University of Alberta

Tarring the Oil Sands: The Evolution and Emergence of ENGO Opposition in Alberta's Oil Sands and Social Movement Theory

by

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To those I love, especially Mom and Dad

ABSTRACT: The Alberta oil sands represent tremendous economic growth and prosperity for Alberta and Canada but their development does not come without cost. Environmental Non-Governmental Organizations (ENGOs), specifically the Pembina Institute and Greenpeace, have brought significant attention to the environmental impacts of development. Their history and involvement in the oil sands can be divided into two phases, the first characterized by a collaborative relationship between Pembina Institute and development proponents. The second is characterized by a strategic evolution of the Pembina Institute and the emergence of Greenpeace. Resource Mobilization Theory and Political Opportunity Theory are applied and analyzed to provide an account for the evolution and emergence of ENGOs in Alberta's oil sands.

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Table of Contents

Introduction....1

Chapter 1: The Oil Sands, the Environment and ENGOs....7
1.3.1 Green House Gas Emissions....11
1.3.2 Boreal Forest....13
1.3.3 Water Quality....13
1.3.4 Water Quantity....15
1.3.5 Wildlife....17
1.3.6 Tailings Lakes....18
1.3.7 A Note on Indigenous and Other Concerns....19
1.4.1 Alberta's Environmental Movement....24
1.5.1 Phase One: Collaboration....26
1.5.2 Changing Tides....31
1.5.3 Phase Two: Evolution and Emergence, Diversification and Internationalization 32
1.5.3.1 OSEC in Phase Two....33
1.5.3.2 New Faces: Fourth-Wave ENGOs and Alberta's Oil Sands....34
1.5.4 Conflict Expansion: The Oil Sands "Tentacles"....37

Chapter 2: Evolution and Emergence in Social Movement Theory....44
2.1.1 Collective Action....46
2.1.2 Grievance....48
2.1.3 Incentives....49
2.2.1 Strain Theories....51
2.2.2 Resource Mobilization Theory....53
2.2.2.1 Defining Resources....54
2.2.2.2 Strategic Evolution....55
2.2.2.3 Mobilization and Emergence....58
2.2.3 Political Opportunity Theory....60
2.2.3.1 Defining Opportunities....61
2.2.3.2 Political Opportunities as Subjective Interpretations....63
2.2.3.3 Strategic Evolution....65
2.2.3.4 Mobilization and Emergence of Confrontational Organizations....69
2.2.4 A Note on New Social Movement Theory....70

Chapter 3: The Strategic Evolution of the Pembina Institute....73
3.1.1 Do Resources Matter to the Pembina Institute?....74
3.1.2 Resources and the Evolution of the Pembina Institutes Strategy....75
3.2.1 Political Opportunities and the Pembina Institutes Strategic Evolution....93
3.2.2 Accounting for Subjective Interpretations....100
Chapter 4: The Emergence of Greenpeace....104
4.1.1 Do Resources Matter to Greenpeace?....105
4.1.2 Resources and the Emergence of Greenpeace....106
4.2.1 Political Opportunities and the Emergence of Greenpeace....111
4.2.2 Accounting for Subjective Interpretations....115
Conclusion....119
Bibliography....125
Appendix A: Interviews....141

Acronyms

AEMP – Alberta Environmental Monitoring Panel
AEN - Alberta Environment Network
AGTH – All Against the Haul
AWMF – Athabasca Watershed Management Framework
BLCFN – Beaver Lake Cree First Nations
CAPP – Canadian Association of Petroleum Producers
CBT – Collective Behavior Theory
CEAA – Canadian Environmental Assessment Agency
CEMA – Cumulative Effects Management Association
EBF – Ecological Base Flow
EIA – Environmental Impact Assessment
ENGO – Environmental Non-Governmental Organizations
EU – European Union
GCOS – Great Canadian Oil Sands
GHG – Green House Gases
GOA – Government of Alberta
GOC – Government of Canada
KXL – Keystone XL
LUF – Land Use Framework
MSC – Multi-Stakeholder Committee
MST – Mass Society Theory
NEP – National Energy Program
NGP – Northern Gateway Pipeline
OSEC – Oil Sands Environmental Coalition
OSMSC – Oil Sands Ministerial Strategy Committee
PAH – Polycyclic Aromatic Hydrocarbons
PARC – Prairie Acid Rain Coalition
PO – Political Opportunity
POT – Political Opportunity Theory
RAMP – Regional Aquatic Monitoring Program
RM – Resource Mobilization
RMT – Resource Mobilization Theory
SAGD – Steam Assisted Gravity Drainage
TSA – Tar Sands Action

List of Figures

Figure 1: Social Movement Strategy Categorizations

List of Tables

Table 1: Comparative Funding Sources for Greenpeace and the Pembina Institute

Introduction

Alberta's oil sands have emerged as one of the most important public policy issues in Canada. Providing jobs and economic growth, the oil sands fuel the Albertan and Canadian economy and may provide the United States with a safe and secure source of energy for decades to come. Among one of the largest industrial projects on the planet, the oil sands are located in the boreal forest of northeastern Alberta. In the past decade, the pace of production has increased rapidly with industry friendly policies, significant foreign investment and an insatiable global appetite for fossil fuels. When discussing the potential wealth from continued development and extraction, analysts and pundits describe the future profit in trillions of dollars.

However, an industrial project of that scale does not come without costs. In contrast to conventional oil sources, the energy intensive nature of oil sands extraction greatly increases its ecological footprint. The scoop-and-truck mining operations scrape the boreal vegetation off the land to expose the bitumen, leaving behind a terrain that has been described as a wasteland. Large tailings lakes of oily water and clay, a byproduct from the upgrading process, dot the landscape while air cannons fire continuously to ward off waterfowl and other wildlife. Seismic lines used in exploration crisscross the forest, fragmenting wildlife habitat, and bring infrastructure to areas of the northern boreal forest — previously untouched by industrial development.

The tension between economic prosperity and environmental sustainability is nothing new for Alberta, Canada, or the world, but the failure to act globally on climate change, in combination with the increasing desire for energy, particularly from developing nations like

India and China, means the oil sands are high stakes. Consequently, the decisions made in Alberta have both local and global implications.

Environmentalists are certainly not new players in the clash between prosperity and sustainability, but the oil sands have caught the eyes and ears of activists around the world. Alberta has not faced this global pressure before and the recent conflicts over TransCanada's Keystone XL and Enbridge's Northern Gateway pipelines should serve as an indication of the strength and veracity of the movement. While both the policy environment and public opinion within Alberta are friendly to industry and development, the landlocked province may face significant hurdles before they can fully access the global market.

The current movement opposing the oil sands is a sub-movement of the broader environmental movement which has existed for decades. The oil sands opposition consists of many of the same features of the broader environmental movement, including divisions between moderate and more extreme actors. Increasingly, the oil sands have become a major focus of the movement in Canada and abroad. Formal and informal environmental non-governmental organizations do the majority of the ground work including alternative policy development and media framing. Through dramatic protests and awareness campaigns, ENGOs have brought the oil sands to the world under the label of dirty oil, but this type of campaign only resembles a portion of the history of environmental organizations and their interactions with development proponents.

Throughout the 1990s and into the mid-2000s, the Pembina Institute and the Oil Sands Environmental Coalition worked collaboratively with development proponents on initiatives designed to mitigate the environmental impacts while providing industry and

government with the social license to operate. These initiatives came in the form of multi-stakeholder decision-making bodies, consultations with industry and participation in regulatory hearings. This relationship has since soured and the Pembina Institute's strategy has evolved away from aspects of their previously collaborative strategy. Around the same time the Pembina Institute's strategy began to evolve, confrontational actors like Greenpeace began to emerge as fierce critics of development. Through media stunts and direct action, Greenpeace and other environmental organizations have propelled the oil sands on to the global agenda. At the far end of the spectrum, some opponents have even gone as far to conduct acts of property destruction (Stoymenoff, 2012; CTV, 2009). Although these activities represent a small minority of the movement's activities, they do indicate the level of polarization.

The strategic evolution of the Pembina Institute and the emergence of Greenpeace represent a significant shift in the character of the oil sands opposition since the 1990s; however, more in depth investigation is required to account for these dynamics. Theories of social movements appear to offer some valuable insight. Resource mobilization theory, popularized in the literature throughout the 1970s and 1980s, attributes social movement behavior, including evolution and emergence, to the ability of social movements to acquire and use resources which would include offices, computers, money, etc. The theory of political opportunities, which has more recently become the dominant social movement perspective, attributes movement behavior to the broader political environment and the opening or closing of opportunities.

In the following chapters, this thesis uses the two social movement theories to try to explain the evolution and emergence.[1] In the literature, relatively little scholarship has been completed to demonstrate a causal relationship between resources and the evolution of strategy, and in this context, it does not appear that resource variables can explain the Pembina Institute's evolution. In fact, it seems that resources have had the opposite effect and hindered the organization's ability to shift strategies which means the non-resource incentives to evolve have challenged the resource incentives to maintain the previously collaborative strategy.

To contrast, the theory of political opportunities helps to understand the evolution. As the Pembina Institute interacts with their political environment, they have the choice to pursue a variety of different avenues for advocacy. In applying the theory of political opportunities, the Pembina Institute's evolution can be understood as a shift in the subjective interpretations of the political opportunities that the organization once perceived to be effective avenues to advocate change.

Regarding Greenpeace's emergence, the resource mobilization perspective helps to explain *how* the organization emerged, but struggles to explain the reasons *why*. In particular, the resource mobilization perspective is unable to explain why Greenpeace allocated their limited resources to the oil sands campaign. Once again, the political opportunity perspective is more useful and when coupled with the resource perspective, provides a fuller explanation of Greenpeace's emergence. The emergence can be understood as a change in the perceptions of non-state political opportunities and the recognition by the organization that opportunities

[1] This thesis is concerned with the strategic evolution of the Pembina Institute and the emergence of Greenpeace. It is not testing or explaining policy success or failures unless it helps explain the evolution and emergence.

existed for the confrontational strategy Greenpeace is best known for. Once those opportunities were realized, the resources were allocated to the campaign.

The first chapter of this thesis will outline the environmental impacts of the oil sands, the history of environmentalism in the context of oil sands activism, and the history of environmental non-governmental organizations' involvement in the oil sands. The second chapter will provide a comprehensive literature review of the resource mobilization perspective and political opportunity theory, analyzing the ability of each theory to explain the evolution and emergence of social movement organizations. The third chapter uses both the resource mobilization perspective and the political opportunity perspective to explain strategic evolution of the Pembina Institute and the other members of OSEC. The fourth and final chapter uses the two perspectives to explain the emergence of Greenpeace.

A Note on Methodology

This project has employed a descriptive-inductive methodology, which is a historical analysis of people, organizations, events and institutions. The data collected comes from a wide range of sources including academic journals, unstructured interviews with employees from environmental organizations, popular literature, media releases, media archives, federal and provincial government reports and documents, and reports from environmental, industry and other non-governmental organizations. The sources were found using internet searches, peer recommendations and academic databases. While the project relies heavily on the established social movement literature, the capacity to build theory is limited by the single case study analyzed. This project is also limited to the information ENGOs are willing to disclose publicly, through interviews or media releases. The outcome of this thesis is not to

draw general conclusions of social movements but instead, offers insight in the oil sands campaign by environmental organizations, particularly those acting operating within Alberta. However, the conclusions reached may be applicable in other case studies and warrant further study.

Chapter 1: The Oil Sands, the Environment and ENGOs

1.0 Chapter Introduction

The province of Alberta has long been associated with natural resource development and as conventional sources of oil have decreased over time, this reputation is increasingly being associated with the oil sands. Alberta's oil sands represent the second largest reserve of recoverable oil on the planet, second only to Saudi Arabia. The tremendous economic opportunity for Alberta and Canada is well known and many have argued that the oil sands have sheltered Canada from the recent economic downturn that has plagued nations around the world (Honorary et. al., 2011). However, the development of Alberta's oil sands does not come without consequence and documented concerns have made the oil sands a new chapter in the continuous fight between economic prosperity and environmental sustainability.

Environmentalists have been present in the discussion over development since the beginning, but only within the last decade has their involvement elicited the regular and constant media attention that has put the oil sands into the international sphere as a serious environmental issue. A partial reason for the added awareness has been the recent arrival of environmental non-governmental organizations (ENGOs) like Greenpeace that have adopted a strategy of confrontation over collaboration with industry and government. However, this was not always the case; the early history of the relationship between ENGOs, industry and government had been a primarily collaborative relationship. This introductory chapter outlines the history of the social movement activities of ENGOs as they have advocated for greater environmental management of Alberta's oil sands. Following a description of the

environmental concerns associated with oil sands development, this chapter will outline the history of North American environmentalism and lay the context for environmental challengers and the oil sands.

1.1 The Oil Sands

The Alberta oil sands are located in the northern half of the province with a concentration around the city of Fort McMurray, one of Canada's fastest growing cities and a major oil hub in the region. Development has been the most intense along the banks of Athabasca River north of Fort McMurray, but development has also occurred in the Peace River and Cold Lake regions of the province. The Government of Alberta (GOA) and the Government of Canada (GOC) have both expressed a strong desire to develop the oil sands to promote energy security and acquire the obvious economic benefits that would transform Canada into what Prime Minister Harper has called an energy superpower.

The oil sands are a form of extra-heavy crude oil called bitumen which is mixed with earth below northern Alberta's boreal forest. In comparison to other forms of oil, bitumen is incredibly viscous due to the ratio of carbon to hydrogen (Meyer and Witt, 1990). The density of bitumen makes it difficult to move and traditional extraction methods are rarely effective in transporting the resource for refining.

Surface mining was the earliest method of extraction and is currently the most common. Once the bitumen is excavated, it is transported to an upgrading facility where the bitumen is separated from the earth and diluted with a series of chemical compounds to ease travel through pipelines. However, the current popularity of mining does not reflect the future

of the resource since only twenty percent of recoverable reserves are accessible through mining. The remaining eighty percent are too deep in the ground and can only be extracted through a variety of different in situ (in place) technologies including steam assisted gravity drainage (SAGD), cyclic steam simulation (CSS), vapor recovery extraction (VAPEX), as well as several other experimental methods (Alberta, 2011). The idea behind the in situ extraction is that instead of separating the bitumen from the earth above grounds, a series of processes release steam or heat underground to decrease the viscosity of the bitumen. The bitumen is then collected and piped to the surface using conventional drilling methods. As of 2011, fifty-five percent of all oil sands are extracted through mining operations with the remaining forty-five percent through in situ methods but in situ extraction is developing at a rapid pace that will soon overtake mining production (Oil Sands Developers Group, 2011).

1.2 The History of Development

Development in Alberta's oil sands started slowly in part because of the energy intensive nature of the resource. This required significant research and development to reach a level where extraction was economically viable. Dr. Karl Clark from the University of Alberta pioneered the current upgrading method that uses hot water and various chemicals to separate the bitumen from the soil particles. Clark's work began in 1923 with government sponsorship and various small commercial operations, never exceeding 500 barrels per day (bbl/d), operated throughout the thirties and forties. However, the discovery of light crude in the southern regions of Alberta made the promise of the oil sands unattractive to potential investors (Gosselin et. al., 2010).

In 1963, Philadelphia-based Sun Oil invested in the Great Canadian Oil Sands (GCOS) project that was described as the "biggest gamble in history" (Suncor, 2011). The gamble would eventually pay off and GCOS would transform into the industry heavyweight, Suncor. The second major oil sands project emerged through a public-private consortium that would become Syncrude (Syncrude, 2011; Pratt, 1976).

Expansion and development of the oil sands grew at a steady pace (with slowdowns during economic downturns), but the last two decades have seen tremendous investment and development with the introduction of many of the largest industry actors including Exxon Mobil, China's Sinopec, Shell, Canadian Natural Resources Ltd., Nexen, Chevron, Marathon, Total and Statoil, among others. In 2009, the oil sands produced 1.5 million (m) bbl/d of which 1.4m bbl/d were exported to the United States (Alberta, 2011). By 2011, the oil sands production had increased to 2.1m bbl/d. However, if all proposed projects are completed, the rate of production would increase further to 5.9m bbl/d (Oil Sands Developers Group, 2011). An additional 2.9m bbl/d is currently in the planning phases (Oil Sands Developers Group, 2011). If all announced projects and pipelines were to be developed, the Canadian Energy Research Institute (CERI) estimates that investments and revenues in the oil sands would exceed $4.7t by 2035 (Honarvar, 2011).

From a policy standpoint, both the provincial and federal governments have encouraged development. In 1995, the National Oil Sands Task Force on Oil Sands Strategies of the Alberta Chamber of Resources was established "to be a catalyst for further development of Canada's oil sands" (National Task Force, 1995:2 in Hoberg, 2011). One of the most important outcomes of the task force was the creation of a new oil sands royalty

regime designed to stimulate investment and development by the GOA (Urquhart, 2008 in Hoberg, 2011). Past conflicts between the levels of government over where the benefits of production should be directed have since subsided as federal and provincial policies have synchronized under the Harper government (Gosselin et. al., 2010). With strong support from the federal and provincial governments, it is expected that the oil sands will continue to develop at a rapid pace. However, recent conflicts over pipelines and a potential low carbon fuel standard in the European Union (EU) could threaten the ability of producers to move their product to market.

1.3 The Strains of Development

Alberta's oil sands have certainly not escaped the challenges associated with developing a global super-energy project. This has become the source of much of the conflict, forecasted in 1976 by Larry Pratt, who wrote, "[e]cological controversies are certain to loom large in the political future of the tar sands." Ecological degradation at a regional and global level has been the source of this conflict, but there has also been a perception, confirmed by the Royal Society of Canada, that regulation and monitoring has not been able to keep pace with development (Gosselin et. al., 2010). The following is brief summary of the environmental issues that ENGOs have worked to address. For a detailed summary, see Gosselin et. al. (2010).

1.3.1 Green House Gas Emissions

Green house gas emissions (GHG) continue to be among the most prominent concerns regarding the oil sands, particularly from organizations and individuals outside of

Alberta. The criticism originates from the reality that oil extracted from the oil sands emits greater GHG than oil from conventional sources. In wells to wheels calculations that analyze life-cycle emissions of various fuel sources, the oil sands emit between five to twenty-five percent more emissions than conventional sources (CERA, 2009). However, approximately eighty percent of all emissions in these calculations originate from the fuel combustion. If end use or tailpipe emissions are removed from the equation, a wells to retail calculation is a more effective analytical tool to compare emissions. In a wells to retail calculation, Alberta's oil sands emit between thirty to seventy percent more GHG per (CERA, 2009).

Alberta's oil sands are not alone in this high GHG classification. According to Cambridge Energy Research Associates (CERA) (2009), Canadian SAGD synthetic crude has the highest GHG per barrel but is followed closely by heavy oil deposits in the Middle East, Nigeria and California. Synthetic crude from mining operations had only slightly higher emissions per barrel than heavy oil in Venezuela and Mexico (CERA, 2009).

Currently, the oil sands make up five percent of Canada's emissions and far less than one percent globally; but given the expected threefold expansion, the associated GHG is something to be concerned about (Environment Canada, 2011). The GOA and industry are often quick to note the decrease in emission density per barrel as a result of technological improvements, but the oil sands are the fastest growing source of emissions in Canada (Environment Canada, 2011). It is a common perception that the oil sands are an important reason why Canada has not moved forward with international commitments to limit GHG and combat climate change.

1.3.2 Boreal Forest

ENGOs have also identified threats to the boreal forest at a local and regional level. A report from the Pembina Institute by Dyer and Schneider (2006) highlighted the threat to the boreal posed from in situ development; in particular, from the vast network of infrastructure that fragments the landscape. Ruckstuhl et. al. (2011) stress the importance of the boreal forest as a carbon sink for GHG and demonstrate how the forests mitigate the impacts of climate change. The current disturbance is relatively small considering the vast expanse of Alberta's boreal forest, but the expected expansion of in situ development poses a threat to its ecological integrity (Dyer and Schneider, 2006).

1.3.3 Water Quality

The water quality issue has been a contentious one, since the contamination of the region's water sources has obvious implications on those who use the water for drinking or fishing (particularly the indigenous populations). Until August 2010, the GOA consistently denied that there was any noticeable impact on the Athabasca River from development and claimed that any contamination was naturally occurring as the Athabasca eroded its banks to expose raw bitumen (Bell, 2009). However, contamination could result from a variety of different sources during the production process, including airborne emissions that fall to the ground and toxins leaked from tailings lakes.

Research from Dr. Kelly and renowned water biologist Dr. Schindler turned the tide of this debate in August 2010 with the release of their report that identified thirteen priority pollutants (defined by the United States Environmental Protection Agency), including mercury and lead, as a direct result of industrial development (Kelly et. al., 2010). Seven of

the pollutants were found in quantities exceeding Canada and Alberta guidelines for the protection of aquatic life. The report also discovered that Polycyclic Aromatic Hydrocarbons (PAH), well known carcinogens, are released into the atmosphere at a rate much higher than previously thought (Kelly et. al., 2010).

