

“Alberta and Canada’s Petro-Politics – the Transnational Dimension”

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"The greatest risk to Alberta by 2020 is that we will be landlocked in bitumen. We need the ability to ship our crude to new markets." Ron Liepert (Finance Minister, Alberta Government, February 12, 2012) <http://www.businessweek.com/ap/2012-02/D9SU4F181.htm>

"The global affects our lives." Manfred Steger (author of *Globalism*, 2002) Statement at Global Studies Association Conference, University of Victoria, May 2012)

The above statements speak to two key characteristics of contemporary society and politics. That is, we live in a globalized world full of risks and uncertainty, a world that affects us all. Increasingly, the global is impinging on the options confronting Albertan and Canadians on the development and export of its energy resources, particularly the tar sands of northern Alberta. This has led to a contentious debate (indeed, the mere use of the term "tar sands" is contentious) that is taking place on a variety of levels, local, national and global. This is a debate in which language and discourse becomes heavily politicized as differing sides try to frame the debate to their liking. I argue that the global nature of the struggle over tar sands development means that as much as the Alberta government has been the primary advocate of the oil industry in the past, that now, it is the national government with its external responsibilities for external relations that must mediate the struggle on the international and global levels. This has already two effects, first, the Conservative Canadian government has warmed in its once cool relations with China, a potential market, and, two, Alberta is in a period of warming with its relations with Ottawa to a point where the two governments are increasingly acting in concert. Politics, as they say, makes strange bedfellows.

Moreover, the spaces of politics are being transfigured in this globalized world. No longer is politics solely centred around the institutions of the state. According to Manuel Castells there is a new type of spatiality, one he describes as the "space of flows". (2010, Vol. I, xxxii) Thanks to the development of information and communication technologies (ICTs) "the production, transmission and processing of flows of information" is making possible "the material support of simultaneous social practices communicated at a distance." (xxxii) This space of flows is carrying with it ideas, politics, new transnational political actors and advocacy now intersecting with provincial and national politics and public policy. The result is that we are entering a cycle of contentious politics over energy development in Canada. Contentious politics is characterized by the fact that the normal expression of politics no longer centres around means of traditional interaction (letters to MPs, lobbying, personal contact) with the institutions of the state, that is, legislatures, politicians and the bureaucracy but more disruptively, through various forms of contentious politics, for example, demonstrations in which claims are made upon the state or other institutions of governance.¹ In a sense there two globalizations at work here, one from above in which governments and corporations are key

actors and globalization from below in which social movements, non-governmental organizations (NGOs) and citizens are the key actors.

This paper explores this new era of contentious politics over the development and export of Alberta's tar sands arguing that it is already having significant political effects as noted previously. Less certain, however, is the outcome of this cycle of protest which is much like a battle being contested on many fronts with the outcome yet uncertain. The first section of the paper outlines the problem of the export of bitumen from the perspective of the Alberta and Canadian governments noting the uncertainty surrounding it as well as the concern of their critics in civil society. The next section, theoretical in its emphasis, places this cycle of contention in a global context arguing it is consistent with two conflicting visions of "how the world should be organized", one that is neoliberal in terms of its ideology, the other emphasizing democracy and justice (Smith, 2008:3). This section also considers the changing locus of power in the world, neoliberalism, the decline of the welfare state and the rise of the garrison or security state, changing concepts of citizenship and the public sphere, political opportunity structures and framing. The third section then considers the cycle of contention within a Canadian context examining the issue of tar sands development, extraction, and export in general profiling this contention not in terms of the Keystone XL pipeline to the United States but on the more current fronts of the battle, Europe and the Enbridge Northern Gateway Pipeline. It discusses the major players, in particular the governments of Alberta and Canada, allied corporations and governments in Europe, and the networked transnational opposition representing a growing confluence of Indigenous and Environmental Movements across Canada, the United States and Europe. I focus particularly on how the debate has been framed and how both sides take advantage of various political opportunity structures to press their case. The final section attempts to assess the relative success of each side noting that this is a drama that is still being played out, the final script not yet written.

Landlocked, All Dressed Up and No Where to Go?

Once only a dream of previous Alberta governments the development of Alberta's tar sands is becoming a reality and increasingly a multi-faceted problem. At one time once too costly to produce, tar sands production is rising rapidly, from "2 m[million] barrels a day)b/d) to 3.3 m by 2020, or from 58% to 72% of Canada's total oil output." (*The Economist*, May 26, 2012) Other sources put it even higher, to 5.5 m b/d by 2020, an 85% increase over today's levels (Vanderklippe, *Globe and Mail*, May 18, 2012) vaulting Canada into the top ranks of global crude oil producers fulfilling the Harper government's pledge to make Canada a "clean energy superpower." The problem is "there's too much oil and not enough pipe." (Vanderklippe) Finding markets and building pipelines then take on great political importance.

In one sense there is little new here. Canada has historically fretted about access to markets for its staple products (beaver fur, fish, timber, wheat, minerals, oil). According to the staples theory of Canadian political economist, Harold Innis, the exploitation of successive staple commodities accounted for the particular pattern of Canada's economic, political, and cultural development. Canada was part of a world economic system, albeit a peripheral part (the hinterland), dependent on a more economically developed nation (the metropolis). At the heart of Innis's analysis was the belief that staple production had dominated Canadian history. Virtually all economic and political activity was subordinated to the trade in staple products. Without an available market outside Canada, for example, European settlement in Canada would have been much more limited. This is a fact that contemporary Canadian political economists acknowledge. According to Stephen McBride:

Thus, for Canada there is little new about market dependency: the intrusion of international factors and concerns into Canada's domestic political economy was the central concern of Canadian political economy long before the term 'globalization' was coined. (McBride, 2005:30)

Market dependency was also a factor in the negotiation of the North American Free Trade Agreement (NAFTA). This time the problem was "trapped gas", a situation in which Canadian producers had a surplus in deliverable natural gas which led to depressed prices. Access, in particular, was desired to the New England market where prices were three times higher than Western Canada. More export lines were needed. In brief, "NAFTA opened the way to new pipelines and a much deeper integration of the American and Canadian energy sectors." (Pratt, 2007:468)

The title of Pratt's article, "Pipelines and Pipe Dreams: Energy and Continental Security" resonates today. This time the issue is tar sands, not natural gas, and the fear, once again, is depressed prices. The critical "pinch" point for export over existing pipeline infrastructure occurs in 2015-2016 if not earlier. (Vanderklippe, May 18, 2012) Hence, the urgency to build more pipelines. The map below depicts this development:



THE TAR SANDS PIPELINE BOOM

Industry has announced the intention to build more than 10,000 miles of pipelines at a cost of almost \$40 billion over the next five years to send an additional 3.1 million barrels a day of crude oil from Canada's oil sands to global markets.

