13. Neoliberal governance of environmentalism in the post-9/11 security era: the case of pipeline debates in Canada

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The main focus of this chapter is to analyse the attempts of the Canadian state under the regime of the former conservative Prime Minister Stephen Harper (2006–2015) to publicly redefine environmental groups as threats to the economy and society. In this context, the following questions may be asked: What were the various discursive strategies adopted by the state to construct this alleged threat and then respond to it? How was the state able to suppress the environmental movement on this basis? In addressing these questions, I focus on how the government used discourses pertaining to national security as justification for an increased surveillance and scrutiny of environmental groups, and discuss the implications this had for environmental groups. As part of this examination, I will discuss how the organizational restructuring in the Canadian intelligence and security assemblage in the aftermath of the 9/11 terrorist attack helped establish the preconditions that facilitated the suppression of environmental groups. In the later sections I discuss the lasting impact of these discursive practices on subsequent governments. Consideration will be given to the environmental policies of current Prime Minister Justin Trudeau, the leader of the centrist Liberal Party elected in November 2015. Throughout the analysis I will also give some attention to the anti-environmentalist stance of US President Donald Trump to illustrate how the Harper Administration's discursive practices prefigured that of US President Trump. The US case will also be used as a point of comparison to the Canadian case to gain further insights. Finally, I will conclude by discussing the implications of this study for analyses that adopt perspectives dealing with moral panics and the suppression of social movements.

Empirical instances to illustrate the discussion will focus on the relationship between the state and the environmental movement in relation to debates pertaining to several high-profile transcontinental pipeline proposals. The data for this were drawn from previously published academic sources as well as investigative journalist accounts from Canadian online and print news sources such as: *The Vancouver Observer, The Toronto Star, The Globe and Mail*, and the Canadian Broadcasting Corporation (CBC), during the period of 2012 to 2015.

Prime Minister Harper's Conservative government argued that transcontinental pipelines were needed to accommodate a greater volume of oil expected to be extracted from the Alberta oil sands. For the analysis presented here, I will specifically consider the high-profile Keystone XL pipeline proposed by TransCanada Corporation, the Northern Gateway pipeline proposed by Enbridge Inc., as well as the expansion of the Trans Mountain pipeline (originally proposed by the private company Kinder-Morgan Energy Partners). The Keystone XL was to run from the province of Alberta southward through the continental US and terminating at the large-scale oil refineries in the Gulf of Mexico area of Louisiana. The other two pipelines were

to run from Alberta westward to the Pacific coast of British Columbia where the oil could then be transported by tanker onward to the Far East.

I follow the orientation of Shriver et al. (2012) as laid out in their investigation of how political and economic elites are able to dominate the discursive arena through the deployment of oppositional frames. According to these authors, much of the current social movement literature focuses on the discursive tactics of activists to discredit the state, while neglecting the other side, namely how the state itself attempts to dominate the discursive field (i.e. to win the 'war of the minds'). In their analysis of the controversies surrounding the siting of a proposed highway bypass in the Czech Republic, Shriver et al. (2012) introduce the notion of 'discursive obstruction'. Discursive obstruction refers to the 'oppositional campaign waged by networks of elite state and private actors who use their power to sway public opinion against movements that challenge elite interests' (Shriver et al., 2012, p. 877). In essence, discursive obstruction involves the construction of a derogatory frame to sway public opinion, thus resulting in the stigmatization and vilification of environmental actors.