The Kelly et. al. (2010) report was also critical of the Regional Aquatic Monitoring Program (RAMP), which was funded by both government and industry, and was mandated with the task of monitoring the water in the river. Despite multiple peer reviews during the previous decade that had repeatedly determined that RAMP did not have the capacity to monitor the impact of development on the Athabasca, the GOA and industry actors continued to use RAMP to justify their claim that development was having no (or very minimal) impacts on the River.

Following Kelly et. al. (2010), a series of reports were commissioned through both the provincial and federal governments. The federally appointed Oil Sands Advisory Panel concluded again that RAMP did not have the capacity to test or recognize impacts from development on the Athabasca (Dowdeswell et. al., 2010). The panel also criticized RAMP's lack of consistency, inability to measure cumulative changes, inability to determine between anthropogenic and natural effects, and failure to measure change relative to a background or baseline state. The provincially appointed Alberta Environmental Monitoring Panel (AEMP) (2011) came to similar conclusions and found that, "monitoring organizations suffer from inadequate funding, weak scientific direction and a general lack of resources" (AEMP, 2011). The conclusions of the reports, including the Royal Society of Canada who also released a report, were that, "the overall state of the environment is not well known" (AEMP, 2011).

Aside from the risks to the Athabasca, risks to ground water have also been identified as result of in situ extraction as Gosselin et. al. (2010: 141) states,

> A lack of information on the regional hydrology of the sands region makes it difficult to evaluate how ground water extraction modifies the regional ground water flow dynamics,...Modified groundwater flow dynamics could lead to the mixing of freshwater and saltwater [which could] negatively impact its quality and make it unfit for consumption."

In general, significant risks exist simply from the lack of knowledge about the impacts of in situ extraction.

In February 2012, the federal and provincial governments announced a fifty million dollar joint oil sands monitoring system to monitor the air, water and biodiversity in the oil sands region (Henton, 2012; CBC, 2012B). However, from the outset, ENGOs were not satisfied with the new system. The three-year implementation plan and a lack of independent oversight were particularly troubling considering the Athabasca River has gone without an effective monitoring program since commercial development began (Stoymenoff, 2012B). So while the steps taken to encourage confidence in the region's water quality have been taken, any chance of attaining a baseline ecological study of the region's water system has been lost after forty years (Stoymenoff, 2012B). With the current rate of expansion, strains on the region's systems are likely to continue.

1.3.4 Water Quantity

Water withdrawal for industrial production is also a continuous concern since the upgrading process requires large quantities of water drawn directly from the natural

environment. With current technology it takes between twelve to fourteen barrels of water to produce one barrel of bitumen, four of which are drawn from fresh water sources.

The GOA and industry actors have denied that risk to water quantity exists but critics argue that this is misguided because they focus on annual flows — not on the seasonal flows that see significant variation. The eight major oil sands operations hold the rights to divert 16 m^3/sec from the Athabasca. During high flows, this allocation represents less than two percent of the flow (average 859 m^3/sec) but during low flow periods, this allocation can reach nine percent (average 177 m^3/sec) of the river's flow since allocations are not proportional to the river's flow rate (Dow, 2011).

As the level of diversion increases, there is a risk that diversion would exceed the minimum amount of water required to ensure the proper functioning of the ecosystem. This minimum is referred to as the ecological base flow (EBF) (Lebel et. al., 2011). A policy developed with an EBF would halt water withdrawals if the water level dropped below a predetermined level.

During low flow periods in the winter, the level of oxygen, which is vital to ecosystem function, can be compromised as the Athabasca is covered in ice. A report by Schindler et. al. (2007) concluded that intensive water diversion during low flows could be detrimental to the eggs and fry of fall spawning species, and hinder the ability of fall spawning fish to reach the habitats critical to their reproduction. This would have obvious implications on the local food system and those human populations that rely on the fish for nutrients and sustenance. The effects of water withdrawals will be exacerbated by the expected decrease in overall flow in the Athabasca from the impacts of climate change. A two

degree Celsius rise would disrupt the overall flow of the Athabasca in the Fort McMurray area by thirty percent by 2050 (Bruce, 2006).

Phase one of the Athabasca Watershed Management Framework (AWMF) has a color-coded ranking system for water withdrawals, but it is not binding. Phase two is currently being developed but while the scientific evidence, including studies from the Federal Department of Fisheries and Oceans, supports recognizing and enforcing an EBF, it remains uncertain whether one will be included.

1.3.5 Wildlife

The oil sands have also had a negative impact on the region's fauna whose habitats are disturbed or fragmented through the infrastructure required for resource extraction (Gosselin et. al., 2010). These losses are significant, not solely for their role in the ecosystem but also for their traditional use by the region's indigenous population.

Industry actors are required by law to reclaim all disturbed land to a similar land function but the often long periods between initial disturbance and reclamation mean that population losses can be permanent. Environmental Impact Assessments (EIA) also require there to be a zero net loss of wildlife but there are numerous reports that identify habitat destruction and fragmentation as a current threat to populations (Gould Environmental, 2009).

The most high profile case of wildlife endangerment occurred in April of 2008 when at least sixteen hundred ducks died after landing on a Syncrude tailings lake. The story made international news and Syncrude was convicted of violating the Alberta Environmental Protection and Enhancement Act and the Migratory Bird Convention Act (CBC, 2010). This particular instance was an anomaly, but Wells et. al. (2008) identifies an overall decline of

migratory birds as a result of in situ extraction because it transforms sections of habitat into industrial infrastructure and contributes a significant amount of noise pollution, which disrupts migration.

The region's caribou population is also at risk. A study by the Athabasca Landscape Team (2009; in Gosselin et. al., 2010) found evidence that a failure to act with "aggressive management intervention" (189) would result in the extinction of the caribou population within the next twenty to forty years, since every population in the region is already in decline. The GOC response required a cull of hundreds of wolves to decrease their threat to the caribou, but critics argued the plan was misguided and failed to identify land disturbance as the primary threat.

1.3.6 Tailings Lakes

Tailings are a byproduct of the upgrading process that cannot be returned to the environment. Consisting primarily of water, clay and sand, they may also contain small traces of toxic elements. Since the start of commercial development, over eight hundred and forty million cubic meters of tailings waste have accumulated in tailings lakes. These lakes cover 170 km^2 and continue to grow (ERCB, 2010A).

Initial plans from the 1960s advocated for the direct dumping of tailings into the Athabasca at a rate of ten to twenty thousand gallons per day (Pratt, 1976), but the GOA instead opted for a zero discharge policy, which means that all tailings must be stored and treated, and all tailings lakes must be reclaimed (Birn and Khanna, 2010). However, despite the zero discharge policy, the risk of seepage is a continuous threat to the local ecosystem. Mackinnon et. al. (2005; in Gosselin et. al. 2008) found that some tailings had reached

uncontaminated sources despite the industry's precautions. Environmental Defense (Price, 2008) estimates that tailings are seeping into the local ecosystem at a rate of eleven million liters per day. However, Environment Canada says a lack of information in the area makes it difficult to conclusively determine whether the threat is real.

An additional concern associated with tailings is the ability to return the lakes to the similar land function required by law. To date, only Suncor's Pond One (renamed Wapisiw lookout) has been "reclaimed"[2] but the process involved moving a portion of the tailings to another lake. This demonstrated to many that current technology was not capable of truly reclaiming tailings lakes.

Since the 2008 duck incident, tailings management has become a priority of both industry and the government which issued Directive 074, a document that emphasizes a commitment to reducing the impacts of tailings (ERCB, 2009). However, while technology continues to improve, the continuous growth of the industry means that the overall quantity of tailings will also grow.

1.3.7 A Note on Indigenous and Other Concerns

As development continues, the concerns of the indigenous populations are real and significant — and though the communities are not homogenous in their stance, they have been among the most outspoken opponents to development (Urquhart, 2010). Their concerns are linked closely with their environment and the risks to their health and traditional lifestyle. Since indigenous populations rely on a closer relationship with the land, they are often the first to experience the consequences from industrial disturbance (Bullard, 2001). There is also

[2] Suncor's Pond One is in the process of reclamation but certification is not expected in the near future.

the added dimension of their complicated relationship with the federal government and the legal ambiguities around consultation and the protection of traditional lifestyles. This project recognizes these concerns but will limit the discussion to focus on the ENGOs and their concerns over development. For additional analysis and discussion of indigenous concerns and the oil sands see Pesselac-Ross (2007), Potes (2007), Ross (2003), or Urquhart, (2010).

There are a variety of other concerns that are also relevant in the oil sands discourse — including royalty and fiscal management, threats to organized labor, labor migration, worker safety, social issues, cost of living, among many others that are recognized but will not be discussed.

1.4 History of Environmentalism: Four Waves

Modern environmentalism is a relatively new ideology based on the human relationship with the natural world. Extremely broad and based in many different epistemologies, environmentalism as a movement has been described as "a new form of decentralized, multi-form, network oriented, pervasive social movements" (Castels, 1997 in Mackenzie, 2008: 113).

The literature on the history of the North American environmental movement has broken up the history into three or four waves that are characterized by shifts in its relationship to industrialization, modernization and capitalism. These shifting relationships can be translated into one between environmentalists and those they oppose based on the preference for collaborative or confrontational strategies.

The first wave of environmentalism emerged in the nineteenth century following the writing and leadership of Henry David Thoreau, John Muir, Aldo Leopold and Bob Marshall, among others. The writings coalesced around challenges to a blind faith in science and industrial progress (McKenzie, 2008). The early movement composed of two branches: the conservation movement championed by Leopold and Marshall and the wilderness movement associated with Thoreau and Muir. The former emphasized the wise use of resources and advocated for long-term strategies to mitigate the impacts of an industrial system that squandered valuable resources (Mckenzie, 2008). The latter was more critical of industrial progress and emphasized the intrinsic value of nature and the land.

It was during this wave that the Sierra Club, the Audubon Society, the Nature Conservancy, and the Wilderness Society were founded. These organizations have a long history advocating for conservation and preservation issues in North America and around the world.

Rachel Carson's *Silent Spring* (1962) is often seen as the start of the second wave of North American Environmentalism. Carson's connection between the impacts of industrial food production and the environment and public health woke the generation that would become the counter culture of the nineteen-sixties and seventies by challenging the most powerful corporate powers in the United States.

This second wave was highly critical of the broader economic and social conditions that produce environmental degradation. They challenged militarism, urbanization, and industrialism and advocated for greater sustainability, participatory democracy, social justice, communalism, and peace (Mckenzie, 2008). This wave was characterized by the dominance

of confrontational political action and Greenpeace, formed in 1972, is seen as a strong embodiment of these values.

The third wave of environmentalism shifted away from the confrontational tactics of the second wave and adopted a softer, more conciliatory tone. Often described as the shift from the "court room to the board room," (Dowie, 1996) some environmental organizations became increasingly institutionalized and worked closely with industry and governments. Additionally, a greater emphasis on "market based incentives, demand side management, technological optimism, non-adversarial dialogue and regulatory flexibility" allowed environmental organizations to work within the political mainstream and the neo-liberal consensus advanced by the national leaders of the day (Dowie, 1996: 105-6). Through compromise, third-wave organizations were able to generate revenue from consultations, which allowed both industry and ENGOs to declare victory when they reached agreements on risk reduction (Mckenzie, 2008).

However, this shift into the mainstream was criticized heavily as a capitulation to industry and government that allowed polluters to legitimize their development and environmental degradation to the public while achieving few substantive returns. A specific point of contention remains the acceptance of risk assessments as an environmental management tool. The critics argue that risk assessments are ineffective at determining the cumulative effects of development (Dowie, 1995).

The third wave also witnessed an organizational shift within organizations. The increased institutionalization and increased funding capacity meant that full time staff could be hired and there was less operational reliance on voluntary membership. Since

confrontational responses were abandoned in favor of research, lobbying and consultation, the general membership of ENGOs was often relegated to financial contributions. Critics chastised the organizations for drifting away from their grass roots. This new model was successful in maintaining membership and momentum into the nineties, but following the election of Bill Clinton and Al Gore, membership decreased and organizations found it increasingly difficult to fund their operations (Dowie, 1995). Some attributed the decline to the election of Al Gore, a self-professed environmentalist who was expected to promote environmentally progressive policy, but others cited list fatigue, as the same members were continually used for financial contributions with limited involvement in the organizations (Dowie, 1995). In Canada, environmental organizations like the Pembina Institute, Ducks Unlimited, Environmental Defense, Nature Conservancy, Alberta Conservation Association, World Wildlife Fund, and others embody the characteristics associated with the third wave.

Despite the dominance of third-wave organizations, the confrontational groups more associated with the previous wave remained involved in the environmental movement. Often characterized as the fourth wave of environmentalism these organizations and actors did not disappear during the third wave but became less prevalent. Dowie (1995) describes these actors as a continuation of the second wave with a renewed commitment to populism and a patchwork of preservationist, conservationist, and anti-hegemonic ideologies. Their tactics included a new use of non-violence and direct action and an emphasis on grassroots organizing and network building (Dowie, 1995).

Many of these fourth-wave organizations were initiated following splinters in the third-wave organizations by individuals who were not satisfied with the shift towards building

collaborative relationships with polluters. Greenpeace, The Sea Shepherd Conservation Society, EarthFirst!, Rainforest Action Network, All Against the Haul, Earth Liberation Front, Rising Tide, 350.org and the Tar Sands Action Network serve as examples of current fourth-wave environmental organizations that use confrontation — rather than collaboration — as a primary strategy to advance their claim.

1.4.1 Alberta's Environmental Movement

The environmental movement in Alberta is not particularly unique among other jurisdictions and has followed the typical trajectory of the broader environmental movement in North America. The number of organizations has increased steadily since the 1960s, largely in urban settings. The mid to late 1980s saw a dramatic rise in the number of organizations, particularly in rural areas (Stefanick, 1991). These rural organizations tended to focus on local issues, and often on only one specific issue. Urban organizations however, tend to be interested in issues that were provincial or national in nature (Stefanick, 1991). In 1990, the Pembina Institute's cofounder Rob Macintosh identified three sectors in Alberta's environmental movement: "wilderness conservation groups; pollution control groups; and environmental alternatives and lifestyle groups" (Macintosh, 1990 in Stefanick, 1991: 65).

In 1980, ENGOs in Alberta formed the Alberta Environmental Network (AEN). The AEN was designed to act as an umbrella organization to foster communication and coordination among organizations. As of May 2012, it comprised 78 groups. The size of these organizations varies greatly (with many yielding no response through an internet search engine while others have thousands of members).

In 1991, conflicts between environmentalists and indigenous communities on one hand and industry and government on the other, flared over the practices and developments of the timber industry in a struggle that echoes through the current conflict over the oil sands. Greenpeace and other social justice organizations led boycotts of timber produced on the Beaver Lake Cree First Nation's (BLCFN) traditional land. The boycott and legal pressure from Alberta based ENGOs, successfully compelled consumers to halt their purchase of identified conflict lumber. The GOA eventually offered alternative timber harvest areas to Daishowa, the Japanese corporation targeted by the boycott (Pratt and Urquhart, 1994). However, the BLCFN's land dispute remains unresolved and the conflicts between industry and environmentalists have continued.

An analysis of the environmental policy community in the 1980s and early 1990s conducted by Stefanick (1991) drew several conclusions and predictions about the state of the environmental movement in Alberta and those conclusions have largely become reality: 1) Environmental movements became more professionalized and "able to speak the 'language' of business and government"; 2) Pressure to stabilize funding sources resulted in a larger portion of ENGOs that rely on funding from industry; 3) Infusions of revenue and demands for their services forced ENGOs to focus more closely on the managerial and organizational aspects of their operations, and lastly; 4) The increasing closeness between ENGOs and industry, which fourth-wave organizations find distasteful, has created conflict within the ENGO sector. Fourth-wave groups have built coalitions with activists from labour, indigenous communities, feminists and social justice organizations which all share a similar social critique.

The ENGO presence in the Alberta oil sands is not isolated from the broader environmental movement. While many ENGOs do not have a distinguishing organizational line between 'oil sands' and 'not oil sands' work, the fact is the oil sands represent a new form of extraction and a new scale of development, which has forced ENGOs to adapt.

1.5 The History of Alberta's Oil Sands Opposition

As mentioned, the environmental opposition to the Alberta oil sands has transformed — and more recently, diversified — to include various actors employing a variety of different strategies. The first phase of opposition started after the initiation of commercial development and extended until 2006. This phase resembles the third-wave environmental movement, characterized by a relatively collaborative relationship between organizations, industry and government. The second phase resembles a combination of third- and fourth-wave environmentalism with previously collaborative actors continuing to employ a certain aspects of their collaborative strategy, despite important shifts away from certain processes and relationships, and the emergence of fourth-wave organizations committed to a confrontational strategy.

1.5.1 Phase One: Collaboration

Early development to the oil sands was allowed to proceed with little opposition due largely to the remote nature of the resource and the sparse population density in Northern Alberta. In addition, the initial projects and production levels were small in comparison to current projects.

Larry Pratt (1976), in his analysis of the consortium that created Syncrude, discussed the environmental impacts and predicted, “There will be environmental costs to pay…” However, while these concerns, and those regarding the local indigenous populations, appear to be highlighted in writing, is not clear the extent to which the citizens and ENGOs acted upon those concerns.

The first appearance of a consistent environmental voice in the oil sands comes from the Oil Sands Environmental Coalition (OSEC) that was formed in the 1980s (Urquhart, 2011). OSEC is a coalition of environmental organizations in Alberta including the Toxic Watch Society (TWS), the Fort McMurray Environmental Association, and the most important organization in the coalition, the Pembina Institute.

Residents and landowners who joined to advocate for effective regulation of Alberta’s oil patch formed the Pembina Institute in the 1980s following a sour gas blowout in central Alberta. The Pembina Institute has grown to employ around fifty staffers in offices across Canada (Pembina Institute: Online:B).

The Pembina Institute describes itself as a “non-profit think tank that advocates sustainable energy solutions through research, education, consulting and advocacy” (Pembina Institute, Online:A). Former executive director Marlo Raynolds (2010) also describes the institute as a “bridging organization” that links advocacy groups, industry and government so consensus decisions can be reached on environmental issues (Raynolds in Berry, 2010).

Over the past two decades, the Pembina Institute has developed extensive research capabilities that allow the organization to release public policy documents and media releases on new developments in the industry. Their ability to do these activities is partially related to

their access to funding sources including their fee-for-service consultations with industry which covers forty percent of their annual budget (Pembina Institute, Online:C). Their industry clients include oil sands notables British Petroleum (BP), Conoco Phillips, Petro-Canada, Nexen, Shell, Statoil, TransCanada Pipelines and Suncor (Pembina Institute, Online:D) Despite these relationships, the Pembina Institute insists that their work and positions are independent of their funders (Pembina Institute, Online:C).

The TWS is a much smaller organization in comparison to the Pembina Institute and was formed in 1986 as "a needed and timely response to the growing use of toxic chemicals in our province." The FMEA is also small and lacks basic infrastructure including a website and contact information.

Since 1993, OSEC has participated in all oil sands-related Alberta Energy Utilities Board[3] (AEUB) hearings. Through participation, OSEC has consistently advocated for environmental solutions and has been successful in reaching agreements with oil sands project proponents where industry voluntarily implements a program or initiative to reduce the environmental impact of the project.

In 2005, the Pembina Institute and twelve other ENGOs as representatives of Canada's environmental community co-signed a report affirming the organizations' policy positions (CPAWS et. al., 2005). The report emphasizes a shift towards a sustainable energy future, a stronger regulatory regime, a binding regional integrated management plan, and a declaration by all signatories that they will work cooperatively with companies and

[3] The Alberta Energy Utilities Board (ADUB) has been renamed twice in the past three decades. It was changed to the Energy Utilities Board (EUB) and is currently the Energy Resource Conservation Board (ERCB). All three names will be referred to in this project corresponding with the time the name was used.

governments (CPAWS et. al., 2005). A moratorium of any kind was not included in the document.

As the oil sands continued to develop at a rapid pace and OSEC was participating and engaging with industry, the Alberta government started encouraging "interest representation through the creation of several multi-stakeholder bodies" (Hoberg, 2011: 507) in an apparent effort to increase the number of actors in the policy-making process. These bodies presented a unique chance for environmental organizations to access the decision-making process and work collaboratively with government and industry.

The first of these multi-stakeholder bodies, the Cumulative Effects Management Association (CEMA), was designed to be a "key advisor to the provincial and federal governments" and "make recommendations to manage the cumulative effects of regional development on air, land, water, and bio-diversity" (CEMA, 2010:A). The initial membership included many of the major industry actors, various departments from the GOA and GOC, municipal agencies, environmental organizations, and indigenous groups. The entire membership of OSEC was involved during the organization's inception.

The second multi-stakeholder body developed by the GOA was the Multi-Stakeholder Committee (MSC), developed in 2006 as a mechanism to involve Albertans in the development decisions of Alberta's oil sands. Unlike CEMA, this was not a standing body but a linear process in two stages. Stage one included a series of consultations with the general public in different locations around the province and a series of summits involving various prominent individuals relevant to oil sands issues (MSC, 2007). Stage two, gathered input from a range of stakeholders and the general public, and created a panel from one

representative from each sector involved. The environmental organizations involved included the Pembina Institute, the Sierra Club of Canada and Prairie Acid Rain Coalition (PARC). Martha Kostuch of PARC would serve as the ENGOs' representative on the eight-person panel.

