thing has been biased in favour of Kinder Morgan. And I've seen this many times in public hearing processes, and other things.</p>

08	<p>That information was brought forward. We didn't get anywhere. They had already made up their minds. And that's exactly the way I feel with this Kinder Morgan thing.</p> <p>Kinder Morgan is just <i>swanned</i> through.</p>
08	<p>Kinder Morgan makes its statements, and the NEB is not questioning it. They're accepting these statements as gospel truth. When the Intervenors – who are not allowed to verbally cross examine them in the hearings – question some of the statements and the claims that Kinder Morgan makes, the NEB is not forcing Kinder Morgan to answer those questions.</p> <p>[Incredulous] This is totally unacceptable. How can you <i>not</i> force them to prove their claims? [Laughs] It's so <i>visibly</i>– if it weren't so sad, and it weren't so desperately bad for the country, it would be funny. It's just... unbelievable. That they have biased the whole process so much in favour of Kinder Morgan, and they're getting away with it! [Pause]</p>
08	<p>Conflict of interest. [Identifying information]. I don't know who's on the NEB, who's on the board. I can't say that anybody on the Board has a conflict of interest because I don't know the details. I don't know what kind of investments they may have in the tar sands, or whatever.</p> <p>But there's definitely a conflict of interest on Kinder Morgan's part. And they're not calling them on it. So the fact that there is an issue of a conflict of interest that is not being recognized is a problem.</p> <p>The fact that they're listening selectively. I mentioned at that other process, all these people got up and spoke eloquently and knowledgeably about the problems, and they just ignored them. That's the impression I get about what's happening with Kinder Morgan, and the NEB in this case.</p> <p>It certainly happened with Northern Gateway. And this process is even more restrictive than Northern Gateway was. How can we have confidence that the NEB is going to really look at things objectively?</p> <p>The criteria for being able to comment or be an Intervenor– the list of criteria was proposed by Kinder Morgan. And they accepted it. Right off the bat, it was biased.</p>
08	<p>And the board, or the jury that was making the decision, should be completely non-partisan. It should not be stacked with people in favour of either side. If you can't find people who are totally objective, then at least balance out those who can be assumed to be in favour and those who can be assumed to be against, with perhaps a totally independent chair, who gets to make the final vote. Based on the evidence.</p> <p>Finally, the board should listen to all the evidence, and weigh all the evidence, and make their decision based on the evidence.</p>

08	Other than a dictatorship, I'd call the Trans Mountain pipeline just about the worst I can imagine. It would be hard to find something more skewed, more unbalanced. They could probably make it a little bit worse, by narrowing the criteria even more and that kind of thing. But this is probably the most skewed process I've ever seen.
09	Shouldn't we have people who are specialists in the area of environmental management, water conservation, things like that? Not just 3 people who – to my best knowledge – are employed by the government, have worked for the government, and are under contracts with the government. Shouldn't it be people who aren't so biased, and probably paid to say what the government wants them to say?
10	It is obvious to me now, that the process was never going to consider <i>not</i> installing that twinning. That was never explained to me.
10	But my comment was: first of all, I feel I've been duped. I do not trust you guys. I told them that in the first comment also, that I didn't really trust them, but I was completing the process because I had committed to it. I said at this point, looking at the draft conditions, I feel that I have been completely duped. That this is a <i>fraud</i> . That they wasted my time. That they were not actually going to read my comment, and if they did it was not going to have any value to them. This is a <i>fait accompli</i> .
10	The whole process is corrupt. I can't say I'm surprised, because of what happened with Northern Gateway, and the restrictions that were put on all the Intervenor and Commenters.
10	They're all ex-industry people, from the energy industry. So I knew from the beginning I was up against that. I figured: logic isn't going to work. They're already steeped in this stuff. It's in their veins.
11	And the NEB sided with the project proponent so often that it was absurd. Like "I need a reference for this" and they side with the proponent "You have enough information"... <i>No</i> you don't.
11	The rejection of a number of the motions people brought forward to the NEB. Another example.
11	And now we're having the whole process put on hold because some guy gets appointed by Harper to the NEB, and this guy put in part of the submission for Kinder Morgan. I mean holy moly, what's goin' on here? It is so frustrating. The press release that will come out today or tomorrow, rather than the final– we've done it, we got 63 pages of final argument. It's ready to go. We could submit it today, but we can't. So instead we'll submit a press release of frustration. Because that's what this is. This whole process is broken. The fix is in.

11	And the fact that Mr. Harper appointed somebody to the NEB that actually was part of the submission process, a day before the writ drops, is another example.
11	Decisions are made almost invariably in support of Trans Mountain. You've got the clear conflict of interest issue, that Trans Mountain acknowledged, with the appointment to the board of someone who submitted– and now they're striking evidence.
11	<u>Leah</u> : You mentioned the process for Site C and Prosperity Mine as good examples of public process. What makes them good? <u>Respondent</u> : The boards were independent. They were perceived as independent.
11	It's so bad that it's all on hold now, because of a conflict where Harper appoints someone who actually submitted evidence on behalf of Trans Mountain – he's been appointed to the NEB board. You can't make this stuff up.
12	I'm on the record here with you – and certainly I've said it before – that the slant the National Energy Board has against Canadians and the public interest, has been obvious for years. It's just become increasingly obvious as more light has been shed on what they are doing and why they are doing it.
12	Having been involved as an expert witness at the NEB hearing for Northern Gateway, and becoming increasingly concerned about how legislation was being changed by the Harper government, the gutting of legislation, the increasing control the NEB has over these reviews, and the National Energy Board's relationship with the oil sector. What we've witnessed in the last 2-3 years is a very strong intention from the Harper government to be able to say yes to these projects.
12	So by the time we go from Northern Gateway to Kinder Morgan, we see an incredible change in the process that is geared towards expediting review and saying yes to Kinder Morgan.
12	If you're going to scope it narrowly, then you've already started to pre-determine your results. It's not scientific. It starts to become very political and self-serving.
12	When it serves them to look at the whole system, to support their financial feasibility, they are given permission by the NEB to do that. But when we as Intervenors come in and say “Well if you're going to look at the whole financial capacity of the entire system, then you have to look at the risks of the entire system.” And the Board says no. It's not just that they've limited the scope. It's not just that they won't let any of us comment on that scope. It's also that they have created an un-level playing field when it comes to changing those rules for the benefit of Kinder Morgan. So when Kinder Morgan wants to look at the entire system because toll rates for every barrel shipped will go up if this expansion happens, and the board says fine we'll take in every barrel shipped on both pipelines, and we'll look at that and say yes you're financially feasible. But when we say if there's an earthquake and the new pipeline

	erupts, it could cause the old pipeline to also erupt, and now you've got all these barrels into the Fraser River; they won't look at that.
12	we've got to remember that the National Energy Board is a quasi-judicial body, independent from government and industry (it's not, but it's supposed to be), there on behalf of the public interest. Like a judiciary. It's supposed to be fair and objective.
12	The facts show that Kinder Morgan did not answer the questions well, and they refused to answer many of them. And the board did not compel them to do so.
12	When I said the game is rigged – in my letter and publically – it wasn't because I believe the panel sat down and said “We know what outcome we want, let's just go through this tedious process and get it over with, then we'll say what we've always been meaning to say.” No, I don't believe that's true. When I say the game is rigged, what I'm saying is: the way the process has been structured is such that you can only come to one conclusion. It's rigging the experiment. It's not a conspiratorial “This is the answer we want, we know that.” It's “If we set the game up to be played this way, then we will get a result that supports what we'd like to see.” There's a huge distinction.
12	I go to the NEB and say “They won't answer these questions. You've said we can file motions trying to compel them to, as a part of the process. So I'm going to you, NEB, as the referee. This is a huge issue, make them answer the questions.” And the Board said they don't have to answer them.
12	I had not been treated with the same respect, in the hearing, as Kinder Morgan's economic experts are. I know that. I know that based on the decisions the board has made. When I have to fight to be heard, when all Kinder Morgan's experts have to do is start speaking, that is a violation of my right.
12	There's a culture in the NEB that adopts what C-51 is saying as conventional wisdom. When conventional wisdom is so unfairly balanced towards the interests of a handful of multi-national oil companies– when that happens, that's a violation of my right to reasonable discourse.
13	The NEB did want to do some negotiating. Like, if I dropped my complaint they would give me some more stuff. I said, “No, I think I'm going to leave it to the experts to decide what I am entitled to from you people.”
13	Regrettably the National Energy Board panel did not support us. They agreed with Trans Mountain. They didn't compel them to answer us.
13	I think that the NEB has been too permissive with Trans Mountain, when it comes to Trans Mountain meeting directly affected people, and/or stakeholder groups.
13	For instance: the three panel members are all energy industry people. There's nobody on that panel that represents environmental interests, or environmental expertise. There was, but they stepped down. I don't know how many people there

	are on the National Energy Board, but it doesn't appear that there are any with environmental expertise. That leads to bias, right there.
13	We've asked the NEB when the Chair knew about the Kelly appointment. We've asked the panel when they knew about the Kelly appointment. We're asking Trans Mountain when they knew that Kelly was being considered. I've read City of Burnaby's— and that word “tainted” is definitely the term I would use.
14	But the changes that have happened to the NEB process after Enbridge are pretty— from my side of the table, it's hard not to speculate that they're trying to tip the table. Tip the scale over to one side.
16	The fact that every pipeline the National Energy Board reviews is approved gives you some reasonable doubt that they're actually having an exhaustive review process, where they actually could say “Oh, my goodness, this <i>isn't</i> in the best interest of Canada.” The whole National Energy Board program is designed to approve industrial projects.
16	We have oil industry insiders working on this regulating body to approve their own projects. It's definitely, the NEB needs a serious overhaul.
16	We give the power to a regulator to oversee projects and make sure they're done in a responsible manner; yet they're all industry insiders. They approve every application that they get.

Appendix E: Overview of all segments coded for ‘Citizen engagement’

Respondent	Segment
01	a mock funeral procession up the hill. [Identifying information], walked up the hill wearing black. We had black tears painted on our faces and we all had signs that said “No tanks” and walked in. We had probably 40 to 45 people, children included. It was a silent protest. We didn’t say anything. We stood around the perimeter of the room. We all filed in just before they were to speak. We had one person that was actually in the room that got to speak during public speaking time, right before the event happened. She actually stated what we were about and that we would be coming in and what we were there for, and what our view was.
01	We’ve had Save the Salish Sea parades where a whole bunch of parents wanted their kids to be part of it. They all dressed as sea otters, and all different creatures, and some of them acted out– there was two “tankers”, we had made two big tankers out of cardboard, and we dragged black crepe paper, and they were all getting “tangled up” in the black crepe paper, all these lovely little sea creatures [laughs].
01	more rallies and different events in [Identifying information], over the years, for climate days
01	And we’ve had some movie nights, and different events, farmer’s market stands for Dogwood Initiative, we’ve done some fundraising for them.
01	So I went around and I spoke to a lot of my friends and a lot of islanders at different events, and I put together a petition.
01	People ask me about it. People are informed about it because I talk about it. I think had I not gone through the process of doing this, I think [identifying information] would be much less... aware.
01	Umm, I vote. I speak to people and I talk about the different things that come up as... things that will affect myself and my community, I speak about them, I talk about them. I get involved in the arts, I get involved in... a little bit in politics; I am part of the Elizabeth May team here on the island. And I get involved with families in the community, and I work at the school as a Strong Start representative, so I help give families a strong start on the island. So, as engaged as I can be, I think I am.
01	I think you could see that with the Burnaby Mountain protests. They really had to be radical to get any airtime across Canada. They really had to do pretty intense things like, you know... get arrested. Normal, nice, normal people getting arrested. That kind of thing.
01	But it engaged a lot of communications, there was a lot of people talking about it, because they were all at the party while I was watching it, and then two other people showed up who’d also stayed home to watch it, and showed up. And all of a sudden

	it was a big communication, and everybody was downloading the Maclean's thing onto their phones so that they could see it later... It was good, 'cause as soon as you talk about it, it engages people. So people were going to go home and watch it, which was really interesting to see. And had we not shown up and talked about it, they probably wouldn't have, or they might have seen a clip on the CBC about it, and that's it. Now it was on their phones, downloaded it and were going to watch it. So I think just being engaged yourself is going to filter out and engage other people.
02	I have a number of colleagues, for example, who were involved with a protest on Burnaby Mountain last winter that was related to Kinder Morgan's pipeline expansion proposal. There have been other protests staged down at the Fraser-Surrey docks related to the import of US coal for shipment through the port.
03	I was at a demonstration in Victoria, and this had to do with a different pipeline: the Northern Gateway pipeline, and the issue of tanker traffic on the BC coast.
03	So I ended up being very vulnerable to signing a petition while I was there. About the petition— I don't even know which government it was going to, it was either going to the provincial or the federal government. I didn't have a lot of confidence it was going to do anything, for either government,
03	But I had this idea that I was going to also make it into a letter to the newspaper, and if I heard nothing back, that would be mentioned too in that letter. Just the idea that here was an information session, these are the questions that were left unanswered, no response to my feedback, maybe there's something to worry about here, kind of thing.
03	And of course the same process was at work with the Simon Fraser demonstrations, up on the hill. You're familiar with those.
03	Citizenship means... making it clear what you're expecting from the government, being vigilant, and scrutinizing the government's actions, and objecting when the government isn't doing what was expected, and... it's an ongoing job now.
04	As you've heard probably over and over again, I said look, if they approve this I'll stand in front of the bulldozers. Ultimately that statement is about how strongly I feel, and how strongly my community feels, about the principles. If eventually civil disobedience is the only way to carry this message forward, then eventually it will be— because I do not believe that the process has been a fair one.
05	To non-violently prevent this company from doing damage to the local environment, and to continue to raise awareness in the media and to the general public,
05	The Kinder Morgan people did show up and try to go into the site to work, and people were there and stood in their way.
05	For several days after that, groups of people would come and be symbolically arrested, ultimately. They would cross the line, the perimeter that had been set up by

	the RCMP, knowing that would result in their arrest, for breaking the injunction. So ultimately over 100 people were arrested.
05	Another reason maybe they were fleeing that day, why this was such a moving day, was that several indigenous leaders had announced publicly in the media, that they were going to come that day, they were going to do a presentation and step across the line and be symbolically arrested.
05	<p>So it was quite a procession of probably 100 people, winding down through this forest, being led by these elders who had to be helped to navigate this muddy, slippery trail. They were quite exhausted, it was quite an ordeal. But as I said, incredibly powerful.</p> <p>They came down, they crossed the line and were arrested. They were released shortly thereafter, they weren't actually booked or taken into the police station. They were "temporarily detained" I guess, when it comes down to it.</p>
05	If they start building a pipeline, I have no doubt there will be people who would yet again come out and try to block it, and get arrested for illegally doing so. All that's still in the future.
05	<p>And then we found each other, started having conversations with people that are simply meeting in a space because we're all drawn to that same issue, or crisis, and going "Here we are, we're a bunch of people, what can we do?" And it quickly snowballs into something, where you go "Well we can create a Facebook page to stay in touch with each other. What we should do is have people out here all the time, keeping an eye out for them in case they come back. And if they come back we can get the word out to people, saying Hey Kinder Morgan's here in the park. They're doing work, they're cutting down trees, digging up the ground, whatever they might be doing— and people should come out and either bear witness and just be a presence, to show a lack of support and consent for this.</p> <p>As things went along, and we looked like we had numbers of people that were concerned— very concerned, very committed to not allowing this to happen— then you start having questions about civil disobedience. Do we actually try and block them, and stand in their way, and prevent this from happening physically?</p>
05	We were here that day with a lot of people, and my job that day was speaking to the media. I was the "spokesperson" for the loose group around the mountain, so I spent the whole day talking to media, 'cause every single media outlet there is was there [laughs]. It was hours and hours and hours of interview after interview after interview.
05	I would lean more towards direct, participatory, democratic ways of responding to these things. Community-based ways of responding, rather than legislative, those kind of processes like the NEB is.
05	My reactions is not necessarily to double-down on the existing system, with its regulations and its boards and its processes, but to get outside them. To organize