The concept of discursive obstruction focuses on the role of oppositional frames, and as such it is consonant with the notion of anti-reflexivity developed by Dunlap and his colleagues. Notably, both perspectives focus on the workings of state-supported counter-movements that attempt to ensure continued capitalist growth in the face of the perceived threat of environmentalism (Dunlap, 2009, 2013; Dunlap and Jacques, 2013; Dunlap and McCright, 2011; Elsasser and Dunlap, 2013; Jacques et al., 2008; McCright and Dunlap, 2003, 2010, 2011). The scope of the anti-reflexivity perspective tends however to be narrower in scope. It emphasizes how strategies that limit environmentalism target the legitimacy of the claims made by environmental scientists, particularly in relation to the existence of anthropogenic climate change and the policies derived thereof. Moreover, analysis that utilizes the anti-reflexivity perspective draws mostly from the US experience. Thus, the research of Dunlap and his colleagues reveals how a US-based coalition of conservative foundations, think-tanks, media outlets and public intellectuals that were financially supported by a number of extremely wealthy conservative families and their foundations and corporations, came to be an influential anti-reflexive force. This well-organized and well-resourced network effectively lobbied for the maintenance of a high-carbon lifestyle and way of life. Notably, a central strategy of the US anti-reflexivity movement was to introduce, develop and perpetuate a discursive frame based on the contrarian position of 'climate change denial' into the policy debate – a frame that today is prominent in President Trump's environmental and industrial policies but is less influential in the Canadian context.

The underlying principle or thrust of the US anti-reflexivity movement – the rejection or apathy towards the reality and seriousness of the ecological crisis – is perhaps to some extent found in Canada, but it also differs in some important respects. It was found that the vast majority (80 per cent) of US Republican Party supporters rejected climate change, while only a smaller majority (59 per cent) of the nearest Canadian political equivalent – supporters of the Conservative party – shared the same position (October 2013 Environics poll cited by Klein, 2014, p. 36). Thus, although the vast majority of Canadian conservatives rejected climate change, they did not do so to the same extent as their US counterparts. Further, 76 per cent of the left-learning New Democratic Party and 60 per cent of the centrist Liberal Party of Canada believed that climate change was real. In comparing the two countries overall, Young and Coutinho (2013) make the argument that the Canadian situation is different from that in the US on several important fronts. First, the types of groups involved in the US anti-reflexivity

movement carry less public legitimacy in Canada. Second, surveys revealed that overall, Canadians in the general population were less polarized on climate change issues. This does not mean that anti-reflexivity is absent in Canada. Rather, it implies that anti-reflexivity may simply take on a different form. Thus, Young and Coutinho (2013) contend that the Harper government used tactics that were different from those of the US anti-reflexivity movement but were nevertheless anti-reflexive in orientation. Specifically, the Canadian government never denied the reality of climate change (as was the case in the US), yet did very little in terms of taking real action to address this issue – so the effect was the same in both cases, that is, no progress was made on addressing climate change. As an illustration we can see that the strategy was at play in the Harper government's adoption of intensity-based targets rather than volume-based targets. This government shift in the numerical targets for greenhouse gas emission reductions created the illusion of action or at least of commitment to future action but in essence not really doing anything. Compared to the explicit US denialist strategy, the Canadian government strategy was much less jarring. This tactic of accepting the reality of climate change, while at the same time not doing anything substantial about it, is referred to as the 'acceptance-rejection' strategy (Young and Coutinho, 2013).

I contend that the deployment of environmental policies based on 'acceptance-rejection' is not the whole story; rather the existence of 'acceptance-rejection' must more fully be understood as a result of broader discursive environment. This is because in order for such policies to be adopted, they must first be embedded in a receptive discursive arena, otherwise the acceptance-rejection policies will simply not be able to take hold. In this context, two important dimensions of the broader discursive arena may be considered: (1) the perceived need for increased surveillance and security (i.e. securitization) in a post-9/11 era, and (2) the tacit and unquestioned need to maintain an economy based on the principles of neoliberal market fundamentalism.

OIL SANDS EXTRACTION AND OIL TRANSPORT IN CANADA

At the discursive level, the debates about the proposed pipelines held the promise of serving as entry points for opening up a broader public discussion of future energy development and climate change within Canada and North America (Davidson and Gismondi, 2011). Recognizing the magnitude of the stakes involved in the decisions, numerous First Nations and environmental organizations have mobilized and become engaged in the pipeline debates in various ways, including the adoption of direct-action strategies. The federal government was of course also a main actor in this debate, particularly during the reign of the Conservative government. It was clear that this particular government was interested in foreclosing the potential for that discussion.