The results of the MSC panel were not surprising, with the stakeholders filling their usual roles, and found consensus on some issues but not on others. Similar to CEMA, the MSC panel did not have any binding authority and recommendations were sent to relevant departments at the GOA for review. In 2009, the GOA released the official response to the MSC entitled *Responsible Actions: A Plan for Alberta's Oil Sand*s (Alberta, 2009). However, the response "contained no new policy direction" (Hoberg and Phillips, 2011: 516) in the areas of emissions, water and land management (Hoberg and Phillips, 2011).

The Oil Sands Ministerial Strategy Committee (OSMSC) was the third multi-stakeholder process designed to develop a short-term action plan to address oil sands issues. Experts and stakeholders contributed to the OSMSC process but no environmental groups were directly involved (CEMA is listed as a consulted organization) (Radke, 2005). The GOA responded nearly immediately to the OSMSC final report by announcing nearly $400m for social infrastructure and while $8m was dedicated to matters related to the environment, the overwhelming majority of the overall funds were directed to projects that would continue to facilitate a rapid pace of development (Hoberg and Phillips, 2011).

1.5.2 Changing Tides

From 1993 to 1999, OSEC had never called for a rejection of an oil sands project. However, in the late 1990s and early 2000s, a series of events begin to change OSEC and Pembina Institute's position and strategy. In 1999, OSEC called for a rejection of EnCana's (later to split and rename its oil sands component Cenovus) Christina Lake SAGD Project based on the lack of development strategy. In 2002, OSEC called for the first rejection of a mining operation, the True North Energy Fort Hills project, citing local concerns over the McClelland Wetland, a wetland previously protected by the GOA whose protection was removed before the hearing (Pembina Institute, 2002; Urquhart, 2011).

It was not until 2006 that OSEC called for another oil sands mining project to be rejected: Suncor's Voyageur project. OSEC had failed to reach an agreement with Suncor to reduce the environmental impact and based its rejection on broad threat to the ecological integrity of the region (Pembina Institute, 2006A). However, at the Voyageur hearing even Fort McMurray Mayor Melissa Blake was asking for a moratorium on development until a more comprehensive plan for responsible growth had been put in place (Zwarun, 2006) — which begs the question why OSEC waited so long to ask for a project to be rejected.

However, later that year, OSEC had reached agreements with two other mining projects, Shell's Albian Sands and Canadian Natural Resources Limited's (CNRL) Horizon mine, and did not ask for their rejection (Urquhart, 2011). Several months later, OSEC affirmed its opposition and called for the rejection of Imperial Oil's Kearl Oil Sands Mine Project, which OSEC called "reckless" (Pembina Institute, 2006B) even though it had given

the tentative green light to two similar projects in the same year. Again, OSEC had been unable to reach an agreement with Imperial Oil (EUB/CEAA, 2007).

1.5.3 Phase Two: Evolution and Emergence, Diversification and Internationalization

In the summer of 2006, the Alberta government took the oil sands to Washington D.C. as a promotional event at the Smithsonian Folklife Festival. The National Resource Defense Council (NRDC) and the Pembina Institute teamed up to draw attention to the environmental impacts (NRDC, 2006A). Concerned that the festival exhibit would not tell the whole story (NRDC, 2006B), this represented an important moment in oil sands opposition. While previously organizations like the Pembina Institute had made public statements, this was among the first events where the Pembina Institute openly opposed the Alberta government and the development in the oil sands at a critical time when Alberta was attempting to entice foreign buyers. This was among the first public events in which the ENGOs specifically targeted the GOA, not on its environmental performance, but on their legitimacy in marketing the oil sands to consumers.

This shifting opposition has multiple characteristics. The first is a strategic evolution of the Pembina Institute and OSEC which adopted a stronger policy stance oriented around a moratorium on project approvals and shifted their strategy away from collaboration with industry and government[4]. The second is a diversification of strategy across the spectrum with the emergence of fourth-wave ENGOs committed to confrontation as the dominant strategy. The third characteristic is the internationalization of the oil sands which is now an issue of

[4] This strategic evolution should be understood as a shift from ‘collaboration’ to ‘less collaboration’ since it still remains collaborative in many respects.

global concern. As the oil sands develop into a global energy project, ENGOs and other social movement organizations have begun to oppose the oil sands in jurisdictions outside of Alberta.

1.5.3.1 OSEC in Phase Two

Since the agreements reached with the CNRL Horizon Project and Shell's Albian Sands project in 2006, OSEC has been unable to reach an agreement with any other oil sands projects prior to regulatory approval and has requested that regulatory body reject all further oil sands projects.

By 2008, OSEC's collaborative strategy appeared increasingly strained when the coalition and EcoJustice lodged a formal complaint to the ERCB and the Canadian Environmental Assessment Agency (CEAA), asking it to review Shell's Jackpine and Muskeg Oil Sands projects (Buss, 2009). They alleged that Shell had failed to identify how they intended to meet the GHG targets that OSEC and Shell had agreed to. The complaint was rejected and it has had a strong influence on the OSECs perception of both the regulator and Shell. This will be detailed in chapter four.

Even within CEMA, OSEC's behavior and involvement changed. During 2000, CEMA's inaugural year, the body achieved little and fared only slightly better in following years. Plagued by a lack of leadership from the GOA and a shortage of resources and funding, CEMA had a difficult time achieving its mandate (Urquhart, 2011). However, the GOA continually gave CEMA a larger share of the region's environmental management despite it having "no mechanism for implementing and enforcing its decisions or recommendations regarding cumulative effects management" (Kennett, 2007:14). By late 2005, CEMA had

produced only two resource management objectives, neither of which dealt with land or water. To contrast, between CEMA's launch and 2006, five major oil sands projects with an estimated production value of 750,000 bpd had received regulatory approval (Urquhart, 2011).

In 2008, CEMA produced the Terrestrial Eco-System Management Framework that recommended a moratorium on the sale of oil sands leases. The GOA rejected the recommendation, insisting that other initiatives capable of addressing the concerns mentioned, were in the process of development (Ellis, 2008). These processes included the Strategic Plan for Oil Sands Sustainable Development, the Provincial Energy Strategy and the Land Use Framework (LUF), neither of which implement or recommend a moratorium on any part of oil sands development and have been criticized as a perpetuation of the status quo (CTV, 2011). Following the GOA's rejection of the moratorium, the three members of OSEC withdrew their membership (Pembina Institute, 2008B). In a similar circumstance, the Pembina Institute had quietly withdrawn from RAMP over a decade before (Grant, 2012).

1.5.3.2 New Faces: Fourth-Wave ENGOs and Alberta's Oil Sands

The new environmental actors involved in the oil sands discourse characteristic of fourth-wave environmental organizations had an official launch in 2007 when Greenpeace opened an Edmonton office. With a budget of three hundred thousand dollars and a staff team of two, the new office was put in charge of bringing global attention to the oil sands (Lillebuen, 2008).

Prior to Greenpeace's arrival in 2007, the confrontational environmental political action that has made the organization famous around the world was an uncommon sight in

Alberta. Generally reactive to proposed development in local natural areas or seen in the occasional protest at the legislature, Alberta's environmental movement would never generate the amount of media attention that Greenpeace was capable of generating in the subsequent years since their arrival.

Greenpeace had been active and prominent in Northern Canada with a successful campaign to protect the boreal forest. Through the lifecycle of the campaign ending in 2008, nearly every tactic Greenpeace adopted in the past was employed on a global scale including occupations, lock downs, banner drops and even sneaking into Kimberly Clark's Kleenex television advertisements, all of which generated significant media attention to the campaign against the forestry companies. Once sufficient pressure had been exerted and the ENGOs had shifted the balance of power, the bargaining table then became a realistic option to resolve the conflict as the two sides each had sufficient power to see value in collaboration which resulted in the Canadian Boreal Forest Agreement (2010).

Greenpeace had made the occasional appearance in Alberta, with a particularly high-profile twenty-four hour lockdown to a Suncor coal converter destined for the oil sands outside of Edmonton in 2000 (Cudmore, 2000) as well as an attempt to install solar panels on the Premier Ralph Klein's personal residence in Calgary in 2002 (Mahoney, 2002). However, with the establishment of a permanent office, Greenpeace was now capable of coordinating high-profile actions on a consistent basis. Soon Greenpeace would become the public face of oil sands opposition.

Berry (2010) argues that the psychological impact of Greenpeace's entrance greatly outweighed their physical presence. An *Edmonton Journal* (2007) opinion stated,

"[Greenpeace's arrival is another symptom Albertans must heed of the serious anti-oil sands movement that is slowly and quickly growing in intensity internationally." "Albertans of all stripes would be wise to realize Greenpeace knows how to get global media attention" (Edmonton Journal, 2007). This sentiment was shared among other Alberta-based publications (Pratt, 2008).

Greenpeace engaged in their first dramatic action on the opening day of the Alberta legislature's fall session in 2007. Climbers and support teams dropped two large banners from Edmonton's High Level Bridge, in sight of the Alberta legislature. Over the next year, the organization and a relatively small group of volunteers would make regular appearances in Alberta and Canadian media. Other actions included a banner drop behind former Premier Ed Stelmach's keynote address at a party fundraising event (CBC, 2008) and a series of occupations of oil sands tailings facilities including an attempt to block a tailing pipe in the summer of 2008 (Young Lee, 2008). Staff and volunteers also "bird dogged" Premier Ed Stelmach's election campaign dressed as polar bears in 2008 (Clarke, 2008).

The fall of 2009 and the run up to the Copenhagen (COP 15) climate negotiations saw a high intensity of activity by Greenpeace. Described as "the push," activists from around the world descended on the oil sands in three different actions (Anonymous Interview, 2012). The first was a seventy-two hour occupation of Shell Albian Sands mining project (Hamilton, 2009); the second, an occupation of a Suncor upgrading facility (Cooper, 2009); the third was an occupation of Shell's Scotford refinery in Fort Saskatchewan, Alberta (Hamilton, 2009). Greenpeace activists also scaled the West Block of Parliament in Ottawa (Gillies, 2009) and

occupied a Total refinery in France, highlighting Total's involvement in the oil sands (Greenpeace, 2009C).

The most daring Greenpeace protest involved the suspension of a banner from the Calgary Tower in Calgary, Alberta in the summer of 2010. The stunt, on the eve of the provincial premiers meeting as the Council of Federation, involved expert climbers from around the world who Premier Stelmach would later refer to as "tourists" (Weber, 2009). However, since the Calgary Tower action, Greenpeace has not pursued any high-risk protests in Alberta and their public activities have been relegated to small scale protests. However, Greenpeace, alongside the Pembina Institute, remain common representatives of the environmental perspective in media stories on the oil sands.

1.5.4 Conflict Expansion: The Oil Sands "Tentacles"

In the past several years, the conflict over Alberta's oil sands has increasingly taken place outside of Alberta's borders. ENGOs within Alberta have made their concerns heard and anyone involved with the issue would most likely say that the environmental impacts are the largest challenge to oil sands development; still, the environmental groups have not seen the substantive policy changes desired. However, as the oil sands increase in size and production, there is increased need to export product to market and bring the necessary infrastructure to northern Alberta. As Vanderklippe (2012) has stated, "there's too much oil, not enough pipe" and the conflict over the oil sands has now largely shifted to the industry's "tentacles" (Robbins, 2011).

As a result of the increased profile of the issue, the number of organizations who are actively involved in oil sands campaigns has grown, and much of this growth has taken place

outside of Alberta with the characteristics of typical transnational movement (Keck and Sikkink, 1998; 1999). This shift to the global sphere is described as the "boomerang pattern" where the social movement shifts the pressure on their target (most likely the state) from internal to external (Keck and Sikkink, 1998; 1999).

These external organizations are largely incapable of collaboration with both industry and the Alberta government simply because they are not present where the decisions are being made. This means the ratio between the number of confrontational organizations to collaborative oriented organizations, which has remained relatively constant, has grown. These external organizations can act cooperatively with governments and industry actors in their respective jurisdictions, but it is very difficult to collaborate with the GOA and Alberta's industry actors if they are not present in the province. As a result, their attempts to influence Alberta's resource decisions have largely been confrontational and have included protesting industry or government representatives when they visit. During the 2011 International Day of Action Against the Tar Sands, organizers from as far as Vienna, Berlin, Paris, Barcelona and Australia all engaged in direct actions (Kraus, 2011).

The first of the conflicts outside Alberta arose in the American northwest in 2010 when Exxon Mobil, Conoco Phillips and Imperial Oil, in a cost-cutting measure, had two hundred large pieces of oil sands upgrading and refining modules manufactured in South Korea (Zeller, 2010). The plan was to ship the modules to the United States and transport them by barge up the Columbia and Snake Rivers to Lewiston, Idaho. From there, the modules were to be driven along single lane highways, avoiding overpasses and bridges (the modules are 210 feet long, 24 feet wide and 30 feet tall) until they reached the oil sands

(Murphy, 2010). When knowledge of the of the proposed plan was made public, local residents, alarmed by the disturbance the route would create, started a grass roots opposition called All Against the Haul (AGTH) comprising of 'not in my back yard(s)' (NIMBYs), sport fishers, indigenous activists, conservationists and climate activists. The AGTH network eventually won in court since the project failed to complete the adequate environmental assessment required by law. The companies involved opted to dismantle the modules into smaller units so they could be transported conventionally.

The second conflict and the most significant victory for environmentalists was the delay and subsequent denial of TransCanada's Keystone XL (KXL) pipeline, designed to increase the oil sands pipeline network's capacity by shipping bitumen from Hardisty, Alberta to Steele City, Kansas. Once the oil had reached Steele City, the pipeline would have access to newly constructed and existing pipelines that would transport the bitumen to refineries on the Texas coast (TransCanda, 2011). The Canadian portion of the pipeline had been approved with objections from organized labor and environmental groups in the fall of 2007 (TransCanada, 2007) but the American portion required approval from the American State Department and the Obama administration since it crossed an international border. This presented a unique opportunity for American and Canadian environmentalists frustrated with a lack of movement on climate change and other issues.

In 2011, an organization called Tar Sands Action (TSA) spearheaded by American environmentalist Bill McKibben, was formed and put out a call for civil disobedience to raise awareness about the KXL (Tar Sands Action, 2011A). Over a two-week period 1,253 protestors were arrested outside the white house in what the TSA described as the "largest

environmental civil disobedience in decades" (Tar Sands Action, 2011B). Inspired by this action, Canadian environmental organizations organized a similar event in Ottawa in September 2011 (Vigliotti, 2011). In all, 117 protesters were arrested in Ottawa.

In November 2011, the Obama administration announced its intentions to delay the KXL decision until after the 2012 presidential election (Lerman and Efstathiou, 2011). Following the decision to delay, the Republican-controlled House of Representatives passed a bill requiring Obama to make a decision within sixty days. The Obama administration, citing an insufficient amount of time to study the environmental impacts of the pipeline, denied the application in January 2012 but left the option for TransCanada to reapply and change the route. However, commentators and analysts questioned the future of the KXL given the costs associated with the delay (Polczer, 2011). TransCanada has since reapplied for regulatory approval with a modified route and is constructing the southern leg of the pipeline at the time of writing.

Following the denial of the KXL the focus quickly moved the Enbridge Northern Gateway (NGP) pipeline scheduled to carry bitumen across northern British Columbia to the port of Kitimat where it would be loaded into tankers and shipped to Asia and other international destinations. Environmental activists, including the Vancouver branch of Greenpeace and Victoria's Dogwood Initiative had been organizing against the pipeline that also had significant opposition from indigenous populations along the pipeline route and the popular provincial New Democratic Party (NDP). The NGP's joint review panel, as of February 2011, was scheduled to take eighteen months to hear from nearly four thousand

citizens who had applied as interveners. The Pembina Institute and many other ENGOs have also registered to speak as interveners.

The day before the regulatory hearing was to begin, Federal Natural Resource Minister Joe Oliver released a now famous open letter to Canadians. The letter attacked environmentalists as ideologically-driven radicals reliant on foreign funding to hijack the regulatory process while describing the NGP as a nation-building pipeline similar to the Trans Canadian Railway (Oliver, 2012). The letter also emphasized the need to "further streamline the regulatory process." Received poorly among environmental actors and organizations, the letter was the most overt expression of the federal government's dissatisfaction with environmentalists opposed to the oil sands and has become a rally point for a growing counter movement that has attempted to undermine the efforts of environmentalists. Greenpeace responded critically, stating "this attack on Greenpeace is simply one part of a broader, well-orchestrated campaign against anyone who questions the wisdom of tripling the size of the tar sands or building the new pipelines this requires" (Cox, 2012). The Sierra Club of Canada described the accusation as an "...unprecedented campaign to damage the credibility of the environmental movement" (Bennet, 2012A).

Even preceding Minister Oliver's attacks, the aggressive push back from the counter movement, industry and government has extended back to 2008 when the Alberta government announced a twenty-five million dollar public relations campaign to counter the dirty oil image. The Canadian Association of Petroleum Producers (CAPP) and individual industry actors have also ramped up advertising and public relations spending. The most aggressive campaign has come from conservative activist and media pundit, Ezra Levant, who wrote the

book *Ethical Oil: The Case for Canada's Oil Sands* (2010) and helped establish the organization by the same name. The organization, with strong connections to the Conservative Government, has been used as a counter weight to environmentalists in media stories.

Beyond public relations, the actual repression of confrontational political action has escalated since these strategies have been employed. In the past, Greenpeace activists usually escaped with trespassing tickets (equivalent to a traffic infraction) but in 2008 when activists attempted to close a Syncrude tailings pipe, Syncrude launched a lawsuit worth a hundred and twenty-thousand dollars against Greenpeace (Canadian Newswire, 2008).

Following the series of Greenpeace actions in the fall of 2009, Premier Stelmach aggressively denounced Greenpeace and vowed to "ensure the trespassers [were] punished to the full extent of the law" (Greenpeace, 2009). The Solicitor General also said he would look at terrorism legislation in relation to the protests. Brian Beresh, Greenpeace's lawyer, heavily criticized the statements made by the Solicitor General and Premier Stelmach calling them "McCarthyist" (Beresh, 2009) and warned against the political interference in the justice system. In the end, and in subsequent protests, many activists have been found guilty of serious crimes including mischief and breaking and entering, which carry significant fines (CBC, 2011). None have received prison sentences beyond the initial holding following arrest.

1.6 Chapter Conclusion

Alberta's oil sands have developed rapidly and their environmental impacts have drawn heavy criticism from ENGOs in Alberta, Canada and abroad. Through focusing on the

movement within Alberta, this chapter has demonstrated that a transition has occurred within the movement since the 1990s. Before the transition, collaborative strategies dominated through the work of OSEC and the Pembina Institute which was consistent with third-wave environmentalism. While still collaborative in many aspects of their operations, OSEC and the Pembina Institute have since taken steps away from the level collaboration they once used, while new actors have arrived on the scene. Organizations employing a confrontational strategy, most notably Greenpeace and consistent with fourth-wave environmentalism, have played an increased role in media and discourse. An expanded opposition, strategically consistent with ENGOs in Alberta, has also emerged beyond the borders of Alberta as the oil sands attempt to get the product to the global market. The battlegrounds have shifted but the conflict will surely persist as the economic potential remains and energy demand increases, placing ever greater strains on the natural environment.

Chapter 2: Evolution and Emergence in Social Movement Theory

2.0 Chapter Introduction

A social movement is a collective effort by individuals to advance what they perceive to be a collective good within society. Actors involved in raising environmental concerns against the Alberta oil sands meet this criterion, as it is apparent they are not advancing an agenda for their own personal benefit as would an industry lobby group. The evolution and emergence of ENGOs provides an interesting case for the study of social movements and social movement theories. The two theories chosen in this thesis are the two most dominant theories of the past forty years. Each emphasizes different variables as an explanation for social movement activity and each will be outlined in this chapter. The resource mobilization theory (RMT) attributes movement activity to the ability of that movement to acquire resources. The political opportunity theory attributes movement activity to the opening and closing of opportunities. Following a brief introduction to social movements, collective action and the outdated social movement theories of the past, this chapter will outline and review the social movement literature necessary to understand ENGO behavior in the oil sands.

2.1 Social Movements

Social movements, as collections of political actors, work towards societal change. This change could come in the form of a substantive policy change, a change in public behavior and values, or a general rejection of the governing structures of that society. Through

collective action, social movements challenge "power holders by means of public display of that population's worthiness, unity numbers and commitment" (Tilly and Tarrow, 2007). Simple examples of past and contemporary social movements include the civil rights movement, the pro-democracy movement, and the occupy movement.

Social movements play an important role in social conflicts whether on an international or local scale. The resulting successes of a movement, like the civil rights movement, serve as inspiration for subsequent generations of activists. Even if a social movement's ultimate goal is not achieved, social movements serve as important voices in the discourse of the issue and challenge how issues are framed.