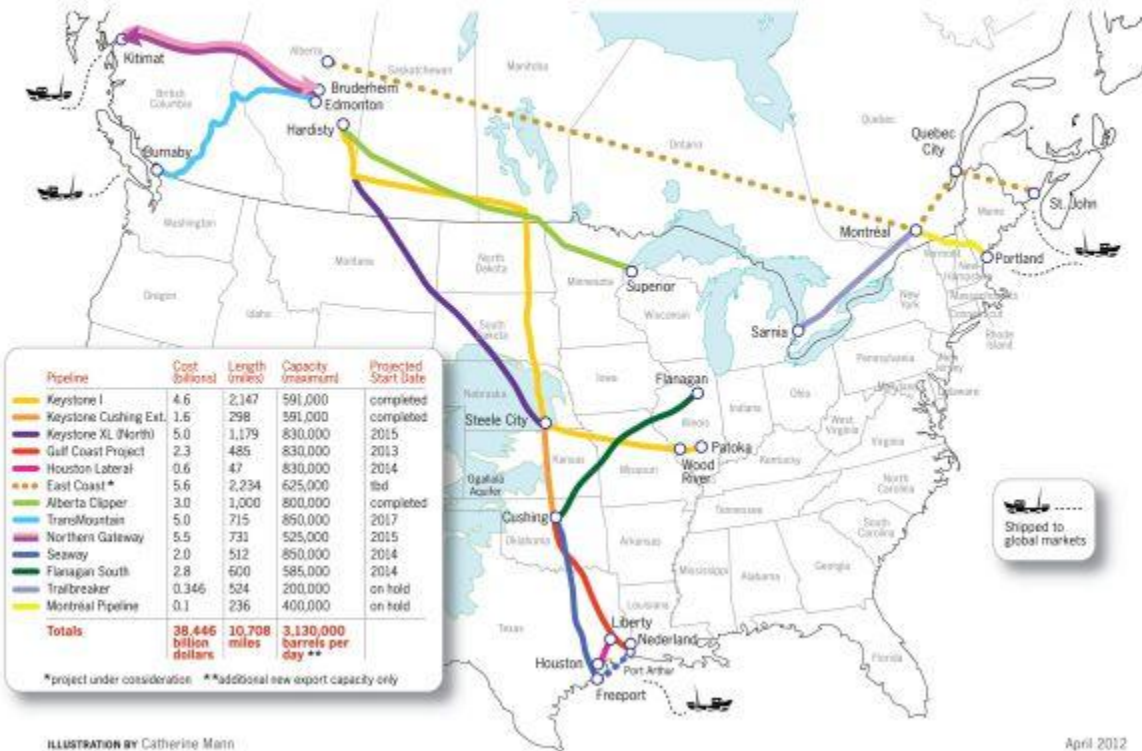


ILLUSTRATION BY Catherine Mann

April 2012

Source: Inside Climate News, <http://www.insideclimatenews.org/news/20120430/exclusive-map-tar-sands-pipeline-boom>

However, there is growing uncertainty as to how much demand there is in the United States which is now almost the only customer for Alberta's energy, a virtual monopsony. U.S. demand for foreign sources of energy is no longer growing. In fact, thanks to new production technologies the United States is producing more of its own crude oil and natural gas and there are suggestions that the U.S. could soon become energy independent. (Lamphier, May 3, 2012) Potentially, the additional bitumen that is targeted to the Gulf Coast in the future could be surplus to U.S. needs. At present the U.S. market cannot absorb all the gasoline and diesel that is being produced and the excess is being shipped to Latin American countries such as Mexico and Colombia who, while producers of heavy oil (not unlike the tar sands) do not have their own upgrading capacities, a situation that is expected to be rectified. (Cooper, May 24, 2012 <http://www.edmontonjournal.com/business/Alberta+upgraders+option+pipelines+blocked+analyst+says/6674332/story.html>) This leads to a critical question, "with North American and European consumer markets flat or declining what is left?" (Cooper) The end result is that shipping tar sands bitumen to the British Columbia coast (Kitimat, in particular) through the

proposed Enbridge Northern Gateway pipeline (see map) and on to Asia (primarily China) takes on paramount importance for the governments of Alberta and Canada increasingly anxious to find secure markets for the tar sands as soon as possible.

This anxiety is being compounded by increasing national, international and transnational resistance. One environmental consultant provides a sample of the types of resistance pipeline expansion is facing:

The tar sands industry now faces [legal challenges](#) from First Nations, low carbon fuel initiatives in [California](#) and the [EU](#), opposition to its pipelines in the [U.S.](#), in [British Columbia](#), and in [Eastern provinces and states](#). It faces water pollution concerns from the [North](#), acid rain concerns from [Saskatchewan](#), and jobs concerns in Eastern Canada due to [Dutch Disease](#). It faces calls to reverse its exploding greenhouse pollution from [Nobel Laureates](#), and from Canadians concerned that the industry is unfairly [blowing](#) Canada's carbon budget. (Price, January 19, 2012. http://www.huffingtonpost.ca/matt-price/keystone-pipeline_b_1216500.html Each highlighted phrase above is a live link.)

In a later section I will focus this resistance, particularly that stemming from Indigenous and Environmental movements.

Some Theoretical Considerations

There is little doubt that Albertan and Canadian energy development and export is spurring a new cycle of protest which has become transnational. I argue that this cycle needs to be situated within a larger context of waves of protest against neoliberal globalization that began in the 1990s, first with the Zapatista protests against NAFTA (1994), protests against the Multilateral Agreement on Investment (1998), the World Trade Organization (WTO) in Seattle (1999), other waves of protest in Europe including the G-8 meeting in Genoa (2002), the meetings of the World Social Forum (WSF) beginning in 2001 to date, protests at the UN Climate Change Conference in Copenhagen (2009) and more recently the Arab Spring, the Indignados movement in Spain (2011) and the Occupy Movement to name a select list. Protests, then, are becoming a staple of contemporary political life.

Neoliberalism is but the latest form of globalization and was ushered in beginning in the 1970s. I say latest form of globalization because globalization extends back more than 500 years to the time of Columbus and European colonization of most of the globe. According to Roland Robertson globalization “refers both to the compression of the world and the intensification of consciousness of the world as a whole.” (1992:8) In a sense this has been occurring for centuries as systems of transportation and communication improved. What is emphasized today is the intensity and compression of time and space particularly in terms of a global economy. Castells insists that what makes this global economy distinct is its “capacity to

work as a unit in real time, or chosen time, on a planetary scale.” (Vol. 1 p. 101) For the first time in history international financial markets, international trade, and the production of goods and services can function on a global scale at all times.

The space of this new economy transcends state borders and is transnational and global in scope and neoliberal in ideology. Neoliberalism can be defined as a social, political, and economic ideology that asserts that markets, not states, should be the fundamental allocators of values in a society. It is used interchangeably with market fundamentalism and the Washington Consensus. The Washington Consensus placed an emphasis on the following:

- Fiscal discipline – reducing government expenditures, eliminating deficits, reducing the size of government
- Trade liberalization – the move to global trade and investment
- Liberalization of inflows of foreign direct investment
- Financialization of the economy
- Privatization of state enterprises
- Securing property rights
- Deregulation – removal of regulations that impede market entry or restrict competition

While the powers of the state are circumscribed in this process states have been the primary architects of neoliberal globalization creating institutions of global governance which serve to regulate and set rules for the functioning of global capitalism. With neoliberalism came a shift in the loci of political power. Internally within states, as della Porta and Tarrow acknowledge, “there has been a continuing shift in power from parliaments to the executive, and within the executive, to the bureaucracy and to quasi-independent agencies” resulting in a more authoritarian state(2005:2) Externally, there has been a shift in the scale and locus of institutional power from the national level to supranational institutions of governance such as the World Trade Organization (WTO), the International Monetary Fund (IMF), the World Bank, the European Union (EU) and in North America, the North American Free Trade Agreement (NAFTA). Beyond the shift of power to these institutions of global governance power was also shifting to the market and transnational corporations who increasingly exercised greater power and influence within and beyond the nation-state. The result of this dispersal of power has been a shift in governing from governments to multilevel governance. While the state does not go away, indeed, all the above institutions were created and are at the sufferance of states, the role of the state changes.

