January 2024

Advocacy Coalitions and Canadian Energy Policy Decision: Navigating Four Pipeline Projects

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A Major Research Paper
Submitted to the Faculty of Graduate Studies
through the Department of Political Science
in Partial Fulfillment of the Requirements for
the Degree of Master of Arts
at the University of Windsor

Windsor, Ontario, Canada

2023

Advocacy Coalitions and Canadian Energy Policy Decision: Navigating Four Pipeline Projects

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ABSTRACT

The conflicting goals of sustaining the Canadian economy through energy and prioritizing climate action lead to diverse interest groups with varying views on policies advocating their positions to government. Despite energy's economic importance, climate change remains central for the Liberal government under Justin Trudeau. The management of pipeline proposals such as Transmountain, Northern Gateway, Energy East, Keystone Xl under this government showcased its balancing act between economic interests and environmental commitments. Applying the Advocacy Coalition Framework, this paper examines how governments and regulatory authorities modify the process for accepting or rejecting pipeline proposals, the evolution of interest groups in shaping their proposals, and the influence of this process on shaping their belief systems. The intersection involving the government, First Nations, environmentalists, provincial decisions, courts, media scrutiny, and the regulatory board's decision-making process explores the complex and contentious nature of approving major energy infrastructure projects, such as the Trans Mountain pipeline expansion.

ACKNOWLEDGEMENTS

I extend my heartfelt appreciation to Dr Lydia Miljan, Professor at the Department of Political Science, University of Windsor, whose invaluable guidance, and unwavering support were instrumental in shaping this research paper. Her dedicated time and precise counsel greatly contributed to its development.

My deepest gratitude goes to my family – my parents and brothers – for their unconditional support and unwavering faith in me. Their continuous encouragement has been my pillar of strength throughout my academic journey.

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LIST OF ABBREVIATIONS/SYMBOLS

ACF- Advocacy Coalition Framework

CEAA- Canadian Environmental Assessment Agency

CER- Canada Energy Regulator

EIS- Environmental Impact Statement

EPA- Environmental Protection Agency

GHG- Greenhouse Gas

IO- International Organizations

JRP- Joint Review Panel

KXL- Keystone Xl

MMTCO2- Million Metric Tons Of Carbon Dioxide

NEB- National Energy Board

NGB- National Governing Bodies

NGP- Northern Gateway Pipeline

NID- National Interest Determinations

NSO- National Sports Organizations

PHMSA- Pipeline and Hazardous Materials Safety Administration

CHAPTER 1

1. Background

The Canadian government is committed to attaining net-zero greenhouse gas (GHG) emissions by 2050 to mitigate the worst effects of climate change. As a result, the federal government adopted the Canadian Net-Zero Emissions Accountability Act in 2021 (Service Canada, 2023). Canada intends to plummet its oil and gas production, which contains 27 percent of GHG emissions, followed by the transportation sector at 24 percent (Tiseo, 2023). At the same time, the world has been facing shortages in energy as a result of several events: the Russian invasion of Ukraine and supply-chain shortages stemming from the COVID-19 pandemic. The effect of the COVID19 pandemic and Russia's coercive policy towards Ukraine created the energy crisis. Worldwide, there's a significant surge in energy consumption across various sectors due to the rise in population, urban expansion, advancements in technology, economic progress, and shifts in lifestyle (Dehghani-Sanij et al, 2019). Fossil fuels, such as coal, oil, and natural gas, play a substantial role in meeting the world's energy needs, contributing to more than 80% of the total global energy consumption (Teja et al, 2020). In response to the world energy crisis, Canada came to rescue humanity and pledged to boost oil output to combat the problem. Canada’s economy also highly depends on its energy sector. In 2022, Canada's energy sector emerged as a pivotal source of employment, directly engaging 290,300 individuals, and fostering over 405,800 jobs indirectly. Representing roughly 11.8% of the nominal Gross Domestic Product (GDP) that year, Canada's energy industry demonstrated substantial economic significance. The country's energy exports soared to $240.5 billion,

reaching 133 nations, with a dominant share of 90% directed to the United States. Government revenues derived from energy sector enterprises averaged $12.3 billion over the span of 2017 to 2021 (Energy Fact Book, 2023).

Notwithstanding, climate change is one of the most wicked problems in the world. Many countries are trying to prioritize climate action in their policy decisions, with increasing evidence of its impact on ecosystems, economies, societies, and governments around the world. However, the policy-making process is complex and always involves multiple stakeholders' interests. The discussion of climate action has been particularly heated in Canada, where supporters of fossil fuel interests are frequently pitted against those who support taking action on climate change. Therefore, Canada is experiencing a policy conundrum due to its concurrent prioritization of two seemingly incompatible goals—fulfilling its climate goals under the Paris Agreement and maintaining a thriving oil and gas industry. These goals must be supported and actively pursued by the provinces, territories, cities, Indigenous Peoples, youth, and businesses. However, the dilemma is likely to form different interest groups with a variety of opinions and goals surrounding Canadian climate action and energy policy because of these policies' wide-ranging consequences on the environment and economy. Though the energy is important to the Canadian economy, but climate change is the central tenet for the Liberal government. Despite this emphasis, there have been notable instances explores the management of various pipeline proposals- Transmountain, Northern Gateway, Energy East, Keystone Xl- under the Liberal government. These proposals distinctly provide how the government navigated its balancing act between economic interests in the energy sector and its environmental commitments through various adopted processes for each of the proposals.

The thesis of this paper revolves around how governments and regulatory authorities modify the process for accepting or rejecting pipeline proposals, the evolution of interest groups in shaping their proposals, and the influence of this process on shaping their belief systems, particularly within the context of the four case studies.

This paper comprises five distinct chapters. Chapter 2 will delve into the exploration of the theoretical framework intertwined with an extensive review of existing literature. Following this, chapter 3 will rigorously scrutinize the methodology adopted, encompassing case selection procedures and comparative studies. The focal point of chapter 4 revolves around an in-depth analysis of the four pipeline proposals – Energy East, Transmountain, Northern Gateway, and Keystone XL. This chapter encompasses multifaceted elements such as media analysis, the role of institutions, judicial involvement, an overall comparison, and the delineation of policy beliefs. Finally, the concluding chapter 5 will encapsulate the summative insights derived from the preceding sections, thereby offering a comprehensive conclusion to this research endeavor.

CHAPTER 2

2.1 Theoretical Framework

Theories are essential as they provide structured explanations, predict outcomes, guide research, aid in problem-solving, and shape our understanding of tangible real-world issues. Besides, theories in public policy provide a roadmap for understanding complex issues, and designing effective policies (Wacker, 1998). Among various theories used in public policy analysis, the Policy Network Theory and Advocacy Coalition Framework offer valuable insights to examine cases like the pipeline debate in Canada.