Since any definition of a social movement is extremely broad, the history of social movements is equally as vague since they exist whenever individuals hold grievances and attempt to reconcile those grievances in a collective manner. The basic requirements for any social movement is a minimum of two individuals that have gathered to make a claim with the anticipation that such a claim will be made repeatedly over an extended period of time. Opp (2009) makes it clear that a single event does constitute a social movement.

Individuals involved in social movements are referred to as social movement actors defined by Tilly and Tarrow (2007) as "recognizable sets of people who carry on collective action in which governments are directly or indirectly involved, making and/or receiving contentious claims." Social movement actors may be involved in established organizations or work independently towards the common goal by engaging in collective action.

Social movement organizations (SMOs) play an important role in sustaining social movements since SMOs become the institutions capable of collecting and storing resources

and representing social movement actors through a common united frame. In the case of the oil sands, organizations such as Forest Ethics, Greenpeace, Rainforest Action Network, Pembina Institute, Indigenous Environmental Network, etc., have given the movement the capacity to coordinate events, conduct research, and communicate ideas. Whether formal or informal, these organized networks give social movements the ability to sustain themselves throughout the length of the campaign.

2.1.1 Collective Action

Collective action refers to the activity social movements use as a group of individuals to achieve their goal. Individuals act collectively because they feel that their individual goals can best be achieved through cooperation with other individuals sharing similar values or grievances. Most often associated with protests, strikes or rallies, collective action can refer to any type of activity that is done collectively including mass letter writing, research, lobbying governments, or releasing policy statements. A term often used synonymously with social movements and collective action is "contentious politics" (Tilly and Tarrow, 2007).

Collective action can come in many different forms along a spectrum ranging from activities that work closely with the movement's target to activities that work violently to undermine the target. Collective action can be categorized in several ways across a spectrum (See Figure 1).

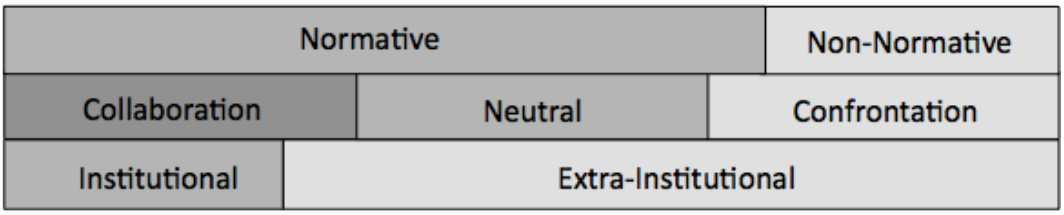

Figure 1: Social Movement Strategy Categorizations

Institutional political action takes places within the legal limits provided by the state and could include testifying before a decision making body, providing comments during the allotted time for public discussion on a piece of legislation, running for political office or registering a political party. Activities such as lobbying or letter writing tread the line between institutional or extra institutional political action and depend largely on whether the institutions of the state expect or embrace this activity. Extra-institutional action is anything that takes place outside the state institutions such as a rally or protest.

Normative political activity is any political activity that is largely accepted as legitimate by the broader society in which it takes place and differentiated from non-normative activity as "rule conforming" versus "rule-violating" (Piven and Cloward, 1991). In Alberta and Canada, normative activity would include institutional activity as well as extra-institutional activities like peaceful protests, strikes, or boycotts. Non-normative political activity would include activities that are not viewed with legitimacy and are perceived to be unacceptable or against the law. These activities would include violence, property destruction, or armed insurrection.

The categorization best suited to the oil sands context is the spectrum between collaboration and confrontation. Collaborative efforts in this context would include institutional activities and some non-institutional activities. Neutral activities would include extra-institutional activities that do not directly confront the social movement target such as

policy research and development. Confrontational political activity is characterized as any activity that directly confronts the movement target and is also thrust upon the general public in a way that is not easily avoidable (Banazak, 1996). Confrontational political activity is strictly extra-institutional. The use of this categorization is preferable in this context because it provides effective distinctions among ENGO activities in Alberta and provides clear line indications of where strategies have evolved and emerged. It is also effective because in many instances ENGOs, in particular the Pembina Institute and OSEC, have bypassed the institutions of the state to collaborate directly with industry. While the other two categorizations are relevant and warrant further discussion, ENGO activities in the oil sands will be described along the collaborative, neutral, confrontational spectrum from this point forward.

2.1.2 Grievance

Grievance is an important micro scale variable in social movements and social movement theory. It is the common thread among individuals acting collectively (Tilly and Wood 2009) and its importance is emphasized differently among social movement theorists. Grievances may be the result of a personal experience, injury or a moral outrage towards the issue of concern and may vary among individual actors (Opp, 2009).

In the oil sands, the commonly held grievance among environmental actors is that the development of the oil sands is having a detrimental impact on the local and global ecosystem. While some of these grievances are the result of a direct personal experience, a large percentage of the opposition, particularly in concerns regarding climate change, is

driven by individuals whose lives are not impacted locally by development but who are concerned about the global implications.

2.1.3 Incentives

If social movement actors are considered rational, as they are in the dominant theoretical perspectives identified in this study, they are guided by incentives that are determined through a subjective cost benefit calculation. Buechler 2000 (on Cloward, 1977) argues social movements need three subjective but critical components.

> [For social movements to mobilize] people must define a situation as unjust, and thus question the legitimacy of the social arrangement that creates the problem. Although such a perception may be necessary, it is insufficient because such an orientation by itself may simply reinforce fatalism and passivity. Hence, a second perception is also vital: people must believe that a change is possible and that the world (or some significant part of it) could be organized in a different fashion. [However], the twin perceptions that the world is unjust and that it could be different are necessary but not sufficient to motivate participation in protest. The third required element is a belief in the efficacy of action. People must feel that their own actions will make a difference in changing social arrangements. If people do not believe that their own action will make a difference, the free rider problem becomes paramount; if they do not believe that anyone's actions will make a difference, they lack a sense of agency that will preclude social activism even in the face of injustice (Buechler 2000 on Cloward, 1977).

However, even if the three variables described by Buechler exist, the individual must also view their participation as a priority in relation to the other factors that are also important in their lives (families, jobs, etc.). Moreover, whether the individual is correct in determining that that an objective problem exists, has a solution, and that their personal actions will have

an impact is irrelevant since the individual's subjective interpretation of their surroundings ultimately determines action.

Social movements continue to be relevant in many public policy debates. While they vary widely in terms of organization, size, mobilization, militarization, and level of success, there are broad defining criteria that underlie all social movements. (1) Social movements are sustained campaigns beyond a one time event; (2) social movements utilize collective action to achieve commonly held goals among the individuals involved; (3) the lowest common denominator among social movement actors is a shared grievance and; (4) positive incentives determine social movement participation.

2.2 Social Movement Theories and Social Movement Activity

Theories of social movements attempt to explain various aspects of historical and contemporary movements. Over time, the dominant theories have evolved and shifted as older theories are replaced with new ones that have a greater capacity to fill conceptual gaps. However, unlike in the natural sciences, "the search for grand laws of human affairs comparable to Newtonian mechanics has…utterly failed" (Tilly and Wood, 2009) and social movement theorists have been restricted to a search for general themes common across movements but not ever binding in each case study. However, social movement scholars have continued in their attempts to understand and explain movements, and given the importance of social movements in modern society, their theories bring context to the world around us.

Within social movement theory, there are a variety of different dependent variables that have been tested and discussed including the emergence of social movements

(Oberschall, 1996), the strength of social movements (Rucht, 1996), tactics (Kitschelt, 1996), behavior (della Porta, 1996), form (Tarrow, 1996), expected outcomes (Kitschelt, 1986) and general success (McAdam, 1982; Banazak, 1996). Although evolution and emergence are the primary focus of this study, it is understood that many variables discussed within social movement theory are interconnected and may act as causal forces for other movement variables. For instance, movement strength may influence tactical decisions that in turn may influence the movement's overall success.

For the purpose of this project, it is acknowledged that contemporary social movement theories, specifically resource mobilization theory and political opportunity theory, do not necessarily reject the models of the other theories; they may offer a critique but can be integrated. However, for the purposes of this chapter and subsequent chapters, each theory is analyzed and critiqued independently to reveal its ability to explain the evolution of strategy and the emergence of new actors.

Following a brief discussion of strain theories, which have since fallen out of favor, the analysis will then move to the dominant theories: resource mobilization theory and political opportunity theory. This analysis is intended to acquaint the reader with the historical development of social movement theories before shifting to the discussion on ENGOs and Alberta's oil sands.

2.2.1 Strain Theories

The earliest theories that attempted to explain social movement activity are referred to as strain theories, also known as "breakdown theories" (Useem, 1998). With minor differences between the individual theories, they generally argue that traditional social

movements or any mass participant activity (like a protest) are the result of "strain" in society (Marx and McAdam, 1994). It is through this strain or breakdown of social order that individuals are drawn to the streets to embrace collective action. The grievances held by social movement actors are considered legitimate but are acted upon in an irrational manner because actors have opted to work outside the institutions of the state, which the elite perceive to be adequate avenues for airing grievances.

The two strain theories worth discussing are Collective Behavior Theory (CBT) and Mass Society Theory (MST). Collective behavior theory argues that rapid social change breaks down the social order and induces collective action. An example of rapid social change would be a dramatic increase in the price of food, resulting in a riot. Mass society theory argues that the breakdown of social order is a result of social isolation and the "relative absence of political, religious or social groups" (Marx and McAdam, 1994). Without formal and informal networks, society becomes disorganized and individuals begin to act irrationally.

The primary critique of strain theories is that social movement actors appear to act rationally and make calculated decisions with the information they have. While a breakdown in the social order may lead to a riot following a hockey game, it does little to explain why activists would climb and fasten themselves to a smoke stack at an oil sands upgrading facility. Additionally, while the oil sands have seen rapid development, given the relatively small percentage of individuals who have acted confrontationaly against them, it is unlikely that such responses were the result of a rapid social change advanced through CBT. Furthermore, those who have engaged in political action against the oil sands are generally well connected with particular social movement organizations and networks, which would

refute the conclusions of MST. Lastly, strain theories would argue collaborative actors are a product of a functioning social order and social inclusion, but given that many participants utilize both collaborative and confrontational strategies, inconsistencies in the theories remain.

While strain theories fail to explain social movement activity, their study does provide an important insight. Social movement activity should not be judged or studied by the visible outcomes they produce (Opp, 2009). Instead the process that allows movement activity to occur is essential to the study of social movements. Without this inclusion, a riot following a hockey game would be classified the same as a black bloc riot at global mass mobilizations and while similarities may exist, the reasons for each are very different.

2.2.2 Resource Mobilization Theory

Resource mobilization theory replaced strain theories as the primary tool in understanding social movements and challenged many of the previous assumptions of social movement activity. The resource mobilization (RM) perspective argues that social movement activity, including mobilization and success, is dependent on the capacity of the movement to acquire and utilize resources (McCarthy and Zald, 1973; 2002). Through the acquisition of resources, social movements are able to challenge their competitors and increase their ability to effect change.

There are two fundamental breaks in RMT from the previous strain perspectives. First, RM rejects the irrationality of social movement actors and "emphasizes the intentionality and rationality of [actors]" (Meyer, 1999). Second, RM places less emphasis on the importance of grievances by arguing that grievances exist everywhere and that the

difference between the emergence of social movement activity and non-activity is the acquisition of resources (Mayer and Zald, 1977; Opp, 2009).

McCarthy and Zald (1977) describe the RM perspective as a "partial theory," which has been understood to mean "that the theory holds under certain *scope conditions*" (Opp, 2009: 128 on McCarthy and Zald, 2002. emphasis in original). These scope conditions are a free society with freedom of speech, freedom to associate, freedom of the press, etc. Although it is not unimaginable to hypothesize the influence resources could have on social movements if these preconditions are not met, it is fair to say that Alberta and the oil sands context meet these conditions. Since the RM perspective is largely focused on the networks between individuals and the SMOs, it is generally interpreted as a meso-level theory (Opp, 2009).

2.2.2.1 Defining Resources

An established and consistent definition of resources within the RM perspective remains elusive but it is important to define resources to prevent the perspective from becoming a catchall theory, covering every aspect of social movement activity but failing to understand the causal relationships. There is some agreement in definition on assets such as money, facilities, means of communication, and labor, which Jenkins (1983) describes as "instrumental resources" because they are used in the actual attempts to challenge the social movement target. Instrumental resources are distinguished from "infra-resources" that "condition the use of instrumental resources" (Jenkins, 1983: 121) and would include human assets such as formally or informally acquired knowledge, organizing skills or legitimacy.

Staggenborg (2008) extends the definition into four separate types of resources: (1) material or tangible resources such as the internet, computers, desks or cash; (2) social

organization resources that include labor, political connections, and material resources; (3) moral resources like credibility or legitimacy; and (4) cultural resources such as strategic know-how.

However, the inclusion of intangible resources risks blurring the lines between resources and features of the broader political environment. For instance, legitimacy is critical to the success of a social movement but since it is attributed externally from political elites or the general public, does it qualify as a resource or is more comparable to a political opportunity since legitimacy provides access to the public arena? Conversely, in interpreting resources narrowly, one may alienate important features of social movements. Gamson et al. (1982, 23 in Opp, 2009: 139) use the definition of "objects which can be used by the group to achieve its collective goals, and the control of which can be transferred from one person to another," but this definition would exclude valuable assets like intelligence, knowledge[5] and skills (Opp, 2009).

Opp (2009: 139) settles upon a slightly broader definition of "goods (i.e. everything that has utility) which individuals or collective actors can control." Such a definition excludes factors like legitimacy because they are not in a movement's direct control and require external validation, but includes intangible assets like knowledge and skills.

2.2.2.2 Strategic Evolution

The strategic and tactical calculations of social movement actors follow the decision to mobilize, which is often the focus of social movement scholarship. In this context,

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[5] For this project, 'knowledge' as a resource is understood as knowledge that can be directly translated into an applicable skill. For instance, knowledge that a multi-stakeholder body is not going translate an ENGOs goals into substantive action would not be considered a resource but instead it is considered am interpretation of a political opportunity. Technical knowledge like how to operate a computer or environmental law, are considered resources.

evolution is the shift or change in strategy along the spectrum of collective action by an actor or organization that has previously been mobilized. The study of the embrace of a particular strategy over another has not received adequate attention within the resource mobilization perspective.

Among the literature that does exist, Piven and Cloward (1991) criticize the RM perspective for failing to distinguish between collaborative or non-confrontational political action and confrontational political action. They criticize RM, and social movement theory in general, for focusing overwhelmingly on the organized social movements of the political left and ignoring the more spontaneous and unorganized social movements.

Building on that critique, a challenge faced by the RM perspective is its inability to explain collective action when few resources, particularly structured SMOs, are present. The RM perspective suggests collective action and mobilization occurs when resources are available but the riots in London during summer of 2011 provide a challenge to that argument. If mobilization occurred with an apparent lack of resources, did the lack of resources determine what type of collective action would take place?

Additionally, once a movement has mobilized through the acquisition of resources, is the movement's sustainability dependent on the continued acquisition of resources? This question is best answered by Opp (2009) who argues that the RM perspective, "assumes...that political actors and, thus, SMOs have goals. In order to achieve their goals one strategy is to mobilize resources. This implies that SMOs act in order to get something that is valuable to them…" (141). The RM perspective also assumes "that SMOs have certain beliefs. Such beliefs include the assumption that the mobilization of resources is instrumental to achieve

their goals. Thus, political actors do not choose *any* strategy but the strategy that they think is best suited to achieve their goals" (Opp, 2009: 141, emphasis in original).

However, to what extent are the goals and beliefs compromised for the need to acquire resources? If it is perceived that certain strategies over others facilitate access to resources, does this dictate a consistency in strategy over time? McAdam (1986:55-6 as seen in Piven and Cloward, 1991) appears to suggest that resources often supersede goals and beliefs stating, "...the establishment of formal organization...sets in motion...the destructive forces of oligarchization, cooptation, and the dissolution of indigenous support...[all of which] tames the movement by encouraging insurgents to pursue only those goals acceptable to external sponsors..." (1986:55-6 as seen in Piven and Cloward, 1991: 453).

To extend beyond McAdam (1986), if movements are susceptible to pressure from their external sources, and resources are largely held by elites (McAdam, McCarty and Zald, 1988), are elites more likely to support non-confrontational political action over confrontation since confrontation may undermine the foundation of their elite status? If this were to be true, it would suggest that resources from particular sources are more likely to facilitate collaborative or neutral political activities.

A final question the RM perspective must consider is whether specific resources direct an organization or its individuals towards a specific strategy. While monetary capital as a unit is consistent across organizations varying only in quantity, other types of resources such as knowledge can vary in content across organizations. For instance, does a scientific education in comparison to a liberal arts background predispose an individual to adopt a particular strategy? This author found no literature on the topic but it seems plausible that an

individual with a scientific background may be influenced heavily by the ideals of the enlightenment and the idea that an objective truth exists, and if that truth can be communicated, society will change accordingly. This individual may fail to recognize existent power relationships that prevent the public from realizing the truth and may be willing to engage in processes and relationships that are unlikely to provide expected results. Conversely, an individual educated with a social justice or arts background may be aware of existent power dynamics and reject processes where those dynamics may prevent change. However, in engaging in this discussion, to what extent are these resources simply framing the subjective interpretations of POs?

While the literature on strategy and tactics is limited, clearly SMOs and actors must consider resources when embracing a particular strategy over another. Certain strategies require certain resources and others may alienate the external sources of resources. If a SMO expects to be engaged in a long term campaign, the tactical decisions they make to advocate their cause may closely resemble the same decisions they would make if the goal was to sustain the SMO.

2.2.2.3 Mobilization and Emergence

The RM perspective argues that "mobilization is the process by which a group secures collective control over the resources needed for collective action" (Jenkins, 1983: 533). Opp (2009) expands upon the Jenkins (1983) definition to include "*individual* efforts to gain control over goods" (139: emphasis in original). The process described is typically applied to a movement as a whole but one has to think it could also be applied to a specific set of actors within a larger movement that has already been mobilized. In this context emergence

is the identifying term for the arrival of new organizations and their mobilization around a specific issue: in this case, the oil sands.

Opp (2009) has dissected the RM perspective and attributes the emergence of a SMO to the following factors: 1) The extent of societal support for movement goals; 2) the amount of resources provided by external groups or individuals; 3) the amount of resources provided by members of the SMO; and 4) the control of authorities, which has a reverse correlation to the emergence of SMOs. Although societal support and the control of authorities are not resource variables, they are necessary conditions to allow resources to reach the SMO and stimulate the emergence.

However, what happens when protest occurs without resources? Piven and Cloward (1991) challenge the proposition that protests are contingent on resources and highlight the protests of Eastern Europe in the late 1980s and early 1990s as examples to the contrary. These protests were spontaneous and lacked the organized structure of SMOs. If protest or mobilization occurs, how is one to know whether it was the product of spontaneity or resource acquisition? Opp (2009) responds to this inquiry by stating, "…resources are at best only sufficient conditions for protest…If there are resources, protest ensues; but if there are no resources protest may obtain too" (159 - 160). The important question in RM's application is to identify whether resources were a necessary condition for mobilization. This is likely to be the case for long term sustained movements but perhaps less likely for spontaneous events, although even in spontaneous mass actions, resources, including mass communication, must have some influence. The debate continues, however, over the overall impact of those resources in mobilization in comparison to other macro or micro variables.

2.2.3 Political Opportunity Theory

The theory of political opportunities (POT) is currently the dominant theory in social movement research. Below is a description of POT by McCarthy, Brit and Wolfson (1991: 46):

> When people come together to pursue collective action in the context of the modern state, they enter a complex and multifaceted social, political and economic environment. The elements of the environment have direct and indirect consequences for people's common decisions about how to define social change goals, how to imagine organizations and proceed in pursuing those goals.

Opportunities, or the lack of opportunities at the macro scale, determine how social movements act (Jenkins and Perrow, 1977; Tilly, 1978; McAdam, 1982; Voss 1993; Tarrow, 1994; 1996; Del Porta, 1996; Obershall 1996, Meyer and Minkoff, 2004, Cornwall et al., 2007). Koopmans (1999) describe opportunities as "constraints, possibilities and threats that originate outside the mobilizing groups but affect its chances of mobilizing and/or realizing its collective interests." They are exogenous factors that can either enhance or inhibit mobilization, advance certain claims over others, cultivate certain alliances, determine the use of particular strategies and tactics, and determine the target of focus for social movements (Meyer, 2004). Generally, proponents of the PO perspective argue that social movements and their activities do not occur within a vacuum and are the product of their environment.

Similar to the RM perspective, POT does not view grievance as a significant factor in mobilization or other social movement activities. Sidney Tarrow (1994) argues, "even groups with mild grievance and few internal resources may appear in movement, while those with deep grievances, dense resources – but lacking opportunities may not." This is the result of the focus on macro variables and a rejection of micro variables. In a further continuation of

the arguments put forward by RMT, POT also acknowledges that social movement actors are acting rationally. As opportunities open or close, actors make cost-benefit calculations to find a way that best addresses their concerns (Opp, 2009).