In particular the state has moved away from its key role in the provision of public services, that is, the welfare state. The result, claims Peter Evans, is a “leaner, meaner state” (1997:85) Jackie Smith refers to the neoliberal state as a “garrison state” in which while the state de-emphasizes the welfare state it puts greater emphasis on the protection of property,

security, the military and building of prisons. (2008:71) Yet, at the same time as Foucault notes “where there is power, there is resistance.” Those resisting and protesting non-violently against neoliberal globalization are often seen as another threat “to which [the authorities] must respond, on par with terrorism, football hooliganism, and transnational organized crime.” (Smith, 2008:73) Thus increasingly we see the criminalization of dissent.

For authorities dissenters become a danger to security and another risk to be managed. Here Foucault provides insight. According to Foucault risk is socially produced and is subject to surveillance, discipline and control. Knowledge can be applied to risk-groups to shape, discipline, and control them (and the entire population) thus taming risk and govern what seems to be ungovernable. Foucault’s approach lends itself to recognizing the social construction of security and risk and the risk-group (threat) needing to be brought under social control. Today, according to the Canadian government these threats are “environmentalists” and other “radical groups” (eg. Indigenous peoples). Just how the government of Canada has discursively framed these threats shall be examined in more detail shortly.

Despite the rise of the garrison state of which Canada is but one instance globalization also facilitates resistance. According to Stahler-Sholk “Globalization can paradoxically open new political space for contestation as it ruptures existing patterns of relations between state and civil society.” (2001:493) In particular globalization creates new political opportunity structures for social movements and other non-state actors. As Van der Heijden writes “political opportunity structure [POS] refers to the specific features of a political system (e.g., a country) that can explain the different action repertoires, organizational forms and impacts of social movements, and social movement organizations in that specific country.” (2006:28) In other words, where can you go, who can you contact within a state to find friends, mobilize allies and draw political attention to your claims and concerns. Historically, POS have been located within states. Globalization, however, provides political opportunity structures beyond the state for social movements.

According to Van der Heijden the more decentralized and “the more open the formal institutional structure and the more integrative the informal elite strategies, the larger will be the number of NGOs that try to influence the politics of the IGO by conventional means (low costs of participation.” (2006:37) Thus nation states where there are competitive parties, a legislature with relative independence, an independent judiciary and political and bureaucratic elites that listen are preferred POS for social movements and NGOs. At the international level the same principle of decentralization and openness applies. For example, the United Nations is a preferred POS because its political structure offers social movements consultative status and thus an ability to be heard although the UN has little formal power to implement decisions.

The European Union is also relatively open and decentralized with social movement organizations able to gain access to political and bureaucratic elites.

On the other hand Van der Heijden argues that “the more closed the formal institutional structure and the more exclusive the informal elite strategies, the larger will be the number of unconventional ...actions”, for example, protests and demonstrations. (2006:38) Laurie Adkin argues that the Canadian and provincial political systems are becoming increasingly closed. According to Adkin in neoliberal regimes such as Canada

The opportunities for citizens in decisions that constitute *societal* choices are strictly circumscribed. We may join political parties and vote, but the shrinkage of the state’s regulatory role vis-à-vis market forces and the ideological convergence of the traditional parties means that many questions are excluded from the realm of the political. (2009:2)

In Alberta this is even more so due a historically weak legislature, strong executive, and weak party competition.

However, as political spaces close in one venue they can open up in another, thus an option is created for social movements to go to bodies such as the UN and EU where the style of politics is more deliberative. In addition, governing institutions, national and international, which close political space also can find themselves targets of political protests, demonstrations and transnational campaigns against their policies. Increasingly, as well social movements and NGOs are creating their own POS such as the World Social Forum and other forums where people can meet and organize. Thus, in a globalizing world political space is becoming reconfigured, more complex, and fragmented, sometimes deliberative and other times contested. (Crack, Mouffe) Citizenship is also becoming more complex. According to Saskia Sassen “Citizenship, the foundational institution for membership in the modern state, is being partly destabilized through current developments associated with globalization.” The retrenchment of the state under neoliberalism is leading to the “dilution of loyalty to the state.” Moreover, while the local and national state remain important venues of citizenship increasingly “citizenship is becoming a normative project whereby social membership becomes increasingly comprehensive and open-ended” with an increasing variety of domains where one can practice their political subjectivity. (Sassen, 2003:16,23)

Globalization, in particular, has served as a catalyst for the creation of global indigenous and environmental movements. The exponential growth of a global economy has lead to a thirst for cheap energy and resources. (Haluza-DeLay and Davidson, 2008) According to Coates:

The imperatives of the industrial world, which needed energy, minerals, wood and pulp, ... drove nations to move aggressively into remote regions. In very few instances...did the national governments take the concerns and needs of indigenous peoples very seriously. (2004:16 as quoted in Atkinson and Mulrennan, 2009:468)

In recent decades Indigenous peoples have been able to maximize the opportunities afforded by globalization and improved means of communication to create a global Indigenous movement “to maintain their autonomy, defend their cultures and protect their ancestral lands.” (Atkinson and Mulrennan 2009:469) As states proved unresponsive to Indigenous claims the United Nations became a preferred venue to be heard not only in terms of human rights but also by means of participation in United Nations climate convention conferences often in concert with environmental groups. (Powless, *Globalizations* forthcoming June 2012) The rapid expansion of the global economy and the externalization of wastes and the fear of climate change spurred the rise of a global environmental movement with, again, the United Nations proving to be a welcome POS for environmental groups. Van der Heijden argues that it was the United Nations Conference on Environment and Development (UNCED) in 1992 in Rio de Janeiro that served as a catalyst for the creation of a global environmental movement. There according to the UN “some 2,400 representatives of non-governmental organizations (NGOs) [participated and] 17,000 people attended the parallel NGO Forum.”
<http://www.un.org/geninfo/bp/enviro.html>

Given that their grievances and claims cannot be take for granted framing is critical to the success of the indigenous and environmental movements, and, indeed, any social movement. In its simplest form framing is a form of thought organizer. (Gamson 2004:245) According to Gamson:

Like a picture frame, it puts a border around something, distinguishing it from what is around it. A frame spotlights certain events and their underlying causes and consequences, and directs our attention away from others. ... A frame organizes and makes coherent an apparently diverse array of symbols, images, and arguments, linking them through and underlying organizing idea that suggests what is at stake on the issue. (2004:245)

Frames provide meaning and the symbolic construction of collective identity for social movements, articulate the nature of a problem and call for action. However, in an attempt to sway public opinion governments can frame as well and provide meaning. Thus frames can compete and clash with the battleground being mass opinion and sometimes it is difficult to determine where the process of framing and counterframing begins and ends.