	<p>directly at a grassroots level with people that are in communities being directly affected by whatever the bigger issue is. That's exactly what we did in Burnaby: local residents, local indigenous nations, people that live and work here on the mountain at the university, simply coming together and going "What can we do about this?" And then trying to do something.</p>
05	<p>But, on the other hand, we did slow and cut short their work, and I think that the movement here really raised the issue to a certain level of profile in the public consciousness. A lot more people are engaged with it and are aware of it, and are thinking critically about it. Polls show that the majority of people in BC don't think it's a good idea—the numbers go up the closer you get to Vancouver, Burnaby—the vast majority don't think it's a good idea.</p> <p>So all that's good, and all that is something that the organization here on the mountain, and things that happened last fall helped with.</p>
05	<p>If you know that's going on, and meanwhile this company's trying to go ahead and do it anyway, you go "Well [scoff]... Hold on a second! They should wait 'til that process finishes! Let's stand in their way and <i>make them wait</i> until a court decides."</p>
05	<p>We assembled in public space, and we used our freedom of speech to make public comments, which involved the press and the media.</p> <p>So the question we're asking is: What's so controversial about democracy? Is it already accepted that people have freedom of assembly and freedom of speech? Theoretically that's all we did.</p> <p>Also if you look at the court case, the kinds of evidence that Kinder Morgan used—that's all we did, again. The only evidence they have is that we were in certain spaces (public park), and that we said certain things that were quoted in the media, or published online, or in newspapers, that sort of thing.</p>
05	<p>But I would also love it if there were monthly meetings where I could meet with my local representatives and hash it out with them, and then they can go back and do the job.</p>
05	<p>This this is happening between me and my work. So I can literally just stop, get out, stand there. Talk to some people. Oh, there's a camera and a microphone, I'll talk to them for a minute. That's all I was doing.</p>
05	<p>We're being nudged and pushed that way because there are engaged citizens who push the issue, protest, do civil disobedience, talk to the media.</p>
05	<p>Sometimes we think "Well I vote, so I'm an engaged democratic citizen." Okay, once every four years you watched a few TV commercials, maybe read a few newspaper articles, made up your mind, and then on Monday afternoon after work you whipped by the local elementary school and voted. Well, I'm glad you did [chuckles], but if that's all democracy is then, again, I think we're in trouble.</p>

	<p>I think a democracy – if it’s going to really mean something and actually be good for us all – then I think it involves a little more effort than that. Sometimes it involves being uncomfortable, even a teeny bit confrontational as long as you can do that in a respectful way. I think you can be confrontational and yet respectful. You roll up your sleeves and get your hands dirty. That’s part of what has to go on, I think.</p> <p>I actually do think that a healthy democracy, with healthily engaged citizens, involves citizens who protest and demonstrate and sometimes perform civil disobedience that actually breaks the law and gets them arrested. I think that’s necessary for the system to work in a healthy and robust way. If we’re too worried about the uncomfortable stuff, then we’re not doing so well.</p>
05	<p>Sometimes maybe we need to do more than simply invest our energies in these basic democratic concepts that don’t always work. Maybe sometimes we have to do these things that may be seen as “controversial” and a little more confrontational. I.e. what some would call direct action or civil disobedience. When we’re stepping outside of what we see as the normal boundaries or the “comfort zone” of democracy, and people are taking things into their own hands to make sure that their views and wishes are heard, and as much as possible respected.</p>
05	<p>Because then we’re actually participating. Right now what happens is we whip by the elementary school once every three or four years and vote. Then in the meantime, all we really get to do is read the newspaper and go [Frustrated] “Jerks. Look what they did now.” [Laughs] Maybe we’ll write a letter, I don’t know. But most wouldn’t even do that. We’re not very engaged at all.</p>
05	<p>So how do we get to a more robust system? We do have to get out there and push back at it. We have to push because it’s not responding otherwise. We have to give it a sense of “Oooh. We might lose. We might fall below our 24% because there’s a lot of people pushing back at us.”</p>
05	<p>But even leaving that aside, if we had a system in which our participation in it – our meaning Joe Everybody, Jane Everybody – was a little more broadly distributed and spread around, it would be a healthier democracy. It wouldn’t look like what we have right now, but it would be quite healthy in terms of: it would depend upon a much more engaged participatory public.</p>
05	<p>But there are models in the world; there’s been things attempted to enable more engagement and participation. Countries where there’s actually more paid leave, for instance. What if there was a “flex day” once a month? Every Friday was [mock-excited] “local political meeting day” and you got that day off work, but you had to go– You know like teachers who get a professional development day once a month. Where they can do the other important part of their job, which isn’t just to teach your kids, but to actually make sure they’re better teachers by training, sharing ideas, more time for prep, blablabla.</p> <p>What if that was a model we spread around our whole society in terms of how we are as engaged citizens? One Friday a month people get an engagement day! Weeeew!</p>

	<p>Could be fun, right? But for a few hours you're expected, as a citizen in your local constituency, to go participate in discussions about pressing issues. I would love that world.</p>
05	<p>If you're an engaged person it can make other people feel guilty and bad that they aren't being engaged. Which is a terrible takeaway. It shouldn't be about that. It's not about anyone doing anything better than anyone else is. But you do get that reaction. You can tell. You talk to people and there's an awkwardness and embarrassment to the conversation. They're like "I feel guilty that I didn't do that, let's not talk about it. Move along"</p>
05	<p>For instance SFU has that as part of its "advertising" for itself. It calls itself "The Engaged University" and its slogan is "Engaging the World". That's kind of a buzzword right now. Sometimes I see that... not meaning a lot. You can convince yourself you're engaging the world because you attended a lecture. It was a super interesting lecture about big ideas, and you told some friends about the lecture, so you felt like you've helped get more people there and spread the word a bit.</p> <p>Is that engagement? I mean, it's important to do that.</p>
05	<p>I guess I would consider myself an engaged citizen to the degree that I think people need to do a little more than we think we can usually get away with. We have to get our hands dirty sometimes. Roll up our sleeves. It's not always easy or comfortable.</p>
05	<p>This becomes interesting too because there's that whole level of public debate, that democracy supposedly enshrines and is all about, that occurs when there is an election happening. Anyone can supposedly run for office; and in running for office you're supposed to use your words in debate and in dialogue, to try and get ideas across and convince people to vote for you.</p> <p>Again, how is that different than what we did? Neither of us was running for public office, but we were still doing those same things in a public park on Burnaby Mountain.</p>
06	<p>[Identifying information] It was not a fundraiser, and it was not a "preaching to the choir" event. We invited neighbours, family, friends – many of them we know are not Green Party supporters – to give them a chance to meet Fran and listen to what the Green Party has to say about politics, and the future of Canada, and our society in general.</p>
06	<p>I'm very supportive of the Green Party, but I'm also involved in campaigns that are trying to inspire people to vote. [Emphasis] Just to get them out there to vote. The demographic that statistically stays away from the polls the most is the young people. They are the ones who have got the most to lose by business as usual, and they're also the ones if they do go to the polls are most likely not to support the Conservatives. So I'm involved in campaigns that are just to get the vote out.</p>
07	<p>It started probably three or four years ago when I got involved in a local group that started up, that we call "Save Our Shores". It's a group of people who– One woman</p>

	<p>who had been an activist all her life concerned about the Northern Gateway pipeline, called a public meeting to say anybody want to get together talk about this issue, this pipeline and what it would mean for us on the coast.</p>
07	<p>I went to this meeting, and out of that meeting a group of us formed: this group that we now call Save Our Shores. And we've done a zillion things over the last three years. It's all been about trying to protect the coastline from pipelines, tankers, oil spills,</p>
07	<p>In the meantime we were doing all kinds of stuff as a group: protests and rallies, we went to Burnaby Mountain. I did a lot of writing for magazines and blogs. We participated in the election, got all kinds of people involved in knowing what the facts were. We did factsheets, and we'd sit at the mall every Saturday, have people come and talk to us about it. We were everywhere.</p>
07	<p>I had written several articles and blogs and stuff that had been published around the topic. That's a different kind of public record. Maybe that's enough.</p>
07	<p>I can't remember how many days the Burnaby Mountain protest went on, but people were up there, staying overnight for a long time. Lots of First Nations people. People were getting arrested every day.</p> <p>So I went over there just for the day– maybe 5 or 6 of us from here that went. One thing is, you're on Burnaby Mountain. It's magic. You hike up the mountain, you get to the top where they're drilling. It's like... it's almost like... it's hard to believe. From another world. That they would have these gigantic machines up there drilling into the earth, and lines of cops everywhere. It's all cordoned off with cops. It's in the wilderness, it's not like downtown Vancouver. It's in the wilderness you have all these cops.</p> <p>We went, and we didn't do anything. We stayed outside the cordoned off area. Five other people that I know did go through the cordoned off area, including a friend of mine [identifying information]. She got arrested.</p>
07	<p>What the hell happened to us, as a country? And what can I do about it?</p> <p>I help Sheila Malcolmson with her campaign– Not that I'm particularly NDP.</p>
07	<p>I'm starting to feel like, you know what, the young people are here. They do get it, they just do it differently. They don't want to sit in meetings and talk about stuff, they go out and do things.</p>
07	<p>If people would just wake up. And vote. Voting would be good.</p>
07	<p>And other people were like... I'm not playing. I'm not going to play. I'm going to attack this in a different way. I'm going to go outside the system doing other things: politically, protesting, whatever. But I'm not going to play this stupid NEB game.</p>

07	<p>I write for Bird Canada, and when I'm writing a political piece, or an environmental piece, I think– Most people are not even going to read this, it's for birders. But if it's written the right way then the American Birding Association will pick it up. I think they've picked up 5-6 of my articles. They've got over ten thousand members that it goes out to, and they're all over North America, so I get a lot of feedback.</p> <p>So that's something. I can take my one little talent as a writer, write something, and it doesn't just stay here...</p>
07	<p>Here [identifying information] we have this really unique situation. People do participate a lot in everything. You can't get away with anything here, there's hell to pay. Very few people – well maybe lots of people sit back, I don't know – but enough don't sit back. It always surprises me when in the city, nobody seems to even notice that this issue is– you become inured to your surroundings.</p> <p>Waking up would be paying attention, and starting to act.</p>
07	<p>that example is interesting, because nothing actually happened. People got arrested, by choice. But there was no violence. Nobody acted out. So the mainstream media didn't really have a lot to work with. As soon as somebody pushes or shoves, and the police shove back, then it's easier to label concerned citizens as “eco-terrorists” or “environmental radicals.”</p>
07	<p>But also I think waking up– what would change is that people would start to participate more again, start to feel more pride in their country again. [Pause]</p> <p>[Crying, laughing] I had no idea I was so emotional about this. That would make people participate again. We'd have a <i>participatory</i> democracy. Which we don't anymore.</p>
08	<p>People give up on the system. People stop participating. And in the worst case scenarios, they end up doing stupid things to become noticed.</p>
09	<p>I'm learning to have more answers; more informed and more well-rounded answers to more problematic questions, and conversations. I vote.</p>
09	<p>We had a bill C-51 protest in Vernon a couple months ago. My professor from school was there, my politics professor. It was really great. Things like that make you feel more engaged. But if no one's being heard, then it doesn't really feel like you're engaging in much, you know what I mean? If there's no representative from the government, or authority... how can our voices be heard? They can just be like “Oh, yeah, they're doing another protest. Great.” So I don't know if that's being engaged, but I try to be as engaged as possible.</p>
10	<p>Since then, in 1990 I worked with Earth Day. Earth Day 1990 Canada was run from Victoria. I was quite involved with that group for a number of months. I started working on a publication which was going to be a green guide for Victoria, with a group of volunteers.</p>

10	<p>Admittedly, I may sign most of the petitions because I agree with most of their causes, but I don't finance all of them, and I don't get involved with all of them beyond that. With Amnesty, I might write a personal letter rather than just sign their pledge or their petition, especially if it's an area of the world I know. But most of them I just sign their petitions, if I agree with the concept.</p> <p>I also will often look at their links, and read. Before signing any petition I usually read the links. Not all of them, but at least some of them, to make sure that they've interpreted things correctly, or that they're not spinning it.</p>
10	<p>Then I got notices, again from Dogwood Initiative, saying "we're trying to get more people involved in this, and because the process is much more complex this time, we will help to step you through how to become an Intervenor or a Commenter.</p>
10	<p>I should mention, even back in my mid-teens I started getting involved politically, with the presidential elections. I had a relative who was a senator, so I worked on his campaign. I sort of got bitten by the bug. My relative – I was 13 when he was running – and I would go around, went to parking lots handing out leaflets, putting things under car windshield wipers and so forth.</p> <p>That sort of stuck with me. After that, I got bitten. I worked on all the major democratic campaigns in the United States from that point on. They all lost of course. It was like McGovern, Muskie, McCarthy... none of them won [laughs]. It was extremely disappointing. But I still felt it was important to be part of this process. Even as a young person I was very–</p> <p>of course, there was the Vietnam War going on. I forgot to mention, in my freshman year, I was going to school in the middle of the United States, and a bunch of us got together, piled into a VW bug, and went to Washington DC for the anti-war protests, like 3 weekends in a row. Even though it took about 5 hours to drive there. Of course, the carbon footprint wasn't too good, but it was a VW [laughs] a little bug. It was horribly tight. We'd go for the weekend for 2-3 days, just to be part of the solidarity of young people. We were all potentially vulnerable for the draft at that point. We were all against what was going on in Vietnam. We felt it was important to be there.</p> <p>Those were the largest protests probably ever in the history of the United States. All the major singers were there: Joan Baez, Joni Mitchell, you name it. It was like Woodstock. They all sang from the Washington monument, or the Lincoln Memorial. It was just... the place to be, in terms of being a number– they had to take aerial photographs there were so many people. They couldn't even get proper counts.</p>
11	<p>I'd given that talk many, many times to people, to students, schools, etc. Invariably you get an answer that they're all the same, there's no one to vote for... and I would respond "Well do it yourself. Run yourself, or find someone to do it." And I felt I can only do that so many times before I take a look in the mirror and say, you're a bit of a hypocrite.</p>

11	I could study this in the university, and say “we’re doing this, that and the other”. Or I could get involved in politics and try to be part of the change, to ensure that we do try to move in a different direction.
11	<p>I’d say the most important thing you can do in our democracy to facilitate change, is to get engaged in our democratic systems, and vote. Particularly the youth should vote because only 30-40% of youth vote in any given election, and between 70 and 80% of people over the age of 65 vote.</p> <p>So those who are voting end up electing people– neither those who are voting nor the people who are elected in have to live the consequences being made, yet those who have to live the consequences are not participating in our democratic institutions.</p>
11	<p>You don’t have any credibility in your voice of complaint if you don’t actually vote. You’ve only got yourself to blame if you don’t vote. Complaining on the sideline is not voting. You got what you deserve.</p> <p>If you want to change the system, you can fight from the outside– I’m not a big protest guy. I’d rather change it from the inside. The way to change it– if 70% of youth voted, as seniors do, they could put whoever they wanted in government. They could put the Green Party in, they could put the Rhinoceros party in, they could the NDP in. Pick it, they could put ‘em all in. But they don’t vote.</p> <p>We have a university here. In the election before mine, the liberal candidate won by 500 votes. There’s like 20,000 students up there. 30% voting? They got what they deserved. I guess you abdicate your right to complain, in my view. You can still complain, but nobody really should listen to you. If you’re not willing to actually participate in our [emphasis] fundamental democratic institutions, which is to vote. People died to give us the right to vote. This is a hard-earned right. If you don’t take it seriously enough to participate in that, I don’t want to listen to you. I’ll fight for you if you’ve actually had your say. But if you’re just going to complain on the sidelines, that’s not helpful.</p> <p>To me, getting youth to vote is my #1 goal. And we were successful at that in 2013. We had a 70% turnout in this riding. It was the highest in the province.</p>
11	I do not condone civil disobedience. I’m a believer in, if you don’t like the rules go and change it. But make your voice be heard. You can make it be heard through writing, through media, through protests, whatever. You make your voice be heard. Let the political leaders know what you think. Don’t sit back.
11	I know what’s going on because I read a lot, and I listen to the news, and I’m on email and I’m on Twitter
11	The single most important thing you can do, then, is to find a person in an election – whether it be municipal, student body, university governance, provincial, federal – find people, elect people, and vote for people who believe that intergenerational equity is a critical value issue that needs to be dealt with. Who is able to make the