Policy network theory focuses on understanding the strategic actions within institutional settings that mold the perceptions, preferences, and interactions among actors involved in networks. It's a structured quest to discover the mechanisms enabling real-world actors to predict each other's strategic decisions better. The theory aims to uncover the governing rules of network interactions and elucidate how network actors engage in strategic games within those established rules (Enroth, 2011). In contrast, the Advocacy Coalition Framework (ACF) is a theoretical framework that explains how policy change occurs through the interaction of coalitions of actors who share common beliefs and goals. The ACF is used to analyze the dynamics of policy subsystems composed of actors involved in a particular policy area. Any person, whether they are from any public offices or private organization, attempting to influence the policy subsystem matters are the subsystem actors (Weible & Sabatier, 2018). While Policy Network Theory focuses on the interactions among various actors in policy development, it might not adequately capture the intense conflicts and alliances that arise in specific policy domains, such as the pipeline

issue. The Advocacy Coalition Framework's strength lies in its emphasis on the formation of coalitions with shared policy beliefs and the ensuing clashes between these groups, offering a more detailed and comprehensive view of the opposing forces and their impacts on policy outcomes in the context of the Canadian pipeline discourse. As a result, this research harnesses the Advocacy Coalition Framework to explore the intricacies of stakeholder interactions, the evolution of policy beliefs, and the impact of coalition dynamics on the decision-making process regarding the Canadian pipeline issue. By delving deeper into the formation, strategies, and conflicts among advocacy coalitions, this study aims to shed light on the complexities shaping policy outcomes and pave the way for a more comprehensive understanding of the policy landscape surrounding the Canadian pipeline debate.

According to Weible & Sabatier (2018) in the Advocacy Coalition Framework (ACF), individuals are seen as rational and motivated to achieve their goals. However, sometimes they are unclear on how to attain those goals, and they also have the drawbacks of their cognitive abilities to process stimuli such as information and experience Three components of policy subsystems are embedded in the theory: policy beliefs, policy preferences and policy resources. Policy beliefs are the values and assumptions that affect how coalition members view the world. It suggests that because of their human nature, people often are biased to the stimuli. The theory provides a three-tiered belief systems structure. *Deep core* belief systems are fundamental and rigorous ontological axioms and inherent beliefs which are highly resistant to change. On the other hand, compared to deep core belief, *policy core* beliefs are based on scope of policy issues to the subsystems. This belief system considers a complete assessment of an issue such as seriousness of the

problem, fundamental reasons behind the problem, and feasible potential solutions to solve the problem. *Secondary beliefs* are related to but not identical to the core beliefs of a policy. They are concerned with specific aspects of policy implementation, such as the methods and strategies used to achieve the desired outcomes within a particular part of the policy system or subsystem. In this context, Weible & Sabatier (2018) authors included the term "devil shift" which occurs when a coalition that initially supported a policy begins to experience problems, unanticipated negative consequences, or changing conditions that make the policy less appealing or effective, create a mistrust among the coalitions. As a result, they may "shift" their stance and become critical of the policy they once supported. A more efficient strategy involves grouping actors into one or more advocacy coalitions based on shared beliefs and coordination tactics. This method simplifies the multitude of actors and their organizational connections into more manageable groups that may remain stable over time (Sabatier & Brasher 1993). These groupings are pivotal in comprehending how policy actors strategize to exert influence and instigate policy change (Nohrstedt, 2010). The process of consolidating actors into coalitions begins by identifying those with similar belief systems and then seeking substantial coordination among them (Henry 2011). This approach also prompts inquiries into the extent of interactions between different coalitions, the cohesion within coalitions, and the factors contributing to coalition defection (Jenkins-Smith, et al, 1991).

2.2 Review of Literature

According to the Advocacy Coalition Framework, it is relatively simple to identify the coalitions that exist across different domains. For example, in the context of coal policy in the Czech Republic, ACF identifies two primary coalitions that are at odds with each

other, despite being ideologically. In contrast, in the Swiss energy policy subsystem, two coalitions exist: one comprising many key actors who prioritize low energy prices and oppose regulatory intervention, and another comprising a smaller group of actors who emphasize the importance of environmental and climate protection and the need for public policies to achieve these goals (Markad et al., 2016). Along with diverse fields, ACF can reckon three different advocacy coalitions with distinct views on energy development (Jegen & Audet, 2011). In examining the role of advocacy coalitions in policy change, the second advocacy coalition framework (ACF) policy change hypothesis proposes that major policy change will not occur as long as the advocacy coalition that established the policy status quo remains in power. To operationalize this concept, Heinmiller (2023) proposes a threshold based on the control of veto players in a jurisdiction's policy process. By establishing a clear empirical threshold for what constitutes a coalition in power, this operationalization can facilitate rigorous testing of the hypothesis by ACF scholars, contributing to a better understanding of ACF policy change theory. Taking an advocacy coalition approach to policy integration analysis, Milhorance et al. (2023) argue that such an approach can help address theoretical gaps in policy integration. By empirically investigating Brazil's subnational water policy introduced in the 2010s, the study identifies various factors that can foster or hinder the integration of public policies, including the level of conflict between coalitions, adjustment of policy beliefs, coordination within and across coalitions, and the existence of venues for interaction and policy-oriented learning. The study also suggests that acknowledging mechanisms for coordinating policy actors and instruments in ACF can facilitate the analysis of policy processes of cooperation.

Climate change policies have typically been seen as a matter of global governance that can be addressed through global policy strategies (Rabe, 2007). However, influential organizations in corporatist countries may only obstruct ambitious climate change policies if they employ a comprehensive media strategy or a strong denialist message. The pro-economy lobby, which does not necessarily challenge the validity of climate science or actively seek media attention, influences the policy-making process using other strategies such as inside lobbying and appears less frequently in the news media than other organizations working on climate policy (Vesa et al., 2020). When a coalition broker brings together diverse groups with preexisting ties and trust, and their ideologies converge, it can mobilize around a shared vision. Effective diverse coalitions engage different social movement communities and maintain unity through segmentary, polycentric, and integrated network structures. This type of organization provides flexibility in participation and dispersed leadership within the coalition while maintaining a unified focus on a set of key norms (Shawki & Schnyder, 2023). Besides, Kukkonena et al. (2018) argue that international organizations (IO) and global norms play a crucial role in shaping national climate policies. Their study, based on the World Society Theory and the Advocacy Coalition Framework (ACF), shows that in high-income countries with high per capita emissions (such as Canada and the US), IOs have less influence in policy debates, and the discourse network is fragmented into competing advocacy groups. Conversely, in lower-income countries with low per capita emissions (like Brazil and India), IOs play a more central role, and the discourse network is less fragmented.

However, as an international negotiator, India still adheres to the core belief that developed countries have victimized India, and hence India's positions in climate

negotiations are based on this principle (Swarnakar, 2022). This aligns with the findings of Kukkonen et al. (2018) that in high per capita emitter countries like the US and Canada, the discourse network is strongly clustered into competing advocacy coalitions, while in low per capita emitter countries like Brazil and India, international organizations have a more central role. India's climate policy has been centred around the doctrines of equity and justice since its inception (Dubash, 2013), and this continues to be the case. Previous studies (Jogesh, 2019; Thaker et al., 2017) have noted a shift in India's policy discourse, but this needs to be reflected strongly in the beliefs of the actors analyzed. The media discourse actors in India still emphasize the importance of "climate justice" (Das, 2020). However, India's stance towards binding targets has softened due to the promotion of the "nationally determined contributions" approach, which prioritizes the "sovereign autonomy" of states (Rajamani, 2017). As a result, it is evident that international and domestic actors alone are not responsible for the coalitions; organizations can also become a prominent coalition.