On the above let us take as an example the terms “tar sands” and “oil sands.” Within the province of Alberta and Canada as well there has been a struggle to determine how bitumen development will be framed. As Davidson and Gismondi point out the bitumen deposits of northern Alberta have been known by both terms since being discovered in the 1800s. (2011:27) Today, governments and media prefer to use the term oil sands, critics, tar sands. Moreover, claim Davidson and Gismondi “from 2001 onwards, the ratio of the use of the term ‘oil sands’ begins to increase in the official government discourse. Indeed ... the Alberta Minister of Environment ... suggests that the issue is closed, and oil sands is the officially sanctioned term.” (2011:27,28) This has had a significant effect on discourse in the legislature and in the mass media. At one time there was a marginal difference in the provincial legislature in the use of these competing terms. By 2007, however, the ratio was 3 to 1 oil sands. (Calculated from Davidson and Gismondi) These statistics are supported elsewhere. For example, entering oil sands into Google’s search function brings up 7,740,000 results, tar sands, 3,820,000, a ratio of 2 to 1. (As of May 31, 2012) Given that Google figures can fluctuate it is useful to have supporting evidence. Inserting the same terms into the data system Pro Quest Canadian Newsstand brings up 66,036 stories with oil sands and 10,695 stories with tar sands, a 6 to 1 ratio, indicating that this is a dominant national discourse. (As of May 31, 2012) Clearly, then, most Canadians are exposed to the more benign term, “oil sands”. To use the term “tar sands” risks putting one outside the main stream and inviting the wrath of governments and the mass media. Thus framing can be a means of disciplining public expression. The dominance of oil sands in public discourse indicates the political challenge faced by critics of opponents of bitumen development and export and in developing a competing discourse and alternative framing.

A Few Words about the Tar Sands

Before discussing how the competing frames of development and export of the tar sands have played out it is useful to provide some details about their location and size to put matters into context. Located in northern Alberta with some overlap in Saskatchewan the tar sands are considerable in scale, covering a land mass of 140,000 square kilometers of boreal forest, muskeg, and northern prairie, an area the size of New York state.

<http://www.oilsands.alberta.ca/documents/ResponsibleActions-oilsands-June2011.pdf> The following map below situates their location:



Source: Wikipedia/Created by Norman Einstein, May 10, 2006

The tar sands are the traditional territory of the Dene, Cree, and Métis people. Deposits of crude oil are estimated to be at 1.7 million barrels. (Alberta Government, 2011) Production, as noted previously, is expected to rise considerably in coming years. Finally, this development will represent the largest industrial project in the world.

Tar Sands Development and Pipeline Export - Resistance Goes Transnational

In this section I argue that resistance to tar sands development and export can be found in two social movements increasingly working in concert, the Indigenous and environmental movements. The emphasis here will be on the Indigenous movement. Both movements are transnational and networked as are most movements opposing neoliberal globalization. They

embody what can be described as “cultural logic of networking”, a logic flowing from the logic of global capitalism. As Jackie Smith, *et. al.* point out “networking logics have given rise to what grassroots activists call a new way of doing politics.” (2008:29) Rejecting the top down command logic of political parties, networked organizations forge horizontal ties, emphasize inclusivity and autonomy in pursuit of common goals.

Both movements in Canada share another commonality in that they feel that governments in Canada have stopped listening to them, that formal political institutions and channels are closed, a situation in they feel they must find POS elsewhere beyond Canada’s borders to try and influence domestic opinion and government policy from the outside. This is known as the boomerang effect. Keck and Sikkink use the boomerang theory to explain this transnational activity. They argue that “when a government violates or refuses to recognize rights ... domestic NGOs bypass their state and directly search out international allies to try to bring pressure on their states from outside.” (1998: 12) “This,” they say “is most obviously the case in human rights campaigns.” (12) Through their activities abroad NGOs frequently utilize a “mobilization of shame” to bring visibility to their causes and to re-frame debate at home and make their domestic governments more compliant.

In this regard Indigenous organizations have found a variety of POS beyond Canada’s borders where they find a more receptive hearing. These include, in particular, the United Nations, UN conferences, and UN agencies. According to Powless “a transnational, Indigenous movement really emerged during the 1970s largely in response to these closed doors at the national level and seemingly opening ones at the level of the United Nations.” (*Globalizations*, 2012 forthcoming) The emergence of the Internet in the 1990s has only accelerated the process. Beyond the UN the European Union, and governments and legislators of Europe have been open POS. Indigenous organizations also attend mass global conferences and meetings where they are welcome and network with others such as the World Social Forum and World People's Conference on Climate Change and the Rights of Mother Earth held in Bolivia in 2010 in which 35,000 participants attended. They also increasingly participate in the shareholder’s movement whereby activist organizations purchase shares in corporations, in this instance, oil companies invested in the tar sands, and make their case at the annual general meetings of shareholders. In addition, cross country speaking tours in Canada and Europe have been organized. Finally, indigenous organizations are going to court in Canada.

Of particular importance historically to the transnationalization of the Indigenous movement is the United Nations. Going to the UN was a logical step given its willingness to grant consultative status to NGOs and that the UN is the foremost source of human rights norms in the world beginning with the UN Declaration on Human Rights in 1948. As early as 1982 a Working Group on Indigenous Populations was created at the UN which included

indigenous participation. In 1987 this group was tasked with the mandate of creating a declaration of Indigenous human rights, a task that took twenty years to complete in the form of the adoption in 2007 of Declaration on the Rights of Indigenous Peoples. These rights have become enveloped into what are known as “third generation” rights or solidarity rights which include as well the right to self-determination, the right to economic and social development, the right to a healthy environment, food, natural resources and to communicate. Of particular importance here is Article 32 of the declaration which states:

“1. Indigenous peoples have the right to determine and develop priorities and strategies for the development or use of their lands or territories and other resources.

2. States shall consult and cooperate in good faith with the indigenous peoples concerned through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.

3. States shall provide effective mechanisms for just and fair redress for any such activities, and appropriate measures shall be taken to mitigate adverse environmental, economic, social, cultural or spiritual impact.” http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf”

Of key significance is sub-article 2 whose operative phrase has become rephrased commonly as the right to Free Prior and Informed Consent. Now, it must be noted that Canada was opposed to this language along with other articles of the declaration and refused to initially adopt it stating:

The concept of **free, prior and informed consent** (Articles 10, 11, 19, 28, 29 and 32) is referred to in relation to administrative and legislative measures, redress, development, environmental protection and military activities. The Draft Declaration could be interpreted as giving a veto to indigenous peoples over many matters which affect them, including matters which also affect the broader population. This could be interpreted as going beyond the *Constitution Act, 1982*. <http://www.aadnc-aandc.gc.ca/eng/1100100014078>

Being one of four holdouts along with the United States, Australia, and New Zealand, all with significant aboriginal populations isolated Canada in world opinion and on November 12 Canada finally adopted the declaration while noting it was not legally binding on Canada.

While not legally binding the declaration is an important development in the formation of human rights and indicative of the direction that world nations should be taking. The concept of free, prior and informed consent has become instrumental to the framing of the indigenous movement. Essentially, the argument is made that Canada and mining companies are ignoring

their rights, titles, and interests and that further development is destructive and a threat to their rights, survival, and the environment on which they depend.