Elected in 2006, Prime Minister Stephen Harper of the Conservative Party sought to implement policies that would have natural resource and energy development serve as the chief driver of the national economy (MacNeil, 2014; Way, 2011). Oil sands development was an essential component of this strategy. As such, any activities geared to opposing oil sands development on the basis of environmental, social responsibility or ethical concerns were cavalierly dismissed by the government as obstacles to economic growth. Oil sands extraction is however a particularly carbon-intensive operation, and extraction operations contribute a significant proportion to the country's overall greenhouse gas emissions load (Partington,

2010). In light of this fact, it was evident that a particular focus of the government was to delimit the climate change knowledge base, including the suppression of data related to the monitoring of the environmental impacts of the oil sands extraction activities. For example, various research institutes and libraries housing scientific work on climate change and environmental problems were closed (Owens, 2014), while policies were introduced to make it difficult for government scientists to communicate directly with the media about their research on climate change (see below). Further still, with the passage of an omnibus bill in June 2012, legislative amendments effectively limited the ability of environmental groups to participate in policy-making processes. Thus, citizens and environmental activists interested in giving a written or oral testimony at the NEB hearings on the proposed pipelines were now required to complete a cumbersome ten-page detailed application form, including the submission of a resumé and references (Toledano, 2013).[1] This requirement effectively rendered the process so onerous that only paid lobbyists (such as those from the fossil fuel industry) would be able and willing to put in the time required to comply (Toledano, 2013). In addition to these types of policy actions aimed at directly challenging the ability of activists to mobilize and engage, demobilizing strategies were also indirectly adopted by influencing the discourses used in the public arena. The latter could be discerned in relation to the construction of frames that stigmatized and discredited environmental actors.

ADVERSARIAL FRAMING AS A STRATEGY OF DISCURSIVE OBSTRUCTION

Adversarial framing involves attempts by a social movement group (or in this case, the state) to adopt a broader rhetorical strategy designed to stigmatize those opposed to their claims, thereby undermining the credibility of their opponents (Knight and Greenberg, 2011). Examples of this are seen most vividly in the remarks of Joe Oliver, the Minister of Natural Resources under the Conservative government. In an open letter sent to major North American newspapers, Oliver notes:

> We know that increasing trade will help ensure the financial security of Canadians and their families. Unfortunately, there are environmental and other radical groups that would seek to block this opportunity to diversify our trade. Their goal is to stop any major project no matter what the cost to Canadian families in lost jobs and economic growth. No forest. No mining. No oil. No gas. No more hydro-electric dams …
>
> These groups threaten to hijack our regulatory system to achieve their radical ideological agenda. They seek to exploit any loophole they can find, stacking public hearings with bodies to ensure that delays kill good projects. They use funding from foreign special interest groups to undermine Canada's national economic interest. They attract jet-setting celebrities with some of the largest personal carbon footprints in the world to lecture Canadians not to develop our natural resources. Finally, if all other avenues have failed, they will take a quintessential American approach: sue everyone and anyone to delay the project even further …
>
> It [the regulatory system] is broken. It is time to look at it. It is an urgent matter of Canada's national interest. (Government of Canada, 2012)

The statements of the Minister clearly employ an adversarial framing with several insinuations made about the character and intent of all 'environmental and other radical groups'. These include the characterization of environmentalists as anti-trade and selfishly short-sighted

and unreasonably obstructionist, and through the reference to 'jet-setting celebrities', and the insinuated allegation that through their association, environmentalists were also hypocrites. Moreover, an underlying theme that can be discerned in the text is the subtle insinuation that environmentalists are unpatriotic, and even anti-Canadian because they 'block the opportunity to diversify our trade ... no matter what the cost to Canadian families in lost jobs and economic growth.' This charge of anti-nationalism is further bolstered by the charge that environmentalists are engaging in the 'quintessential American approach' (i.e. suing). Since, a significant influence in Canadian identity formation is the notion of 'not being American' (Cohen, 2008), the allegation that environmental groups were adopting a 'quintessential American approach' was likely intended to provoke and direct the wrath of many nationalist Canadians against environmentalists.