In the Swiss energy policy, ACF finds that the two coalitions in the energy policy subsystem have maintained their stability, and the policy core beliefs of key actors have remained mostly unchanged over 13 years. However, there has been an increase in the range of policy core beliefs, with a greater variety of beliefs among actors in the mid-right political spectrum compared to earlier years (Markard et al., 2016). Wiedemann and Ingold (2023) examine the early stages of policy-making, called a nascent subsystem, where a new issue enters the political agenda. They suggest that this is the phase when actors begin to form common beliefs and identify their allies. Three key factors contribute to this integration path: a shift in the policy beliefs of the dominant advocacy coalition,

international attention to the minority coalition's beliefs, and participatory policy processes that facilitate interactions between opposing coalitions (Kefeli et al., 2023).

The stability of advocacy coalitions identifies interests and political learning as crucial factors in driving policy change (Nohrstedt, 2010). Key political tensions during policy implementation include the challenge of translating high-level support into public support, asymmetric information during price setting, the tension between policy stability and adaptive policymaking, and international political conflict. These tensions result from political choices during policy design and highlight the need for governments to recognize the political dimension of renewable energy policies to secure sustained political support (Stokes, 2013). Meanwhile, Osei-Kojo applied the ACF to examine the stability of advocacy coalitions and policy frames in Ghana's oil and gas governance. The study tested the coalition stability hypothesis and examined shifts and continuities in policy frames in the policy process. The study found correlations among policy actors supporting oil and gas at the meso level, suggesting the importance of considering the scale at which coalition stability is assessed. This research also contributes to the growing use of the ACF in non-Western contexts.

Political actors often lack the necessary power or skills to affect policy outputs or outcomes independently, so they form coalitions to increase their influence. According to ACF, these coalitions are based on shared policy preferences and beliefs. Therefore, it is essential to understand the allies and opponents in a political subsystem to comprehend cooperation or conflict among political actors and the possibility of policy compromises or stalemates. In Canada, The ACF highlights the role of the state in using its resources to shape the context of discussions on beliefs and values within National Sports Organizations

(NSOs) and National Governing Bodies (NGBs). There has been a noticeable change in the federal government's focus towards high-performance sports in the last two to three years compared to the last three decades. On the other hand, the UK has shown a significant shift towards supporting elite sports objectives since the mid-1990s, with both Conservative and Labour administrations backing it (Green & Houlihan, 2006). The issue of climate change demonstrates a cultural shift in addition to structural changes related to transforming the public sphere. The dominant communicative logic in this cultural transformation is promotion, which is used by both powerful and weaker players. Although actors with political and economic resources have advantages, the outcome of struggles over climate change policy and public opinion cannot be determined solely by these assets and structural advantages (Greenberg et al., 2011). In addition, the climate sceptics' opposition coalitions have been found to be more successful in online communication. They have not only gained conservative media as their allies but have also been able to gain more visibility than climate advocates. The sceptics' visibility is attributed to their proactive approach to setting links, which renders the passive online strategy of ignoring the skeptical group ineffective for climate advocates (Adam et al., 2019).

Previous studies on policy networks tend to focus on explaining the success or failure of specific policies, while the Advocacy Coalition Framework (ACF) mainly focuses on external actor attributes rather than policy networks themselves. This approach fails to provide a complete understanding of the social dynamics of climate change policymaking. Two articles propose two new approaches combining ACF. Howe et al. (2021) combine the ACF with a policy network analysis of collaboration in a Canadian climate change policy network. The study shows how micro-structural network processes,

such as reciprocity, structural equivalence, and transitive closure, play a role in developing informal policy networks. Their study finds that certain policy beliefs are correlated with tie formation and argue that integrating these two approaches can improve our understanding of climate change policy-making processes. To conduct comparative research and theory building, Satoh et al. (2023) introduce the Advocacy Coalition Index, a method that measures belief similarity and coordination of activities in a standardized way, allowing for the identification of coalitions in policy subsystems, assessment of subgroup resemblance to coalitions, and examination of individual actors' contributions to coalition formation.

Therefore, a plethora of evidence suggests that ACF is a profound and prolific framework to not only accentuate policy actors but also how to shape and make decisions to form a coalition.

In Canada, ACF has mostly been applied in a domestic context (Litfin, 2000). Stritch (2015) and Timothy & Pirak (2016) have utilized the ACF to explore the influence of advocacy coalitions on specific policy areas, analyzing how these coalitions interact, evolve, and impact policy outcomes in Canada's land and labour policy development. The fundamental ideas and self-identities of environmental and industry advocacy groups are apparent and differentiable in Canada. Additionally, as predicted by the ACF, these essential principles persist over time and hold great global significance (Litfin, 2000). Moreover, environmental economists face a challenging situation concerning climate policy, partly caused by the decrease in global economic growth and the increase in unemployment (Pindyck, 2013). As a result, the literature suggests that the Russian invasion of Ukraine and the pandemic-led energy crisis and improved relations between

Saudi Arabia and Iran (Fantappie & Nasr, 2023) possess a new landscape for Advocacy Coalition Framework as different international and national actors are pressuring the Canadian government to increase energy production. Furthermore, in this plight of the global energy and climate change crisis, the Advocacy Coalition Index proposed by Satoh et al. (2023) should be tested to explore the belief similarity of actors for these crises.

The available literature suggests that progress towards climate change action and addressing the interests of fossil fuels groups has been limited. Nonetheless, these groups are identifiable with relative ease. The articles emphasize the need to comprehensively understand the intricate dynamics of the policy process in a policy subsystem. Moreover, these articles contribute further to the development of the ACF by enhancing its comprehension of the participants of the subsystem, their conduct over time, their incentives, and how the ACF can be utilized to scrutinize subsystems. Additionally, these studies suggest the ACF identify various groups in a subsystem and apply this theory in emerging policy areas and non-western countries.

Therefore, this study seeks to identify the influence of different interest groups on the Canadian government's policy decision-making process regarding climate action and fossil fuel interests, how these factors shape policy outcomes, and why and how the federal government of Canada is prioritizing the climate action group over its fossil fuels interest. As a result, this study uses the advocacy coalition framework to analyze the actors and their perspectives in the Canadian energy policy subsystem.

CHAPTER 3

3.1 Methodology:

Strategic players, pivotal in policy-making, act as the primary drivers. Each possesses unique interests and political resources, devising strategies to effectively pursue these interests within their means. These actors engage within a framework of ideas and institutional regulations while actively seeking to alter these norms. This study prioritizes examining institutional regulations and the deliberate maneuvers of strategic actors, both inside and outside of government, aimed at reshaping these rules for their benefit. The design of these institutions holds immense significance as shifts in authority can dramatically alter policy inclinations. Though media-covered topics are considered, the paper concentrates on dissecting the rules of the game and the endeavors of strategic players to mold these regulations in their favor. The Advocacy Coalition Framework (ACF) occupies a central position within the scope of this research. This study is descriptive in its nature, and the approach used in this study is qualitative research methods, such as content analysis, and case studies. The main focus of this study is on critical aspects of advocacy coalitions, namely, their shared policy core beliefs. According to Stritch (2015) and Heinmiller & Pirak (2016), a group of actors who share policy core beliefs but do not participate in collective action is known as an "advocacy community." Three beliefs systems will be examined: Deep core, Policy core, Instrumental policy beliefs.