Now, it should be noted this concern is broadly shared by Indigenous nations across Canada. Speaking before the UN Committee on the Elimination of Racial Discrimination (CERD) in February 2012² First Nations Women Advocating Responsible Mining from British Columbia underscored the importance of the free, prior and informed consent principle of the UNDRIP but claimed that Canada and mining companies were ignoring the principle with the result that

Our very survival is threatened by resource developments being pursued in the absence of proper consultation and accommodation, under a regime of antiquated government legislation, standards and practices and in an environment marked by discriminatory practices, ignorance and willful destruction of our lands and way of life in the name of profit at any cost. January 2012

http://www2.ohchr.org/english/bodies/cerd/docs/ngos/FNWARM_Canada_CERD80.pdf

Other Indigenous Nations reports echoed this refrain. In their Joint Report by the International Indian Treaty Council, Confederacy of Treaty 6 First Nations and other Indigenous organizations requested the CERD pose this question to Canada's UN representatives:

Taking into consideration that the principle of Free, Prior and Informed Consent is a legal principal found in the United Nations Declaration on the Rights of Indigenous Peoples, as well as in General Recommendation XXIII, as well as in legally binding Treaties between Indigenous Peoples and the Crown, what is Canada doing to fully implement this minimum standard?(January ? 2012 p. 8

<http://www2.ohchr.org/english/bodies/cerd/cerds80.htm>)

This report places considerable emphasis on the negative environmental impacts of the development of the tar sands stating "the results are devastating for Indigenous Peoples." (p. 26) Included in the Report is a statement from Ronald Lameman from the Beaver Creek Cree Nation and the Executive Director of Treaty 6 First Nations. While lengthy it provides a succinct summary of the situation from an Indigenous perspective and a call for action, that is, a moratorium on tar sands extraction:

Tar sands extraction has had and continues to have a massive destructive environmental impact which I have recently seen with my own eyes. Vast areas of traditional subsistence hunting and fishing territories have been desecrated, contaminated and destroyed, and more are being threatened. Treaty Six supports the call made earlier this

year [2007] by Grand Chief Herb Norwegian of the Dehcho First Nation, for a moratorium on tar sands extraction. This call needs to be upheld and enforced by the Canadian government until the long term impacts can be fully understood and rights of the Indigenous Peoples, including their free prior informed consent and right to subsistence can be guaranteed.

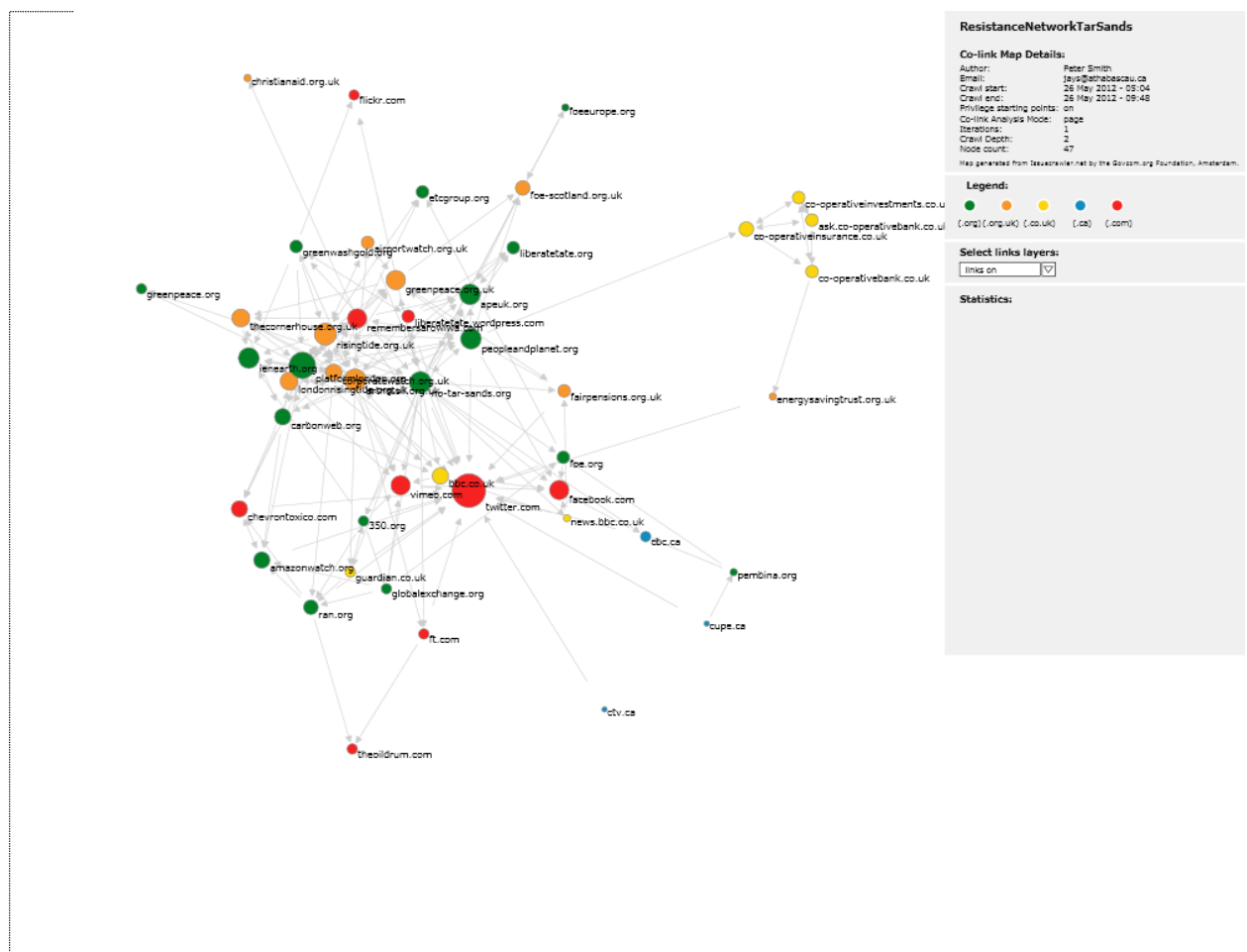
The Canadian government does nothing to uphold its obligation to enforce and protect our rights under Treaty No 6, starting with the requirement to obtain our free prior informed consent. Instead, the government of Canada gives a free rein to these corporations to extract, exploit and destroy our mineral resources, our forests, mountains, water ways, our fish and game, and the other natural resources we require to maintain our cultural practices, survival and subsistence way of life. They do this in violation of the solemn agreements and mutual understandings that were entered into by the ancestors of both parties to Sacred Treaty No. 6 and also the rights and obligations affirmed in international agreements they have entered into, including the CERD. P. 28

Just prior to the CERD meeting a resolution was adopted at a Indigenous People's Meeting Preparatory Meeting for the UN Rio plus 20 conference in Manaus Brazil in August 2011 consisting of Indigenous representatives from all continents with the exception of Australia. The resolution noted that tar sands extraction was "vastly destructive to the Indigenous Peoples of the region", was "a major source of greenhouse gas emissions", and was additionally "being carried out without the free prior informed consent of the impacted Indigenous Peoples as affirmed in Article 32 of the UN Declaration on the Rights of Indigenous Peoples." The resolution then called for "for an immediate halt to the Tar Sands extraction" and pipeline construction.