2.2.3.1 Defining Opportunities

The PO model asserts that social movements develop when people with shared grievances perceive that they can successfully address their concerns and seize opportunities to do so, but there remains little consensus on what exactly an opportunity is. There is consensus that political opportunities take place outside the movement and outside of what is directly controlled by the movement. There is also a consensus that opportunities can be both within the legal sphere of the state (state opportunities) and outside the state (non-state opportunities)[6]. A state opportunity might be a regulatory hearing or a committee meeting where access is given to civil society actors to include them in decision making. A non-state opportunity could be a conference of industry leaders that the SMO wants to target.

Opportunities also vary according to scale. Opportunities can be a one time local event like an industry conference or regulatory hearing but opportunities can also be long term international institutions like the UN. Even within international institutions or an industry conference, there may be multiple opportunities that exist for SMOs to engage. Common opportunities for SMOs are regulatory bodies, legislatures, politicians, bureaucrats, elections, international bodies, conferences, significant local, regional, national or international events, or any feature of the political environment that has power over decision making.

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[6] State and non-state opportunities are also defined as structural and non-structural opportunities. For this project the terms are used synonymously.

Opportunities are also susceptible to change and if one adopts an objectivist interpretation of the political opportunity perspective, they would argue that changes in political opportunity influence social movements directly. Tarrow (1998 in Opp, 2009) provides five ways in which opportunities expand and contract: 1) access to participation; 2) political realignment of the polity; 3) presence of influential allies; 4) splits with the governing elite; and 5) the increase or decrease in the state's capacity to repress dissent. However, a subjectivist interpretation of political opportunities, which will be detailed below, would argue that objective changes in opportunities are only relevant if they are correctly perceived.

An important question that must be considered when attempting to define and determine how political opportunities influence social movements is whether we should only consider opportunities that are political. Opp (2009) discusses the validity of other opportunities such as economic and cultural opportunities. For instance, if the cost to use the internet decreases, is that a political opportunity or an economic opportunity? Should all opportunities be considered political or should the title 'political' be dropped from the name? For the purpose of this project, the broad economic and cultural opportunities will fall under the title of political opportunities.

Lastly, opportunities are not only a top-down feature of the political environment but can also be shifted because of social movements or other civil society actors. Tarrow (1996) outlines this relationship and identifies four ways that movements impact POs: 1) actors can expand POs for their own group by incorporating different tactics that may catch authorities off guard; 2) actors may expand POs for other groups and movements; 3) actors can create

opportunities for opponents and embolden counter movements; 4) movements can create opportunities for elites to become a tribune for the people. As expected, the non-state POs are much easier to change than the state POs like a constitution or division of powers.

2.2.3.2 Political Opportunities as Subjective Interpretations

Much of the earlier theorization regarding POT treated POs as objective features of the political environment with which social movement actors interact. In addition to Eisenger (1973), Ruct, (1996) Kitschelt (1986), Kriesi (1996, 2005), Kriesi et. al. (1992), McAdam, McCarthy and Zald (1988), McAdam (1994; 1995), McCarthy (1996), McCarthy and Wolfson (1992) and Goldstone and Tilly (2001) also offer an objectivist perspective of PO. These theorists argue that POs exist in an objective sense and they directly determine social movement activity. When a PO changes, it should correspond with a change in social movement activity. Theorists have attempted to empirically test this by isolating variables but this poses a difficult problem because after all when can an individual objectively determine that a PO has opened or closed? Observable changes may take place but it is difficult to draw a causal relationship between a PO and social movement activity. This position also assumes that social movement actors are aware of changes in the PO, even if they are gradual over time. The objectivist position also removes the personal agency within social movement actors and says actors respond to PO regardless of their own personal values, interests and beliefs.

These conceptual gaps have led other theorists including McAdam (1982), Tarrow (1994; 1996), Gamson and Meyer (1996), Kurzman (1996) Banazak (1996), Meyer, (1999), Suh (2001), Opp (2009), to conclude that social movement actors are not interacting with

objective POs but their own subjective interpretations of POs. This is not to say POs do not exist objectively but rather that the causal relationship between POs and social movement activities is interrupted by the individual's subjective lens. Tarrow (1994; 1996) outlines this position, stating that POs are "dimensions of the political environment that provide incentives for people to undertake collective action by affecting their expectations for success or failure" (54). It is irrelevant whether the chances of success are perceived correctly (Opp, 2009: 170). Suh (2001), Banazak (1996), and Kurzman (1996) elaborate in different contexts about how misinterpretations of PO by social movements influenced social movement activity. Suh identifies how South Korean white-collar unions misinterpreted the source of movement success, which reinforced confrontational strategies. Kurzman describes how a misinterpretation of the PO present in pre-revolutionary Iran led to the Iranian revolution despite unfavorable conditions. Banazak comparatively studied suffrage movements in Switzerland and America and concluded that Swiss suffragettes had a more favorable political environment to advocate their claim but failed to recognize the POs, while American suffragettes had a less favorable environment but pressed forward regardless and, consequently, won voting rights many decades earlier.

A subjectivist perspective also allows the incorporation of the scholarship by Van Der Heijden (2006) on the globalization of POs into international institutions where social movement actors are not able to address their concerns in jurisdictions beyond their nations. Globalization also allows global events to help shape our perceptions of our world. If actors perceive a changing political opportunity in a distant jurisdiction, they may internalize their impressions of that opportunity change and apply them locally, even if the local opportunities

remain constant. The expansion of the occupy movement in Canada provides a compelling example of this process since the original occupy Wall Street concerns, including lax bank regulation, did not necessarily apply in Canada; yet Canadians adopted that frame and used it in their own communities.

Overall, through adopting a subjective perspective of PO, the model loses its rigidity which demands a direct change in social movement activity from a change in POs. It has a greater capacity to explain social movement activities by recognizing that a change in the PO often enlists a diverse range of responses. However, while a subjective perspective of PO has a greater ability to explain social movement behavior in the oil sands, it does so by drifting away from the roots of the original PO thought. In recognizing subjective interpretation, we must also recognize that macro scale variables alone are not adequate to fully explain social movement activity.

2.2.3.3 Strategic Evolution

According to the PO perspective, social movement strategy is a result of the opportunities that either draw actors and SMOs towards the movement target or expel the movement from the formal decision making processes. Eisinger (1973) in his initial conception of the model made a distinction between opportunities that are open or closed but found that confrontational protest activity had a curvilinear relationship with state opportunities and that protest activity was highest in environments that had both open and closed opportunities. He also recognized the importance of informal, non-state POs such as social stability and argued that protest activity occurred when there was a departure between civil society actor's wants and where they were in relation to their goals.

The initial case studies that followed Eisinger (1973) focused closely on developing objective state opportunities. Kriesi et. al. (1992) elaborated on Eisinger's open versus closed distinction by identifying open state opportunities as decentralized state systems whereby power is equally distributed among the branches of government, proportional electoral systems, and the availability of direct democratic procedures. They associated openness with political mechanisms that provide viable procedures to build effective policy coalitions among civil society actors. Opportunities are constrained when viable avenues are restricted and social movement actors have few options to influence decision making. Within POT there is an assumption that if social movement actors have the ability to access decision making through collaborative means, they will. If not, they will opt for strategies external to formal institutional structures.

Kitschelt (1986) and later Rucht (1996) supported Eisinger's open and closed distinction but argued that they only represented half of the equation. Equally as relevant is "the ability of processes to convert demands into public policy…" (Kitschelt, 1986). Kitschelt described the access to political decision makers as the "political input structures" and the capacity to convert demands into public policy as the "political output structures." Strong political output structures are related to the centralization of power since "complicated divisions of jurisdiction between the multitude of government agencies and a...stratification of authority tends to make policy implementation cumbersome" (Kitschelt, 1986). Independent judiciaries also have the capacity to weaken policy output if they serve as "forums of political arbitration resolved from executive branch control" (Kitschelt, 1986).

Given the two options for both input structures and output structures, Kitschelt describes four unique political environments. An open and strong combination promotes collaborative strategies by social movement actors who place little pressure on the governing structures as a whole and are rewarded with substantive policy gains. Open input structures coupled with weak output structures are also likely to experience collaborative strategies and movements are likely to place little pressure on the governing structures, but are likely to face policy stalemates and little policy innovation. Closed input structures and strong output structures encourage confrontational strategies by social movements that exert strong pressure on the governing structure and receive few substantive policy gains. Lastly, closed input structures and weak output structures also encourage confrontational strategies and movements are likely to exert pressure on the governing structure but experience policy stagnation in the few areas of policy innovation (Kitschelt, 1986).

Kriesi et. al. (1992), recognizing the importance of non-state opportunities, introduced integrative versus exclusive elite strategies as a PO variable. Integrative elite strategies exist where elites facilitate, cooperate, and integrate social movement actors in an attempt to incorporate challengers into the governing process. Exclusive elite strategies include repression, polarization, and confrontation in efforts to exclude social movement actors. Kriesi et. al. (1992) argues inclusive strategies can preempt protest and confrontational responses while exclusive strategies are more likely to encourage confrontation because repression often becomes the focus of the social movement while reinforcing the identity of the movement participants, and attracting media attention and third party supporters.

Once a movement or SMO has been mobilized and engaged with a particular strategy, there is limited scholarship on the evolution of strategies from either collaborative to confrontational or vice versa but one must imagine that the similar process to the one detailed above would also apply. If an organization is engaged with an institutional process that they do not feel is open or responsive to their goals, it seems logical that the organization would shift strategies. This can be applied at a micro scale where each institution or process is evaluated independently or at a larger scale where all institutions are evaluated together.

If a SMO were involved in a collaborative process because of its perceived openness, a rejection of the process would require the SMO and the involved actors to change their perceptions. Depending on the individual and even organizational variables, this may mean that some processes may be engaged for a longer period of time than expected because of the inertia that often results from engaging in a process. SMOs and actors may have difficulty recognizing the ineffectiveness of a strategy if they have perceived its effectiveness in the past.

Lastly, when discussing shifts in strategy, we must consider successes and failures of past strategies. McCammon (2003) argues that tactics and strategy are not changed as a result of political opportunities but rather political defeats and failures. Although McCammon uses a narrow interpretation of POs, which excludes the source of defeat from falling under the category of a PO, success and failure must be considered when assessing why certain strategies are adopted over others. If a certain strategy continues to be successful, that strategy is likely to be continued. However, an additional factor that must be considered is that different strategies provide a different rubric for measuring success. For instance, if a SMO

collaborates or negotiates in private but fails to see their demands produced in the outcome, they may consider their effort a failure. If a confrontational organization operating in the public also fails to find their demands in the outcome, they may be more likely to view their activity as a success because it may have changed some minds and reframed the debate. This might be perceived as a success because it might lead to a greater likelihood of success in the next conflict (Suh, 2001). An example of this process may be found in the occupy movement because even though it largely failed to achieve its broad goals, it has reframed the debate around income inequality and that may link their strategy with success, thus increasing the likelihood of continuing that strategy.

2.2.3.4 Mobilization and Emergence of Confrontational Organizations

When conceptualizing mobilization and the emergence of movements or SMOs, the relationship with opportunities is typically seen as linear. When opportunities are closed, frustration and grievance increase and mobilization occurs. As opportunities open and SMOs are able to access the formal decision making processes, frustration subsides and protest decreases. However, Eisenger (1973), in the initial PO study, identified a curvilinear relationship between political opportunities and protest. When repression is high, regardless of the frustration and grievance intensity, mobilization remained low. As opportunities gradually open and repression decreases, mobilization increases until a point where the opportunities are sufficiently open to provide incentives to the mobilized community to engage in the formal decision making process. This model is particularly effective in the context of the Arab Spring where the opportunities for collective action appeared to have hit a point where civilians were able to directly challenge decades of autocratic rule.

Although Eisenger's model is an effective tool for conceptualizing the emergence of movement actors, an additional component that Eisenger briefly discusses, which others have explored in greater depth, is the need for a subjective interpretation of political opportunities. As identified above, a subjectivist model allows for greater flexibility with regard to who mobilizes and when. The subjectivist model also connects the macro features of the political environment with the individual who ultimately decides whether to mobilize. As the perceptions of opportunities change, so do the perceived chances of success from engaging in collective action. As the chances of success increase, the incentives to act are altered to a critical point where mobilization can take place. This process also occurs at the meso level for SMOs because organizations must also make cost-benefit calculations. For SMOs, mobilization requires time, resources, and volunteers or staff. If an organization is committed to one particular cause, they may be unable to take on the costs of an additional campaign. Changes in political opportunities alter the incentives available but the incentives to mobilize must outweigh the costs if mobilization is to occur.

The type of mobilization or strategy deployed is also important and may have an influence on further mobilization and the expanding political opportunities. This discussion closely follows the above discussion of the evolution of strategy, where strategy is an outcome of the perceived state and non-state political opportunities.

2.2.4 A Note on New Social Movement Theory

The New Social Movement Theory (NSMT) is a theory recently developed to help understand the social movements associated with post-material values[7], of which the

[7] Post-material values are those values not rooted in material needs. See Inglehart (1971)

contemporary environmental movement, including the oil sands opposition, would be a part. There are several themes of New Social Movements that NSMT attempts to address. First, NSMT analyzes the role of symbolic action in civil society in collaboration with instrumental actions (Melucci, 1989). Second, NSMT emphasizes the importance of processes that promote autonomy instead of processes that promote power and influence associated with old social movements (Rucht, 1988). Third, NSMT "stresses the socially constructed nature of grievance and ideology, rather than assuming they can be deduced from a group's structural location" (Beuchler, 1995: 442).

However, while NSMT offers some interesting insights into the role of identity, ideology and values, debate remains about the extent to which new social movement behavior has diverged from the material movements of the past (Picardo, 1997). Social movement actors, whether new or old, are still actors making cost-benefit calculations based on their subjective interpretations of the world around them. Although the NSMT would certainly produce interesting insights in this particular context, it will not be explored in the interest of maintaining an appropriate scope for this project.

2.3 Chapter Conclusion

The first chapter of this project outlined the history of the environmental opposition to the Alberta oil sands that is highlighted by the evolution and emergence of prominent ENGOs. This subsequent chapter has acted as a literature review of the two prominent social movement theories — resource mobilization theory and political opportunity theory — and has analyzed each theory's ability to explain the evolution of strategies and emergence of new

actors. Though each theory provides valuable insights for the changes observed, no theory can independently explain the changes without including key variables at either the macro, meso or micro scale. The following two chapters will proceed apply these two perspectives to the emergence and evolution of ENGOs to gain acquire an understanding of the dynamics of these ENGOs.

Chapter 3: The Strategic Evolution of the Pembina Institute

3.0 Chapter Introduction

The introductory chapter of this thesis outlines the history and current activities of ENGOs and their interactions with oil sands development proponents. The previous chapter outlines the literature of the two most dominant social movement perspectives, political opportunity theory, and resource mobilization theory, which argues that social movement behavior is determined by different variables; one emphasizes opportunities and the other emphasizes resources. The purpose of this chapter is to analyze the strategic evolution of the Pembina Institute and other third-wave ENGOs by applying the resource mobilization and political opportunity perspectives to the dynamic observed.

Upon analysis, I conclude that resource acquisition and distribution among ENGOs does change the dynamics of the third-wave ENGOs operating against the current pace of development in the oil sands. However, instead of aiding in the strategic evolution, resources appear to have had the opposite effect on the Pembina Institute since the influence of resources hinders strategic shift: in this case, away from collaboration. The political opportunity perspective presents itself as a more effective explanatory tool since within the Pembina Institute, there is a clear shift in the subjective interpretations of the political opportunities that were once used for collaboration. Institutions and processes that were once interpreted as effective avenues to achieve goals are no longer viewed in this way. Since resources and the change in subjective interpretations of political opportunities appear to have

the opposite effect on movement strategy, we can conclude that the shift in interpretations outweighed the resource incentives to maintain the same strategy.

3.1 Resources and the Pembina Institute

3.1.1 Do Resources Matter to the Pembina Institute?

> "Everybody at the end of the day needs to meet their pay roll...so you are torn between the need to bring in money and desire to do the advocacy…"
>
> -Anonymous Interview, 2012

The most appropriate definition for resources is offered by Opp (2009), who defines resources as goods or anything that can be used or transferred to another person or organization. In the context of the oil sands, resources are both tangible and intangible. The tangible resources include monetary and human capital, and assets including cash, offices, computers, vehicles, employees, volunteers, and tools or equipment. Intangible assets are the technical skills and knowledge of the ENGO employees and volunteers.

Resources influence social movement activities simply by allowing organizations and actors to pursue activities that would be impossible without resources. The Pembina Institute could not research and publish reports without the money to pay professionals with the technical expertise to understand the detailed aspects of oil sands projects. For all ENGOs and SMOs including the Pembina Institute, the most valuable resource each organization has is the staff and volunteers that allow the organization to operate. Without these individuals, all organizations would cease to exist. This is especially true in the oil sands considering how few paid employees campaign directly on the issue. The Pembina Institute has five individuals working specifically on oil sands policy issues according to their website but

similar to other ENGOs, they have staff that may work on oil sands issues but whose jobs are not specific to the topic. To emphasize the importance of the Pembina Institute's oil sands staff, most ENGOs in Alberta work on a wide range of issues are limited to between one and ten staff. The Edmonton-based chapter of CPAWS maintains just two employees for all of Northern Alberta.

In comparison to fourth-wave ENGOs like Greenpeace, the Pembina Institute has some resources that are specific to their operations. Among the most important is the formal education in the natural and technical sciences that has been acquired by their staff. This expertise allows them to critically engage and understand the technical aspects of oil sands development and policy so that they can speak the 'same language' to policy developers and regulators.

So to answer whether resources matter to the Pembina Institute, it is very clear that they do. Without resources, the Pembina Institute would be unable to complete even the most basic tasks. Resources allow the organization to develop the capacity to complete more advanced tasks and become a critical actor in the overall conflict between the oil sands and their critics.

3.1.2 Resources and the Evolution of the Pembina Institutes Strategy

As previously identified, the Pembina Institute and the other members of OSEC have demonstrated an observable evolution of their strategy away from collaboration. This evolution is most evident in the rejection of CEMA and the pre-regulatory hearing agreements that OSEC reached with project proponents. The literature on the RM perspective's ability to account for strategic evolution among already-mobilized SMOs and actors is limited, and in

this context the RM perspective is unsuited to explain this evolution. However, the perspective does offers valuable insight into the resource and strategic dynamics of the Pembina Institute and OSEC since the presence of resources, and the need to acquire them, appears to have instead hindered or slowed their strategic evolution.

As a moderate ENGO, there are a variety of resource incentives that could direct an organization towards a collaborative strategy. One of these incentives is available through the diversity of organizations involved in an issue. If confrontational organizations like Greenpeace are able to draw attention to the oil sands, then donors and granting foundations that take an interest in the issue as a result of Greenpeace's actions, but are turned off by their tactics may seek to direct their resources to a more reasonable alternative. Although the Pembina Institute has seen only a modest increase in their revenue between 2007 and 2010 (Pembina Institute 2007A; 2010), perhaps as a result of other factors including a global economic downturn, several interviewees suspected that this dynamic was present and even exists for other moderate ENGOs in the province (Anonymous Interview, 2012).

Similar to the above dynamic, there is an additional resource incentive to remain collaborative if an SMO is perceived to have legitimacy among the general public and development proponents. That SMO may be able to leverage their legitimacy for specific gains from industry or government. For instance, if an industry actor wants to clean up their corporate image, they may do so by reaching out to an SMO to come to an agreement and exchange resources or movement gains in return for legitimacy in a mutually beneficial agreement. This strategy is particularly effective if other organizations have sufficiently

tarnished a company's reputation with confrontation-oriented actions because it allows the moderate organization to appear as a reasonable alternative to 'extremists'.

The Pembina Institute has used this dynamic to establish their fee-for-service consulting operation, which they now rely on for a significant portion of their annual operating budget. This dynamic also explains the Pembina Institute's pre-regulatory hearing arrangements with project proponents. In the early 1990s, the Pembina Institute had a similar funding model to other ENGOs, relying on government and foundation grants or small individual donations, but found themselves repeatedly asked to comment and review environmental impact assessments (EIA) for oil and gas projects with limited resources available. The perception of those involved with the Pembina Institute at the time was that industry actors would cobble together a less-than-satisfactory EIA knowing that ENGOs would use their own resources to review the EIA and find any potential mistakes in the project (Anonymous Interview, 2012).

In the early-to-mid 1990s, the Pembina Institute shifted course and informed industry that they were not going to review EIAs anymore because of the financial burden it placed on the organization (Anonymous Interview, 2012). Instead, they would challenge projects in a regulatory hearing that would have serious financial consequences for the project proponent, who would face delays and administrative costs (Anonymous Interview, 2012). To avoid a hearing, the Pembina Institute gave industry actors the opportunity to pay them to review the EIA, identify defects, and then enter into bilateral negotiations with the Pembina Institute. There was no guarantee that the Pembina Institute would not bring the proposed project to a hearing if bilateral negotiations did not find an acceptable agreement, but it

provided enough of an incentive for industry actors to accept the offer and contract the organization (Anonymous Interview, 2012). If a project was already going to hearing because it was triggered by another intervener, the legitimacy offered by the Pembina Institute was an additional incentive to contract the organization since they would not ask for the rejection of the project before the hearing if such a deal was struck.