	<p>hard decisions that need to be made, and is not only thinking about what I can do to get re-elected in 4 years.</p> <p>Invariably, 30-40% of youth vote. 60-70% of seniors vote. The youth are not voting. Yet they're the ones who have to live the consequences of the decisions being made by the people who are elected by a demographic that doesn't have to live with those consequences. So I would say to youth in these talks: you've got to vote if you care about this issue. And they go, bemoaning, "Oh there's no one to vote for". I would say, find someone, encourage someone, or run yourself.</p>
11	<p>You don't even go into an environmental assessment process unless you've gone into the communities and actually engaged people with an idea. Talk to them, and talk to them, and talk to them. Get them to be your strongest advocates. If people who live in the area of a development are advocating for you, away you go.</p> <p>It's just like subdivisions here in Victoria. If you want to build a 3-storey building in a community, you don't go and just do it. What you do is go to all the neighbours and say "I'm thinking of doing this, what do you think? What do you think?" You bring them along. Bottom up, as opposed to top-down.</p>
11	<p>Rather than just complain on the outside – which is what so many people do – I felt it was time to put up or shut up, to be crass. So I ran. You can sit on the outside and shriek "we need to deal with this" – don't get me wrong, it's really important that people do that. But you can't have everyone doing that, because ultimately you've got to have people inside who listen.</p>
11	<p>If you have not engaged people who actually have to live in the area of your proposed development, first and foremost, and got them on side, then there's no point wasting everyone's time in moving forward. It'll be stuck up in the courts forever.</p>
12	<p>When I left in May, I continued to read the filings. I continued to follow what was being done at the hearings. I continued to write opinion pieces, for example. The question of whether or not Kinder Morgan's expansion is wanted and needed, I've been continuing to research and write about. I'm just not doing it by filing things on the NEB site. I file it as an opinion piece. I'm continuing to watch how the process unfolds, and when I observe situations that are not consistent with the facts, then I write about them.</p>
12	<p>I've been doing things like writing to the Canada Pension Plan investment board. I've been doing things like writing to the BC government pension plan. I've been doing things like writing to different parties saying "are you aware of what's happening?" as a way to try to get an awareness of what's going on.</p>
13	<p>I'm a person that keeps an eye on what my local government is doing. I quite often go to the agenda and read what's on the agenda.</p>

13	I was uneasy about that. I didn't think it was a good idea. I expressed my concern on Facebook, and another person who's concerned about the environment agreed. So I started to look into diluted bitumen.
13	And we were really busy. We went to every single public information session that Kinder Morgan had, and we would challenge their assertions or their promises if we felt they needed to be challenged. We went and tabled at community events. In the fall of that year, we went to the big rally in Victoria: "Save Our Coast". I spoke at that rally on behalf of PIPE UP.
13	We also worked with ForestEthics Advocacy, at encouraging directly affected people in the Fraser Valley to apply to be Intervenors, or write Letters of Comment. We did that quite a bit.
13	<p>But of course, we, all along, have been sharing information with our communities. We've been going to different events, like the Tsleil-Waututh summer gathering, we've had tables at BROKE events, we've been to different rallies, we've held our own Town Halls and I've spoken at a couple of those.</p> <p>Lately– are you familiar with the documentary "Directly Affected"? <u>Leah</u>: I've heard of it but I haven't seen it. <u>Respondent</u>: Some of our people are in it, actually. We've had two screenings. PIPE UP has partnered with different groups: Raincoast and SFU350 to screen the events. We screened them earlier this year at UFE [?] and at SFU Surrey Campus, and I was on the panel for both of those.</p> <p>We've also made delegations. We made a delegation in May of 2014 to the City of Surrey Environmental Advisory Committee, and we did a follow-up letter. We asked the City of Surrey to not support the application, and they agreed with us. The City of Surrey said no, we don't support it because of environmental reasons. That was really big for us, because at the outset the chair of that committee – who was a councillor – agreed with the expansion. So that was really big for us to get that.</p> <p>I made a delegation late 2014 to the City of Abbotsford. They seemed to be leaning towards supporting it. Their former mayor definitely; I think their current mayor not so much. We wanted them to at least take a neutral stance. That pipeline – the old pipeline – has leaked 80 times; three of those times in Abbotsford. And the spill in 2012 took Kinder Morgan six hours to shut it down – three alarms at their control centre in Edmonton. So we just wanted to remind council about that, and say "We'd really like you to take a neutral stance on it."</p> <p>Other reps from PIPE UP have made a delegation to the Township of Langley. Most recently, some of the Chilliwack people convinced the City of Chilliwack that they shouldn't accept an \$800,000 benefit from Trans Mountain.</p> <p>So we've been doing things outside of the hearing as well.</p>
14	So we had 1500 people we were kind of "responsible for" to make sure they had everything they needed, that they showed up on time, that kind of thing. We ran

	subsequent workshops and webinars on how to give your “10 minutes” to the National Energy Board.
14	So in the Kelowna hearings, [identifying information] put on a workshop for community organizers, where we talked about storytelling... tactics [laughs] you know like theory of change, and creative– basically like a sign-making thing, because there was a rally the next day.
14	I think my personal role is just to do whatever I can to engage in it. With my friends, my family, my neighbours. Have those conversations with other people in my life that have an impact. I think my role as a person, and as a leader within this organization is actually the same. It’s just about enabling myself and the people around me, and other folks, to engage.
14	We had a plan to support the Intervenors by being outside and doing a “cheering squad” basically. Rolling out the red carpet for them, have pom-poms, do cheers, play music when they come up – just make them feel like “You’re a rock star for doing this. <i>Thank you.</i> ” We had this whole plan to help other people engage in that way. [Laughing] But now we can’t!
14	Did you see– a little while ago a report came out from Samara. (It’s this organization mostly based in Ontario). They did this report about how young people engage in the world. They found that in almost every democratic tactic – every avenue for change-making – that young people are actually engaging more than older generations. In every single avenue, except for voting. Which was really fascinating to me.
14	Democracy is not a simple thing that you just– you definitely don’t just go march in and vote every 4 years and march out. That’s what people have been doing, and it’s [laughing] kind of failing us.
14	There was a little rally planned for afterwards, and panel discussions. The local community was organizing around these hearings and encouraging people to go in, and we were encouraging people to witness. [Table thump for emphasis] Because that’s the real power of something like that: to be able to show a community <i>itself</i> , and allow people the opportunity to hear other people’s stories and connect with those stories, and build a sense of... connectedness. [Amused] That’s like “Community Organizing 101”. That is so powerful for democratic organizing.
14	I think that we are finding creative ways to initiate change; despite that fog, and despite that sense of brokenness in the direct democratic processes. Which is why I think the citizens’ initiative strategy that we started a year and a half / two years ago, was really enticing; especially to a lot of the younger people. Because it is a way to move legislation, and to have an impact, outside of the traditional voting system. That form of direct democracy is appealing for a lot of British Columbians. I think that we’re looking for other ways to engage, rather than go through the fog.

15	I appreciate that these elected officials may ignore what I have to say, and the only way that I'll get them to do what I want, is that I can recruit my friends to lie down in front of their houses and their condos, so they have to drive over us to go where they want. We can physically organize whatever opposition – so that when they try to build a condo where we actually need social housing, the bulldozers can't get through. It worked in Kitsilano in the 1970's to stop it from turning into a "West End". It can happen again. It's about public representation that actually has a mass, non-violent, civil disobedience aspect.
15	I saw, a year later, people physically trying to get in front of the Kinder Morgan crews trying to mess around on Burnaby Mountain. People were willing to be stopped. And Kinder Morgan being so aggressive that when they convinced police to arrest protesters, and tried to place them in serious legal duress – they failed. The court let all these people go, dropped all their charges. These people have arrest records which could be a problem in their future – but [Kinder Morgan] lost. That to me was brilliant.
15	<p>Members of the Unist'ot'en Nation are still trying to blockade– this is something that's unrelated to Kinder Morgan; it's Trans Canada they're fighting. They've been there for years. That group represents the real struggle. It's one thing for people to come to a public meeting, to apply to go to a public meeting, or to go to an urban centre and stand in front of trees, be arrested, and get to go home. It's another thing for people to go into remote parts of British Columbia and do the exact same blockading that the Unist'ot'ens have done, for months and <i>years</i>.</p> <p>Our government is probably thinking "How many cappuccino machines are these hipsters going to need to keep themselves there? How many crowd funding sites are they going to have to make?" They're <i>chuckling</i>. They're thinking "We have all this ruckus, and yeah eventually we have to have an election. But unless people are actually ready to <i>physically organize</i> in their communities, to make it hard for 'business as usual' to continue, we are going to do what we want."</p>
15	It doesn't take a lot – solidarity, love, practicality – to have a blockade, to have a strike, to have a non-violent (or sometimes violent) organized opposition and resistance that's effective. It does take resources, but sometimes those resources are simply: "We have some stuff. We can give you some stuff. Can you give us some stuff later?"
15	I look at these public processes as a kind of reformism. I'm a revolutionary. I see that this is an opportunity to recruit people. If I had more time, I would be at one of these meetings, saying:
15	I'm aware that there have been people blockading Keystone XL in some places. They haven't had the– well I won't say the success, but they haven't had the consistency or the resilience of Unist'ot'en, because these people have not thought about the long game.

15	<u>Leah</u> : You talked several times about the importance of non-violent civil disobedience: blockades, strikes, resistance– <u>Respondent</u> : <i>Mass</i> non-violent– <i>Mass</i> . Not individual. Not token. Sustained movements. Sustained campaigns. <u>Leah</u> : Why do you think those are so important? <u>Respondent</u> : Because they work. Because they work.
15	Those generations lost credence, as now the way forward was no longer struggle on the ground; but now in bureaucratic and parliamentary venues, arguing for further extensions of beneficial and progressive legislation.
15	I don't, because I'm not out enough with other people. Most people would consider me to be highly engaged, in terms of being aware. But they would also note that it's unlikely that they would see me out at a lot of meetings.
15	They were able to go and literally knock on people's doors and tell people – relate one-to-one in effective communication – “This is your interest. You need to join us. Maybe you'll be a member of the party. Maybe you'll be a supporter. Maybe you'll just be on a strike committee.”
15	So over 20 years I've tried to keep a little meeting for political sanity going with a couple of people. That's really talking to a tiny number. Maybe there's one or two people I meet a month, through this. It's not terribly engaged, but it's what I can do.
15	The efforts to get all the things we have in Canada, that are institutions, did not come out of some benevolent dictator's forehead. These came out of people organizing.
15	So these things that we believe are the gift of the 1% – no. All this stuff comes out of mass mobilization and activity, that's usually non-violent. Because a) sometimes it's hard to get the weapons, and b) [emphasis] because it's counter-productive. So much of what you do in the world is <i>not wrecking</i> stuff. You have to build. Building means you find the stuff, and if people don't let you have it then you don't let people have their stuff. It works. For all things.
15	The people who we're fighting don't have that example anymore. Of – in their neighbourhoods – people fighting hard to keep what they have, and translating that into political pressure to keep people honest.
15	If people don't let the questions come, and deal with their internal beliefs, then they're not really going to engage as a citizen. They're going to be doing it ham-fisted. They're going to be doing it improperly.
16	That being said, we did encourage people to be part of the process, and our volunteer coordinators here have been busy helping people log on and go through the complex application process. Which can also take up a lot of time, just for somebody to appear. To write a letter. It's very difficult. For some people, frankly they're bewildered by the whole– So we have people who have gone through the application process and can help steer members of the public through. And volunteers.

	So we do encourage people to make their voices heard
16	Because I stay informed. I give my opinion freely. I engage in discussion. I attend public meetings. I will join a rally if it's for a cause that I believe in. I am active in the community, to let people know what I think and why they should listen to my point of view.
16	We are an active organization. We do sometimes break the law in minor ways. Like trespass.
16	Greenpeace has never been involved in any kind of terrorism. It's nonsense to think that we are in any way advocating violent action. But the government seems to think that if you are opposed – like if you are standing in the way of a bulldozer while it's trying to make a pipeline right-of-way – that you are the same as a terrorist.
17	For the last four years we've had a Salish Sea summer series of concerts. Although this summer we postponed it 'til the fall – it was just yesterday – because of the World Rivers Day, and the celebration of Fin Donnelly swimming the Fraser River a few times. They helped us host a swim from across the inlet, as close to the terminal as they could get. I think it was Reed Point, or Rocky Point, or something. We had four young women swim across the inlet. We had ocean-going canoes that had paddled. It was pretty incredible. [Identifying information] But for the past four years we've had amazing concerts where folks could come and learn about us, and learn about the allies that we have.
17	Our Chief, Maureen Thomas, and Council had signed the International Peace Treaty to Protect the Sacred from Tar Sands Projects. Tsleil-Waututh is also trying to build up a Treaty called Protect the Salish Sea.

Appendix F: Overview of all segments coded as ‘Rights / Responsibilities’

Respondent	Segment
01	So all of these things... it’s so important to me that when you get a chance, you have to take that chance, you have to speak out. And if you hear about it in time to sign up, then you have to sign up. It’s your civic duty, and it’s your community duty to do that.
02	And really pushing this idea in which a particular economic agenda should outstrip not just the rights of citizens, but even the <i>responsibilities</i> of citizens. That we actually don’t even– we’re not even welcome to exert our responsibilities, let alone claim our rights.
02	to one in which we don’t even have the right to oppose the idea of the very direction that our federal government is directing us down. So it’s really a betrayal of the mandate that I think we give to a federal government when we elect them, which is of course to lead the country, but not to lead the country at the expense of citizenship rights and responsibilities. It goes against the whole way that I think about how we should be behaving with regard to what I see as the necessary transition towards a more sustainable development oriented society and mode of governance, which is to increase people’s sense of personal responsibility.
02	I think extended periods of time in which people have the right– and it is enforced upon us as a culture that we have the responsibility– similarly to the way we think about our jury duty: that every now and then, it’s your duty to step up, learn something about what’s going on, try and look at it from a different perspective– so include indigenous science, include Western science, include immigration perspectives... try and move towards a more– an understanding of the full spectrum of impacts.
02	I guess I’m moderately active as a citizen, because I feel it’s my responsibility, and because I feel that there are fewer and fewer channels in which citizens feel it’s safe to speak about environmental concerns, or concerns that aren’t being addressed by levels of government, and an increasingly stunted advocacy arm of the non-government realm.
02	So there was some peer pressure coming from friends on Galiano, and a feeling of citizen responsibility.
03	And she sort of walked me through this application form, and I finally realized that I was applying for the right to make a statement.