<http://treatycouncil.info/PDF/RESOLUTION%20IN%20SUPPORT%20OF%20THE%20OPPOSITION%20OF%20INDIGENOUS%20NATIONSFINALADOTPEDcor%20.pdf>

The foregoing is indicative of the activity of Canadian Indigenous First Nations activity at the United Nations in opposition to Tar Sands extraction and pipeline construction and their insertion into a global network of other Indigenous Peoples. Yet, the UN is only one venue of activity. The Indigenous Movement is not only global, it now works in concert with other social movements, in particular the environmental movement and allied organizations abroad and in Canada. To ascertain the networked organizations with whom the Indigenous Movement are currently linked and they were working together, I used Issue Crawler the network mapping software by the Govcom.org Foundation, Amsterdam. From press accounts, Indigenous and Environmental websites, documents and reports I derived a list of Canadian, U.S. and British

organizations, Indigenous and non-Indigenous, and uploaded their links into the networking mapping software. What came up was the following network configuration.



What it reveals is, first, that twitter has become a key means of communication linking the various organizations. Second, the organizational tilt is heavily towards the United Kingdom. This is somewhat of a surprise yet if one allows that networks can express links that are more salient than others in moments of political intensity then the network becomes more understandable. At the time the links were loaded in May 2012 there was intense lobbying in Europe over the possible approval of the European Fuel Quality Directive which will determine

the acceptable level of carbon emissions produced by varying types of oil that could be sold into Europe. The EU has calculated that the tar sands emissions are 23 per cent higher than the European standards. (McCarthy, May 9, 2012 <http://www.theglobeandmail.com/report-on-business/industry-news/energy-and-resources/alberta-fires-back-at-proposed-eu-fuel-rules/article2426675/>) Now, Europe does not even import oil from Alberta. However, if Europe approves a directive targeting tar sands the reputation of Alberta, Canada and the oil industry could take a hit in terms of reputation. The directive could become a widely accepted standard in other countries underscoring the claim of environmental groups that this is “dirty oil.”

The organizations in the network, most of which are nested within other networks with links in Europe, North America , and the world in recent years have worked closely with Canadian First Nations people to make their case in Europe. Included in the collective action repertoire are speaking tours, lobbying, and shareholder activism. For example, in 2011 several of the organizations in the network facilitated a week-long speaking tour of England by Beaver Lake Cree Nation youth. Support for the action came from a number of UK NGOs, The Cooperative, Britain’s largest consumer cooperative which prides itself on conducting “business in a socially and environmentally responsible manner”, (<http://www.co-operativeinvestments.co.uk/servlet/Satellite/1204529928561,CFSweb/Page/Investments?WT.svl=footer>)the UK Tar Sands Network, and Greenpeace UK. The purpose of the UK Tar Sands Network is to campaign “in partnership with Indigenous communities affected by the Tar Sands oil developments in Canada. We target governments, UK companies, banks and investors operating in the Alberta Tar Sands.” (<http://www.no-tar-sands.org/about/>) The actual tour was organized by People and Planet one of the larger nodes in the network and the largest student network in Britain with campaigns on climate change and human rights. The tour was part of a solidarity exchange in which UK students went to Alberta to visit the Beaver Creek Cree Nation. On July 11, 2011 the students staged a theatrical protest outside the Alberta Environment offices which was widely covered by major media outlets.



From: <http://peopleandplanet.org/navid12500>

In 2011 as well the UK tar sands worked with the Indigenous Environmental Network to sponsor a First Nations UK speaking tour in which they participated in a campaign of divestment from British Petroleum for their decision to invest in the tar sands and attended the annual general meeting of BP. The meeting was noisy and contested receiving considerable publicity in the British press. (For coverage of the event see: <http://peopleandplanet.org/navid12500>)

The Indigenous Indian Network (IEN) is a key node linking the UK networks to Canadian First Nations peoples and civil society organizations. The IEN is a hybrid organization focusing on environmental and economic justice issues but from an Indigenous perspective. It originated in the United States in 1990 but has developed strong Canadian and global connections. In the last few years the IEN has been very active in Europe. For example, in May 2011 working with Friends of the Earth Europe and FOE France it sponsored a tour targeting investors, the French government, and the EU “calling for a higher standard on tar sands in the EU Fuel Quality Directive” all with the intention of stopping all development and ending dependency of fossil fuels. (Milton-Lightening May 16, 2011

http://www.ienearth.org/news/first_nation_tour_brings_truth_to_france_on_tar_sands_development.html) To proceed with tar sands extraction was tantamount to “slow genocide for First Nations living within the extraction zone.” (Lepine May 16, 2011)

In March 2012 the IEN in cooperation with Bill Erasmus, National Dene Chief and the Assembly of First Nations Regional Chief of the Northwest Territories, the Council of Canadians and the Climate Action Network Canada and with the support of European allies organized a tour of EU embassies in Ottawa and then moved on to Paris, The Hague, London and Berlin to meet with government officials in support of a strong European Fuel Quality Directive. (IEN Press release March 26, 2012) <http://www.ienearth.org/news/canadian-civil-society->

[delegation-ends-tar-sands-lobbying-busting-tour-with-high-hopes.html](http://www.ienearth.org/tarsands.html)) Finally, in cooperation with the UK Tar Sands Network the IEN coordinated the visit of a spokesman of the Athabasca Chipewyan First Nation in May 2012 who presented grievances to Shell Chairman, board and shareholders. (<http://www.ienearth.org/tarsands.html>)

The foregoing is hardly exhaustive. In cooperation with other members of the Indigenous Movement, the IEN, environment movement organizations from Canada, the United States and Europe the Indigenous Peoples of Alberta have developed a thick support network that permits them to voice their claims in a wide variety of ways, at a wide variety of POS, on a variety of political scales. How have the Alberta and Canadian governments and their allies in the oil industry responded? It is to this I now turn.

Fighting Back – the Development of a Counterframe

Given the range of POS, national and international, the development of an effective counterframe by the Alberta government alone is not possible. Critics of tar sands extraction can be found on every continent, many countries, international organizations, and NGOs. It is the Canadian government that is responsible for external relations and who has developed and has the right of primary access to many international POS. Alberta, therefore, must cooperate and rely upon the leadership of the federal government in framing its response.

This is contrary to much of Alberta's history within Confederation. Roger Gibbins writes of a political ideology of western alienation. Western alienation, "the belief that the West is always outgunned in national politics and as a consequence has been subject to varying degrees of economic exploitation by central Canada, enjoys deep historical roots and contemporary nourishment." (1992:70) There is, then, a sense of historical grievance against the federal government and powerful Eastern Canada economic history dating from the national tariff policy, to complaints from Western farmers over the railway monopoly, the 1980 National Energy Policy and beyond.



The Milch Cow, a cartoon first published in the December 15, 1915, edition of the Grain Growers Guide. Pails are labeled Manitoba, Saskatchewan, and Alberta. Image taken from: <http://jotcw.blogspot.ca/2011/07/canadian-milch-cow.html>

According to Doreen Barrie, “the Alberta narrative in the 21st century is still wrapped around western alienation. ... Political elites invoke Western alienation to mobilize the troops, and ‘carriers of the creed.’” (2006:126) Today, however, this is not the dominant narrative of the provincial Alberta. Working together and cooperation with the other provinces and the federal government is.