The fundamental values, worldviews, and assumptions that shape an individual's perception of the world are known as deep core beliefs. In relation to climate change, a deep dore belief of climate action groups is the conviction that safeguarding the

environment and conserving it for future generations is a moral obligation. Conversely, a deep core belief of fossil fuel interest groups could be the notion that economic growth and job creation are of utmost importance, and that the use of fossil fuels is necessary to achieve these objectives.

Policy core beliefs refers to the precise policy goals and objectives that a group strives to accomplish. A policy core belief of climate action groups is the idea that implementing policies that aim to reduce greenhouse gas emissions and shift to renewable energy sources is indispensable to mitigate the consequences of climate change. In contrast, a policy core belief of fossil fuel interest groups is the belief that policies designed to encourage the continued utilization of fossil fuels, such as tax breaks or subsidies, are essential to sustain energy security and bolster economic growth.

Instrumental policy beliefs pertain to the particular strategies and approaches that a group adopts to attain their policy objectives. An instrumental policy belief hypothesis of climate action groups is the conviction that the most efficacious approach to achieving their policy goals is by developing renewable energy sources and implementing carbon pricing policies. In contrast, an instrumental policy belief of fossil fuel interest groups is the belief that the most effective approach to achieving their policy goals is by means of lobbying activities and creating public relations campaigns to promote the advantages of fossil fuels.

3.2 Case Selection:

The process of case study selection holds significant importance within the realm of social inquiry, particularly in comparative analyses. In the context of 'small-n' qualitative studies, the haphazard selection of cases often results in a sample that inadequately represents the broader population, thus rendering it statistically insignificant. Consequently, there exists a compelling argument advocating for a deliberate and conscious approach to case selection. While this method cannot entirely mitigate the inherent challenge of generalization in small-N qualitative studies, it does afford researchers the opportunity to select cases conducive to the comprehensive exploration of social phenomena (Yin, 2018).

The chosen cases under scrutiny within this paper encompass the Northern Gateway Pipeline, Keystone XL pipeline, Transmountain, Energy East, Keystone XL. All but Transmountain pipeline project was rejected, having faced massive opposition navigating through the regulatory process. These cases are similar in terms of their structures, concentrated oil production areas, significant roles as oil producers, and the presence of sub-national regions heavily reliant on the oil sector for their GDP. All the projects were scrutinized and decided by the Liberal government. Yet, only one got approved and the others were rejected despite having opposition movements emerged against these projects. This research also delves into the intricacies of these social movements, their existence potentially signals a divergence between the evolving interest groups and prevailing regulatory policies. Moreover, no substantial Canadian project has successfully navigated the regulatory approval stage, with the exception of Kinder

Morgan’s Transmountain. Therefore, these cases share commonalities in their inherent characteristics, governmental processes, and regulatory frameworks further reinforcing the parallels between their sociopolitical landscapes and administrative mechanisms.

3.3 Comparative Analysis

This paper conducts a comparative analysis of the regulatory procedures, and the role of courts to govern four pipelines: It aims to explore and analyze the effectiveness of pipeline regulation concerning public welfare, climate impact, and energy stability. Though the primary challenge of comparative analysis is that it deals with "many variables, small number of cases" (Lijphart 1971), by narrowing the focus to examine the actors and their interests, public interests with regard to climate change and energy, intersect with specific institutional procedures (such as the approval processes of significant oil pipelines)—the analysis can be deemed valid (Lijphart 1971).

CHAPTER 4

4.1 Pipelines

Oil and gas pipelines, once symbols of progress and modernity, now find themselves at the heart of public controversy. A significant amount of debate centers on the fossil fuel reserves situated in Alberta, referred to interchangeably as oil sands, tar sands, or bitumen. These differing terminologies—“oil sands” and “tar sands”—mirror contrasting ideological stances, representing support for the resource (pro-oil sands) and opposition against it (anti-tar sands) (Kidner, 2016). However, the criticism began during the "Great Pipeline Debate" surrounding the creation of the TransCanada pipeline—the nation's inaugural long-distance interprovincial natural gas pipeline in 1956—the environmental impact of fossil fuels remained unknown, thus sidestepping contention among opposing factions (Thorburn, 1959). The dispute over the Mainline pipeline wasn't articulated in the context of 'climate change'; rather, it centered on concerns regarding infrastructure funding, legislative procedures, and apprehensions about American influence on Canada's economy (CBC Television, 1973). Despite this discord, the TransCanada Mainline pipeline was successfully established. Today, however, this infrastructure draws significant scrutiny from environmental organizations, activists, and indigenous communities due to the company's intentions to convert it into a conduit for transporting unconventional crude oil extracted from the oil sands (Gareau, 2016). Commencing with Trans Canada’s Energy East Project, this chapter scrutinizes the proponents, opponents, and the role of governance involved in four cases. Nevertheless,

the new pipelines contain superior technology compared to the proposed pipelines, which were intended to replace outdated infrastructure.

4.2 Energy East

The Energy East project, initiated by TransCanada Corporation (now TC Energy), aimed to construct a 4,500-kilometer pipeline intended to carry 1.1 million barrels of oil daily from Alberta and Saskatchewan to Eastern Canadian refineries and an export terminal situated in New Brunswick (Context Energy Examined, 2016). Initially, Energy East received significant political support compared to other pipeline projects (Hoberg, 2016). However, the landscape shifted by 2013, with growing public concerns over the risks tied to oil sands extraction. This unease led to the emergence of resistance movements, criticized by environmental groups as "extreme." For instance, delays in the Energy East pipeline stemmed from legal disputes involving construction in sensitive beluga whale habitat and social opposition (Hoberg, 2016). In addition, its approval was undermined as revelations of private meetings between project reviewers and corporate lobbyists prompted a halt in the National Energy Board's review. Public outcry and municipal opposition along the pipeline's projected route further complicated the project's progress (De Sousa, 2016). Protesters disrupted the NEB public hearing in Montreal, prompting Montreal mayor Denis Coderre to criticize the review panel's lack of transparency, resulting in the withdrawal of all commissioners. Furthermore, seventy-five municipalities along the Energy East pipeline route expressed opposition, while fifty-five others voiced significant concerns, as reported by the advocacy group Oil Change International (McKinnon et al., 2015). Moreover, Quebec displayed the highest anti-pipeline sentiment among Canadian provinces, with 51% agreeing that Canada shouldn't construct new

pipelines (Abacus Data, 2016). This sentiment was reflected in public stances by mayors, Montreal's Denis Coderre and 82 mayors from the Montreal Metropolitan Community opposing the Energy East project in January 2016, citing overwhelming public consultation results expressing opposition to the pipeline.