03	Citizenship means... making it clear what you're expecting from the government, being vigilant, and scrutinizing the government's actions, and objecting when the government isn't doing what was expected, and... it's an ongoing job now.
03	You have to try, and that's what I've been doing.
03	So I regard this very personally, as an obligation of citizenship.
03	Basically, if a government does everything wrong, lies to you, tries to deceive you into voting for it again... you have no choice but to get rid of it. And that's what I tell my Conservative friends about the government. It dropped the ball. I don't care whether you're Conservative from long time ago and you've always voted Conservative... you <i>must</i> vote out the party that is making all the mistakes.
05	Now all that was happening within in a context in which the City of Burnaby was arguing with Kinder Morgan about their right to do this, in the courts.
05	<p>Primarily I think you can put what we did under these basic democratic concepts or categories. We assembled in public space, and we used our freedom of speech to make public comments, which involved the press and the media.</p> <p>So the question we're asking is: What's so controversial about democracy? Is it already accepted that people have freedom of assembly and freedom of speech? Theoretically that's all we did.</p> <p>Also if you look at the court case, the kinds of evidence that Kinder Morgan used—that's all we did, again. The only evidence they have is that we were in certain spaces (public park), and that we said certain things that were quoted in the media, or published online, or in newspapers, that sort of thing.</p>
05	<p>This becomes interesting too because there's that whole level of public debate, that democracy supposedly enshrines and is all about, that occurs when there is an election happening. Anyone can supposedly run for office; and in running for office you're supposed to use your words in debate and in dialogue, to try and get ideas across and convince people to vote for you.</p> <p>Again, how is that different than what we did? Neither of us was running for public office, but we were still doing those same things in a public park on Burnaby Mountain.</p>
05	<p>You get to that argument that sometimes has been levelled, which is that it's kind of a smokescreen. Give the people a little bit; a sense that they have freedoms, and a sense that they get to vote and have some sort of control. But their control and their powers are actually very limited. Very carefully limited so that elites can continue to be elites, ultimately.</p> <p>It's moments like this where it becomes very visible. That maybe we don't have these freedoms; or maybe those freedoms don't have the substance and power we thought they did. Because when they get in the way of something like a massive</p>

	<p>industrial project – which elected officials (at some levels in government anyhow) are strongly in support of regardless of what public opinion is – maybe things like your freedom of speech and assembly go out the window.</p> <p>[Laughs] Now it's not that bleak, or that black and white at all, I don't think. Like I said, it takes certain circumstances to occur before that all seems to break down. There are safe ways in which we can be democratic, and there are structures in our world that are going to prevent us from actually being democratic. Because that doesn't serve the purposes of those who have the most power and the most money.</p>
05	<p>The results of this report were that democracy doesn't matter. That people don't derive satisfaction and happiness in life from democracy. What they get that from is economic freedom [amused] of course, the Fraser Institute wants to argue.</p> <p>That is: we don't need these other freedoms. We don't need freedom of speech, or assembly let's say. We don't even need to vote. We don't need democracy. All we need is economic freedom. Which means all you need is to be free to invest your money how and where you please. That's the only place where there shouldn't be rules. Everywhere else – god we could have a dictatorship. As long as we could still invest our money freely, we'd all be happy.</p>
05	<p>Who are the people that got in the way of Kinder Morgan? They were local residents. They were people scattered all across Greater Vancouver, people from around British Columbia, and ultimately around the world, who came here because they saw it as part of their shared responsibility, and shared threat or insecurity.</p>
06	<p>I have come to believe that we are not here to make the most of it, and to subject the birds of the air and the beasts of the field– but that we're here to be custodians of this limited resource. For the sake of future generations, and for the sake of those we share the planet with, as far as the flora and fauna are concerned.</p> <p>It's become very important to me, to do what is within my power to see that we are responsible custodians of this planet.</p>
06	<p>I tried to pick on some strings, or some topics – whether it was grandchildren, or responsibility to future generations, or to the planet itself – and tried to hit those notes</p>
06	<p>But we need a society that is more equitable. We need to take responsibility for the damage that we have done, as a society. I'm talking about the first world. We need to take responsibility for the damage that we've done and realize that the third world countries... they want what we have. We have to be prepared to downscale what we have to a state where people can be somewhat equal in their opportunities and their lifestyles, on a planetary scale.</p> <p>We've got to stop consuming at the rate we are, and wasting at the rate we are.</p>

07	I do feel like I have some obligation. My grandkids are with us right now, 9 and 12. They're going to inherit our mess.
07	I printed it out, put it in a frame and have it on my desk, just to remind me: I'm <i>somebody</i> , and I have a responsibility to do whatever it is I can, within my personal limits, to try and make not just my life– [laughs] ... [Choked up] The life of people, my grandchildren, the future generations, and the natural world. I don't want to die thinking I didn't even pay attention, let alone try to <i>do</i> something.
07	Here we are in a very wealthy first world nation, where people at least have the right to vote, have the right to create a life that is meaningful to them, whatever that looks like. And a large percentage of them don't.
08	It is really, really scary to see how democracy in this country has suffered over the last decade or so. And how our democratic processes and democratic rights have been eroded.
09	It's one of my freedoms here in this country is to use my voice. I'm not going to be silenced, or be told I can't use it because the government – whether it's Harper's government, or the Liberals, Conservatives, NDP, whatever – one of my rights in this country is freedom of speech. I'm not going to be silenced, or censored, because they don't like what I have to say about what they're doing to my country. That's important to me.
10	If you're interested and you care, you should have a right to be able to intervene on some level.
10	Do we not have the right to know what's in dilbit? Which can change on a monthly basis, based upon weather conditions, and what's cheapest to use at this point. Do we have the right not to be subjected to benzene – a known, highly carcinogenic material – which if a spill occurs will be either burned off or evaporate? Do we know if dilbit, once the diluents and the dispersants come off of it, sinks or floats?
11	I felt my job was to– I could study this in the university, and say “we're doing this, that and the other”. Or I could get involved in politics and try to be part of the change, to ensure that we do try to move in a different direction.
11	I would argue that in the environmental community, in the academic community, in the business community – those who are expressly concerned about this issue and do a ton of shrieking – there are a lot of people who are capable of running. Some of them should stand up and actually put their names forward.
12	I look at this whole thing from the point of view of human rights, of opportunity, of chances to make a difference – and what is regrettable to me, [emotionally] is to watch a social system that we've had, that allows for democratic participation, to see it systematically undermined. That is the most disturbing thing I've experienced in this process. The professional issues are one thing. The issues as a trained economist are another. [Emphatically] But to watch the dismantling of our rights, to allow

	Kinder Morgan to force through this pipeline against our will, that has been very disturbing.
12	I believe we have a basic right to know. We do have a right to know.
12	In a market system, we have the right to know. Fundamentally, what I've observed is our right to good quality, accurate information, has been undermined in the last decade. Certainly in the last 7 years. There's been a systematic dismantling of our right to access good quality information. We're increasingly being given narrative and spin in the place of accuracy.
12	That's the first major violation of our rights that [sigh] is disconcerting, and makes it difficult to move forward. Without that right, then it gets very, very difficult to be clear-thinking about all the other rights that we might hold important. Everybody has a different set of rights that they think are important, and a different amount of commitment to those rights. But without access to information, we can't even get to those discussions. If I happen to believe that a right to clean water and air is important, I can't even have that discussion if I'm being fed information that tries to pretend that those rights are not impacted. So that's the first right
12	The right to participation has also been violated, as we've clearly seen in the Kinder Morgan application. The National Energy Board culled a lot more people than they historically ever have. They've started to limit our rights to participation.
12	<p>Bill C-51. I have not read the latest act, but when I read an earlier version, I was absolutely appalled that there is a situation where my right to speak to you right now, and be recorded, could be seen as subversive behaviour. Because I'm talking about the economic system, and my words would in fact impede Kinder Morgan's right to do whatever they want. So I could be – based on my earlier reading, I'd have to see the latest one – I could be in serious legal trouble.</p> <p>That makes me want to cry. [Emotional] I don't know how else to initially respond to that violation of my rights. As a human being, as a Canadian, as a woman, as an economist, as a mother. As a person. The first response is, I just want to cry. Because how do you even begin to push back against that abuse of power? I am very hopeful that October 19th removes Stephen Harper from our lives, politically. I'm very hopeful. But if not, then I have to go to the next stage of dealing with that violation of my rights.</p> <p>We see that violation in the NEB process. When people speak out and say that the right for Kinder Morgan to achieve abnormal profits and syphon wealth from this economy– that that right is more important than my right as an economist to speak out against that. I had not been treated with the same respect, in the hearing, as Kinder Morgan's economic experts are. I know that. I know that based on the decisions the board has made. When I have to fight to be heard, when all Kinder Morgan's experts have to do is start speaking, that is a violation of my right. When the idea that value-added in a staged manner in Canada is a second-class approach to exporting raw bitumen to Asia, that's a violation to my right to have a healthy</p>

	<p>economy and job creation. But Bill C-51 would say that it's not.</p> <p>That's the kind of insanity we're pushing against. There's a culture in the NEB that adopts what C-51 is saying as conventional wisdom. When conventional wisdom is so unfairly balanced towards the interests of a handful of multi-national oil companies— when that happens, that's a violation of my right to reasonable discourse. Now they're going to make me a criminal for having it. That's the only way they think they can shut people up.</p> <p>That's an amazing violation of rights. In fact, it's the kind of violation of rights that ultimately lead to the social unrest we've seen in Latin America. When you look at the death squads, and you look at the way that they had to ultimately behave to shut people up— we are seeing the preconditions of that in our culture. That's what's chilling. It's a process of scaring people so they shut up, so you can continue to do what you're doing, which creates devolution of our social progress. That's what's chilling.</p> <p>That when you violate basic human rights, like the right to know, the right to clean water and environment, the right to education and healthcare, the right to responsible government, democracy. When you start to do that, it increases in its intensity. One of the ways to get away with it is to criminalize dissent. Make people afraid to speak. Make people afraid to show up to protest. Make people afraid to participate. Make people afraid, and you've got the first major step towards <i>controlling</i> them.</p>
12	<p>We have an obligation as professionals to be as objective as possible. To look at all the costs and benefits, and to come up with a net benefit or net cost. What Northern Gateway / Enbridge did, by hiring consultants, was present gross benefits as if they were net benefits. [Amused] You can rig anything if you want to be that self-serving.</p> <p>I felt compelled, when I understood what was being done, to become involved. I applied to be an Intervenor in the Northern Gateway project.</p>
12	<p>They're not doing it. I've felt compelled, therefore, to try in some small in way to fill in that gap.</p>
12	<p>Our right to our democracy and our right to our economic system are being demolished, because of the short-term greed of a relatively small number of large companies that are primarily foreign-owned.</p>
13	<p>They have to take it, they have to trust it, they have to do their homework, and they've got to get out and vote.</p>
14	<p>I mean, it's still ongoing. Again, we do have a responsibility to all of those people who did actually get accepted, to either make a Letter of Comment, or to be Intervenors; to support them in doing that. We have ongoing communications with that very small segment [laughs] of our supporters, who were actually accepted.</p>

	We're communicating with them about upcoming deadlines, that kind of thing, to help with the process.
15	Being denied the right as a member of the public to speak, on top of being classified as a terrorist for wanting to exercise public discourse to make change; that to me spells an end to freedom.
15	If that is now going to be seen as terrorism, then you have hundreds of thousands of people – if not millions – who are part of a group that they thought was doing something they had a right to do. Now they're <i>terrorists</i> . Now their very freedom is threatened, because they identify one of the things they do is to plan for a disruption of business as usual.
17	You just get that feeling when you carry out your legal obligations, your obligations to your community, you're connected and you just get that sense of hope and confidence that good is going to come out of this.
17	It's my responsibility to make sure that the future opportunities for my granddaughters are protected.
17	I'm not saying it's all TMX's fault or anything. But I'm saying: [emphasis] it's our responsibility to protect that resource.
17	So we've been busy practicing our obligation to protect our lands and waters.
17	Just like my grandparents and my great-grandparents laid this foundation for me. I have to step forward and take it on.
17	Those ties, that connection, that responsibility – that's our connection. It's a sacred responsibility to protect that, because that's where our people come from.
17	But it seemed like when [my granddaughter] was born, I felt a different sense of responsibility. I felt a different sense of... What does being a grandmother really mean? What's my role and responsibility for that? I thought "Wow, I hope I can do as good a job as my grannies did." My mom's mom and my dad's mom were huge influences in my life. The teachings that we received has been– Can I do that?
17	Because our parents and grandparents – not just mine, but those generations – have held that space for our own spirituality to come through. That again I have that obligation to carry on in that way.
17	We need to all take responsibility for that, in some way shape or form. It doesn't mean that we all have to become these hard-core activists or environmentalists. It just means that we have to do our part.
17	So we need to do our part to protect this for our future generations."

Appendix G: Overview of all segments coded as ‘Citizenship / Democracy’

Respondent	Segment
03	But the way that I see that – and this does have a personal aspect – it’s exercising citizenship. Citizens are not just people who vote based on multi-million dollar attack ad barrages. Citizenship is... wanting your country to be fair. And wanting to keep it that way, and help politicians to keep it that way. So I regard this very personally, as an obligation of citizenship.
03	This voting every once in a while for a mandate for a government to go and do its own thing, with a majority– or a minority of the votes. And not having put its agenda down for people to see in advance. That’s not democracy.
03	Citizenship means... making it clear what you’re expecting from the government, being vigilant, and scrutinizing the government’s actions, and objecting when the government isn’t doing what was expected,
03	People were not like that. People were part of groups. They cared about each other. They were socially active. “Citizens” if you’d like, in their societies. They were good family members, they were integrated and... so all of this rugged individualism is absolute garbage.
03	The media’s not doing its job to enable democracy to actually work.
03	They need to hear– to do their role in democracy, they need to have information. They don’t have it.
03	democracy is a forum for diverse points of view to be heard and considered. It is not compatible with the existence of a political elite. The democratic process proceeds slowly, but decisions made are more likely to be fair and to have the respect of all participants.
05	That, to me, says a lot about the problems with our democracy right now. Which is why I would choose not to participate in something like the NEB review, and why I would not have a lot of faith in it... because our democracy is something I don’t have a lot of faith in right now. I don’t believe it does a good job of representing individuals’ concerns, or local community concerns. Somehow over time, democracies have evolved as though they have one and only one function: to enable economic growth. That seems to be the only thing that they will work in the name of. They begrudgingly pay attention to or put any resources into any other social issue that’s out there. And many of which they blatantly ignore or don’t deal with at all.
05	If we believe that a democracy is a system in which everyone has a voice, and people essentially self-govern at some level or another– it gets more complicated the bigger

	<p>the country is, the bigger the landmass, the more people, etc. and that's why we have representative systems... Nevertheless, we still have this idea that somehow a democracy is something in which people get to have their say.</p>
05	<p>So it raises questions around democracy again. We think we have this thing called freedom of speech, and yet you can simply say "I don't think this pipeline should happen. I'm aware of a group of people who don't want it to happen, and are going to try to stop it from happening. I'm concerned about climate change." That can then become actionable, that you've said those things. Which seems a little crazy from where I'm standing [laughs] that that should be something you are essentially prevented from saying, by the financial costs of having said it, which would then shut you down.</p>
05	<p>But it's harder to talk about these bigger abstract issues, which I think are the big issues, to me. Issues about climate change, and how our democracy functions. Is it there actually for the common good, to make our lives better? Or is it actually being used to subvert that for someone else's benefit.</p>
05	<p>The other side I've been thinking a lot about are these basic questions about democracy we might have. We have this idea that there are these small set of sacrosanct freedoms we supposedly have.</p>
05	<p>So the question we're asking is: What's so controversial about democracy? Is it already accepted that people have freedom of assembly and freedom of speech? Theoretically that's all we did.</p> <p>Also if you look at the court case, the kinds of evidence that Kinder Morgan used—that's all we did, again. The only evidence they have is that we were in certain spaces (public park), and that we said certain things that were quoted in the media, or published online, or in newspapers, that sort of thing.</p>
05	<p>They just did a report recently analyzing the relationship between democracy and people's sense of "life satisfaction" and "life control". The results of this report were that democracy doesn't matter. That people don't derive satisfaction and happiness in life from democracy. What they get that from is economic freedom [amused] of course, the Fraser Institute wants to argue.</p> <p>That is: we don't need these other freedoms. We don't need freedom of speech, or assembly let's say. We don't even need to vote. We don't need democracy. All we need is economic freedom. Which means all you need is to be free to invest your money how and where you please. That's the only place where there shouldn't be rules. Everywhere else – god we could have a dictatorship. As long as we could still invest our money freely, we'd all be happy.</p> <p>Well, it seems kind of blatant to me who in the world that might be a happy picture to. For starters: simply people who do have money to invest, and therefore have a stake in their economic freedom. The vast majority of us don't have much of a stake in our economic freedom, because we don't have disposable income. [Laughing] I have a</p>