If unfettered trade and economic growth are cornerstones of the neoliberal program then deregulation is a key facilitating factor in this strategy. Environmentalists, in 'hijacking' the regulatory system in the pursuit of their 'radical ideological agenda', therefore came to be defined as a significant obstacle to the pursuit and achievement of the neoliberal project. The neoliberal project is positively cast by the government as a nationalist enterprise that is not open to question (and hence hegemonic). Environmentalists, as irrational opponents to 'any major project', are in this sense deemed as threats not only to that neoliberal enterprise (which is assumed to be unquestionably necessary for economic survival), but to the Canadian nation-state as a whole. It is with the recognition of such reasoning that we can begin to discern and disentangle the tacit connections being made between two types of ideological framing – that is, one based on a neoliberal agenda and one based on a post-9/11 security frame. The use of such terms and phrases as: 'hijack', 'security', 'radical ideological agenda', 'foreign special interest groups to undermine Canada's national economic interest' and 'It is an urgent matter of Canada's national interests' all point towards the connotation of threat, and therefore the need to take increased national security measures against such threat. If in the aftermath of the 9/11 attacks, security threats were defined exclusively in terms of terrorism, today, more than a decade later, these security risks have become generalized to include many other types of threat that fall under the mantle of a post-9/11 security framing (Hooker and Ali, 2009), including evidently, the threat of environmental groups (McCarthy, 2012).

ENVIRONMENTALISTS AS SECURITY THREATS

The surveillance of environmental groups and other activist groups in North America has existed for some time. For instance, Boykoff (2007) has noted that in 1970 the Federal Bureau of Investigation (FBI) had sent agents to monitor the activities of people involved in the Earth Day rallies across forty cities. What then is new and different today? I would argue that there are two important differences. First, the type of specific rationale adopted by the state to justify their surveillance activities at different historical junctures may vary in accordance with the particular discursive arena present in that period. Thus, Monaghan and Walby observe that although the criminalization and harassment existed in the early period of the environmental movement, 'it was not until the 1990s that discourses of "terrorism" and "extremism" became popular frames for categorizing eco-activists' (2017, p. 55). Today, Canadian security agents regularly define environmentalists as domestic terrorist threats and potential sources of violence (Monaghan and Walby, 2017). Second, the nature of surveillance itself has changed

quite profoundly, both from a technical and organizational point of view with advanced digitalization enabling not only more insidious ways of gathering intelligence data, but also for the sharing of such data in ways not possible previously, especially between intelligence and policing agencies – agencies previously prohibited from data sharing. Observers have noted that in the aftermath of terrorist events of 11 September 2001, there has been a dramatic increase in the intensity and centralization of surveillance in Western countries, with a concomitant increase in public funds for policing and security services (Lyon, 2001). Further, since that pivotal moment in history, much greater power is now delegated to police and intelligence services to appropriate data on everyday communications and transactions, phone calls, email and the monitoring of Internet clickstreams. Clearly, the widespread adoption of new and sophisticated digital technologies has increased the scope and ease through which stealth-based monitoring can be conducted and focused upon particular social groups and individuals who are deemed 'suspicious'.

The 9/11 terrorist attacks also ushered in a period of intense organizational restructuring of the intelligence and security agencies in Canada – as delineated in the Canadian Anti-Terrorist Act passed soon after the attacks. The overall purpose of this Act was to respond to the criticism that the Canadian state was not able to 'connect the dots' in its analysis of intelligence because of bureaucratic obstacles and the sequestration of agencies – a situation that was said to be exacerbated because of the prohibition on using foreign security intelligence in domestic law enforcement (Brodeur and Leman-Langlois, 2006). With the passage of the Act, security agencies such as the Communications Security Establishment of Canada (CSEC) and the Canadian Security Service (CSIS) became formally and institutionally linked with law-enforcement agencies, including the Royal Canadian Mounted Police (RCMP) and municipal and regional police agencies as well as private security agencies. In particular, intelligence and monitoring data were now allowed to be shared more broadly through a newly expanded state surveillance network. Such constellations of security and surveillance agencies are referred to as 'fusion-intelligence complexes' or 'fusion centres' (Newkirk, 2010). The emergence of fusion centres may be understood as a novel aspect of contemporary attempts to suppress environmental groups in the post-9/11 era.