A diverse array of dissenting voices, including NGOs, grassroots citizen activists, mayors, labor unions, indigenous communities, and others, opposed the pipeline expansion. The proposed Energy East pipeline is being rejected by a group representing the Maliseet Nation (CBC News, 2016). The anti-pipeline movement in Quebec rallied under the *Regroupement vigilance hydrocarbures* Quebec and the grassroots campaign *Coule pas chez nous*. Key opposition came from various influential groups, including Quebec's farmers' union, 83 mayors of the Montreal Metropolitan Community, 43 Chiefs of the Assembly of First Nations Quebec-Labrador, and major labor unions. Notably, while some sections of the labor movement supported the pipeline, others, like FTQ, opposed it. These dissenting voices emerged amidst divided public opinion, with around 57% of Quebeckers opposing the Energy East pipeline according to a Fall 2015 poll, while an earlier survey estimated a 50% opposition rate in Quebec.

The project's proponents, including the CEO of TransCanada Corporation, Russ Girling, likened it to historical monumental endeavors such as the Canadian Pacific Railroad (Krugel, 2013). Advertisements promoting the pipeline's benefits proliferated across various platforms, emphasizing the advantages of oil while emphasizing the absence of a viable fuel substitute. Digital advocacy groups with industry connections, like Canada's Energy Citizens and the Energy East Action Network, positioned the pipeline as a creator of jobs, local investments, and a reducer of foreign oil dependence, framing it as

in the best interest of Canadians economically and politically. This amalgamation of economic and political interests with public welfare was echoed by Prime Minister Stephen Harper's portrayal of pipelines as nation-building projects aimed at bolstering the economy and enriching the country through oil (Gareau, 2016). As a result, the environmentalists confronted Prime Minister (PM) Harper as climate criminal (Cullen and Mas, 2016).

However, Prime Minister Harper was a persistent supporter of fossil fuel production in Canada. As a result, Harper's administration was recognized as a significant barrier to advancing climate policy. Following a parliamentary majority in 2011, the Conservative government intensified oil/tar sands development in Alberta, continuing a trend initiated by prior Liberal governments. The withdrawal from the Kyoto Protocol was attributed to the oil sands' economic significance, as adherence to the protocol would have imposed stringent restrictions on extraction, impacting industry profits (Environment Canada, 2014). Beginning in 2012, a series of policy changes reshaped environmental governance in Canada, leaning towards neoliberal tenets by deregulating and favoring accelerated resource extraction—a concept termed "de/re-regulation." This shift led to what legal scholar Maclean (2016) termed as "regulatory capture," diverting environmental policies from public to private interests. Importantly, the Energy Policy Institute of Canada, backed by the oil and gas industry, highlighted Canada's regulatory system as a hurdle to maximizing energy resources' value. This lobbying resulted in the passing of two bills—C-38 and C-45—aimed at reducing regulatory obstacles, prompting opposition filibustering attempts due to limited parliamentary debate opportunities against the Conservative majority government.

Extensive media coverage highlighted the "Black Out, Speak Out" campaign, endorsed by twelve Canadian environmental organizations, where over thirteen thousand websites reportedly shut down to protest policy changes (CBC News, 2012). Despite opposition efforts, both omnibus bills passed, leading to a legislative overhaul. Crucial environmental laws, including the Canadian Environmental Assessment Act, Navigable Waters Act, Species at Risk Act, and Fisheries Act, were altered, alongside amendments to the Indian Act. Regulatory modifications resulted in fewer environmental assessments, reduced protection for Canadian waterways, a narrowed definition of the environment, and altered requirements for indigenous involvement in resource governance. Pipeline project reviews also changed significantly, with the Canadian Environmental Assessment Agency losing authority to the National Energy Board based in Calgary, leading to criticism from environmental experts and opposition within Parliament (Gareau, 2016).

4.3 Transmountain:

Kinder Morgan's Trans Mountain Expansion initiative aimed to parallel an existing pipeline route from Edmonton to Burnaby and the Vancouver Harbor. Initially, about 74% of the new pipeline would follow the existing right-of-way, with 16% using established utility paths and only 11% requiring entirely new access (Trans Mountain n.d.). However, adjustments to the route were made subsequently. The project garnered support from various business organizations and advocacy groups favoring resource development. For instance, the Independent Contractors Association of B.C., representing members benefiting from construction, aired a 30-second Super Bowl ad in Canada. The ad depicted a family man impeded from working due to protesters, highlighting frustration with

obstacles to a promising future. Resource Works, another group, aimed to counter resistance by advocating the importance of the province's resource sectors to individuals' well-being (ICBA 2016).

Governments have demonstrated varied interests concerning pipelines. The Harper administration strongly backed enhancing oil sands access to global markets, while Trudeau's approach has been more subtle, culminating in the government's purchase of the pipeline. The Harper government significantly influenced the NEB and its approval processes. This included consolidating regulatory review authority within the NEB, removing the necessity for a Joint Review Panel alongside the Canadian Environmental Assessment Agency, as seen in the case of the Northern Gateway Pipeline. Alberta has been a key advocate for pipeline expansion due to the oil sector's critical role in the province's economy, especially regarding government revenue reliance on oil. British Columbia's government has taken a position of conditional opposition. During the Northern Gateway joint panel process, BC outlined five conditions that needed fulfillment for the province's support of heavy oil pipelines (Hoberg, 2016).

The province, British Columbia, declared its opposition to the Trans Mountain project, stressing concerns about insufficient details regarding emergency response readiness. They expressed that the company's spill prevention and response plan lacked information to ensure they met top-notch spill standards. However, reports indicated that BC might consider negotiations with Alberta, potentially tied to Alberta buying electricity from BC's newly sanctioned Site C Dam on the Peace River (Ivison 2016).

Numerous municipal governments in British Columbia, particularly those in the Lower Mainland, have adamantly opposed the pipeline project. Burnaby has been a prominent opponent, taking legal action against the NEB and Kinder Morgan regarding seismic drilling plans on Burnaby Mountain. Mayor Derek Corrigan challenged the government by saying he would accept potential arrest if the pipeline proceeds. Vancouver, led by Mayor Gregor Robertson, vehemently opposed the project, citing concerns about tanker accidents and climate change. Their extensive submission to the NEB totaled 232 pages. Following the NEB's recommendation to approve the pipeline, both mayors initiated separate campaigns, with Robertson urging the Prime Minister to reject the decision while Corrigan pledged a "mass citizen campaign (Sinoski 2016).

The Trans Mountain Expansion Project became a focal point for British Columbia's multifaceted environmental movement. The Dogwood Initiative, established in 1999 to empower British Columbians in land and water decision-making, spearheaded the "No Tankers" campaign. Though primarily addressing the Northern Gateway pipeline, the initiative widened its scope in 2011 to include opposition to the Trans Mountain project, aiming to prevent oil tankers from accessing the BC coast.