	<p>good job and I don't have disposable income.</p> <p>To me that's kind of a bellwether, this Fraser Institute report, of where the thinking of those who currently have a lot of the economic and political power– that's where they're at. "Yeah this thing 'democracy' [tsk] it's really not that significant. Can we get down to the real issue?" Which is: keep the money flowing. Of course that's their issue [chuckles].</p>
05	<p>This goes back to the democracy question we began with. Sometimes we think "Well I vote, so I'm an engaged democratic citizen." Okay, once every four years you watched a few TV commercials, maybe read a few newspaper articles, made up your mind, and then on Monday afternoon after work you whipped by the local elementary school and voted. Well, I'm glad you did [chuckles], but if that's all democracy is then, again, I think we're in trouble.</p> <p>I think a democracy – if it's going to really mean something and actually be good for us all – then I think it involves a little more effort than that. Sometimes it involves being uncomfortable, even a teeny bit confrontational as long as you can do that in a respectful way. I think you can be confrontational and yet respectful. You roll up your sleeves and get your hands dirty. That's part of what has to go on, I think.</p> <p>I actually do think that a healthy democracy, with healthily engaged citizens, involves citizens who protest and demonstrate and sometimes perform civil disobedience that actually breaks the law and gets them arrested. I think that's necessary for the system to work in a healthy and robust way. If we're too worried about the uncomfortable stuff, then we're not doing so well.</p>
05	<p>That's shocking. Certainly that shouldn't be part of anybody's description of how a democracy functions.</p>
05	<p>We're in a lot of trouble if we're going to let that system keep riding like that. That's not democracy. So how do we get to a more robust system? We do have to get out there and push back at it. We have to push because it's not responding otherwise. We have to give it a sense of "Oooh. We might lose. We might fall below our 24% because there's a lot of people pushing back at us." Right now they figure "Nahh. We can get by with this. We can slide by."</p>
05	<p>But even leaving that aside, if we had a system in which our participation in it – "our" meaning Joe Everybody, Jane Everybody – was a little more broadly distributed and spread around, it would be a healthier democracy. It wouldn't look like what we have right now, but it would be quite healthy in terms of: it would depend upon a much more engaged participatory public. We would have to make sure that people are better informed than they are right now, for one thing, to make that function properly.</p> <p>What I mean is there would be a lot more local control in the decision making process.</p>

05	<p>What that tells me is not that we have to give up some of these idealistic ideas about democracy, because it's not expedient. What that tells me is we need something better than democracy, then, that does work from the bottom up and not the top down.</p>
05	<p>If that's controversial, then maybe either we don't have the right definition of democracy; or our definition of democracy isn't actually at work in the world. Doesn't have substance in the world.</p>
05	<p>This becomes interesting too because there's that whole level of public debate, that democracy supposedly enshrines and is all about, that occurs when there is an election happening. Anyone can supposedly run for office; and in running for office you're supposed to use your words in debate and in dialogue, to try and get ideas across and convince people to vote for you.</p> <p>Again, how is that different than what we did? Neither of us was running for public office, but we were still doing those same things in a public park on Burnaby Mountain. So these questions about what this tells us about the state of democracy I find enlightening and alarming [laughs] to say the least.</p>
05	<p>"Well here's the evidence I'm seeing. Now what does that tell me about the history of democracy?" If we look at the modern history of democracy, the same two or three centuries in which modern democratic governments have come into existence are also the two or three centuries of, for instance, the rise of industrial capitalism and the modern phase of colonization – of the rest of the world by Europe, as it were.</p> <p>So does democracy line up with those other processes? Is it a way of enabling those other processes?</p>
05	<p>You get to that argument that sometimes has been levelled, which is that it's kind of a smokescreen. Give the people a little bit; a sense that they have freedoms, and a sense that they get to vote and have some sort of control. But their control and their powers are actually very limited. Very carefully limited so that elites can continue to be elites, ultimately.</p> <p>It's moments like this where it becomes very visible. That maybe we don't have these freedoms; or maybe those freedoms don't have the substance and power we thought they did. Because when they get in the way of something like a massive industrial project – which elected officials (at some levels in government anyhow) are strongly in support of regardless of what public opinion is – maybe things like your freedom of speech and assembly go out the window.</p> <p>[Laughs] Now it's not that bleak, or that black and white at all, I don't think. Like I said, it takes certain circumstances to occur before that all seems to break down. There are safe ways in which we can be democratic, and there are structures in our world that are going to prevent us from actually being democratic. Because that doesn't serve the purposes of those who have the most power and the most money.</p>

05	<p>There's been a voice clamouring from down below for a long time, that the poet Shelley once evoked in the lines "Ye are many – they are few." Democracy is supposed to be based on the many having a voice, and not just the few.</p> <p>Sometimes maybe we need to do more than simply invest our energies in these basic democratic concepts that don't always work. Maybe sometimes we have to do these things that may be seen as "controversial" and a little more confrontational. I.e. what some would call direct action or civil disobedience. When we're stepping outside of what we see as the normal boundaries or the "comfort zone" of democracy, and people are taking things into their own hands to make sure that their views and wishes are heard, and as much as possible respected.</p>
06	<p>But I couldn't go to Ottawa and vote the party line on every issue too, as opposed to actually representing my constituents and standing up for democracy, and doing all of those things that don't seem to happen once people get to Ottawa. I have trouble understanding that because I do believe that they are good people. Even to talk to Elizabeth May, she has friends throughout all of the various parties, Conservative people who vote in support of bills so obviously are designed specifically to undermine democracy and provide an advantage to the current ruling party – how they are still able to vote in favour of something like that. I have a problem understanding that...</p>
06	<p><u>Respondent:</u> [Exasperated] Oh, I think our democracy is in shambles right now.</p> <p>I think it's really naïve of us to believe that we've got it right. Democracy is a fairly new thing, as far as humankind is concerned. I think our democracy needs to evolve. I would love to see something that more of a representative democracy, which of course the NDP and Green Party are both pushing hard for changes to democracy in that respect.</p> <p>It absolutely... frightens me that we have got a government in power right now that is doing things that so obviously fly in the face of participatory democracy. They're making it harder for people to vote. They're taking powers away from Elections Canada to investigate voter fraud. They're making it so that Elections Canada is not allowed to promote voter engagement. [Incredulous] They're not allowed to do that anymore.</p>
06	<p>So that, and [exasperated] numerous other things that the Conservative government have done, have been devolving our democracy. They've been making it more into a dictatorship.</p>
06	<p>I believe in democracy, but I believe our democracy needs to be... tweaked. I don't think we'll get it right 5 years from now, 10 years from now. I think it's something that hopefully will be evolving, and that change will be embraced, for the foreseeable future. Because our society's going to change. I think our democracy needs work. I think that instead of getting better, under the current government it's getting worse.</p> <p>There was substantial cases of voter fraud in the last federal election. They were all in</p>

	<p>favour of Conservative, and the Conservatives blocked investigations getting to the bottom of who was responsible for those frauds. What kind of a democracy is that?</p> <p>So definitely, I believe in democracy. I think it's the best of a lot of poor forms of government.</p>
07	<p>A bunch of us, myself included, originally submitted to the Northern Gateway NEB process. And that was actually the first time I'd ever really participated in something like that, and it did feel quite— I felt like I had upped my... involvement, my commitment as a citizen. Okay, I'm going to actually do the research, figure this out, and make a statement.</p>
07	<p>The whole thing doesn't make sense. In a democracy, this none of this makes sense. Democracy has gone the way of the dinosaur in our country. I don't know what you call it when the corporations run everything but that's where we are in Canada. I want to go back to the day where we had a democracy. [...]</p> <p>I guess the positive thing in all this is that... because it's been so outrageously anti-democratic, so many people have woken up.</p>
07	<p>Well the big one was when the Northern Gateway thing was approved. Okay well that was stupid. What are we doing? Why participate?</p> <p>CSIS, all the spying. [Angry] <i>Spying</i> on your citizens? <i>What?</i> Isn't that kind of... Nazi Germany or somewhere? You don't do that in a... do you? [Sarcastic] Well, apparently you do. That doesn't seem like democracy to me.</p> <p>Even the Kinder Morgan thing. Setting it up. This wasn't the NEB, Harper set this up so that now you have to apply – a 10-page application process – in order as a citizen to give your opinion. [Mockingly] Aaaaand your opinion can oooonly be about XYZ! It cannot be about [serious] the most important issues: climate change. It can't be about upstream or downstream effects, tankers going down my coast.</p> <p>[Incredulous] This is a democratic process? A democratic hearing? <i>No!</i> That's not democracy! That's oligarchy or something, I don't know. [Long pause]</p> <p>It seems pervasive to me. It's hard to pick out a particular example other than those. I'm sure I've got a million, I just have to retrieve them from my old brain.</p> <p>These omnibus bills, which I think are designed to get through all these little laws without having to go through a democratic process. We're not going to have to go to the House of Commons and talk about them, because— [cheerfully] oh no we'll just slip them in here and here and here, and we'll just muzzle these scientists, just slip them all—</p> <p>I think the omnibus bills, in terms of government, are a huge sign of what happened with democracy. How did that happen? Who even knew, right?</p>

08	It is really, really scary to see how democracy in this country has suffered over the last decade or so. And how our democratic processes and democratic rights have been eroded.
08	This is <i>democratic</i> dissent, and they should be listening, saying “maybe they have a point to make.” Instead they dismiss us–
09	If they wanted to properly demonstrate democracy and diversity, they would have people from all different walks of life.
09	That’s not democracy; that’s a dictatorship. I think the government needs to [laughing] read up on the constitution; see what the definition of democracy is. ‘Cause they aren’t doing it. They’re not carrying it out.
10	Well I’m sorry, that’s not how democracy works. One vote one person? Well maybe one letter, one person. At least. If you’re interested and you care, you should have a right to be able to intervene on some level.
10	I’m a <i>citizen of this planet</i> . Number one. Before anything. I’m a <i>member of the human species</i> . Number two.
10	I don’t think it’s a democratic process. I don’t think it was from the beginning.
11	I’d say the most important thing you can do in our democracy to facilitate change, is to get engaged in our democratic systems, and vote.
11	Ultimately the way our democracies are supposed to work is that citizens elect governments to look after their best interests. When governments get beholden to the people who fund them, or politicians become beholden to the people who fund them in their election campaigns; you’ve got a problem. Politicians are there to represent citizens. They’re not there to represent corporations. Corporations do not vote. Corporations should frankly not be allowed to donate in British Columbia. Citizens do.
11	The role of citizenship is to elect people who represent their interests collectively. If that is not the case, then number one try to boot them out. Number two– I do not condone civil disobedience. I’m a believer in, if you don’t like the rules go and change it. But make your voice be heard. You can make it be heard through writing, through media, through protests, whatever. You make your voice be heard. Let the political leaders know what you think. Don’t sit back. That, to me, is the role of citizenship. They’re there to hold the politicians accountable for their actions. And the way to do that is elections and letting them know verbally. Or through protests.
12	No Canadian citizen should have to be faced with that kind of nonsense. I am outraged by the fact that unless you have a strong career in these issues, with a strong background in business and how to deal with bureaucracy, it gets increasingly difficult to participate. No Canadian citizen should <i>have to have</i> this kind of

	background, to be able to sort through the barriers. They've created a huge maze that very few people can navigate. That is anti-democratic.
12	<p>Some of this journey, as a Canadian citizen – not as an economist, not as a business person – but as a Canadian, as a parent, as a grandparent. As a very, very proud Canadian. As a woman in the world, I've had so many benefits being a Canadian that I would never have experienced anywhere else.</p> <p>I look at this whole thing from the point of view of human rights, of opportunity, of chances to make a difference – and what is regrettable to me, [emotionally] is to watch a social system that we've had, that allows for democratic participation, to see it systematically undermined.</p>
12	Our right to our democracy and our right to our economic system are being demolished, because of the short-term greed of a relatively small number of large companies that are primarily foreign-owned.
14	<p>The environmental assessment process offered citizens an opportunity to make oral statements about the project. So we helped our supporters – and any British Columbian – participate in that, through streamlining and simplifying the online registration process.</p> <p>I don't know if you've ever navigated a government website [laughs], but they are... not always straightforward. So we figured out a tool to make that a little bit easier, and encouraged our supporters, and British Columbians everywhere, to sign up and make a statement, participate in the review, and really participate in the democratic process around that energy project.</p>
14	They really started closing the process to the public, after receiving enthusiastic participation from British Columbians. Interestingly, the democratic participation was perceived as threatening.
14	It just seemed like more and more – for me and for the organization – it became clear that the democratic process was not being upheld or respected in that particular instance.
14	As a regular citizen, I feel like I have a pretty good handle on this issue. But I can't speak– like I'm not an engineer. I'm not a scientist. I'm not someone with expertise. <i>I just live here</i> [laughs]. My expertise is a lot more... human. I don't have a Masters in Marine Engineering or anything like that, so I can't really speak to the technical parts of the project. But I can speak to how it would impact myself, my community, my friends, my family, the local constituents here. But that seems to be disregarded in the current process.
14	Around here we think of democracy as a muscle. It's something you have to exercise in order for it to be strong. So our role is to remove some of the barriers that exist for people to participate. Like, how many times have you heard someone say: "I really care about this, and I'd really like to do something, but I just don't know how. Processes are confusing. I don't know how to engage. I guess I'll just go vote, but

	<p>even then I don't know if it's going to make a difference." It's like this spiral— people go into this tailspin of confusion. There's this fog around how all of this works. So I guess what we want to do, at Dogwood, is help people reclaim the ability, and the clarity, the capability to engage.</p> <p>It's important that all British Columbians – regardless of how you think about any project – have the information that they need, the support that they need to actually flex those muscles again. And the parties aren't doing it [laughs]. Like who else is going to do this? That's the fundamental principle that Dogwood is founded upon: we need to be able to point people to places or moments of power. These points where they can actually engage with democracy, and come out with skills, capabilities, talents, and an understanding of how these systems work. It's super confusing.</p> <p>Democracy is not a simple thing that you just— you definitely don't just go march in and vote every 4 years and march out. That's what people have been doing, and it's [laughing] kind of failing us. It's a complex system, and we want to help people navigate that. And how do you navigate that when you've got childcare payments, jobs to work, student loans to pay, all the things— [laughing] someone's go to think about this stuff! That's what we do: bring people to those moments where they can take an action and make a difference. Build up that muscle more and more.</p>
14	Which is why I think the citizens' initiative strategy that we started a year and a half / two years ago, was really enticing; especially to a lot of the younger people. Because it is a way to move legislation, and to have an impact, outside of the traditional voting system. That form of direct democracy is appealing for a lot of British Columbians.
15	That strikes me as a rather undemocratic way of proceeding, when the whole purpose of the public discussion was to foster a democratic discussion. This venue is for the public to actually <i>engage</i> in the process – not merely witness it.
15	To have called this activity terrorism is to say that you are <i>opposed to democracy</i> .
15	But one of the elements of fascism is that you pretend to support popular activity, but you suppress democracy actively.
17	That has all diminished. In my humble opinion, Harper's government has just torn that democracy away from Canadian citizens.