The increased attention given to environmental groups as targets of Canadian state surveillance can be traced to the creation of a particular fusion centre known as the Integrated Security Unit (ISU) in 2003. The ISU was originally formed to prevent the potential disruption of several mega-events planned for 2010: the Vancouver Winter Olympics, the G20 meetings in Toronto and G8 meetings in Huntsville, Ontario (Walby and Monaghan, 2011). Then in 2007, the surveillance and monitoring capability of ISU was expanded through the creation of the Integrated Threat Assessment Centre (ITAC). Notably, the ITAC introduced a new classification category for use in its determination of risk potential – Multi-Issue Extremism (MIE). Whereas previous intelligence operations were limited to threats to financial security and terrorism, the introduction of MIEs enabled the security agency CSIS to cast a wider surveillance net that would now include the monitoring of activist groups, Indigenous groups, environmentalists and others who were publicly critical of government policy (Monaghan and Walby, 2012). Another effect of the MIE category was that the term 'extremism' came to be operationalized as a catch-all category that came to encompass any group engaged in civil disobedience and direct action to whatever degree. Consequently, the ITAC began to bundle together an exceptionally broad number of groups, all of whom came to be defined as national security threats. This included several high-profile groups such as People for the

Ethical Treatment of Animals (PETA) and, the most frequently cited group in all the threat assessments analysed, the environmental group Greenpeace (Walby and Monaghan, 2011).

THE SURVEILLANCE OF OIL SANDS PIPELINE OPPONENTS

In 2009, the federal government mandated that the National Energy Board (NEB) and the Canadian Environmental Assessment Agency (CEAA) form a Joint Review Panel to assess the environmental impacts of the proposed Northern Gateway pipeline. As part of its mission, the Panel was to hear public testimony during a series of hearings held in various cities throughout the provinces of British Columbia and Alberta (which the proposed pipeline would traverse). As the hearings themselves became sites of public protest, state actions were taken to secure these sites from the actions of environmental groups who had now become officially defined as a security threat. These groups then became the subjects of state surveillance and monitoring initiatives as police and security agencies sought intelligence on the plans of environmental groups to demonstrate and organize opposition at the Panel hearings. Especially targeted were those groups engaged in issues of environmental protection and democratic rights, such as: Idle No More (an Aboriginal rights group), Leadnow, Dogwood Initiative, the Council of Canadians, the People's Summit, Forest Ethics, Sierra Club, and Eco Society (Alarcon and Millar, 2013).

From a series of email exchanges (comprising 140 pages) from December 2012 to April 2013 between the RCMP, CSIS, the NEB, Trans Canada Corporation, and Enbridge Inc., it was clear that opposition to oil and gas production was perceived as a threat to national security. Thus, in one email letter obtained by Matthew Millar (2013) of the *Vancouver Observer*, Tim O'Neil, the Senior Criminal Intelligence Research Specialist with the Critical Infrastructure Intelligence Team (CIIT) of the RCMP, circulated a memo to the NEB's 'Group Leader of Security' that stated:

> There continues to be sustained opposition to the Canadian petroleum and pipeline industry. Opposition is most notable in British Columbia, with protests focused on the: Enbridge Northern Gateway; Kinder Morgan Trans Mountain pipeline expansion; the increasing use of hydraulic fracturing, and proposed LNG [Liquified Natural Gas] facilities.
> Opponents have used a variety of protest actions (directed at the NEB and its members) to draw attention to the oil sands' negative environmental impact, with the ultimate goal of forcing the shutdown of the Canadian petroleum industry. These same groups have broadened their protests to include the pipelines and more recently, the railroad industry, who the opposing groups claim are facilitating the continued development of the Oil Sands.