Pembina Institute	2003	2004	2005	2006	2007	2008	2009	2010
Individual Donations	3%	2.30%	2.30%	9.33%	8%	4.20%	0.20%	1.20%
Fee for Service Consulting	68%	56%	50.82%	34%	37%	41%	37%	50%
Greenpeace	**2003**	**2004**	**2005**	**2006**	**2007**	**2008**	**2009**	**2010**
Individual Donations or Bequests	N/A	84%	84%	88%	87%	84%	84%	89%

Table 1: Comparative Funding Sources for Greenpeace and the Pembina Institute (Greenpeace Canada, 2005; 2006; 2007; 2008; 2009C; 2010, Pembina Institute 2003; 2004; 2005; 2006D; 2007A; 2008C; 2009; 2010)

The consultation practice provides some financial autonomy to the Pembina Institute and comprised 37% to 68% of their annual budget between 2003 and 2010 (See Table 1)[8]. This autonomy has provided the Pembina Institute with the ability to grow and sustain themselves in a model not common to many other ENGOs.

However, did this fee-for-service operation and the Pembina Institute's relationships with industry actors prevent the Pembina Institute from shifting strategy at an earlier stage?

[8] The Pembina Institute's fee-for-service consulting has a wide range of clientele beyond the oil and gas industry including communities and governments. It should be noted that not all the revenue from consulting comes from oil sands industry actors.

Except for the True North Energy Fort Hills project that was poised to destroy a significant portion of the McClelland wetland, the Pembina Institute and OSEC did not ask for an oil sands mining project proposal to be rejected by the regulator until Suncor's 2006 Voyageur project (Urquhart, 2011) when even Fort McMurray's mayor Melissa Blake had asked for a rejection.

Urquhart (2011) argues that the Pembina Institute and OSEC provided differential treatment of Shell's Albian Sands and Jackpine project, Suncor's Voyageur project, Imperial's Kearl project and CNRL's Horizon mine during the respective ERCB hearings based on financial relationships they had with those companies. Urquhart argues that differential treatment "must be understood, at least in part, according to the more or less positive relationships existing between Pembina and tar sands mining companies" (48). Those with a financial relationship with OSEC and Pembina were spared the stinging criticisms that were leveled against industry players that did not have a relationship with OSEC (Urquhart, 2011). In comparing the Suncor Voyageur project (OSEC has a relationship with Suncor) and Imperial Oil's Kearl project (OSEC does not have a relationship with Imperial), both of which OSEC asked to be rejected, the response to Suncor was cordial in comparison to the Imperial project, which was described as "reckless" (Pembina Institute, 2006B). As Urquhart points out, this differential treatment is notable considering the similar nature of the projects and their environmental impacts.

Before Shell's Jackpine and Albian Sands hearings, OSEC negotiated an agreement with Shell that would require the company to donate two million dollars over ten years to various environmental initiatives (Urquhart, 2011). In exchange, OSEC would waive their

right to cross-examine the project before the regulatory hearing and officially take "no position on the disposition of the application" (EUB, 2008 in Urquhart, 2011). In this case, OSEC is clearly muted by their arrangement and they could argue that through their silence, they have secured environmental gains that would have not otherwise have been possible. However, considering the agreement amounts to only two hundred thousand dollars a year and greenhouse gas reductions that would eventually be ignored (see chapter four), did the Pembina Institute and OSEC sacrifice their moral legitimacy to retain their relationship with Shell?

On a broader scale, there is an incentive for SMOs to maintain a similar strategy if that strategy has provided a secure source of funding in the past. A drastic change in strategy risks losing important sources of income from funders who expect the SMO to act in a certain way. ENGOs and non-profits often operate on comparatively small budgets relative to their scope of operations. If an organization is able to secure a stable source of funding, it may force the organization to gravitate towards that funding source. Donors, foundations, and industry select organizations to fund or engage with based on the organization's reputation, and its plans for the funding. While ENGOs have been forced to fiercely defend their autonomy from their funding sources, especially recently, the reality is that funding is directed to organizations that meet certain criteria. ENGOs that deviate from the criteria may put their operations at risk. Although the Pembina Institute's strategy has evolved from collaboration, their slow response in shifting strategies in comparison to the rapid scale of development appears to be linked to their resource relationship with industry actors. A dramatic shift could

have alienated current and potential clientele and eventually undermined the organization's ability to operate under the same financial model.

The last way in which resources may have hindered rather than encouraged strategic evolution is through the inertia that SMOs experience as they acquire control over more resources. Borrowing from organizational theory, organizations not specific to social movements have a tendency to preserve strategy and are often slow to adapt to changing environmental circumstances (Boeker, 1989). This occurs "when an organization adopts a particular strategy, a great number of interests simultaneously become invested in that way of doing things" (Boeker, 1989: 493). This inertia compounds if an organization adopts one dominant strategy as opposed to a multitude of different strategies because each strategy requires specific technical skills and investments in employees (Boeker, 1989). Organizational characteristics and strategies strengthen as an organization institutionalizes over time (Boeker, 1989).

For SMOs, the more resources, again identified as organizational infrastructure, staff, volunteers, board members, etc., an organization holds, the more likely an organization is going to be unable to react quickly to a dynamic political environment like the oil sands. Through interview, an employee of a relatively large ENGO that works collaboratively with government and industry expressed frustration with the strategy that the organization employed since they had failed to see it ever truly work (Anonymous Interview, 2012). The individual attributed the maintenance of the strategy to the organization's traditions and to the individuals on the board who ultimately make decisions concerning the organization's direction. An additional interviewee further stated, "...inertia is very powerful…A lot of

ENGOs are stuck in their old habits...they just don't have the capacity to change that fast..." (Anonymous Interview, 2012).

However, an ad hoc or informal organization without the extensive resources required to sustain a long-term social movement would be able to rapidly change their strategy whereas larger, established organizations have various resources, such as an established board of directors, organizational bylaws, or consensus decision-making policies that allow the organization to operate effectively but may be slow in response to change simply because the organization does not have the administrative impediments to change. One such impediment could be as simple as the dates between the meetings of the board which could delay important and urgent decisions.

Organizational inertia could also apply to many different organizations across the strategy spectrum. For instance, if Greenpeace has always embraced confrontation, the inertia within that organization would be tremendously difficult to break and allow the organization to expose itself to certain processes that the organization has not previously viewed with legitimacy. As an organization grows in size, it requires a greater number of individuals, operating in various hierarchical arrangements, to shift their orientations. The greater the size of the organization and the greater the resources, the greater the likelihood of strategic stagnation.

For organizations that have extensive resources, there is an incentive to remain more collaborative. While not necessarily applicable in this context, since the evolution of the Pembina Institute and OSEC is relatively minor in comparison to the potential to drastically shift their strategy towards greater militancy, the more resources an SMO has, the more likely

that the organization will have to follow certain regulations regarding those resources. These constraints could include paying taxes, registering as charity or nonprofit, or following building guidelines or bylaws. SMOs can obviously ignore such constraints but perhaps at great risk to the organization's resources and ability to operate. When considering strategies, there is a resource incentive to act collaboratively over extreme tactics that could initiate a strong response from the state.

The only instance when resources, and a lack there of, seem to have been a factor in the Pembina Institute and OSEC's strategic evolution is in their departure from CEMA in 2008. One of the requests for improvements in CEMA from the Pembina Institute was the assurance that "sufficient human and financial resources" (Severson-Baker et. al., 2008:3) would be available to ensure CEMA could fulfill its mandate. This included adequate financial resources for CEMA's honorarium policy for stakeholders that pay to participate in the process (Anonymous Interview, 2012).

CEMA (2010) and the Clean Air Strategic Alliance (CASA) (2011), of which the Pembina Institute has remained a member, both have a similar honorarium policy for its members to attend meetings and for associated costs, but the executive director of both organizations can exercise his or her discretion with other funding for stakeholder activities. Through interviews, CASA was identified as providing better funding for research and report writing, where CEMA was seen to be short on resources (Anonymous Interview, 2012). Although it is quite obvious that the Pembina Institute and OSEC did not withdraw from CEMA strictly based on the resources it offered, clearly resources entered into that decision as the organizations questioned the need to continue to pay their employees to engage in a

flawed process (Anonymous Interview, 2012). The actions of the Pembina Institute appear to be influenced, but not determined, by resources. Instead, a non-resource variable is present in the decision-making equation that determined CEMA to be a flawed process.

Overall, the evolution of the Pembina Institute and OSEC's strategy does not appear to be driven by resources but by other variables. Resources, and the various incentives to acquire them, work in the opposite direction and either promote collaboration or strategy stagnation. Therefore, the evolution of strategy by the Pembina Institute must be attributed to other non-resource variables that have counteracted the influence of resources.

3.2 Political Opportunities and the Pembina Institute

A political opportunity is a feature of the political environment that social movements engage with to advocate their cause. Identified in the literature as either open or closed, these opportunities direct SMOs and actors towards a particular strategy and behavior. While the subjective interpretations are critical to understanding movement dynamics, it is crucial to remember that objective political opportunities are also important.

> Some changes in [objective] political opportunities must take place, which people succeed or fail to perceive. You cannot perceive a non-existing mountain. You can dream a mountain, but when you try to climb it, you won't get very far. We may misperceive, over estimate you name it, but there must be something [objective] to perceive to begin with (Anonymous *The Sociological Quarterly* reviewer February 23, 2000 in Suh, 2001).

For ENGOs, like the Pembina Institute, who are engaged with the oil sands, there are a variety of different objective opportunities with which to engage. Opportunities can exist both inside and outside of the legal sphere of the state. For instance, in the first phase,

participation in the regulatory hearings would be considered a state opportunity since it takes place within the legal boundaries of the state. Negotiating with industry actors before a regulatory hearing would be a non-state opportunity, even though the Pembina Institute and OSEC is able to use the threat of an institutional process to bring industry actors to the table voluntarily. Other examples of non-state opportunity include efforts by development proponents to informally engage with environmentalists, inclusive or exclusive elite strategies, and the broader political culture.

Along with the distinction between state and non-state, opportunities also vary in their timeframe and predictability. A petroleum conference, a public appearance by a politician, or an election are episodic opportunities that may provide unique opportunities to to the Pembina Institute but they are neither predictable nor regular. In contrast, a regular (or standing) opportunity exists continuously over the short and medium term. These include a seat for stakeholders at a decision-making body or a public-participation mechanism in an ongoing process. In interviews, several interviewees reference opportunities as “levers of power” (Anonymous Interview, 2012), whereby ENGOs can target a particular event or process because they have the power to lever a response from industry or government.

For the Pembina Institute and other ENGOs including Greenpeace, there are a variety of different avenues at different government levels to advocate against the status quo of Alberta's oil sands development. The following is a summary of some, but certainly not all, of the opportunities, both state and non-state, that exist for the Pembina Institute and the other members of OSEC to interpret and attempt to leverage gains from. Many of these

opportunities are general in nature and are also applicable to Greenpeace and they will not be repeated in the following chapter.

Alberta's political culture is often perceived to be uniquely conservative among Canadian provinces (Wells, 2012). The oil and gas industry has consistently been the bedrock of the Albertan economy and any attempt to challenge the prosperity of the industry, from the National Energy Program (NEP) to the recent comments from federal opposition leader Thomas Mulcair regarding the Dutch disease, often receives hostility from loud portions of the Albertan public and industry. Under the political dynasty of the governing Progressive Conservative party, which has spanned five decades, the governing policy of the province and the democratic institutions have remained relatively consistent over the period in which the ENGOs have been involved in oil sands development. Opportunities for ENGOs to find sympathetic voices within the Progressive Conservative party are not likely to occur voluntarily; the government has aggressively campaigned to counter the message of environmentalists in the province.

Public opinion towards the oil sands in Alberta generally supports development, but in 2007 the Pembina Institute released a survey on Alberta's opinions of development and the environment, and they found that Albertans favored stronger environmental enforcement even if it meant slowing down development. However, even though climate change ended up being an important issue in the 2012 Alberta provincial election (Bennet, 2012B), the election was largely a two-horse race between two pro-development parties backed by the oil and gas sector.

Following pressure from civil society and the general public, the GOA has recently made efforts to expand the decision-making network for oil sands development. However, despite these efforts, Hoberg and Phillips (2011), in an analysis of the MSC, CEMA, and the OSMSC, concluded that the initial GOA and industry monopoly on policy has not changed despite the introduction of multi-stakeholder governance models designed to ease the concerns of relevant stakeholders.

> …Despite a significant pluralisation of consultative mechanisms on the oil sands, there is little or no evidence of a shift in power away from pro-oil sands interests. This strategy of selective opening is designed to bolster the legitimacy of the policy process while maintaining control over decision rules and venues (Hoberg and Phillips, 2011: 509).

The recognition, by Hoberg and Phillips (2011), that increased multi-stakeholder initiatives has been a defensive tactic by the GOA to perpetuate the status quo indicates that these state processes were closed despite ENGOs initial willingness to engage.

However, Hoberg and Phillips (2011) claim that, in reaching out to environmentalists, "the government of Alberta has formally acknowledged the legitimacy of environmental critics by giving them a formal voice in the consultation processes. Now that environmentalists have denounced those processes and withdrawn, the government's strategy has lost its legitimacy" (524). So perhaps known or unknown to ENGOs, participation in collaborative strategies with industry and government was a requirement to shift the balance of power away from industry and government, even if the multi-stakeholder bodies were incapable of responding to their concerns. If this is the case, it indicates a change in non-state opportunities since the ENGOs involved in this process appear to have gained legitimacy

from engaging. Therefore, by rejecting and abandoning the process, they weaken its overall legitimacy.

The primary regulator for oil and gas projects in Alberta is the Energy Resource Conservation Board (ERCB) and its mandate is "to ensure that the discovery, development and delivery of Alberta's energy resources take place in a manner that is fair, responsible and in the public interest" (ERCB, 2011). However, they have been routinely criticized for failing to provide adequate and effective avenues for public participation. Under ERCB Directive 056, the ERCB outlines the criteria dictating who a developer of an energy project must consult with prior to developing the project. This includes all parties with a "direct interest in land, such as landowners, residents, occupants, other affected industry players, local authorities, municipalities, and other parties who have a right to conduct an activity on the land" (ERCB, 2008A). Directive 056 is often referred to as the "directly and adversely affected" clause.

Under Directive 056, developers must consult and try to reach an agreement with directly and adversely affected stakeholders. If an agreement cannot be reached, stakeholders who qualify for standing can trigger a quasi-judicial hearing process (Vlavianos, 2007). However, the Energy Resource Conservation Act (ERCA), which provides the legislative context for the ERCB's operations, fails to properly define who is "directly and adversely affected." Some of the measures that have been used are: Will the project affect the safety, economic, or property rights of the individual or party? Are the persons affected in a different or greater way than the general public? Is there a clear, uninterrupted connection between the proposed project and the rights of the person? (Chiasson, 2009). Ultimately, the ERCB has the

power to determine who has standing and can trigger a hearing, and they have been criticized for employing a narrow scope that has the impact of minimizing hearings and public participation. This narrow scope has been responsible for the denial of recreational users who make use of public lands but do not have legal rights, live on the land, or use the land for commercial purposes. Environmental and conservation groups also face significant challenges in attaining standing if no member of that group or organization is directly or adversely affected.[9] Even local municipalities, including the Regional Municipality of Wood Buffalo (RMWB), have also been denied standing in oil sands project hearings (*Wood Buffalo [Regional Municipality] v. Alberta,* 2007). Over the past half-decade, in an average year the ERCB approves sixty thousand applications[10] while there are on average twenty hearings per year (ERCB, 2010B).

Once a hearing has been triggered, there may be opportunities for organizations and individuals to participate even if they do not have standing, but these groups may be denied full participatory rights and the coverage of intervener costs. The criteria for recovering intervener costs are determined by the ERCB and the same criteria for standing are typically applied. The denial of cost coverage presents a significant hurdle for engaged public participation. For instance, in *Freehold Petroleum and Natural Gas Owners Association v. Alberta* (2010), the Appellant was attempting to recover forty-five thousand dollars from participating in one ERCB hearing.

[9] OSEC is able to trigger a hearing for oil sands projects because the Pembina Institute leases a small parcel of land along the Athabasca River, which is used for camping and recreational purposes.

[10] Not all applications to the ERCB are new projects and may be modifications to existing projects.

The national equivalent of the ERCB is the National Energy Board (NEB), which has been given the mandate to act as an independent federal agency to regulate the international and interprovincial aspects of the energy industry. Their criteria for public participation are broader than the ERCB, and interveners can "...include individuals, Aboriginal groups, landowners, incorporated non-industry not-for-profit organizations, or other interest groups who seek to intervene in the public review process for projects in which they have a meaningful interest" (NEB, 2012). Similar to the ERCB, the criteria to trigger a NEB public hearing also use the directly affected terminology (NEB, 2011) but once a hearing has been triggered, the public is given the option of providing written or oral comments. Although the NEB may be considered to have greater openness, recent access to information reveals that the GOC's Pan-European Oil Sands Advocacy Strategy labels the NEB as an "ally" questioning the body's independent status among ENGOs and indigenous groups that were labeled as "adversaries" in the same document (Stoymenoff, 2012A).

At the national level, major changes to state institutions in Canada have been stagnant since the failed Meech Lake and Charlottetown Accords. With natural resources largely falling under provincial jurisdiction, the GOC is not the primary decision-maker, although many aspects of development fall under federal jurisdiction, including international and interprovincial pipelines. The Liberal government from 1993 until 2006 made some gestures to the environmental movement, including signing the Kyoto accord. However, even under Liberal leadership the GOC favored development of oil sands, but the government-led advocacy of the industry during the first phase pales in comparison to the current

Conservative government's pro-development advocacy during the second phase of ENGO activity.

The Conservative Party's successive minority and current majority governments since 2006 have stood as strong allies to oil sands development proponents, and a close relationship between the industry and GOC has formed. However, the minority governments before 2011 prevented the Conservative government from making substantial changes to the policy that would include or exclude ENGOs from opportunities to act collaboratively. The 2011 election of the Conservative Party meant a likely end to any implementation of the Kyoto accord, which was confirmed by the announcement to withdraw shortly after the Durban round of climate negotiations in late 2011. The Conservative government also defeated climate change legislation in the Senate, which remains a sticking point for environmentalists.

Since the Conservative Party won a majority in May 2011, there have been numerous indications that the environmental laws and regulations, as well as regulatory processes, will be "streamline[d]" to speed the approval of large industrial projects, most notably the NGP (Oliver, 2012). The details of these decisions have not been released during this writing, but it is expected that ENGOs and members of the public may be restricted from engaging in the regulatory process in a manner similar to the current NGP regulatory hearings. While the objective state opportunities have not yet changed, the political climate around the oil sands — and its tentacles — has certainly polarized. The changes by the GOC and the rhetoric of Natural Resource Minister Joe Oliver are largely seen as a counter to the activity of ENGOs and their broader movement, specifically when the GOC has highlighted the ability of the

ENGOs to sign up large numbers of participants of regulatory hearings as a tactic to delay the project until it is no longer economically feasible.

Internationally, the politics of energy is always high-stakes and dynamic. The world's appetite for fossil fuels initially created (and has sustained) the incentive to develop the oil sands. In the United States, the desire for a secure source of safe oil has been a driving point for importing oil from Canada. The increase in the price of oil following foreign intervention in the Middle East provides further incentive to develop the oil sands and coincides with the boom in Northern Alberta. The Bush administration's inaction on climate change alienated American environmentalists and further deterred action from the GOC. For the most part, the oil sands remained off the radar of American ENGOs until the second phase of activity, but the most significant changes in opportunities in the United States have come from the KXL pipeline.

Following the failure to advance climate change legislation through the US Congress, environmentalists were provided the unique chance to advance their cause as the KXL required Presidential approval and environmentalists could target their campaign directly at Obama, who appeared relatively sympathetic to their concerns. The KXL is the most prominent example of the change in opportunities at the international scale that have occurred as a result of the oil sands' need to export the product to the market.

On a broad scale, opportunities at the international level have opened as the oil sands have become a global issue. Whether the foreign national institutions are objectively open or closed depends on each individual jurisdiction and likely varies greatly between nations, and even supra-national organizations such as the EU. Structurally, within the international arena

and within individual states, there have not been significant changes to PO that would have any bearing on ENGOs; however, for non-state opportunities, the increasing awareness on climate change, and the higher profile of the oil sands as an international public policy issue, suggests that opportunities for ENGOs have opened as the ENGOs are increasingly able to lever the power that rests in greater public awareness at the international scale. For example, Canadian ENGOs and indigenous groups have campaigned in favor of the European Fuel Quality Directive at the EU, which the GOA and GOC have aggressively opposed. The Fuel Quality Directive is an initiative to reduce the EU's reliance on high-emitting fuels and to mitigate the impacts of climate change. Even though the EU does not buy Canadian oil, the GOC fears that an EU standard could soon become a global standard and hinder the export of oil sands oil.