Appendix H: Overview of all segments coded as ‘Distrust / Lack of faith’

Respondent	Segment
01	Unfortunately they seem to be more of a rubber stamp...
01	So these are things I guess that were important to me. The fact that the NEB would not allow her information into the room was, to me, a real sign that the system is flawed, and doesn't appreciate the work that the people have put into our... experts in their field. She's a biologist, she's also got a lot of history in mapmaking and writing... so these are important things that should come out in these hearings. They should show that– if there's things that are wrong in the proponent's advertising of their project, then these things should come out. And they weren't allowing that as part of the evidence. It was kind of a hard thing for me. At that point I started to really wonder what heck the NEB was about, and why that wasn't allowed.
01	the panel, in my view, is basically already biased to just seeing the best way to go ahead with the project versus whether or not the project should go ahead. They're already in a mindset of “what's the best way to proceed?” versus “should this project even be allowed on our shores?”
01	<p>I knew when I got involved that– I was told by many people that 99.9% of projects that are heard by the NEB go ahead. When you hear that, you realize that the system is... pretty much set up for energy projects to go ahead, versus be scrutinized on a case-by-case basis. Unfortunately I don't have a lot of... trust in what the National Energy Board will do with our comments. And actually take them seriously.</p> <p>And it showed in what happened with the Enbridge hearings. Over 2000 people spoke and I think, of that, there was less than 1% that were for the project, and still the project got a few, 207... they had to do certain things to allow the project to go ahead. But they were all things that were already in plans, so it was kind of a... yeah, rubber stamp versus an actual assessment of the project and whether it was going to work for all the parties concerned.</p>
01	I have a real problem with that. I have a lot of problems with the process. And I know a lot of people have pulled out because of it. I don't think that we are in a position to do that [withdraw]. I think we're not... we could. We could have. But I think, in protest to it I don't think it's... people have done it, so that's really important, that people have made that decision to do it, and then made it public. It shows that there's problems with the process. That's really important to me, that people have done that, and stepped forward and made those comments.
01	I mean Canada basically says we make billions of dollars. I don't know if we do, and I don't believe that we do.

01	It's a fiscal responsibility of the government to make sound decisions, and I don't think they're making sound decisions in the cases that I've seen so far, with the Enbridge pipeline.
01	<p>And I don't think we'll ever know, because it's really hard to come up and say "this is what we made, this is what we've lost, this is what we spent" because... the budgets are so over-worked, and under-worked, and played with that you just don't get to see that.</p> <p>And so there's a lot of distrust, in my mind. I feel, and I don't trust that those things are actually, truthfully... I <i>truthfully</i> feel like there is a lot of government... that the fossil fuel industry is really, at the moment, in charge of our Canadian government. That's why you become fearful, you become like... "I don't know if I can trust these guys..." They haven't done a very good job making people feel like they're trustworthy; that they should be trusted.</p>
01	<p>And I think that it's really hard because you never know where that news media lies, right? Two minutes before the thing [debate] was about to start, Bell media sent out a text to everybody on their phones, saying "This is our new website, and this is what we're doing, and this is what we're doing!" And Bell media was not putting out this debate. This was an opposition— this was another group, not the Bell media group, putting out this debate. So they were, in a way, trying to keep you occupied on your phone while the debate was happening. I know that this seems odd, I never get a message from Bell! Ever. So when this comes up, and it was like "Our whole website has been rearranged! And dadadada" Like 2 minutes before the debate's about to start and we've all got our phones tuned to the Maclean's debates... or you might not have... but if you were tuned to it then it came up right as a heading, right above it, to make you think about Bell. And maybe that's just a coincidence... But it's not a coincidence. To me that's not a coincidence. When a major debate is happening and you post something 2 minutes before it's about to start, that's not a coincidence.</p>
01	<p>I also believe that a lot of our media has been bought over by industry. I know that Harper has placed, I think— out of the 12 board members on the CBC board, 10 of them are all Conservative members, or people who have donated to the Conservative party. So those have been placed, by Harper, in those positions in the last year and a half. So I know that. I know that I can't trust the media to be completely...</p> <p>So they changed the wording, the day after the [Nexen] spill that happened in Alberta. So it was a "spill", and then the next day they called it a "planned spill". So just changing one word in it, so all of a sudden it makes people think "planned!" Oh did they plan it? Was there somebody that came and sabotaged it and planned it? They added the word planned. So as soon as I heard it, I was like... "they've changed the wording because yesterday they were just saying spill, and today they've changed it to planned spill" So it's all... they turned things around to make you go "Planned? Oh I wonder why it was planned. Well who would have planned it? Would industry plan it? Why would they have planned it, were they testing out their machinery? Or was it sabotage? Did somebody sabotage it?" So they're implying</p>

	<p>that it was a sabotage situation, most likely. But it makes you wonder, and it's all about the wording. It's like that one word needs to be changed. They're spinning it, and that was the CBC who spun that.</p> <p>So I don't trust anything that the media says without trying to listen to the next—what are they trying to say with that? What is the underlying message? Who are they trying to reach with that wording? I'm hyper-aware of that now... I wasn't before.</p> <p>But since I spoke at the Enbridge hearings I've been hyper aware of the media.</p>
01	And so we can't trust that an extra 350 tankers are going to be taken... seriously.
02	So my feeling about being denied: I was not surprised.
03	About the petition— I don't even know which government it was going to, it was either going to the provincial or the federal government. I didn't have a lot of confidence it was going to do anything, for either government,
03	Again, I didn't really have much faith that Kinder Morgan was going to be affected by my feedback; just like what I said about the provincial and federal governments.
03	And I still worry that I may have enabled the NEB to disregard my letter on that technicality, if they see that. "Oh, well when you first applied, this was your statement, and so we only plugged you into being able to say something in this area, and that area, and here you've covered so many more areas..." I mean who knows if they'd even go there?
03	<p>It remains to be seen how much, if any consideration will be given to them by the National Energy Board. There are many reasons not to be optimistic.</p> <p>I guess where I'm going here is... reasons for doubt about the fairness of the National Energy Board review process. There's three points I could mention right away: One is that participation was, according to the new rules for review processes, participation was restricted to people directly affected, or who have relevant expertise. And having an interest in defending the public interest, or preserving the environment for future generations, is not good enough.</p> <p>I should mention to you that I have, as a Commenter I received a copy of a letter from Trans Mountain ULC— that's Kinder Morgan's subsidiary that's doing the pipeline— from their lawyer Osler Hoskin & Harcourt. It's written to the National Energy Board, and pushing for a strict interpretation of these new rules. There's something about letters from lawyers that always sound threatening, whether they are or not. It was sort of like "We're watching you. We're big shots. This is the way we interpret this legislation, these are the precedents, this is why we're interpreting it this way... we want to make sure you're on board with us."</p> <p>So there is a case where not only has the NEB gotten rid of people who have general interest in the project, or general knowledge, the definition of what specific interests and specific knowledge will be very tight if they succumb to this kind of pressure.</p>

	<p>And this has already been done when you consider the 400-odd people who were not found acceptable [468]. We find that these rules were applied, and some people just dropped off the boat.</p> <p>So that's one thing. We're not going to hear from as much of a cross section of people— I say we, I mean <i>Canada</i> is not going to hear from as much of a cross section of people as for the Northern Gateway. But from the government's point of view, the process has been "streamlined" so they won't have to spend so much time <i>listening</i> to people.</p> <p>Then another change has been that the system for cross-examination by intervenors is no longer in place, to determine the validity of claims by the applying company.</p> <p>The way I read this, and this really concerns me, PR can now stand as information. It's important to know when PR is PR. Like when I got this brochure, that they call a "Discussion Guide" I got PR. I knew that, and I treated it accordingly. It was hardly convincing to me, coming from a company that stands to make a lot of money on this. It was self-promotion. We need to take a step backwards, look at that, decide what's valid and what isn't valid, and without the cross-examination, you get: "Oh we've got a submission from professors of environmental studies (if they even accepted any of them, I don't know if they did) on the one hand, and we have PR from the company that's applying on the other hand, and they sort of balance out." I thought, [incredulous] <i>no they don't</i>. Anyway, this is the problem when PR gets interpreted to have the same status as any other kind of information.</p> <p>The third thing is that there's no longer a separate approval through Environment Canada, I believe that's another aspect of this. These are industry insiders on the NEB. They were appointed by the Governor in Council, which is I think responsible to cabinet, under the direction of cabinet. And we're finding, especially considering the current federal government, we're finding, rather than an interest in protecting the public interest, we're finding an interest in promoting the project, and having it go through as quickly as possible. This isn't what one would expect from a reviewing body. So without Environment Canada doing any kind of separate review, and with BC having waived its own right to have a separate environmental review, we've got... industry insiders— connected to industry, known to industry, who know that they're there to serve their friends in industry— making decisions about environmental viability of a project. So I mean... what grounds is there for optimism about their decision?</p>
03	<p>when I mentioned the business about reasons for doubt, I didn't mention that climate change is not one of the issues up for discussion. With a strict interpretation of who's directly affected, naturally climate change goes out the window. So I probably should have made that one clear when I talked about the fairness of the NEB review process, I guess I could have put it as a fourth point.</p>
03	<p>This distrust of government on both the federal and provincial level, that has been part of my way of thinking ever since the pipeline issues have started becoming big in BC... it has a background. And the background is some of the stuff I've been</p>

	telling you about the one-way communication, and about the change in the political spectrum.
03	And of course, there's a justified dislike of the government in power. No government will solve all problems right away. But at least, let's get rid of this one. They've done everything wrong. Even the things that they brag about are lies. There were about 7 lies in the debate that just occurred, that have been pointed out by people in the know. Including the so-called "balanced budget".
04	It was a disappointing experience, to say the least. One that did not give me confidence in Kinder Morgan's ability in an emergency situation, or that they would accept responsibility at the end of the day, for what they did or didn't do.
04	It shows the lack of bonafities in the approach they take. It was the kind of thing that makes everyone aware that this company will say anything that will advance its purpose. So the idea that people are genuine, or that they're doing the best they can, or that they're working to try to achieve a better community, is completely lost for anybody that lives in our city. They knew that it wasn't true.
04	Despite trepidation— obviously from this previous incident— we look at the proposal they're making and begin to study it.
04	We need an unbiased organization to look at this, not the National Energy Board who have been bought and paid for a thousand times over. Who are funded by the oil industry. Who are <i>captive</i> of the oil industry. To have the people who are judging an application being paid for by the people making the application, gives no one any sense of confidence in any of this.
04	Who wouldn't feel that process was unfair under those circumstances?
04	Kinder Morgan has what is a very... spotty reputation, right across North America, to say the very least. Kinder Morgan has been responsible for literally thousands of oil-related accidents across North America.
04	It requires a chemical cocktail just to move the oil through the pipeline, and most of that is secret, what's in that chemical cocktail. But I know that secret isn't good, when it comes to things like that.
04	But one of the problems that occurs in regard to any kind of project like this, is that almost every single person that has any expertise is in the oil industry: has been hired by the oil industry, or is a consultant to the oil industry. So there is nobody, even in academia who hasn't been bought & paid for. Finding expertise means you have to stretch to Europe or to the United States, because our government has completely decimated any of the expertise that existed within the federal government. There's no expertise in the federal environment department. There's not expertise anywhere. By decimating our ability as a federal government to be able to actually look at this, we're depending on the consultants hired by these companies, we're dependent on these companies to give us advice. Well can tell you, that advice is exactly what you

	<p>pay for it. And we don't. So why would a company what's dependent on the oil industry, do anything that would work contrary to the interest of the oil industry in their recommendations? You're depending on people to show integrity, that means the end of their career. Pretty hard to find. Hard commodity to get.</p>
04	<p>And this latest appointment of a Kinder Morgan consultant to the board of the National Energy Board? I mean, you want to talk about– <u>Leah</u>: [Incredulous] Did that happen? <u>Respondent</u>: Yes! The National Energy Board just received a new appointment from the federal government. Their last act before they called the election was to appoint a Kinder Morgan consultant. One who actually did the economic analysis for Kinder Morgan on the Trans Mountain pipeline, was appointed to the board. They said “Well we're not going to let them sit on this hearing. It won't...” [rolls eyes]</p>
05	<p>I was suspicious of it from the get-go, and as it's unfolded over several years now, I think my suspicions have been shown to be true [laughs].</p>
05	<p>I myself don't have a lot of faith in the process, so it wasn't what I was considering. I would lean more towards direct, participatory, democratic ways of responding to these things. Community-based ways of responding, rather than legislative, those kind of processes like the NEB is.</p>
05	<p>My reluctance to even consider that the NEB might be something I'd want to be involved with is based upon past experience. First of all, the changes that the Harper government made to the NEB, and to the environmental process in Canada generally over the last several years, made it kind of obvious to me that this wasn't really a review process; this would be a rubber stamp process.</p> <p>The second thing that really confirmed that was the process with the Northern Gateway pipeline, which I watched very carefully. I followed the story, and I knew many of the 4000 people that testified or presented at the hearings for that pipeline. And as I'm sure you know, the vast majority– whatever it was 97%– of people were against that pipeline. I watched some videos of presentations online, and saw very impassioned critiques, and reasons for rejecting it, which I all found very persuasive. And then of course the NEB said yes, we're approving it. Under these conditions, but still... it really felt like the voices of those 4000 people were not heard at all.</p>
05	<p>Calling it flawed and biased and a sham– all of those words they used. Again, that was something I sort of felt was probably true already, but to hear people on “the inside” as it were, the actual experts– people who are economists or have worked in the industry– say that was very persuasive. It confirmed my suspicions about the process.</p>
05	<p>That, to me, says a lot about the problems with our democracy right now. Which is why I would choose not to participate in something like the NEB review, and why I would not have a lot of faith in it... because our democracy is something I don't have a lot of faith in right now. I don't believe it does a good job of representing individuals' concerns, or local community concerns.</p>

05	So we are still awaiting a decision, and as I said earlier, I don't have a lot of faith. I think it is absolutely biased. I have no illusions that the NEB will turn down the TMX proposal. I am very certain they will OK it with a series of provisions, of conditions that have to be met. Much as we saw with Enbridge, perhaps less. Well there were what, like 200-some odd conditions attached to the Enbridge approval. I'm sure this one will be approved of a relatively long list of conditions, most of which I think will be smokescreen. Very simple things for companies to go "Oh so you wanted us to put up some notices? We'll put up more notices, that's easy." The simple little things they'll be able to get by and make it look like they're actually doing something, whereas really it's simply, straight up, an approval.
06	I became somewhat disillusioned with the process because it really seemed to me that it was a foregone conclusion. That the pipeline would get a green light. I have to say that I feel the same way about the Trans Mountain pipeline. I feel that it's really a foregone conclusion, that it will get a green light. I'm sure that there will be conditions attached to that green light, but not conditions that would make it so that it just won't happen.
06	I never had any sort of belief that there would be significance put on anything, probably, that anybody provided in any form. I just thought it was worth the effort of trying to get my name in there.
06	I think it's a bit of a charade as far as [emphasis] actually seeking respectful input and opinions from the public. I feel that it's a bit of a sham.
06	My experience with the Enbridge pipeline probably made me feel that way more than anything. The opposition was so overwhelming, and it got a green light anyways. I was a little bit jaded by that.
06	And some of the reading that I've done around decisions by the National Energy Board and various other approval agencies – the number of times that an energy project or a pipeline gets turned down, is somewhere close to zero, [laughing] on a percentage basis. Approaching zero percent of the time, does a project ever get denied. I think there was one, or maybe two projects, but I can't even remember if that was the case. Out of hundreds, they seem to always get approval.
07	That's when we started talking about the Trans Mountain pipeline. Are we going to even bother?
07	Well you wouldn't think that I'd ever be pleased with the Supreme Court of Canada. I don't know, I feel like they're... you know. They're all appointed by Harper.
07	I say that, and I think that's true, and yet I also think– I have a fear that once people get in power... you know... [grumble]. I don't think anyone be quite as bad as majority Conservative government is.
07	I went to a Kinder Morgan public... it was supposed to be consultation, but it wasn't consultation at all, it was just a big PR thing. It was a joke.