The level of scrutiny to which environmental and social groups were subjected may be gleaned by considering other email exchanges concerning the NEB Panel hearings. For instance, in one email, under the heading of 'Planned Protests', the same CIIT officer forwarded the following surveillance briefing to members of CSIS, Enbridge and TransCanada Corporation:

> Idle No More (INM). INM is planning to protest by blocking 2100 Enterprise Way, as well at, or around, the Sandman Hotel and Suites Kelowna from 0900 – 1400 hours, 28 Jan 12. This time/date has been chosen to coincide with the ENG JPR [Enbridge Joint Panel Review] hearings.
> Leadnow and Dogwood Initiative. On 27 Jan, the Leadnow and Dogwood Initiative will be providing an afternoon workshop and skills training that will provide tools and strategies for community

resistance and solidarity to members of the public. This is intended to foreshadow the Hearings on 28 Jan.

A subsequent surveillance briefing went on to give very specific details of the workshop activities, noting that it was held in a Kelowna church basement and included instructions on how to paint signs and tell stories (CBC News, 2014).

In light of the instances reviewed above, it is quite apparent that the types of surveillance actions taken, as well as the level of state scrutiny adopted, are no longer directed exclusively at terrorist groups, but today such efforts are focused on social justice and environmental groups as well, who have increasingly come under the same category as terrorists. Thus, Monaghan and Walby note:

> Although much of the Canadian security establishment's attention is directed toward potential Islamic threats the categories of CIP [Critical Infrastructure Protection] regularly allow for environmental activists like Greenpeace to be included in conjunction with threats from Al-Qaeda or others with the explicit aim of harming civilian populations. (2017, p. 57)

Publicly defining environmentalists either directly, or indirectly through association, as extremists or terrorists, is part and parcel of the strategy of discursive obstruction and adversarial framing. One consequence of these state-adopted tactics is that by stigmatizing environmentalists they also pave the way for other forms of harassment and persecution, such as singling out environmental groups for targeted financial auditing.

THE AUDITING OF ENVIRONMENTAL GROUPS

In the 2012 Canadian budget, $8 million was allocated to the Canada Revenue Agency for the specific purpose of auditing environmental organizations (Paris, 2012; Millar, 2014). Later the program was expanded to target 60 charities with a dedicated budget of CAD 13.4 million (Linnitt, 2015). The stated justification was that the government wanted assurance that these organizations were abiding by the legal requirement that only 10 per cent of their revenues were being used in political advocacy activities. If the audits uncovered a violation of this regulation, the environmental organization could lose its status as a charity and would not be able to issue tax-credit receipts to donors for their donations. Donations of course constitute a significant source of revenue for many environmental non-governmental organizations and receiving tax-credits represents an important incentive for many potential donors. Thus, the inability to offer this incentive will undoubtedly have a negative impact on the financial resources of environmental groups in a significant way. Two years later in 2014, the audits began and included several high-profile environmental groups such as: the David Suzuki Foundation, Tides Canada, Environmental Defence, the Pembina Foundation, Équiterre and the Ecology Action Centre (Aulakh, 2014).

Aside from allegations that environmental groups were misusing funds, they were also accused of using illegally gained funds. A few months after the 2012 Budget announcement, then Environment Minister Peter Kent made the allegation that environmental groups were 'laundering' foreign funds in Canada (Paris, 2012; CBC, 2012). Specifically, Kent remarked that 'There are allegations – and we have very strong suspicions – that some funds have come

into the country improperly to obstruct, not to assist, in the environmental assessment process' (Paris, 2012; CBC, 2012).

It appears that the Canadian government decision to audit environmental groups was influenced by the investigations of the blogger Vivian Krause, who had published some of her findings in the conservative Canadian newspaper *The Financial Post*. In a piece entitled 'U.S. funding for the war on Canadian oil: Tides USA letters reveal $3.2-million in payments over last few months to activist groups and environmental organizations in Canada, US and Europe', Krause (2013) wrote:

> New information contained in U.S. tax returns makes clear that a large percentage of the fuss over the Northern Gateway pipeline has been generated by a single, American organization: ForestEthics, based in San Francisco. In its 2012 tax return, filed with the I.R.S., ForestEthics claims credit for having generated fully 87 per cent of the letters of comment sent to the National Energy Board regarding the Joint Review Panel for the Northern Gateway.