British Columbia`s First Nations played a critical role to approve transmountain project. While certain Indigenous groups have engaged in agreements with oil sands pipeline companies, numerous others have taken a firm stand against them. The opposition centered on the Northern Gateway Pipeline. In 2010, two major coalitions of First Nations—the Coastal First Nations and the Yinka Dene Alliance—relied on ancestral laws to issue bans on the pipeline and tankers within their territories. Yet, the Trans Mountain route doesn't directly impact the Coastal First Nations' territories.

Public sentiment in British Columbia regarding the pipeline has largely leaned towards opposition. Insights West conducted surveys from 2013 to 2016, with opposition outweighing support in four out of five polls. However, a February 2016 Ekos nationwide survey showed a higher level of support for the pipeline compared to opposition across Canada (Ekos 2016). Interestingly, a May 2016 Abacus poll, framed with specific conditions such as investing in renewable energy and pollution reduction, revealed a more balanced view in British Columbia, with 31% in support, 31% open to supporting, and 27% in opposition to the Trans Mountain project (Abacus Data 2016).

4.4 Northern Gateway:

Enbridge, a Canadian oil and gas firm, proposed the Northern Gateway project (NGP), intending to construct two pipelines covering 1,177 kilometers from the Alberta oilsands to the West Coast. Enbridge's regulatory process for the NGP proposal covered project justification, economic feasibility, land requirements, detailed engineering, public consultation, Indigenous engagement, and extensive environmental and socio-economic impact assessments. It also included risk assessment, spill management, and a specific evaluation for the Kitimat marine terminal under the TERMPOL review process (Bowles & MacPhail, 2017)

Following the initial application and subsequent inquiries from the JRP and officially appointed intervenors, the NEB conducted a public hearing. In December 2013, the JRP granted a certificate of approval, contingent upon Enbridge addressing 209 conditions before commencing construction (Joint Review Panel and National Energy Board 2014a). The majority of these conditions mandated increased engagement with

Indigenous communities, more thorough assessments of watercourse crossings, and detailed plans for marine spill prevention and cleanup. Enbridge was required to establish a $950 million remediation fund for addressing any accidents (Joint Review Panel and National Energy Board 2014a).

In 2014, Prime Minister Stephen Harper granted approval to NGP with conditions, despite opposition from various stakeholders, including Indigenous groups, environmental activists, municipal authorities, and the government of British Columbia. Towards the end of 2015, the Federal Court of Appeal addressed a legal challenge presented by a coalition comprising eight Indigenous groups, four environmental organizations, and Canada's largest private sector trade union, Unifor. Their claim asserted that Enbridge had not adequately consulted with Indigenous communities along the pipeline route and that the set of 209 conditions did not rectify this deficiency. The court ruled in their favor, overturning the Cabinet's approval of NGP. In January 2016, shortly after assuming office, Prime Minister Justin Trudeau affirmed the rejection of NGP. Following a protracted and contentious regulatory process, the project ultimately met failure.

Before 2012, the main guideline for assessing climate change impacts in large projects like the Northern Gateway was the 2003 CEAA document, focusing on reducing emissions and managing climate risks. It emphasized aligning assessments with national or provincial climate policies, stressing the need for specific measurement of direct greenhouse gases (GHGs) and outlined steps for evaluating a project's climate impact, including monitoring and adaptation throughout its lifespan (CEAA 2003). Enbridge acknowledges the project's contribution to Canadian greenhouse gas (GHG) emissions, mainly from activities like tanker ship berthing at the Kitimat marine terminal. However,

Enbridge considers the pipeline construction, operation, and decommissioning as insignificant in terms of GHG emissions. They follow CEAA guidelines from 2003, focusing on direct project-related GHG calculations. In responding to concerns about climate change and Canada's energy strategy, Enbridge states that national energy policies and climate change are beyond the application's scope and anticipates no significant impact on regional, national, or global climate patterns from the project (Northern Gateway Pipeline, 2010).

4.5 Keystone XL:

The Keystone XL process ended similarly, with President Joe Biden canceling the project in January 2021. However, the regulatory journey was distinct. Proposed in 2008 by TransCanada Pipelines Limited, now TC Energy, KXL aimed to expand the Keystone pipeline system transporting crude oil from Alberta to various U.S. shipping hubs. This expansion was set to pass through Montana, South Dakota, and Nebraska, ending in Steele City, Nebraska. TransCanada submitted its regulatory application to the NEB for the Canadian portion, approved with relatively low attention. They also pursued a Presidential Permit through the State Department due to Executive Order 13337, which centralizes the oversight of international pipelines under the State Department, differing from many other domestic American pipeline projects (McKenzie, 2021).

In 2010, the State Department collaborated with various federal agencies, state bodies, and invited public input to release a draft Environmental Impact Statement (EIS). This comprehensive review, involving agencies like ACE, Department of Agriculture, Department of Energy, Department of the Interior, PHMSA, and the EPA, along with

relevant state entities, covered multiple environmental aspects. These included geology, water resources, wildlife, socioeconomics, cultural resources, and more. The draft EIS concluded that the project would have a minimal environmental impact and included an assessment of alternative options (McKenzie, 2021)

The Keystone XL pipeline faced mounting opposition following the 2010 Environmental Impact Statement (EIS). Concerns emerged from Nebraska landowners questioning the route, the EPA challenging the project's justification, and activists demanding more stringent environmental oversight. Protests erupted in Washington, D.C., and Parliament Hill, with over 1200 arrests in D.C. Despite approval from Nebraska's governor, legal battles persisted, with Obama's administration increasingly opposing the project due to environmental and public concerns. President Obama vetoed a bill supporting KXL in 2015 and ultimately rejected it. President Trump's 2017 memorandum revived the project, obtaining a Presidential Permit by March 2017, followed by approval from Nebraska in 2017, despite required reroutes. However, legal setbacks continued, including a U.S. District Judge blocking the Trump permit in 2018 and subsequent environmental reviews soliciting public input. By December 2020, construction was planned, but legal challenges persisted, notably regarding water crossing permits. President Biden canceled the project upon assuming office in January 2021, marking an improbable future for the pipeline's construction (McKenzie, 2021)

The analysis of climate change in the Keystone XL (KXL) process involves evaluations by the EPA and TransCanada in both the initial 2014 Environmental Impact Statement (EIS) and the 2019 EIS update after re-application. The EPA collaborated with the State Department for the 2014 EIS, providing an additional comment focusing on the

national interest concerning climate change. The EPA's submission highlighted that market projections suggested minimal greenhouse gas impact for KXL due to alternate oil transportation methods like rail, considering the high oil prices in early 2014. However, the significant drop in oil prices to around $50/barrel raised uncertainty about the EIS conclusions, underlining the volatility of oil markets. Additionally, the EPA emphasized KXL's broader climate implications, emphasizing the significantly higher carbon intensity of oil sands crude compared to reference crudes. Approving KXL would tether the U.S. to a more carbon-intensive oil source for over 50 years, regardless of uncertainties in future oil prices or pipeline constructions (Environmental Protection Agency 2015)

The Keystone XL pipeline's environmental reviews involved considerations of climate change. The State Department, responsible for determining national interest, is aware of broader climate impacts, evident in President Biden's decision to cancel the permit due to climate implications. TransCanada, in the EIS submissions, acknowledges climate concerns. While highlighting limited direct contributions to GHGs, they discuss the potential cumulative effect of the pipeline's lifecycle emissions, estimating an incremental annual GHG increase between 33-178 MMTCO2e. They emphasize compliance with EPA requirements and address impacts on operations due to climate change and potential emissions leakage under certain regulations.