On the international level gone is the Harper government’s truculent relationship with China. When the Harper government first came to power in 2006 it was noted for its chilly relationship with China. As one analyst noted:

When he first came to power in 2006, the Prime Minister said he didn’t think Canadians wanted him to sell out to China over the “almighty dollar.” He avoided China’s leaders, criticized Beijing’s human rights record, refused to attend the Beijing Olympics in 2008 and infuriated China by meeting Tibet’s Dalai Lama and giving him honorary Canadian citizenship. (Goodspeed, February 6, 2012)

<http://fullcomment.nationalpost.com/2012/02/06/stephen-harper-in-china/>

By this time it had become apparent that China was an important potential customer for energy from the tar sands and no longer could be given the cold shoulder.



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<http://www.theglobeandmail.com/news/politics/second-reading/gerald-caplan/harper-is-right-foreign-radicals-are-after-the-oil-sands/article2444373/singlepage/#articlecontent>

In brief, it was now clear that Canada and Alberta had to cultivate friends and allies abroad. Indeed, by 2009 the Canadian Government realized that beyond China it had an image and reputational problem. The international environment movement had by that time bestowed upon Canada its third Fossil of the Year award. (Climate Action Network, December 20, 2011, <http://climateactionnetwork.ca/2011/12/09/canada-wins-fossil-of-the-year-award-in-durban/>) In Europe the framing by the environmental movement in cooperation with the Indigenous movement had been gaining traction in public opinion and at the EU with initial consideration of the Fuel Quality Directive in 2009. E-mails recently obtained under the federal Freedom of Information Act indicate a growing fear that negative publicity could adversely affect billions of dollars of investment in the tar sands. According to London based Canadian diplomat Sushma Gera writing in a confidential e-mail in August 2010, “The oil sands are posing a growing reputational problem, with the oil sands [ie. “tar sands”] defining the Canadian brand. ... With (a) recent increase in the NGO campaigns targeting (the European) public, we anticipate increased risk to Canadian interests much beyond the oil sands.” (Quoted by Barbara Lewis, David Ljungren, Jeffrey Jones, May 10, 2012 <http://www.reuters.com/article/2012/05/10/us-oil-sands-idUSBRE84900L20120510>)

In fact, in the previous year Ottawa had established a “Pan-European Oil Sands Team” consisting of the Alberta government, diplomats across Europe, oil companies including Shell, Statoil, and Total, the Royal Bank of Scotland, the Canadian Association of Petroleum Producers (CAPP), and federal environment and natural resource ministries. In January 2010 a number of Canadian embassies launched the *Pan European Oil Sands Advocacy Strategy*. It was based upon a document also obtained under the Freedom of Information Act, remarkable in part

because it uses the language of framing and is explicit in terms of its targets and its repertoires of action. One of its intended outcomes is a “re-framing of the European debate on oil sands in [a] manner that protects and advances Canadian interests related to the oil sands and broader Canadian interests in Europe.” The strategy acknowledges that the effectiveness of the opposition, stating the “oil sands have been the focus of many high profile NGO campaigns in Europe stressing their environmental and social impacts (in particular Aboriginal issues) which are actively framing the issue in a strongly negative light. This has resulted in a significant negative image in key European countries.” Clearly, there was a lot at stake as “Canada’s reputation as a clean, reliable source of energy may be put at risk.”

As part of re-framing the debate among the desired outcomes of the strategy are the following:

- “An improved image in Europe of Canada as a responsible energy producer;
- Maintained confidence of investors, governments, and the international community more generally in Canada’s oil sands developments;
- Increased acceptance by Europeans of the role Canadian oil sands will continue to play in global energy security, as a secure, reliable, and abundant source of energy;
- Increased and more balanced understanding by European stakeholders of the social and environmental impacts (including climate change) of Canadian oil sands developments...
- Increased understanding by European stakeholders of Canada’s and Alberta’s approach consulting with First Nations and addressing their concerns including in relation to health impacts.” (All quotes from *Pan American Oil Sands Advocacy Strategy* December 2009)

The strategy set out a repertoire of action that Canadian Government officials in Europe have taken since 2010 including lobbying of European officials and politicians, the hosting of tours of the tar sands by investors and corporations, outreach to corporations and banks, and hiring of public relations firms with a particular focus in obtaining a watered down Fuel Quality Directive.

The document then proceeds to detail the POS of the strategy, Canada’s allies and adversaries. The POS or targets include national and European politicians and governments, the public, investors and the EU Commission. Allies include local industry associations and energy companies and in Canada energy industry associations, Alberta and the National Energy Board (NEB). Naming the NEB as an ally is curious given that the NEB is supposed to be neutral, serve at arm’s length from government, and function in the public interest. Adversaries include NGOs, especially Environmental NGOs and Aboriginal groups. Naming the latter as an adversary highlights a conundrum by the Canadian government, that is, how they are to treat Canada’s

Aboriginal Peoples knowing that Europeans are concerned about their rights, health and right to be consulted and yet have an effective strategy in which they are effectively marginalized?

Indeed, the marginalization of their adversaries has become a corner stone of the Canadian governments political and framing objectives. This is evident in another remarkable document, this by Joe Oliver federal Minister of Natural Resources in his “Open Letter to Canadians.” (January 2012) It is written from the perspective of the language of security and risk in which threats to Canadians are identified and a course of action recommended, one that the federal government is now acting upon. All necessary because Canada’s national interests and the financial security of Canadians are seen to be dependent upon it. Oliver starts with an implicit acknowledgement that the U.S. is no longer a dependable market for its oil and that “we need to diversify our markets in order to create jobs and economic growth for Canadians across this country. We must expand our trade with the fast growing Asian economies.” Hence the need for the Enbridge Northern Gateway Pipeline. Increased trade with Asia “will help ensure the financial security of Canadians and their families.”

However, there are groups which “threaten to hijack our regulatory system to “ their radical ideological agenda.” Who, in particular are they? They “are environmental and other radical groups” that are working to ensure that good projects that would “create thousands upon thousands jobs for Canadians” such as the Northern Gateway Pipeline are killed. Worse yet, these groups “use funding from foreign special interest groups to undermine Canada’s national economic interest.” (All quotes from “Open Letter.”) Only the federal government can protect the interests of Canadians from these threats and restore the balance to its regulatory environmental review system.

Part of the process of restoring balance in the eyes of the federal government includes calling into question the charitable status of organizations perceived to be accepting foreign funds and using their charitable status to interject themselves into the political process. To remedy the situation the federal government has introduced omnibus legislation, Bill C-38, a 425 page bill that amends 60 pieces of legislation, repeals 6 others, and adds 3 more. Provisions of the proposed legislation include new restrictions on the status of charitable organizations, changes to the Environmental Assessment Act to ensure that pipeline infrastructure is not unduly delayed, changes to the NEB Act putting a two year limit on the review process and permitting the federal cabinet to set aside the recommendation of the NEB and insert its own, and, finally, stripping the requirements of the Fisheries Act to protect fish habitat among others. Clearly the intent is to see that nothing stands in the way of building the Northern Gateway Pipeline.