07	But changing the oil giants' minds about anything? No.
08	In the past I have been environmentally active in different ways. It has not always been a positive experience. Mainly because a lot of the processes for dealing with environmental issues are flawed. So it was with some misgivings that I decided to do this.
08	So, that's where I'm at. [Laughs] I'm totally disenchanted.
08	I could rant and rave for hours, but you get the gist of– I'm so totally disenchanted and cynical now, about any public process that happens.
08	Conflict of interest. [Identifying information] I don't know who's on the NEB, who's on the board. I can't say that anybody on the Board has a conflict of interest because I don't know the details. I don't know what kind of investments they may have in the tar sands, or whatever.
08	And this process is even more restrictive than Northern Gateway was. How can we have confidence that the NEB is going to really look at things objectively? The criteria for being able to comment or be an Intervenor– the list of criteria was proposed by Kinder Morgan. And they accepted it. Right off the bat, it was biased.
08	I think that [emphasis] people don't believe in the system anymore. They don't believe in the voting system.
08	And then they want us to believe that building a pipeline from Alberta, through the Rocky Mountains, out to the coast of Canada, is not going to cause any environmental damage? [Sweetly] I don't think so! The NEB isn't looking seriously at any environmental damage.
08	a couple of days later retracted that and moved it back to August. Another nail in their coffin, [laughs] as for a "good process" as far as I'm concerned.
08	If the government really did care about public participation – which I'm convinced this government does not, because everything they have done has made it harder for people to acquire knowledge; has made it harder for people to participate; has made it harder for people to be heard – then they would fix things.
09	I was wondering about the selection process. How do they pick and choose who comes to their hearings? That kind of threw me off a bit. Made me raise an eyebrow [laughs].
09	Shouldn't we have people who are specialists in the area of environmental management, water conservation, things like that? Not just 3 people who – to my best knowledge – are employed by the government, have worked for the government, and are under contracts with the government. Shouldn't it be people

	who aren't so biased, and probably paid to say what the government wants them to say?
09	I don't like to listen to the news, just because I feel it's very biased. It only tells one side of the story, not necessarily the whole side. That's something that people don't necessarily understand in society, who don't go to school. Who don't take perhaps communications courses, or politics classes.
09	<p>I used to be a big fan of CBC– I do like the CBC's The Current, with Anna Maria Tremonti, I do like that one. But the government is paying– like 90% of it is all owned by the same person, or something like that. So when you have that much power [laughs] you can tell the story any way you want it, let's be honest. I used to like CBC until the whole Jian Ghomeshi thing happened. They're so biased in the way they tell things.</p> <p>Just look at the Daily Show with Jon Stewart, the way he attacks Fox News, and informs the very [laughs] Republican way of viewing things... how is Canada any different? We take after them. We show it the way the government wants us to. We have these reporters who go there, or these journalists who are paid by their bosses to report what they want them to say, not necessarily what's actually happening. That's kind of a journalist's first position, is to interpret the story and present it, but that isn't necessarily depicting an actual, authentic portrait of what's going on.</p>
09	And the problem is the government. The problem is the way that they're handling situations. The way that they're executing situations. [Laughing] It's ridiculous. Completely absurd.
10	I know perfectly well who the board of the NEB is. They're all ex-industry people, from the energy industry. So I knew from the beginning I was up against that. I figured: logic isn't going to work. They're already steeped in this stuff. It's in their <i>veins</i> .
10	But my comment was: first of all, I feel I've been duped. I do not trust you guys. I told them that in the first comment also, that I didn't really trust them, but I was completing the process because I had committed to it. I said at this point, looking at the draft conditions, I feel that I have been completely duped. That this is a fraud. That they wasted my time. That they were not actually going to read my comment, and if they did it was not going to have any value to them. This is a <i>fait accompli</i> .
10	People are, on their own, making decisions, even if it's costly, to put solar on their homes. They don't want to be part of the grid anymore. They don't trust government, they don't trust agencies, they don't trust the finances behind them. I'm not saying they're these survivalists, although some are. They don't want to be at the mercy of BC Hydro saying we're raising the rates 10% every year from now on, because we messed up.
10	which is a cooperative that's owned by Kinder Morgan, by the way. They get dividends from that company, when it makes money from cleaning. [Laughing] Talk

	about irony. And the fact that Kinder Morgan actually put in their documents that there's an economic benefit to an oil spill.
10	There's something not right here.
11	Right from the get-go, it seemed to be that the fix was in.
11	This whole process is broken. The fix is in.
11	It was "Get to yes." Fast. That's the sense I got.
11	So they rigged the process. As someone who has participated as an Intervenor since day one, it is <i>so</i> rigged. There is no cross-examination. The timelines are absurd. Decisions are made almost invariably in support of Trans Mountain. You've got the clear conflict of interest issue, that Trans Mountain acknowledged, with the appointment to the board of someone who submitted– and now they're striking evidence.
12	The National Energy Board is consistently and increasingly doing that. This is tragic. It's <i>tragic</i> . This is largely why we've come to the end game where nobody really trusts the National Energy Board anymore. In fact the National Energy Board has lost its public license, as an arbitrator.
12	The costs of staying in were so great because of the wrong signal it provides. That the National Energy Board is worthy of our trust. Because they're not.
12	We're going to delude the Canadian public into thinking we've looked at this, and we're going to limit it to these three companies."
12	<p>What that means is: what we used to expect government would do for us – which would be to protect our concerns in an objective way; to behave as the referee if you will – is that that's not happening.</p> <p>I noticed this right away, for example with the Northern Gateway process. The Canadian Government – Natural Resources Canada, different sectors of the Canadian government – were involved in written questions. They asked very good questions about the economic impact of the project. And then all of a sudden they become silent. They stop asking questions. They stop intervening on behalf of the public good.</p> <p>Which was another reason as to why I got involved; I had expected that the Canadian government would act on our behalf, with their expertise, and their skills, and their ability. And they aren't doing it. They didn't do it in Northern Gateway halfway through, and they didn't do it at all in Kinder Morgan.</p> <p>Even the provincial government; the BC government asked all kinds of questions on the economy for Northern Gateway. They have not asked one – not one – of Kinder Morgan. They have deliberately remained silent, which does not protect our public interest. Part of the big way to get the public on side with these projects is they'll</p>

	<p>create jobs and economic benefit. Well if that's not there, why would we support these projects?</p> <p>So Christy Clark's government does an awful lot similarly to the Harper government in the way they administer, in the way they've hunkered down and stopped being accountable to the public. They've deliberately stopped asking questions. So the public interest, we could expect the government to have done its job protecting it in the past. They're not doing it.</p>
13	<p>They can't just copy and paste what Steve Kelly did, and put another name on it. We feel that's what they're trying to get away with. We've asked the NEB when the Chair knew about the Kelly appointment. We've asked the panel when they knew about the Kelly appointment. We're asking Trans Mountain when they knew that Kelly was being considered. I've read City of Burnaby's— and that word “tainted” is definitely the term I would use.</p>
13	<p>So we, PIPE UP, expressed concern about that to the NEB panel, because we were told by participant funding that Salmon River got the “salmon money” to represent not only themselves, but other Intervenors concerned about salmon. So when that kind of discussion is off the record, that prejudices PIPE UP.</p>
13	<p>Too much “behind the scenes” stuff going on, that may prejudice other Intervenors.</p>
13	<p>The current NEB process! Yes. Like, I thought that the Forest Act tribunal was bad [laughs]. It's... yeah. For instance: the three panel members are all energy industry people. There's nobody on that panel that represents environmental interests, or environmental expertise. There was, but they stepped down. I don't know how many people there are on the National Energy Board, but it doesn't appear that there are any with environmental expertise. That leads to bias, right there.</p>
13	<p>However a lot of them were redacted under Section 21 of the Access to Information Act, which is <i>government to government</i>. And I thought “Why is the federal government involved in my application to be an Intervenor?” So I made a complaint. I wanted all those redactions removed.</p>
13	<p>So yeah, it's— right from the get-go, there's bias there.</p>
14	<p>We're continuing to support people in a process that we know is a sham, which is not effective. It's like we're doing it anyways because it's the “right thing” to do. It feels hollow because I don't think we're under any illusions that our work is going to be effective on that front. Frankly, allocating our resources, and our energy, and our time, to something that we think will yield better results for British Columbians and our democratic process—</p>
14	<p>So in terms of British Columbia, I think all this stuff deepens the cynicism around that whole narrative about our voting system being useless, and antiquated, and not working, and all this stuff.</p>

15	<p>Now I don't watch as much news as I used to. I can't sit in front of a television screen anymore, and watch a production of news. I will find it myself on the internet – like probably the rest of the world. So in that sense I'm not scanning all media to try and get a level of balance. My level of balance often comes from Googling, or going to another search engine, going to the news site, and finding that a bunch of news stories are remarkably related. That may be in the interest of the search engine, so perhaps I'm getting a poor balance. The reduction in print media means that if you walk by a newsstand – and also the homogeneity of the media – means that now mainstream sources don't help in terms of figuring out what everyone is hearing or ignoring.</p>
15	<p>The work that the NEB is doing behind the scenes, is really behind the scenes. I don't know if they're actually talking to anybody. For all I know they're just Googling stuff, or they're making private interviews or private submissions, and no one can go to those meetings.</p>
15	<p>But these people have been hired to deflect the people's will, into a project that undermines your interests. You're not going to have many jobs out of this. The risks to your life and limb are exponential compared to the rewards you're going to get.</p> <p>This is going to benefit <i>no one</i> but the very wealthy. And even those people are going to look at this as just one more shoe. One more underarm deodorant package. To them this is like cutting a toenail. But for us, this is our land. Our breathing. Our food. Our birthright in some cases.</p> <p>So you come to this event, and you think you're going to have an impact? Well it's good that we're here, and it's good we're putting pressure. But at the end of the day there's another thing you have to do. And that is become aware that there is a system that is constantly organizing against your interests, and this is part of it.</p>
15	<p>People are [emphasis] no longer convinced that profit works for everybody; profit is actually working against almost everybody. All the time. While you're sleeping. While you're awake. While you're checking your Facebook status. It's constantly trying to exploit everything you have.</p>
16	<p>The main reason was that the hearings themselves are not thorough. They are basically designed to approve pipelines.</p>
16	<p>The fact that every pipeline the National Energy Board reviews is approved gives you some reasonable doubt that they're actually having an exhaustive review process, where they actually could say "Oh, my goodness, this <i>isn't</i> in the best interest of Canada." The whole National Energy Board program is designed to approve industrial projects. So right from forever, Greenpeace has been very wary of the National Energy Board process.</p>
16	<p>Greenpeace feels, mainly, that the entire process is seriously flawed. Very flawed. So badly flawed that it probably needs to be scrapped and redesigned. Totally overhauled.</p>

16	So we do encourage people to make their voices heard, but as an organization we don't believe that they're doing a thorough job as a regulator. We don't want to devote a large amount of our resources for something that is basically ineffective, in the end.
16	You cannot be in a position that I'm in and <i>not</i> criticize our federal government.
17	<p>And that was one of the problems or issues we had with the National Energy Board process. We heard from some of our friends, especially up in Bella Bella, when they were going against the Enbridge Northern Gateway pipeline: the elders would go in and they would share their story, and they would get lambasted with questions.</p> <p>They were treated so disrespectfully in that hearing, that Tsleil-Waututh we decided we are not putting our elders up on a stand. Because that's what the review process is: it's quasi-judicial. So the National Energy Board panel is there, the proponent's legal team is there. We have our legal team and our speakers, but we didn't want to put our elders through that potential stressful system.</p>

Appendix I: Overview of all segments coded as ‘Negative portrayal / labelling’

Respondent	Segment
01	I often introduce myself as [identifying information] eco-terrorist mother [both laugh] because that’s basically what we’ve been touted as by the government, as terrorists!
01	So if I’m donating money to organizations that they [government] deem to be terrorist in nature, because they’re anti-oil or anti-big industry, I could end up with problems. And so, these are the things that I worry about
01	And when Bill C-51 came in... I have to admit, I’ve never sat down and read it, but the things I’ve heard about it are pretty much stating that yeah, we are actually now considered possible terrorists.
03	The people that they’re blasting and demonizing are like you and me, they’re basically democrats who think that we need to work for social justice, that the survival of life on Earth is more important than the profits of a few rich friends of the Prime Minister. This is what we’re talking about, regular people versus the extremists, who are telling it as if the extremists are the regular people.
03	Environmentalism isn’t everything. It isn’t the be-all and the end-all. I tolerate the word “tree hugger” because there is an extremist position on that side.
03	When we decide that every environmentalist is not only a tree hugger, but a <i>dangerous radical</i> , and that there’s nothing of any value in <i>anything</i> that they could be saying, and that they’re to be shut out of dialogue so that we can just go around in circles within the industries standing to make a profit, and hear from them only... then I know we’re demonizing.
03	Well certainly there were Joe Oliver’s famous statements that have never been rescinded. Lying to people about the funding of environmental organizations in Canada. And despite a witch hunt to find something wrong with their finances
03	Instead we’re arresting those people. We’re <i>arresting</i> them. If that isn’t demonization, what is?
03	When I say the “public good” I don’t mean adopting some organization’s agenda as my own, and just being a puppet for an organization. Which is of course the way I’m dismissed by the current government.
05	And I think we might actually be getting really close to that moment where someone could do that, and not have the populace go [mock-frenzied] “Look at these <i>radicals!</i> Quick! Vote ‘em out of office!” [laughing] and have their popularity go [crash sound] down to five percent overnight.