At the provincial, national, and international scale there have been changes in the opportunities that ENGOs can choose engage with, and although it is impossible to objectively identify whether these opportunities are truly capable of translating ENGO concerns into substantive policy changes, by analyzing ENGOs' subjective interpretations of these opportunities, it can be determined whether they view these opportunities as open or closed. Based on that analysis, it is possible to understand the evolution and emergence of ENGOs in the Alberta oil sands.

3.2.1 Political Opportunities and the Pembina Institutes Strategic Evolution

Through the lens of the PO perspective, the collaborative approach adopted by the Pembina Institute and other ENGOs in the first phase seems to be the result of a favorable or open interpretation of those opportunities. The strategic evolution away from certain

collaborative relationships is therefore best understood as a change in interpretations of the POs. However, as identified in the first chapter, the Pembina Institute's relationship has not shifted from collaborative to confrontational but rather from collaborative to less collaborative, as they remain collaborative in many respects.

The GOA's rejection of CEMA's Terrestrial Ecosystem Management Framework is a compelling example of this change in interpretation, because OSEC abandoned a collaborative opportunity due to the inability of CEMA to provide results for effective environmental management. The decision to reject CEMA' recommendation of a moratorium on oil sands lease sales was a clear sign that CEMA, as a political opportunity for OSEC, was closed and no longer worth the time and resources.

Following the GOA decision, Chris Severson-Baker of the Pembina Institute stated, "This government decision completely undermines the collaborative and consensus-based multi-stakeholder CEMA process" (Pembina Institute, 2008A). Four months later, when the three members of OSEC withdrew their membership from CEMA, they are quoted in their press release as stating, "CEMA has lost all legitimacy as an organization and process for environmental management" (Pembina Institute, 2008B). Myles Kitagawa, director of the TWS is further quoted, "...we can no longer legitimize a process that both the oil sands industry and government have been using as a shield to deflect criticism about the cumulative environmental impacts of oil sands development" (Pembina Institute, 2008B). Contacted by additional media sources, Chris Severson-Baker aired further frustration and stated,

> We tried the inside approach about change...and the government has said, 'Yup, we hear what you're saying and we agree that there are problems and yet they haven't been willing to step up...we feel like

> we've exhausted the possibility of working with in CEMA to bring about change (Severson-Baker in Haavardsrd and McCarthy, 2008).

In *Taking the Wheel: Correcting the Course of Cumulative Environmental Management in the Athabasca Oil Sands* (2008), a report completed by Severson-Baker, Grant, and Dyer of the Pembina Institute following the withdrawal, they attribute CEMA's failure to a lack of political will and resources that effectively allowed the beneficiaries of rapid development, which include the GOA and industry, to delay or halt development of environmental management policy. They also criticized the use of CEMA as a "green shield" by industry and the GOA to "deflect uncomfortable questions about management of cumulative impacts…" (Severson-Baker et. al., 2008: 14). Structurally, they identified power inequalities among the various sectors of stakeholders and identified several ways to reform the body. Among the suggestions are a commitment to consensus-based decision making, the requirement that GOA decision-making bodies like Alberta Energy join and commit fully to CEMA, and a switch from a "one-member, one-representative, one vote" model to a sector-based representation model "consistent with the structure used by the Clean Air Strategic Alliance" (Severson-Baker et. al., 2008: 27).

The Pembina Institute has been a continual member of CASA since it formed in the mid-1990s, and it provided an example of a successful multi-stakeholder body that has fostered collaborative relationships between ENGOs, industry, and government. The Pembina Institute credits CASA's success to its consensus model, sector-based representation, and the appropriate financial and human resources that allow ENGOs the ability to participate in lengthy deliberations (Anonymous Interview, 2012; Pembina Institute, 2007). Through this

model, good will and trust have developed between the various stakeholders, and it has led to policy developments around air quality and monitoring (Anonymous Interview, 2012).

The request of a consensus model and sector-based representation within CEMA is an effort by the members of OSEC to level the power inequalities within the body that allowed industry and government to slow progress. This is a further indication that the opportunity is not perceived to be open and has resulted in their withdrawal.

OSEC's motivations for leaving CEMA appear to have been a replication of the reasons why the Pembina Institute left RAMP in the early 2000s. As Jennifer Grant of the Pembina Institute explains,

> Pembina withdrew its participation in the Regional Aquatics Monitoring Program (RAMP)...when it became clear to us that that industry-dominated program lacked scientific leadership and credibility (Grant, 2012).

With regards to CEMA, it is clear that other moderate ENGOs were disillusioned with the process and with OSEC's involvement, stating, "It wasn't until a two by four was taken to their head, until they were like 'OK well we should leave" (Anonymous Interview, 2012), which further begs the question why OSEC and the Pembina Institute remained members of CEMA for so long despite its failure to produce effective environmental management objectives over the eight years they had been involved. However, CPAWS and Ducks Unlimited remain members, indicating diverse opinions among ENGOs on the process.

Other collaborative strategies, which have since been abandoned by the Pembina Institute, are the attempts by the members of OSEC to negotiate agreements with oil sands project proponents before the regulatory hearing. The members of OSEC no longer engage with project proponents in the hope that they can reach a mutually beneficial agreement,

because no matter the project, they do not feel that additional approvals should be granted until effective environmental limits have been established (Anonymous Interview, 2012).

The reason for this shift in interpretation and strategy has less to do with their relationship with industry actors and more to do with the macro-features of the political environment that allow the oil sands to grow at a rapid pace. These features include an aggressive pro-development provincial government, a regulator that was aware and commented numerous times on the lack of cumulative effects management but failed to slow development to allow environmental management policy to meet the demands of development, and a public supportive of the industry despite having concerns over the pace and impact of development (Severson-Baker et. al., 2008; Pembina Institute, 2007B).

As detailed earlier in this chapter the Pembina Institute's fee-for-service consulting was able to create an opportunity for themselves by leveraging the threat of a lengthy regulatory hearing against developers and forcing them to the negotiating table. In return for offering tacit approval to the project, which the developer could then potentially use as leverage before the regulator, the Pembina Institute received funding and improvements in the form of best practices or upgraded technologies within the overall project (Anonymous Interview, 2012). That tactic was abandoned once the minor benefits that Pembina gained from collaborating and negotiating were outweighed by the overall impact of the projects proposed. By opposing each further project, the Pembina Institute seeks to erode the legitimacy of those projects in the eyes of the public.

By 2009, any hope to return to the bargaining table appeared to have been destroyed when an Alberta court declined to reopen the hearing proceedings for Shell Muskeg and

Jackpine oil sands projects. OSEC and Ecojustice lodged a complaint to the ERCB and the CEAA to reconsider the project's approval granted to Shell. They accused Shell of failing to follow through with the agreement to implement and maintain GHG emissions targets, which was reached before the project hearings (Buss, 2009). Following the project's approval, Shell did not identify to OSEC how they intended to meet the GHG targets, and instead stated that they would comply with all federal GHG regulations once they had been established (Buss, 2009).

OSEC argued that Shell had broken the commitments they had made in the hearings since the regulator's decision on the Muskeg Oil Sands Project (2006), which stated,

> The Joint Panel expects that Albian will adhere to all commitments it made during the consultation process, in the application,... The Joint Panel expects Albian to advise the EUB if, for whatever reasons, it cannot fulfill a commitment. The EUB would then assess whether the circumstances regarding the failed commitment warrant a review of the original approval. The EUB also notes that the affected parties also have the right to request a review of the original approval if commitments made by the applicant remain unfulfilled (EUB, 2006: 97; see also Buss, 2009).

Further, OSEC raised concerns that its own resources and energies had been expended to reach the agreements stating, "if companies are permitted to make commitments and not comply with them, this will create a disincentive for stakeholders to work cooperatively, in good faith in an attempt to reach workable solutions..." (Buss, 2009: 14). OSEC argued that the ERCB's mandate to incorporate meaningful public participation would be violated if industry actors were allowed to make commitments to reduce opposition, or to gain cooperation and then renege on those commitments (Buss, 2009).

Despite these arguments, the Alberta court denied the application to reopen the

hearing proceedings and review the projects. Ecojustice and OSEC responded harshly to the decision. In a media release, OSEC and Ecojustice criticized the ERCB for failing to enforce commitments made by companies to reduce environmental degradation. Dan Woynillowiz of the Pembina Institute, is quoted,

> The decision by the court to not hear this appeal is another blow to the credibility of Canada and Alberta's management of oil sands development. As it stands Shell broke its word to stakeholders, and the ERCB let it happen instead of standing up to protect the interests of Albertans...We participated in the ERCB review process in good faith and had assumed the same from Shell (Ecojustice, 2009).

The release went on to say that the failure to enforce the agreement was "likely to end...collaborative approaches in the oil sands" (Ecojustice, 2009).

Despite these criticisms of the ERCB, the Pembina Institute still intends to participate at future ERCB hearings on oil sands projects, including the upcoming Shell Jackpine expansion. They still perceive value in this aspect of collaboration stating,

> By participating in a hearing and getting into the nuts and bolts of the project, you can push the proponent to do things, in the absence of public interveners taking part, that they would not necessarily do (Anonymous Interview, 2012).

A recent success for OSEC was their report on Shell's EIA for the Jackpine Expansion because Shell had failed to include cumulative effects in their assessment. The regulator agreed, and Shell was forced to redo portions of the review to include the cumulative impacts (Dyer, 2012).

Among the broader ENGO community, the experiences of the Pembina Institute are not unique, as other organizations and actors have also shifted away from collaborative initiatives. Speaking generally, an active ENGO employee said,

> I think the collaboration that has been built or encouraged by the government is horrible, I have participated in ERCB hearings, I have participated in government committee to do this and that…and they've all been,…a kangaroo court, full stop (Anonymous Interview, 2012).

3.2.2 Accounting for Subjective Interpretations

In the this case study, the interpretations of the POs have clearly changed, correlating with the change in strategy, but how can we account for the changing interpretations, and what ultimately defines the perceptions of POs? The literature on frames may be applicable in this context. Goffman (1974: 56) defines frames as,

> ...schemata of interpretation, that enables individuals to locate, perceive and label occurrences within their life space and world at large...by rendering events and occurrences meaningful, frames function to organize experience and guide action, whether individual or collective.

Therefore, members of OSEC have shifted their frame of interpretation, but frames are often attributed to ideology (Beuchler, 2000), identity (Teske, 1997), culture (McAdam, 1994), or grievance intensity (Opp, 2009). While it seems likely that OSEC's grievances intensified over this period, it is unclear if the other commonly cited variables also changed; perhaps a simpler explanation is more effective in this context.

Perhaps changing interpretations and strategies can be attributed to the simple reality that these strategies were not effective in achieving their broad goals. The recommendations proposed by the Pembina Institute following their withdrawal from CEMA (Severson-Baker et. al., 2008) do not reveal a shift in ideology or identity, but rather indicate that the process needs minor changes to become an effective avenue for engagement. OSEC's continued willingness to participate before the ERCB is another indication that the interpretations of opportunities did not change based on ideological or identity shifts but on the failure of the

previously-used strategy. Considering strategy failure as a frame variable is contentious and warrants further study.

3.3 Chapter Conclusion

The theory of political opportunity provides an effective explanation for the strategic evolution of the Pembina Institute and OSEC. As the oil sands have developed in a favorable policy environment, ENGOs and other social movement actors are forced to look at their political surroundings and decide how they will be most effective. An expansion of the cost-benefit calculation that actors complete beyond resources is crucial to this understanding.

The variance in strategy within the Pembina Institute between the first and second phases is best explained by the shift in the subjective interpretations of those actors. Even though state opportunities like the ERCB and CEMA have not drastically changed as institutions of the state, the interpretation of these bodies as effective avenues for substantive policy changes has clearly shifted.

The shift in these subjective interpretations appears to counteract the influence of resources which seems to have had the opposite effect of stagnating strategic evolution and promoting collaboration over confrontation. This dynamic and internal conflict that forces the Pembina Institute to balance their resource needs and their interpretations for what avenues are best for advocacy, is a direct result of their funding model that relies on significant funding from their consulting operation. As will be demonstrated in the following chapter, organizations that do not rely as heavily on funding from the industry that they are

challenging have more flexibility to engage in confrontation and are less often caught between alienating their funding sources and pursuing the avenue that they feel is most effective.

Even though the political opportunity perspective is the most effective in explaining the strategic evolution of the Pembina Institute and the other members of OSEC, this case study demonstrates the need to assess both non-resource and resource variables since they may be have an opposite effect of strategy choice. This further emphasizes the need to synthesize these two perspectives and even include variables at the individual level like ideology, identity and grievance intensity. Through this type of synthesis, a more holistic explanation of social movement strategy can emerge.

From a government policy standpoint, the rejection of state opportunities by ENGOs in the oil sands is problematic for the GOA and GOC if they desire to calm polarization and avoid pressure from ENGOs and from the general public. By failing to provide effective mechanisms for engagement, the GOA and GOC have driven advocates away from collaborative relationships, which could soothe the hostile relations that risk isolating the province and Canada among international nations and actors. While that risk is low, the delay of the KXL demonstrates the effectiveness of ENGOs in their campaign to raise awareness and mobilize opposition to oil sands-related projects. The GOA and GOC must to weigh the risk of accelerated development and the loss of investment from public pressure or project delays. Currently, it seems unlikely that the perceptions of ENGOs are subject to change in a way that will encourage more collaboration following the steady pace of development and limited, substantive policy changes. Although organizations like the Pembina Institute, when propositioned for a new engagement mechanism, analyze each mechanism on its merits, the

decision to collaborate or remain outside the formal decision-making processes falls on a back drop of the collective interest of that organization's experience with similar mechanisms (Anonymous Interview, 2012). Until organizations like the Pembina Institute feel that they can effectively work collaboratively with government and industry in ways they have previously, they will divert their energy and resources through different strategies where they will be more effective.

Chapter 4: The Emergence of Greenpeace

"We need all the help we can get."

- Martha Kostuch (Harris, 2007)

4.0 Chapter Introduction

The previous chapter has attempted to explain the strategic evolution of the Pembina Institute and the observed dynamics associated with third-wave ENGOs by applying the resource mobilization and political opportunity perspectives. The purpose of this chapter is to apply the these two perspectives to the emergence fourth-wave ENGOs, specifically Greenpeace.

The resource mobilization perspective is valuable in this context, and does offer some important insight into how an organization like Greenpeace was able to emerge as a prominent actor in this conflict. However, the resource perspective is too narrow in its scope and is only capable of explaining how the organization emerged, while failing to address why. To answer this question, the theory of political opportunities is a valuable lens to interpret this emergence because there is a clear indication among environmental activists that opportunities had opened outside of the formal state institutions and collaborative relationships, which could be exploited to further movement goals. While Greenpeace's absence in the first phase does not provide a comparison for the interpretations of the POs,

there is a clear indication that activists at the time perceived the ineffectiveness of collaboration and sensed the need for a confrontation-oriented actor.

Similar to the previous chapter, the resource mobilization and political opportunity perspectives are valuable in understanding the emergence of Greenpeace, but to acquire an even greater understanding, it may be important to further assess the framing variables that are specific to each individual actor. These variables determine a social movement actor's subjective interpretations and may explain why an individual would perceive the need for an organization like Greenpeace to emerge.

4.1 Resources and Greenpeace

4.1.1 Do Resources Matter to Greenpeace?

As demonstrated in the previous chapter, resources clearly matter to ENGOs because without them, they would be unable to operate at the scale that they do. Greenpeace is not exempt from this reality and they rely on a variety of different resources including offices, computers, monetary capital, communications equipment and even the banners and ropes that make their actions effective. However, similar to the Pembina Institute, Greenpeace's most valuable resources are their staff who manage the organization's campaigns and operations as well as acting as media spokespeople. In their public roles, their staff are often viewed as representatives of the environmental movement as whole and not specifically Greenpeace. Consequently, Greenpeace and other fourth-wave actors have a different set of resources and skills than third-wave policy-oriented ENGOs. These skills and resources centered on community organizing and direct action. However, in the oil sands context, fourth-wave

ENGOs have often depended on the information and knowledge generated by Pembina Institute and other moderate ENGOs since the third-wave ENGOs laid the foundation for fourth-wave actors to enter the debate. Greenpeace has two staff employed through their Edmonton office but also has offices nationally and internationally that coordinate on Greenpeace's campaigns.

4.1.2 Resources and the Emergence of Greenpeace

At a very simplistic level, Greenpeace's arrival and the arrival of other confrontational organizations can be attributed to the resources allocated by Greenpeace Canada, Greenpeace International, and the acquired donations that allowed the organization to initiate a campaign, hire staff, and open up an Edmonton office. Without these resources, the campaign would be considerably less effective in drawing attention to the oil sands and it would be unlikely for the organization to have become a prominent face of oil sands opposition. However, relying solely on this explanation is shallow and inadequate; a more in depth explanation is required as to why Greenpeace Canada would allocate an operational budget to the oil sands campaign. Particularly, what resource incentives exist for the emergence of a confrontational actor like Greenpeace?

An ideal campaign for an SMO would be one in which they achieve their objectives and goals but also recover their sunken costs or generate additional revenue to further sustain their organization and any additional campaigns. For Greenpeace, the oil sands represent an interesting but risky campaign. The expansive mines and tailings lakes provide excellent visuals for their media-oriented tactics, but the importance of the oil sands as an employer for

many Canadians across the country potentially alienates supporters and donors above and beyond the expected backlash.

In the past, Greenpeace has suffered from a failure to apply appropriate sensitivity in their campaigns to secure legitimacy in the eyes of the public. The most prominent example in Canada was Greenpeace's campaign against indigenous seal and whale hunting, in which their members began to mail in their membership cards torn in half (Harter, 2004). On the other hand, if the public and Greenpeace's individual donors, who make up an overwhelming portion of their annual revenue, perceive an emerging environmental crisis that Greenpeace is not engaging in, they may lose revenue as those individuals direct their donations towards other ENGOs dealing with the issue. However, this assumes that Greenpeace and other ENGOs base the focus of their campaigns on the awareness and concerns of their donors, instead of Greenpeace dictating the areas of concern to their donors: that is, in a top-down, as opposed to bottom-up, manner.

Either way, at the national level, Greenpeace has steadily increased their annual donations from 6.2m in 2004 to 9.5m in 2010 (Greenpeace Canada 2004; 2005; 2006; 2007; 2008; 2009; 2009), and while it is not certain that the increase is the result of Greenpeace's involvement with the oil sands, the oil sands campaign is featured prominently in their promotional materials and annual reviews, which suggests that the campaign has had a positive influence on the organization's revenue.

The RM perspective can also be applied to the tactical choices made by Greenpeace, because an organization that relies heavily on individual donations needs to maintain a consistent presence, and needs to be perceived to engage directly in the issue and have an

immediate impact. By disrupting oil sands production, Greenpeace can portray a David versus Goliath frame and be seen as the ones taking immediate action. An employee with a moderate ENGO suggested that this is why organizations that act collaboratively do not receive significant donations from individuals in the public (Anonymous Interview, 2012). If this is true, it challenges the idea that organizations with resources are more likely to act collaboratively since Greenpeace is among the more confrontational ENGOs globally but also has one of the largest annual budgets (Greenpeace International, 2009A). To a certain degree, this also suggests that Greenpeace's strategy is beholden to the interests of their funders, but unfortunately there is no source of comparison in this context.

For an organization like Greenpeace, there are resource incentives to emerge as a high-profile actor in the conflict over oil sands development, and resources have certainly aided in this mobilization, but there remain important questions that cannot be answered by the RM perspective. For instance, why have the oil sands become an important issue for environmental groups in Alberta and in Canada? What challenges have collaborative actors faced and why have they been unable to advocate for adequate environmental management? Why are specific actors drawn to particular organizations? What has made Greenpeace's oil sands campaign successful in generating significant media attention at limited cost? These questions lie outside the explanatory capacity of the RM perspective and we must now turn to the PO perspective to find some of these answers.

4.2 Political Opportunities and Greenpeace

The general political opportunities available to Greenpeace are very similar to the ones available to the Pembina Institute including similar provincial and federal government approaches to oil sands development, strict intervenor thresholds for regulatory hearings and a general public that recognizes the need for environmental improvement in the oil sands despite a heavily reliance on the industry for employment and economic growth in Alberta. These opportunities have been detailed in the previous chapter but there are further opportunities that are unique to Greenpeace because of the organization's history and reputation. The organization's history of confrontation and media profile in Canada and around the world means that the organization's activities automatically have a certain weight and power that can be leveraged in media and the public discourse. The visuals provided by the oil sands and the scale of development feeds strongly into their media oriented tactics and their ability to portray the conflict as a David versus Goliath story. Prior to their emergence, there was also an opportunity available in Alberta since no other confrontation-oriented organization was actively engaging the oil sands. They were also able to adopt and use much of the information that has been compiled and analyzed by other ENGOs like the Pembina Institute, who had been engaged in the oil sands since the early 1990s.

However, Greenpeace's reputation also restricts other opportunities that may be available to other organizations. For instance, it should not be surprising that industry and government are unlikely to provide space to the organization to participate in multi-stakeholder initiatives that could directly impact policy outcomes. Even though Greenpeace would likely reject any attempts to co-opt themselves into the policy making process, it still

limits the realm of possibilities open to the organization. Such opportunities are more likely to be available to more moderate organizations.