The language of government officials reveals a heavily masculinized political culture with enemies, winners and losers, and the need to project strength, power and dominance. Where the federal government has pursued a confrontational approach the approach of Alberta's new premier, Allison Redford, is softer in tone although she is keeping with the position of previous Alberta governments and the federal government maintaining that the oil sands provide energy security, are a key economic driver for the province and country, and represent an environmentally conscious energy supply. (Edmonton Journal editorial May 17, 2012) Redford does not speak of adversaries but rather of the need for cooperation, unity, and the national benefits of energy development. For example, she speaks of a united energy strategy (albeit undefined) that has the goal of securing the cooperation of provinces on the development of natural resources and in support of oil sands development. (Wood, *Edmonton Journal*, May 28, 2012, <http://www.edmontonjournal.com/business/Redford%20to%20push%20for%20united%20energy%20strategy%20amid%20oilsands%20criticism%20at%20Western%20premiers%20meeting/6687973/story.html>) Even when dismissed by Ontario Premier Dalton McGuinty her response was measured, "I'm a little disappointed, but we will carry on." (Canadian Press February 27, 2012)

Cooperation with Ottawa has also become an acknowledged part of Alberta's political strategy. According to Redford "What we have understood, as a federal government and a provincial government, is we want to work together to advance Alberta's interests. And we have had, as you'll know since I became premier, a real focused effort on ensuring that we're working well with our federal colleagues." (Wingrove May 25, 2012 <http://m.theglobeandmail.com/news/politics/redford-opens-ottawa-office-to-advocate-albertas-perspective/article2442910/?service=mobile>) In support of this effort to strengthen relations with Ottawa, Alberta will open an office there that will "advocate perspective" and "build the bridges the people of this province want." (Alberta Speech from the Throne May 24, 2012) This is an implicit acknowledgement that Ottawa is now the lead player in the extraction and export of Alberta's tar sands.

Analysis and Conclusion

At this time we are in the midst of a great struggle with the outcome in doubt. Both sides can point to signs of success. The Keystone XL pipeline, for example, has been temporally delayed, a momentary success for its opponents but it may well be approved after the 2012 Presidential elections, a success, then, for its proponents in Canada and the oil industry. On the current struggle in Europe over the Fuel Quality Directive so far both sides can point to success but a final decision is looming. In Canada, the federal government has the majority to ensure

the Northern Gateway pipeline to Kitimat is approved but will face intense opposition, nationally and beyond Canada's borders.

The EU battle has also been intense. The Canadian and Alberta governments have been pulling out all the stops to defeat or water down the European Fuel Quality Directive. According to one EU source, "The lobbying from Canada and Alberta is quite impressive. They have been really active for the last few years, organizing lots of meetings and presentations." (Lewis, *et. al.* May 10, 2012) This resulted in a success of sorts in February 2012. An EU technical committee vote on the Fuel Quality Directive ended in a deadlock with 89 votes in favour, 128 opposed, and 128 abstentions, the latter including the big countries of Europe, France, Britain and Germany. This means that the ministers of Europe must make a recommendation to the European Parliament who will then make the final decision in the form of a law. However, in a sign of what may come in May 2012 the European Parliament passed a non-binding resolution which upheld the higher standard on Fuel Quality Directive that environmentalists had been advocating. The resolution singled out Canadian crude as producing more emissions than conventional sources of oil. Environmentalists were delighted. The final outcome is yet to come but Canada has fewer friends in Europe. According to one BBC report "Canada's decision last year to walk out of the Kyoto Protocol caused concern around the world" (Mallinder, May 15, 2012) and Europe, in particular, where Kyoto has popular support.

Nationally, the federal government has sufficient votes in Parliament to pass legislation approving and facilitating the construction of the Northern Gateway pipeline. However, resistance will undoubtedly continue. In British Columbia where it must pass through public opinion is turning against the project and it has become a sensitive political issue. (Hoekstra, April 12, 2012

<http://www.ottawacitizen.com/business/More+than+half+oppose+Northern+Gateway+pipeline+poll+suggests/6450274/story.html>) Resistance to the project is extensive particularly among First Nations. (Karena Shaw, May 2012) The building of the pipeline could be acrimonious and played to a global audience. The *Economist* magazine which favours tar sands development warns that "opponents cannot be simply shrugged off" and that "there are risks ... to Canada's international image in demonizing environmentalists." (May 26, 2012).

Implicit in the message of the *Economist* is that Canada may be on the verge of losing the publicity war. In the age of the Internet, in particular, states have a very difficult time controlling publicity as opponents, even if historically marginalized, have a multitude of ways of organizing and getting their message out. Instructive here is the Zapatista uprising of January 1994 in opposition to the ratification of the NAFTA. The Zapatistas are the Indigenous peoples of Chiapas, a state in southern Mexico. At first the Mexican government labelled them as terrorists and was prepared to use coercion to put the uprising down. However, with the

assistance of international supporters the Zapatistas were able to mount a global Internet campaign which framed their uprising in a much more positive light, as opposition to oppression and exploitation. The Mexican government in face of negative publicity abroad stayed its hand in using force. In brief, the actions of marginalized Indigenous people became an inspiration to the resistance that later developed against neoliberal globalization. In the face of a global audience Canada will have to be very careful in how it treats Indigenous opposition to tar sands extraction and the construction of the Northern Gateway pipeline.

Canadians, themselves, do not want to choose between opposing sides. According to one poll, nearly two-thirds (65%) believe “it is possible to increase oil and gas production while protecting the environment at the same time.” (Angus Reid, May 3, 2012 <http://www.ipsos-na.com/news-polls/pressrelease.aspx?id=5614>) Just how this might be done is not specified when the debate is so polarized and growing increasingly acrimonious.

A solution lies perhaps in a different economic direction for Canada. Four hundred years after Europeans arrived Canadians remain overwhelmingly depend on staple production, as hewers of wood and drawers of water. Putting a country’s economic future on developing one staple subject to booms and busts is a huge economic, environmental and political risk. An economic strategy that emphasizes diversification in the direction of a green economy is one possible answer. A recent analysis indicates that for the first time in 2011 “global production trumped renewable power trumped fossil fuel investment ... (\$187 billion versus \$157 billion) and the overall clean energy economy is projected to grow from \$1 trillion a year now to upwards of \$2 trillion by 2020.” (Woynillowicz, June 1, 2012) Could Canada be putting its money on the wrong horse along with its reputation at risk needlessly? However, is it too late for a calmer and more inclusive debate on Canada’s economic future? Canadians will have to address this question.

Endnotes

¹ For more on contentious politics see Charles Tilly who defines the term as “interactions in which actors make claims bearing on someone else's interest, in which governments appear either as targets, initiators of claims, or third parties.” Charles Tilly (2008) *Contentious Performances*. Cambridge: Cambridge University Press, p.5.

² Periodically CERD performs monitoring of a country's human rights record. As a State party to the convention creating CERD is obligated to report on its legally binding compliance with the Convention. In January and February CERD reviewed Canada's 19th and 20th written reports and allowed, as required, 30 Indigenous Nations to respond and submit alternative reports.

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