06	I'm not a– I guess I'm not a zealot. By some standards I am [laughs] but not by every standard.
07	<p>Jesus. That just irritates the hell outta me. Talk about the pot calling the kettle black. It's all backwards. You know?</p> <p><i>You guys</i> are the environmental radicals! You are the ones digging into this mountain – which is by the way a conservation area that has been voted for by the citizens of this city, to be preserved in perpetuity. Who's the [curse] radical? Against the wishes of the citizenry and the mayor. [Sigh]</p>
07	But there was no violence. Nobody acted out. So the mainstream media didn't really have a lot to work with. As soon as somebody pushes or shoves, and the police shove back, then it's easier to label concerned citizens as “eco-terrorists” or “environmental radicals.”
07	Because the worst thing you can do is be inaccurate, because then people paint you off as– even when you write they do it. [Laughs] They don't want to hear it.
08	<p>How this <i>government</i> sees me, they've made obvious. They think I'm a terrorist, because I don't toe their party line. That anybody who disagrees with their pipelines or any of their oil and gas, and coal, etc. based policies, is a terrorist. Which is crazy.</p> <p>This is democratic dissent, and they should be listening, saying “maybe they have a point to make.” Instead they dismiss us–</p> <p>Again it's this simplification that the federal government is doing by removing sources of information, putting derogatory names to people who are their opponents. By calling people terrorists, they're slandering them by saying these are people who ware dangerous, when actually they're not. The federal government is probably a lot more dangerous than the people it's slandering.</p>
09	But just even living down here, the stereotypes given to female students– nobody wanted to rent to me, because people are following these stereotypes. Doesn't matter my prior experience, having outstanding references from my previous landlord. It doesn't matter what I do or say, people are always going to fall back on stereotypes about me. And if people are going to do that, how can we progress? How can we have our voices heard? Especially as women. Not just white women: Aboriginal women, Oriental women. How are we supposed to progress?
09	[Very personal experiences with stereotypes]
09	<p>in Canada it's like this invisible, unspoken language – if you're Aboriginal, there's already these tensions between us. These cultural, racial, ethnic tensions. And they're just intensifying by these stereotypes and labels in the media. Like the way we label a person who is Native: they say, oh they're a drunken person who is on the street. We don't see their history, we don't see– we just see what they want us to see.</p> <p>So when we go to these protests and we use these labels, and we say these things</p>

	<p>about people, we're not taking into account their stories, how the way they interact with people, who they are as– it's like we're not even giving them the fact that they are a person in this country. It's just blatant disregard to who they are. They're just another number. It's like we're sheep. And we're not sheep. We're all people in this country. This is our country. What makes you say that they aren't as worthy, that they aren't as deserving. What makes you say that they can't have a voice in what you're doing?</p> <p>It does affect it, because it creates a divide. "The Natives are protesting the pipeline" It's not just Natives. It should be the community. Why are we saying it's just the Natives? Why do we have to create these– why do we have to intensify this racial tension? Why do we have to say that word? Why can't we just say Canadians? Why can't we just say the people of this community? Why do you have to bring their skin colour, and their background, and their heritage? People don't go up to me and say [identifying information] they say "the girl"– why do you have to bring my gender into it? Who cares? What does that have to do with what we're doing? How does that affect anything? How does my gender affect the fact that I'm trying to protect this Earth?</p> <p>I don't understand that. It's like they try to divert the attention away from the problem.</p>
12	Now they're going to make me a criminal for having it. That's the only way they think they can shut people up.
12	I have not read the latest act, but when I read an earlier version, I was absolutely appalled that there is a situation where my right to speak to you right now, and be recorded, could be seen as subversive behaviour.
12	One of the ways to get away with it is to criminalize dissent.
13	So you get Ezra talking about radicals, [laughing] maybe even terrorists.
15	Many of the things in the anti-terrorism legislation now, suggest that going about trying to organize disruptions of economic activity by peaceful means is a form of terrorism.
15	Terrorist organizations are an identification of the government, and of other parties. If I myself were to state that my aim was to disrupt national economic activity – whether it was organized or not; if my intent was clear, and I had my resources, and I had a plan – that would likely stand up in court as me organizing a terrorist event, on my own.
15	But organization on a mass level means that people who have a general agreement on what they want to stand for, and build– If that is now going to be seen as terrorism, then you have hundreds of thousands of people – if not millions – who are part of a group that they thought was doing something they had a right to do. Now they're terrorists. Now their very freedom is threatened, because they identify one of the things they do is to plan for a disruption of business as usual.

	That's terrible. That is a <i>fraud</i> . To say that people want to make changes in the world is not terrorism. That's what people try to do, to make the world better. To have called this activity terrorism is to say that you are <i>opposed to democracy</i> .
15	So the effort by government to say that making the world a better place, in a group, by actually [emphasis] challenging how the world works, is somehow a planned act of violence that will frighten, scare, or otherwise intimidate civilians into inaction and confusion – okay, it's laughable. Except that when it's actually passed, and in place, and <i>valid</i> , it is now <i>frightening</i> .
15	This is a part of that chill. Bill C-51 has not contributed to that, because these people are not being accused of being terrorists. [he is using inverse logic to imply that C-51 is accusing people of being terrorists]
16	If I'm speaking on behalf of Greenpeace, then definitely. We've been branded terrorists by our Prime Minister. The fact that we speak out against pipelines has definitely altered how the country sees Greenpeace.
16	Basically the federal government – the Conservative government – has said “You're either with us or you're against us.” He hasn't said the phrase “Greenpeace are terrorists.” But the Conservative government cabinet has insinuated that the work that environmentalists do has an extreme component to it, and they have used the word “terrorism”. They're concerned about “ecoterrorism” and in the same sentence, or paragraph, they will talk about Greenpeace. They're not saying “Greenpeace are terrorists”. But they're definitely leading people to suspect that
16	The government has brought in bills that make anybody standing in the way of an infrastructure project – i.e. pipelines – could be considered a terrorist. So it is now making the link between opposing pipelines and terrorism.
16	Greenpeace has never been involved in any kind of terrorism. It's nonsense to think that we are in any way advocating violent action. But the government seems to think that if you are opposed – like if you are standing in the way of a bulldozer while it's trying to make a pipeline right-of-way – that you are the same as a terrorist. You can be thrown in jail with serious charges. Not trespass. Not mischief. Serious <i>terrorism</i> charges. The government's gone very heavy on linking opposition to pipelines as akin to terrorism. We're painted with the same brush. Which is very worrisome for us. Bill C-51 specifies this. It is really frightening to First Nations and environmental groups, who are peaceful. If you're a terrorist, if you're advocating blowing things up: I think we all agree, you are a threat. But if you are a peaceful protester– That is the problem we have: [emphasis] we need to separate peaceful protest from illegal activity. They're branding everybody who does anything illegal – i.e. trespassing on a pipeline – as a terrorist. As criminals.
16	I don't think people are going to stop protesting, or stop intervening in the NEB hearings because the government is targeting them as opponents and potentially

criminals. I think it makes them more upset and probably galvanizes them.

That certainly wouldn't put me off. If I'm against a project and the government is using some slimy language to make it sound like I'm a criminal now, and that— certainly I'd get upset, but I'm going to dig in.

Appendix J: Overview of all segments coded as ‘Oppression / Control’

Respondent	Interview question	Segment
01	You said at one point in your story that you felt like you were on a watchdog list. Can you talk a little bit about why you felt that way, and what that means?	Well to me it means that in the future if things shifted to the point where things got very radical... where the people were really fighting a very strong tyrant, [playfully] which I feel like we are in that moment anyways. But I do have hope that things will– the pendulum shifts back and forth, and that things will right itself. I have a lot of hope. But if it got worse, then I would possibly be– I could be <i>jailed</i> for having opinions that do not fit with the government’s idea of public interest, or financial interests.
02	Now can you describe the <i>worst</i> possible scenario you can imagine with regards to public participation?	I mean what could be worse than this, really? Except, I mean they could <i>shoot</i> us, that would be worse. Like Tiananmen Square, that would be worse.
03	Do you have anything that you feel you haven’t touched on?	<p>I’m seeing this group huddled in the middle, that represents, like... the majority of Canadians [...] who are <i>middle of the road</i> against a right wing that is so far right that it reminds me of the conservatives that are on record in history for supporting fascism.</p> <p>Why did Hitler rise to power? He wasn’t elected by the majority, he was elected by a group of fanatics that were maybe 20% of the vote (I don’t remember how many), and the Conservatives did a coalition because they didn’t want any socialists in the government. And this was democratic socialists, we’re not talking about communists. Democratic socialists were very strong in Germany after the depression hit so hard, and the conservatives decided Adolf Hitler was preferable to a government that would have brought in reform of the pure capitalist laissez-faire system. So that’s why the world got Adolf Hitler. Conservatives found it easy and logical to align themselves with a bunch of fanatics. I mean, just listen to Hitler’s speeches now, that have been recorded... how could the Conservatives have gone for that? And sent these socialist leaders to camps for extermination afterwards, who were democrats. I mean, it’s frightening...</p> <p>But you see already, in the modern Conservatives, you see this sense of superiority. Their way or the highway. And</p>

		they'll do anything– the end justifies the means– they'll do anything to keep power, and to prevent their opponents from ever taking power.
03	This is great, I think– unless you have some closing remarks...	So I'm not trying to be identified too much with any political point of view except pro-democracy or anti-dictatorship... As I say, the old political spectrum was fine with me. I can work with any of those kinds of government. But this is new territory. This is a coup d'état. A takeover.
06	You talked a couple times about democracy-	It absolutely... frightens me that we have got a government in power right now that is doing things that so obviously fly in the face of participatory democracy. They're making it harder for people to vote. They're taking powers away from Elections Canada to investigate voter fraud. They're making it so that Elections Canada is not allowed to promote voter engagement. [Incredulous] They're not allowed to do that anymore.
06	[same as above]	So that, and [exasperated] numerous other things that the Conservative government have done, have been devolving our democracy. They've been making it more into a dictatorship.
07	Do you feel that you have anything else to add to that story, anything that you feel is related that you want to talk about?	In a democracy, this none of this makes sense. Democracy has gone the way of the dinosaur in our country. I don't know what you call it when the corporations run everything but that's where we are in Canada.
07	You also said something about a story built on fear; that the government is listening to the oil companies and building a story based on fear. Can you talk about why you feel that way?	It's a cheap and easy way to control somebody, to make them afraid. It's like battered women. You make them afraid, you can keep battering them. If they think they have no choice– “I have to stay here and take this battering or else I'm going to be out on the street. That would be worse.”

07	<p>You said that you feel that democracy has gone the way of the dinosaur. You've talked quite a bit about what makes you feel that way already. Do you have any specific moments you can talk about in this whole process where you were just like "That, right there. There goes democracy"</p>	<p>CSIS, all the spying. [Angry] <i>Spying</i> on your citizens? <i>What?</i> Isn't that kind of... Nazi Germany or somewhere? You don't do that in a... do you? [Sarcastic] Well, apparently you do. That doesn't seem like democracy to me.</p>
07	[same as above]	<p>[Incredulous] This is a democratic process? A democratic hearing? <i>No!</i> That's not democracy! That's oligarchy or something, I don't know.</p>
08	<p>In our interview a couple days ago, you spoke about your experiences with public engagement in very negative terms. You said it's frustrating, it's upsetting, that you're cynical and disappointed. You said that when people who care are ignored again and again, they give up on the system. Can we talk a little bit about how that negativity and disengagement might be impacting Canada as a whole?</p>	<p>But you can see how people give up. It's just too easy for SLAPP suits. It's just too easy for big business, big oil, big government, to intimidate people.</p> <p>I mean, look at these recent instances in which our government spy agency was used to spy against little old ladies trying to learn how to make posters against Kinder Morgan. I'm sorry, but things are <i>so</i> screwed up in this country right now.</p> <p>It's scary. It is really, really scary to see how democracy in this country has suffered over the last decade or so. And how our democratic processes and democratic rights have been eroded.</p> <p>It's somewhat reminiscent of Europe between the wars, and what was happening in Germany. It really is. And it scares the hell out of me. When the powers that be, the powers who are in government manipulate our laws, and our parliamentary process, and everything else, to their own ends... what do you do? It's really scary.</p>

09	You talked a few times about you want your voice heard, it's important to hear the voices of all these diverse communities. What is the importance of that voice?	I don't agree with what Harper is going towards, which is a petro-state. You probably already know this, but it's always associated with dictatorships. Like over in other countries. It just... irritates me because this isn't a dictatorship country. You don't tell us this is how it's going to be. This isn't Germany, 1940's. I know that's a bit extreme, but it's–
09	Other than trying to get into the hearings and being rejected, have you engaged in any other way in this issue?	How can I help be a solution to this, when the most problematic thing is my government? There isn't an opportunity to help or even bring about a voice to this. They're not going to listen. They don't care. <i>They just don't care.</i> That's not democracy; that's a dictatorship.
12	Could you elaborate on what you mean by our rights being dismantled, and what specific things have happened that make you feel that way?	I don't know how else to initially respond to that violation of my rights. As a human being, as a Canadian, as a woman, as an economist, as a mother. As a person. The first response is, I just want to cry. Because how do you even begin to push back against that abuse of power?
12	[same as above]	<p>That's an amazing violation of rights. In fact, it's the kind of violation of rights that ultimately lead to the social unrest we've seen in Latin America. When you look at the death squads, and you look at the way that they had to ultimately behave to shut people up– we are seeing the preconditions of that in our culture. That's what's chilling. It's a process of scaring people so they shut up, so you can continue to do what you're doing, which creates devolution of our social progress. That's what's chilling.</p> <p>That when you violate basic human rights, like the right to know, the right to clean water and environment, the right to education and healthcare, the right to responsible government, democracy. When you start to do that, it increases in its intensity. One of the ways to get away with it is to criminalize dissent. Make people afraid to speak. Make people afraid to show up to protest. Make people afraid to participate. Make people afraid, and you've got the first major step towards <i>controlling</i> them.</p>

15	[SQUIN]	<p>And when public officials continue to withdraw that respect, it means that the democratic window for organizations who want to make progressive social change – it closes that window.</p> <p>It means that now, the work you do becomes less free. More clandestine. Perhaps in some ways illegal. Many of the things in the anti-terrorism legislation now, suggest that going about trying to organize disruptions of economic activity by peaceful means, is a form of terrorism. Being denied the right as a member of the public to speak, on top of being classified as a terrorist for wanting to exercise public discourse to make change; that to me spells an end to freedom. It suggests that our government is not committed to personal freedom, unless you can buy it.</p>
15	<p>So taking that thought – that organization works and it gets us these important things – later on in the interview you also talked about the anti-terrorist legislation, and how it characterizes organization as “terrorism”. Can you talk about how that might be affecting how it works?</p>	<p>When people talk about fascism and our governments, I get irritated. [Personal reasons] Fascism, you throw it around. But one of the elements of fascism is that you pretend to support popular activity, but you suppress democracy actively. Fascist governments will limit expression to very narrow, sanctioned avenues. Even then, it’s not really free expression at all. It is “stage-managed”, even if it sounds like it’s a divergent opinion.</p> <p>So the effort by government to say that making the world a better place, in a group, by actually <i>challenging how the world works</i>, is somehow a planned act of violence that will frighten, scare, or otherwise intimidate civilians into inaction and confusion – okay, it’s laughable. Except that when it’s actually passed, and in place, and <i>valid</i>, it is now <i>frightening</i>.</p>
17	<p>Do you feel that’s the beginning, the middle, and the end of your story?</p>	<p>Yeah. It gets disheartening. My grandpa always said “What the colonizers and the government do, is they divide and rule.” And when you sit with your elders, you don’t interrupt and you don’t correct. I’d always think in the back of my head “Noooo, it’s divide and conquer.”</p> <p>But I was at an Idle No More rally, and we were standing outside City Hall in Vancouver. [...] I just happened to look to my left, and I could see a clear view of Burrard Inlet. My grandpa’s always in the back of my head, and in my heart. Then I looked back and I saw the hundreds and hundreds of First Nations people, and it dawned on me. I knew what he meant by the government wanting to divide and rule. [Emphasis] It’s because we’re not a conquered people. <i>We are still here</i>. We are not conquered.</p>

		<p>But they can use those divisive tactics, because they can rule us. And the policies of fear: Keeping people ignorant of First Nations history makes it easy for government to lay those fears down. People, instead of intuitively wanting to learn more, they go “Oh, that’s right” and so they treat us indigenous peoples as third-class citizens. We’re not even second-class citizens. We’re third-class citizens in our own country. And I’m willing to pick up and carry the fight, from all those leaders before me.</p> <p>It’s a long time in coming, but I think what has happened is: what Harper and his government have been doing— [Amused] One of my colleagues, [...] We were at an Idle No More event, and he said: “Something crazy is happening, because all you folks are here. The government are treating you <i>all</i> like Indians now.”</p> <p>Ramming through legislation like this. Cutting funding, and cutting off connections to resources, etc. That’s been our lived experience. That’s been our experience in our own homelands and waters, and it’s got to stop.</p>
17	You’ve referred several times to this whole process and the things involved, as a “fight”. Why do you feel that way?	It’s almost like it’s so planned sometimes, to keep a people “in line” or “in place”. And I’m not just talking about First Nations people. Canadian citizens.



Norwegian University
of Life Sciences

Postboks 5003
NO-1432 Ås, Norway
+47 67 23 00 00
www.nmbu.no