A further indication of the limited opportunities available to Greenpeace as a result of their actions has been documented by Monaghan and Walby (2011), who found the GOC had expanded their focus of public threats to include "activist groups, indigenous groups, environmentalists and others who are publicly critical of government policy" (Monaghan and Walby, 2011: 2), which the GOC labeled "multi-issue extremists." The underlying feature of all the mentioned groups "is their willingness to use publicity strategies and/or direct action techniques. These range from media stunts, to blockades, to property damage" (Monaghan and Walby, 2011: 12). Greenpeace was highlighted as one of the primary organizations mentioned.

In May 2012, it was reported that the Royal Canadian Mounted Police (RCMP) had been spying on indigenous community members opposed to the NGP in British Columbia. According to the intelligence report, members of the Yinke Dene Alliance demonstrated an "increasing propensity and likelihood of using blockades and confrontation to deter industry from accessing disputed territory" (Lukacs, 2012). It is unclear what other state activities have resulted from the change to the threat identity designation and whether Greenpeace has been targeted, but this alone provides evidence that the GOC has taken certain steps to minimize the impact of Greenpeace's actions, potentially through the use of state repression.

As a consequence of Greenpeace's history and reputation, many of the opportunities available to Greenpeace prior to their emergence, and that continue to be present today, are

non-state opportunities because they are opportunities to leverage the power that rests outside state institutions and then places external pressure on state institutions and decision makers.

4.2.1 Political Opportunities and the Emergence of Greenpeace

The arrival of fourth-wave SMOs and actors like Greenpeace has had a tremendous impact by projecting the oil sands into the national and international spotlight. Their emergence and mobilization can be adequately explained by the subjectivist interpretation of POs insofar as it appears that the incentives to act have outweighed the disincentives to remain unengaged. Their decision to act with confrontation appears to follow the pattern of third-wave actors who had moved away from collaboration. The fourth-wave actors have also indicated a lack of faith in the institutional mechanisms designed to involve stakeholder input and cooperatively manage the impacts of development. Although their relative absence in the first phase does not offer comparison, it is clear that confrontational actors are keenly aware of the failed initiatives by moderate actors.

In 2007 when Greenpeace announced their intentions to open an office and establish a permanent presence in the province of Alberta, environmental activists involved with the organization identified the oil sands as an issue which demanded immediate attention.

> It's really only in the last few years that you've really seen the viability of the entire tar sands coming on stream...You're looking at a project that single-handedly will mean that Canada can't meet its international obligations under the Kyoto Protocol, which really does put the entire international process around climate change in jeopardy...we're here because of the national and international significance of the tar sands project (Hudema in Harris, 2007).

This interpretation that the oil sands are an important issue to engage with appears to be a result of an increase in grievance intensity, but what is also important is the specific type of action that is required to engage with urgency of the issue. Reflecting upon the first phase of ENGO activity, Greenpeace's Mike Hudema dismisses the effectiveness of the collaborative strategy:

> For about a decade, environmental groups, First Nations groups were working with government and corporations on tar sands and oil sands related issues and were trying to get them to put new regulations in place, trying to get them to slow the pace of development. The way they were going about it was primarily through these multi-stakeholder processes where they would sit down with industry and government and they would try to negotiate solutions that were win, win, win solutions for everyone. Those didn't really work, and if you talk to a lot of the groups that engaged from an environmental perspective or a first nations perspective they would say they wasted a lot of years engaging in a process that they thought would be beneficial but at the end of the day, really just represented industries interests and didn't represent the interests of first nations communities who were at the table, and didn't represent the interests of environmental groups at the table (Hudema, 2012).

Hudema's statements regarding the rejection of previously-used strategy is a clear indication that he views those processes as closed similar to conclusions reached by Hoberg and Phillips (2011). Myles Kitagawa, a former Greenpeace employee and Executive Director of the Toxic Watch Society, may agree with Hudema, but in the below quotation he appears to question whether opportunities at the local or provincial, whether open or closed, are capable of addressing the concerns associated with development.

> The international dimension of it is so important because we're being driven by forces that, really, local interveners, local governments just can't respond to....We've just recently started to see front page attention coming from the United States. I think the importance of that is so much greater than us being able to negotiate mitigation strategies with Petro-Canada, let's say, because the work we're able to do within

> the regulatory system in Alberta does nothing to stem some of the broader-scale economic drivers which make this development go as crazy as it is (Kitagawa in Harris, 2007).

Kitagawa's statement suggests that the problem is not simply with the individual institutions available to ENGOs, but also with the broader political and economic environment. The statement provides justification for the types of activities capable of attracting global attention, which has been attempted by Greenpeace and various other actors with a certain degree of success through the use of dramatic, media-oriented tactics.

At the time of mobilization, the expectation existed that engaging with confrontation would strengthen the bargaining position for collaborative actors by focusing the public attention on collaborative efforts and processes. The late Martha Kostuch articulates this point, stating,

> The direct action style we haven't seen a lot of, at least not by environmental activists...I think there's value in a whole range of actions—everything from adversarial all the way up to a collaborative approach. In fact, you can't succeed in a cooperative or collaborative approach unless you have politicians' attention, industry's attention and the public's attention. So I think they very much complement each other (Kostuch in Harris, 2007).

The dynamic that Kostuch touches upon is what former Pembina Institute executive Marlo Reynolds refers to as the "ABC theory,": "If you're at 'A' and you're trying to get to 'B,' you need to have someone screaming 'C'" (Reynolds in Berry, 2010).

Since Greenpeace emerged as an SMO, they have become one of the most prominent faces of the oil sands resistance and, along with the Pembina Institute, are routinely asked to comment on any new developments or policy announcements from the GOA. The mobilization of fourth-wave actors has continued, and while the level of mobilization within

Alberta has appeared to have plateaued at a relatively small number of involved actors, the mobilization in other jurisdictions around Canada and the world has continued to increase, especially over pipeline concerns. Smith (2012) attributes this to the openness of certain international institutions, such as the EU or the UN, but even national and provincial jurisdictions are increasingly being targeted. As expressed by an ENGO employee, the internationalization of the mobilization is a further indicator that the political opportunities in Alberta are perceived as closed.

> I would think a lot of groups…have started to cater to the international scene, trying to get away from Alberta towards more progressive governments so you can actually make a change...the people purchasing the oil have unforeseen power (Anonymous Interview, 2012).

During Greenpeace's oil sands operations, they have continued to embrace confrontation and have displayed few inclinations that they are ready to shift their strategy. As of 2012, Hudema is quoted, "...the use of direct action is more needed now than perhaps any time in our history." Following the protest action on Parliament Hill in Ottawa on September 27, 2011 that mimicked the KXL protests in front of the White House, even Dan Woynillowicz (2011) of the Pembina Institute publicly expressed his support of this type of protest, a first for the organization:

> I fully support peaceful demonstrations like those happening today in Ottawa, and I would encourage Canadians to look beyond the headlines and reflect upon the deeper message conveyed by the passion and concern that drives citizens to a point of peaceful protest.

Despite the public display of solidarity, no members of Pembina Institute participated in the protest; instead Woynillowicz emphasized the need for various approaches to solve the issues in the oil sands.

4.2.2 Accounting for Subjective Interpretations

Reflecting upon the literature on POs and mobilization, at the time of mobilization various social movement actors identified non-state opportunities available to advocate change. While the subjective interpretations of those opportunities appears to have changed among ENGOs, their relative success in generating attention around the oil sands suggests that these opportunities also exist objectively. However, adopting a subjectivist interpretation forces acknowledgement of the role of micro-variables that frame and shape an actor's interpretations of the world -- what can account for the interpretations that led to Greenpeace's emergence? Certainly grievance intensity helps shape interpretations and encourage mobilization given that their emergence is closely tied to their perceived urgency to act as seen above. However, unlike the discussion of the evolution of the Pembina Institute and OSEC, it is not possible to compare Greenpeace's interpretations before and after mobilization; but by comparing the frames adopted by Greenpeace and the Pembina Institute, it may be possible to discover why confrontation-oriented actors felt they had a role to play in this conflict alongside the Pembina Institute.

Through interviews, various actors did not perceive a significant ideological gap between the two organizations; "I would say the majority of the differences are purely strategic, when you get all of us in a group together we usually all get along fairly well" (Anonymous Interview, 2012). However, if one were to compare Greenpeace's Mike Hudema's book *An Action A Day Keeps Global Capitalism Away* (2004) to a publication from the Pembina Institute, one might suspect a more substantial difference.

The more apparent difference regards identity and the role each actor and organization plays, summed up by an ENGO employee, "What for me made the choice…it's what I'm good at…If I want to make a difference I'm going to go where I can make an influence and I'm good at it" (Anonymous Interview, 2012).

There appears to be a clear recognition by both organizations that a diversity of strategies is required and that each organization is most effective when they focus on their strengths. For the Pembina Institute, "Grassroots campaigning is not something that comes naturally to us here..." (Pembina Institute, 2012), whereas Hudema and Melina Laboucan-Massimo of Greenpeace were both identified as strong community organizers (Anonymous Interview, 2012). To understand why an organization like Greenpeace emerged and what shaped those subjective interpretations, it is most effective to examine the role that the organization and its actors see themselves taking.

As pace of development increased, the collaborative strategies used previously failed to bring substantial change, but as Hudema articulates, "[those who embrace collaborative strategies]...don't have room to move...I see my role as trying to make that space possible" (Berry, 2010). So what is ultimately the most effective explanation for Greenpeace's mobilization is the recognition by Greenpeace and its actors that collaboration-oriented ENGOs do not have the power to leverage gains from industry and government if they do not have a loud, vocal player exerting external pressure. Greenpeace's identity is to be that external player.

4.3 Chapter Conclusion:

The emergence of Greenpeace and their following actions have had the dramatic effect of projecting the oil sands onto the national and global stage. The media oriented tactics have been successful in attracting attention their issues and their protests have garnered international attention. Their emergence can be attributed to a combination of both resources and opportunities.

Resources clearly factored in their emergence in so far as it allowed them to establish a local office in Edmonton and hire staff which assisted in their ability to carry out protests and coordinate their campaign. Without resources and the allocated operating budget, Greenpeace's presence in the province would be extremely minimal and largely ineffectual.

Opportunities also factored in their emergence because the environmental opposition lacked a more aggressive organization to expand the margins of debate around oil sands development. The moderate organizations like the Pembina Institute, who had been working closely with industry and government, lacked the leverage to give their claims weight. By harnessing public pressure and concern, Greenpeace has been able to fill the absence of other confrontation-oriented organizations and assist moderate organizations in demanding stronger environmental demands. The intensity of oil sands development also provide the David versus Goliath narrative that Greenpeace has been successful in attracting donations and memberships in other environmental conflicts in Canada and internationally.

Together, the resource mobilization and political opportunity perspectives can adequately account for the emergence of Greenpeace into the oil sands conflict but like the

previous chapter, further study on the individual framing variables is necessary to understand their emergence and the primary differences between third- and fourth-wave ENGOs.

Conclusion

The Alberta economy is intimately tied to the development of its natural resources and in particular, the oil sands in the northern portion of the province. With the tremendous opportunity to develop the world's second largest oil reserve comes great responsibility, particularly for an energy source which demands significant energy input and impacts on the land, water and air. For almost twenty years, civil society organizations and ENGOS have kept close watch on development proponents to ensure the resource is being developed in an environmentally responsible manner.

Initially, these groups favored cooperation over confrontation as a strategy to encourage responsible development, however, as development progressed without the perceived safe guards and regulations, the overall sentiment among the environmental actors and ENGOs shifted. The primarily collaborative organizations; the Pembina Institute and the other members of OSEC, have abandoned key multi-stakeholder processes and their pre-regulatory hearing agreements reached with industry. While the Pembina Institute continues to work with industry through their fee-for-service consulting, their strategy is less collaborative than previously. The movement has also seen the emergence of fourth-wave ENGOs such as Greenpeace, which has been effective in generating media attention and while their critics are fierce, it is difficult to argue that their arrival in 2007 did not have a significant influence on the oil sands political profile.

The evolution and emergence of ENGOs is not unique among social movements engaged in a dynamic public policy issue, but the level of confrontation is unique for a traditionally conservative province like Alberta. This shift has also been accompanied by an

internationalization of the oil sands as the resource and its producers attract global attention. Opposition to the oil sands now stretches far beyond the borders of Alberta, extending from British Columbia to the European Union. The opposition has recently demonstrated its strength against the Keystone XL and Northern Gateway Pipeline projects. These projects would facilitate the transport of the Alberta oil sands to the global market. However, these actions have elicited a fierce response, most notably from the federal government under Stephan Harper. The government has made indications that they will use the power of the state to restrict the political activity of ENGOs and they may prohibit ENGOs from participating in regulatory hearings in the way they have for the joint review of the Northern Gateway Pipeline.

This thesis set out to understand why the oil sands opposition movement has changed over the past decade. The two most prominent social movement perspectives offer two different explanations. The resource mobilization perspective offers an explanation to a wide range of social movement dependent variables through the analysis of resources as the agent for change. When an ENGO adopts a particular political strategy, there are resource demands which influence the ability of the organization to acquire greater resources. The theory of political opportunities asserts that social movement dynamics are determined by the perceived opening and closing of opportunities or avenues for advocacy. Each of these theories offers valuable insight into social movement dynamics and when coupled in this context, they provide an effective explanation of the movement dynamics observed.

The third chapter of this thesis has used these two perspectives to explain the strategic evolution of the Pembina Institute and the other members of OSEC. Resources seem

to have had the opposite effect and instead of aiding in the strategic evolution, actually hindered or stagnated the organizations strategy. Consequently, the observed evolution is best attributed to a shift in the subjective interpretations of the previously used political opportunities. This shift in interpretations must have been strong enough to outweigh the resource incentives to maintain the previously collaborative strategy.

The fourth chapter used the two social movement perspectives to explain the emergence of Greenpeace. In this case, resources are clearly responsible for facilitating Greenpeace's arrival but opportunities are also important to explain why Greenpeace would devote the resources necessary to initiate the oil sands campaign.

Although these two perspectives have proven themselves valuable in this context, further study is necessary to understand the individual framing variables that determine an individuals subjective interpretation of their political environment. Without this inclusion, the two social movement perspectives offer only a partial explanation for the evolution and emergence observed.

Looking forward, ENGO strategies seem unlikely to return to levels of collaboration experienced in the first phase. The pressures to develop the oil sands are predicted to remain steady in the current global economy. The Government of Alberta, while making small steps towards more effective monitoring and recognizing that the regulatory and governance processes have not kept up with development, is expected to continue to drive development forward with few signs of slowing down voluntarily. The Government of Canada under the current Conservatives also favor the status quo and while Opposition Leader Mulcair has recently discussed the potential of the Dutch disease in the Canadian economy, it is unclear

how a New Democratic Party government would handle the oil sands portfolio, particularly if they increasingly shift towards the center of the political spectrum to acquire electoral favor.

There appear to be few scenarios that could potentially slow down development. One possibility emerges if the tentacles of the oil sands continue to draw conflict, resulting in project delays, producers may struggle to bring the oil to market. Another is an economic downturn that could dry up investments and depress the price of a barrel of oil. However, even the 2008 downturn did not actually see development stop, but rather it slowed down before ramping up and reigniting the boom in Northern Alberta. Therefore, a downturn would have to be a larger one than that experienced in 2008.

If ENGOs perceive a steady rate of development and view efforts to get them to the negotiating table as a tactic by development proponents to legitimize the status quo, it will be increasingly difficult to rebuild that trust that initially led to collaboration. The Pembina Institute, has outlined specific recommendations for CEMA to reform the process and while some changes have taken place, the Pembina Institute has made no indication that they intend to rejoin. Further, pre-regulatory hearing agreements will not be negotiated between the Pembina Institute and industry unless the Pembina Institute believes that development can continue forward in a responsible manner, which is an unlikely position given the rate of expansion expected and the number of projects already approved.

Greenpeace will likely continue directing their efforts towards more progressive jurisdictions since the defeat of the Northern Gateway Pipeline and the European Fuel Quality Directive, which may result in real successes for the movement. The conflict over the Northern Gateway Pipeline is sure to escalate, especially if the federal Conservative cabinet

uses its new powers to overrule the regulatory process in the name of the national interest. Environmentalists and First Nations opposed to the pipeline are hoping for the level of mobilization last seen at during the Clayoquot Sound protests in 1994 and are in the planning phase of a mass act of civil disobedience in the fall of 2012 similar to the one seen in Washington D.C. in the summer of 2011 (Hudema, 2012).

Needless to say, the conflict between economic prosperity and environmental sustainability in the Alberta oil sands will continue well into the future. Even with the introduction of new technologies and best practices, doubling or even tripling the current rate of production will place tremendous harm on the region's land, water and air. These impacts including decreased air quality and the contamination of land and water, have significant consequences for local communities along with the global climate change implications from the oil sands' large carbon footprint. These impacts will provide ENGOs the ammunition they need in their attempt to court public opinion. However, the substantive policy changes that ENGOs desire are distant from the changes being made on the ground, and while the public has been relatively sympathetic to their cause, the public is also unlikely to part with the high standard of living provided by a booming natural resource economy. As long as the environmental impacts from oil sands developments are perceived to cause harm and the desire to act upon those concerns persists, ENGOs and environmentalists will continue to advocate for sustainable and responsible development of the Alberta oil sands, if such development can even exist. While this thesis has used a historical analysis to bring understanding to the current struggle between ENGOs, industry and government, it is the

hope of this author that this analysis will be an effective tool that can be used to bring clarity to the future developments within this story.

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Appendix A: Interviews

Between February and March 2012, five interviews were conducted in person or by phone with employees from various ENGOs operating in Alberta that engage on oil sands issues. Although the interviews were unstructured, the following is a rough format.

General Questions

1) Why did you get involved with [organization]?
    a. What other types of organizations have you been with that attempted to address the concerns around oil sands development?
2) In your opinion, or in the opinion of the organization you represent, why do you think the oil sands issue has become so important?
3) What are the short term goals of you or your organization?
4) What are the long term goals of you or your organization?
5) What does your organization do to achieve these goals?

Questions for Collaborative Actors

1) Do you think working within the institutional structure is the most effective way to advance your concerns?
    a. If Yes, Why?
    b. If No, Why are you choosing to work within the institutional structure?
2) How do you view groups that are using confrontational action?
3) Do you think those using confrontational action have assisted your efforts as a cooperative actor?
    a. If Yes, how?
    b. If No, do you think they have been detrimental to the 'movement' as a whole?
    c. Who do you view as allies?
4) Why do you think other actors have chosen to use confrontational action to object to oil sands development?
    a. Where do you think you differ from them?
5) How do you view [ERCB regulatory hearings, multi-stakeholder round tables, elections] in Alberta?
    a. Do you think they have the capacity to create 'change' in the way oil sands are developed?
        i. If Yes, how?
        ii. If No, why not?

6) How has your activity in the oil sands discourse changed in the past
    a. 3 years?
    b. 5 years?
    c. 10 years?
7) Do you think sustainable development in the Oil Sands Development is possible?
8) Do you view economic 'development' in general as detrimental to the ecological sustainability?
    a. If No, why?
        i. How does this determine your actions?
    b. If Yes, why?
        i. How does this determine your actions?
9) Can solutions to the issues related to Oil Sands issues be resolved through technology?
    a. If No, Why?
        i. How does this determine your action?
    b. If Yes, Why?
        i. How does this determine your action?
10) How do you measure success in your actions?

Questions for Confrontational Actors

1) Why do you think working outside the institutional structure is the most effective way to advance your concerns?
    a. What types of factors have driven you to adopt this type of response?
2) What factors have facilitated your capacity to carry out these actions?
    a. Have there been particular events that have created an infrastructure to carry out these actions.
3) How do you view groups that are using collaboration action?
4) Do you think those using collaboration action have assisted your efforts as a confrontational actor?
    a. If Yes, how?
    b. If No, do you think they have been detrimental to the 'movement' as a whole?
    c. Who do you view as allies?
5) Why do you think other actors have chosen to use collaboration action to object to current oil sands development?
    a. Where do you think you differ from them?
6) How do you view [ERCB regulatory hearings, multi-stakeholder round tables, elections, Cumulative Effects Management Association (CEMA)] in Alberta?
    a. Do you think they have the capacity to create 'change' in the way oil sands are developed?
        i. If Yes, how?
            1. How has your organization worked with the identified body?
        ii. If No, why not?

7) How has your activity changed in the past….
    a. 3 years?
    b. 5 years?
    c. 10 years?
8) Do you think sustainable development in the Oil Sands Development is possible?
9) Do you view economic 'development' as detrimental to the ecological sustainability?
    a. If No, why?
        i. How does this determine your actions?
    b. If Yes, why?
        i. How does this determine your actions?
10) Can solutions to the issues related to Oil Sands issues be resolved through technology?
    a. If No, Why?
        i. How does this determine your action?
    b. If Yes, Why?
        i. How does this determine your action?
        ii. How do you measure success in your actions?