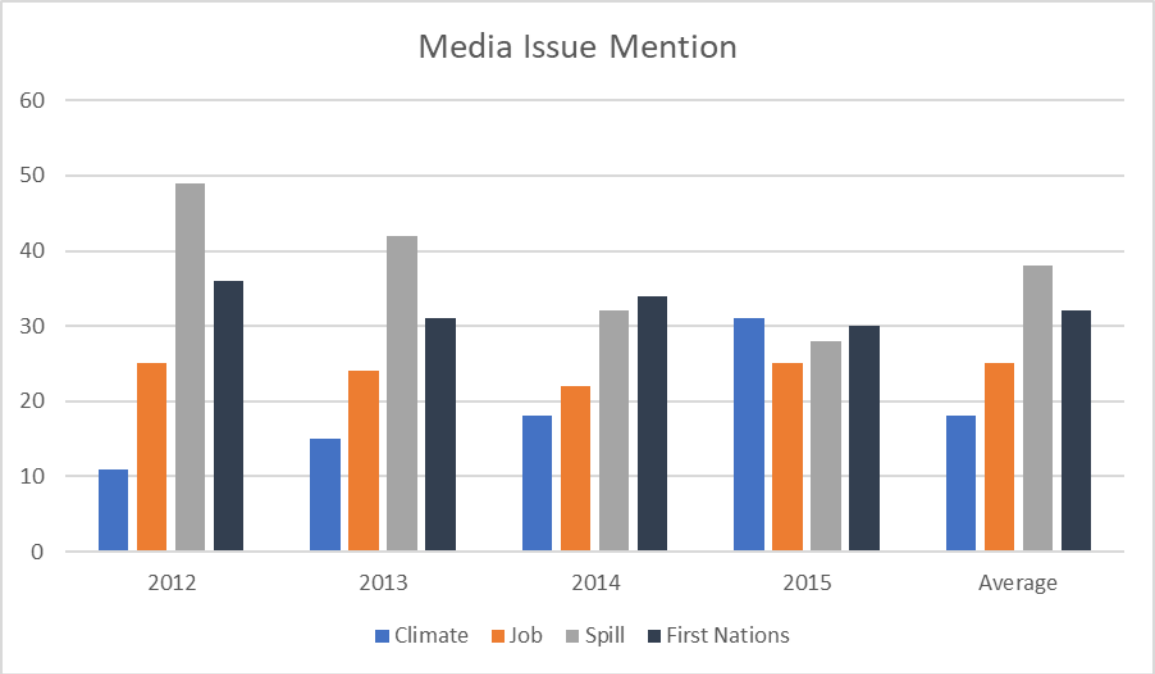
The Keystone XL (KXL) pipeline experienced a unique process of rejection and approval across different presidential administrations. Multiple National Interest Determinations (NIDs) were made by the State Department based on assessments submitted by TransCanada. The rejection by President Obama in 2015 was based on concerns over climate change impacts, oil price volatility, rail transport alternatives, and

socioeconomic considerations. In contrast, the subsequent NID in 2017 under the Trump administration favored approval, emphasizing energy security, job creation, economic benefits, and reinforcing bilateral relations with Canada. This illustrates the significant influence of executive decision-making in the U.S. oil pipeline regulatory process.

4.6 Media analysis

Hoberg (2016) conducted an examination of media coverage to analyze the varying levels of attention given to different issues within the pipeline dispute. His study analyzed the frequency of news articles mentioning the pipeline alongside four specific categories of concerns: climate change (specifically, references to "greenhouse" or "climate"), job-related aspects (specifically, "job"), risks associated with pipeline or tanker spills (specifically, "accident" or "spill"), and the involvement of First Nations (specifically, "First Nations"). The data utilized for this analysis was sourced from the Canadian Newsstand index.

Figure 4.1 Media Attention to Pipelines 2012-2015



*Citation:*Hoberg (2016)

The findings depicted in Figure 4.1, spanning the years 2012-2015, revealed that local accident risks held the highest prominence in media coverage, followed by attention to First Nations, jobs, and lastly, climate-related issues.

Hoberg (2016) compares the media analysis of the Trans Mountain pipeline controversy to three other major oil sands pipeline disputes which shows the distinctive prominence of local accident risks specifically in the Trans Mountain case. The project's approval significantly amplified the discussions surrounding Indigenous issues and local risks within this contentious landscape. It acted as a catalyst, intensifying the spotlight on Indigenous concerns, rights, and the potential ramifications on Indigenous communities, emphasizing the need for comprehensive and inclusive dialogue between stakeholders. The approval brought Indigenous and spill over issues to the forefront of public discourse,

compelling deeper considerations, and assessments of the project's impact on Indigenous lands, cultural heritage, and treaty rights.

The Transmountain and Northern Gateway pipeline projects both addressed issues pertaining to First Nations involvement and accident mitigation, albeit experiencing divergent outcomes in their approval processes. While the Transmountain project secured approval, the Northern Gateway initiative faced rejection because of federal court's pivotal role and first nations immense opposition towards the project. The approval or rejection of these pipeline projects exemplifies the complex interplay between legal frameworks, indigenous community engagement, and environmental concerns within the Canadian regulatory landscape.

4.7 Role of Institutions:

While the NEB largely aligned its guidelines concerning climate change with the CEAA, the regulatory body itself engaged in deliberations on this matter. The NEB faced challenges due to a lack of coherence and certainty surrounding climate change, particularly as the issue gained greater political prominence. Prior to the CER assuming regulatory oversight in 2019, the prevailing policy stance was to maintain a narrow focus on climate change, primarily accounting for greenhouse gas emissions related to the construction and operation phases (CEAA 2003). This stance was formalized in an agreement of equivalence between the NEB and the Environmental Assessment Office of British Columbia concerning the Trans Mountain Expansion proposal. The core principle of this agreement was to streamline assessments to prevent redundancy, with both entities concurring that evaluating multiple environmental aspects need not be duplicated (NEB

and EAO 2010). Notably, the agreement specified that only emissions directly linked to the pipeline's construction and operation—constituting approximately 1% of the overall emissions associated with the pipeline and its transported oil—would be taken into consideration. Emissions from Alberta's extraction (upstream emissions) and eventual consumption in Asia and the United States (downstream emissions) were excluded from consideration (West Coast Environmental Law 2012).

The National Energy Board (NEB) outlined its scope of assessment, focusing solely on the greenhouse gas emissions directly stemming from the construction and operation of the pipeline. Unlike this approach, a comparable environmental evaluation conducted by the US State Department for the Keystone XL pipeline encompassed considerations of both upstream emissions from oil sands and downstream impacts from product refinement and combustion within its review scope.

4.8 Role of the Court

The structural dynamics within politics have notably increased the involvement of Canadian courts in policymaking processes. Even preceding its May 2016 report, which recommended approval with certain conditions, the Trans Mountain case had already been the subject of nine distinct court cases, all of which ruled in favor of the project. Consequently, the courts have provided clarification: affirming the National Energy Board's (NEB) jurisdiction in delineating the scope of issues and involvement of participants in hearings. Furthermore, the courts have established that municipal administrations lack the legal authority to obstruct pipelines, while provinces possess the capacity to impose conditions on pipeline approvals. In a significant development, the

Supreme Court dismissed a challenge raised by First Nations against the Trans Mountain pipeline, subsequently reapproving the project (CBC, 2020).

Examining alternative avenues for granting oil sands access to coastal waters does not alleviate the challenge. The rejection of Keystone XL in the United States, the Northern Gateway pipeline (which is defunct due to staunch First Nations opposition), and the Energy East pipeline, although facing fewer conflicts with indigenous communities, encounters substantial resistance in Quebec compared to the Trans Mountain proposal in British Columbia (Abacus Data 2016).

4.9 Overall Comparison

The landscape of energy infrastructure development in Canada has been marked by a mosaic of government support, indigenous responses, regulatory decisions, provincial stances, legal challenges, and media portrayals. Examining key pipeline projects—Energy East, Transmountain, Northern Gateway, and Keystone XL—reveals a tapestry of divergent trajectories in each facet of their evolution. Below is an overview comparing the trajectories of four significant pipeline projects within the realm of energy infrastructure development in Canada:

Table 4.1: Comparative Analysis of Four Major Pipeline Projects in Canada

	Energy East	Transmountain	Northern Gateway	Keystone XL
Government Support	Initially supported, but later rejected	Backed and Nationalized	Rejected	Rejected
First Nation	Fewer conflicts	Initially did not face the opposition but eventually faced	Opposed since the project started	Opposed since the project started
Regulatory Board	Supported	Supported	Approved with conditions, later rejected	Rejected
Provincial Response	Encounters substantial resistance in Quebec	Fewer resistance in British Columbia compares to others	Opposed	Approved
Court's Decision	Hurdles on the project	All the decision went in favor	Court's decision on Indigenous issue went against them	Significantly went against the project
Media Coverage	Heavily criticized	Critically addressed the media issues	Critically addressed the media issues	Focusing mainly on economic issue

Government Support: Energy East initially had government support, while Transmountain was backed and later nationalized. Northern Gateway was ultimately rejected, as was Keystone XL.

First Nation Response: Energy East faced fewer conflicts initially but later encountered opposition. Transmountain initially had less opposition but eventually faced significant resistance. Both Northern Gateway and Keystone XL encountered opposition from the project's start.

Regulatory Board: Both Energy East and Transmountain received support from the NEB. Northern Gateway gained approval with conditions, while Keystone XL was rejected by EDA.

Provincial Response: Energy East faced substantial resistance in Quebec, whereas Transmountain encountered fewer obstacles in British Columbia compared to other regions. Northern Gateway was opposed, while Keystone XL was approved.

Court’s Decision: Energy East faced project hurdles due to court decisions. In contrast, all court decisions for Transmountain favored the project. Northern Gateway faced unfavorable decisions on Indigenous issues, and Keystone XL experienced significant legal setbacks.

Media Coverage: Energy East received heavy criticism in the media. Transmountain and Northern Gateway both faced critical media scrutiny, while Keystone XL's media coverage primarily focused on economic issues.

4.10 Deep Core Elements:

Each project faced significant challenges concerning Indigenous rights and sovereignty. Whether it was Energy East, Transmountain, Northern Gateway, or Keystone XL, Indigenous communities consistently raised concerns about their rights, land use, and sovereignty in the decision-making process. Environmental conservation and climate change were fundamental issues across these projects. Concerns were raised about the potential ecological impacts, including risks to waterways, habitats, and exacerbation of climate change due to greenhouse gas emissions. A shared aspect was the discourse around the role of governments in economic development. These projects sparked debates about the government's responsibility in facilitating economic growth, job creation, and energy

security, highlighting differing views on the trade-off between economic gains and environmental risks.

4.11 Policy Core Elements:

Each project revealed varying approaches to engaging with Indigenous communities. Different strategies were adopted to address consultation processes, seeking consent, and accommodating concerns, although the effectiveness of these approaches varied significantly. A consistent theme across these projects was the emphasis on economic development and the need for robust energy infrastructure. Advocates highlighted the potential economic benefits such as job creation, revenue generation, and energy security, positioning these projects as crucial for regional and national economic growth. Central to these projects was the debate surrounding the balance between economic gains and environmental costs. There were differing perspectives on the extent to which economic benefits should be prioritized against potential environmental impacts, reflecting divergent policy beliefs and interests.

4.12 Instrumental Policy:

Stakeholders and advocacy groups focused on navigating and influencing regulatory processes. Understanding and leveraging these processes became instrumental in either advancing or hindering project approvals. The nuances of regulatory frameworks, compliance, and adherence played a pivotal role in determining project fate. Courts were significant actors in interpreting and influencing policy decisions. Judicial rulings and interpretations affected project trajectories, particularly concerning

Indigenous rights, environmental assessments, and procedural adherence, thereby shaping the legal landscape for these projects. Besides, media narratives were instrumental in shaping public perception and stakeholder engagement. Coverage influenced public opinion, framed debates, and impacted stakeholder mobilization. Media narratives often accentuated economic, environmental, and social aspects, contributing to the broader discourse and advocacy efforts.

CHAPTER 5

5.1 Conclusion:

This study explores the subsystem of the four pipeline projects. Despite the challenges encountered during the process of these projects, climate pressure and energy interest groups exerted significant influence on the government to adopt their policies. These groups resonate with the Deep Core Policy of the ACF. Although issues concerning indigenous rights, provincial responses and spill prevention were crucial in policy adoption, the findings demonstrate that despite attempts to address these concerns, Northern Gateway faced substantial backlash from indigenous and environmental advocates. In contrast, Transmountain encountered less opposition from indigenous groups initially, leading to its acceptance. Hence, these groups align with the core policy of the theory. Eventually, Kinder Morgan's Trans Mountain also encountered these issues, including a legal case filed by a First Nation and several from British Columbia and environmentalists. However, the rulings favored Trans Mountain, whereas Energy East faced project hurdles due to judicial decisions. The cases of Keystone XL, Energy East, and Northern Gateway shed light on the political spectrum, encompassing both left-wing and right-wing ideologies. Initially approved by the Conservative Harper government of Canada, Energy East and Northern Gateway later faced rejection by the left-wing Liberals. Similarly, Keystone XL faced initial rejection by the Democratic Party in the US, followed

by acceptance under the Trump administration, a right-wing party, and later rejection by the Biden administration, a left-wing party. Therefore, the regulatory boards, courts, political parties, and governments fall within the instrumental policy element.

This research makes a significant and explicit contribution to the literature, as the ACF theory has not been applied to these pipeline projects, despite the high applicability of actor-based pressure groups within the realm of these projects. However, a notable gap in this research pertains to the absence of analysis on inter-coalitions formed based on shared policy perspectives. Consequently, there exists ample scope for future research to delve into this aspect.

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