She went on to comment, 'The gist of these initiatives is to foment opposition to pipeline and export infrastructure that is essential for getting Canadian energy to global markets' (Krause, 2013). On a discursive level it is quite evident that Krause adopts a neoliberal frame predicated on unfettered economic development (to be discussed in more detail later). Furthermore, an anti-American sentiment once again informs the adversarial framing discourse, in that it is the source of funding that receives Krause's wrath: US environmental groups.

In the end, targeted audits have significant consequences for the functioning of environmental groups. First, such audits may affect their reputation and credibility in the eyes of the public. As such, the mere suspicion of an alleged minor financial violation (whether founded or not) may result in negative publicity and the stigmatization of the environmental group, which in turn could affect its fund-raising capabilities (in terms of negatively influencing potential donor decisions in the future). The stigmatization may also affect the ability of the environmental organization to expand its membership base as potential recruits become more hesitant to join a stigmatized group. Finally, the audits themselves will draw upon the institutional resources of the environmental organizations as members divert their attention away from day-to-day operations to meeting the logistical demands of the auditors.

Environmental groups argued that these audits were an unfair and illegal practice as the Canada Revenue Agency (CRA) is not allowed to take political direction from the government. Furthermore, critics also observed that high-profile right-wing charitable organizations, such as the Fraser Institute and the CD Howe Institute, who were clearly engaged in political activities, were not selected for the targeted auditing, despite their violation of the CRA rules (Linnitt, 2015). It was also argued by environmental groups that the audits involved requests for detailed accounts of such fundamental social movement activities as the use of social media and calls to action (Fekete, 2014). Indeed, in this light, the gathering of that level of detailed information on activities could be interpreted as another form of intelligence gathering and monitoring. As such, environmental groups argued that the audits were a form of political intimidation especially designed to pressure the groups to not devote their resources to campaigns against the oil sands and pipeline proposals. Intimidation was not only a concern for environmental movement actors, but, as will be discussed now, it was also a concern for government scientists working on environmental issues.

DISCURSIVE OBSTRUCTION THROUGH THE CONTROL OF SCIENTIFIC INFORMATION

It was evident that a particular focus of the Harper government was to delimit the climate change knowledge base, including data related to the monitoring of the environmental impacts of the oil sands extraction activities. Aside from the closing of various research institutes and libraries on climate change and environmental problems mentioned above, policies were also introduced to make it difficult for state scientists to directly communicate to the media about their research on climate change (Learn, 2017).

Due to policy changes introduced by the Harper regime, scientists could not speak to the media without following a new communications protocol. First, the scientist had to contact a special media control centre of the government to gain permission to speak to journalists (Learn, 2017). After that request was submitted, the media centre would then contact the journalists themselves to obtain written questions of what was to be asked of the scientist. The centre would then contact the scientist to obtain written answers. It was at the discretion of the media centre whether to send the written answers directly to the journalist or to change or omit parts of the answers prepared by the scientist (Learn, 2017). The media centre could also delay their response until the journalists' deadline was exceeded.

The government's strategy to limit discussion about climate change and environmental science seemed to be effectual. According to a report by the Professional Institute of the Public Service of Canada (PIPSC), 90 per cent of federal scientists felt they were prevented from speaking openly about their work, while 86 per cent felt they would be reprimanded for criticizing departmental decisions that they felt were detrimental to public interest. It further found that the number of Environment Canada scientists speaking on climate change had decreased by 80 per cent (PIPSC, 2018).

It is interesting to note that the discursive obstruction tactic pertaining to environmental science adopted by the Canadian state was different from that found in the United States. As noted previously, much of the attention of the US anti-reflexivity movement focused on challenging the veracity of the claims of climate change scientists, so as to convince the public that climate change is not real. In the Canadian context, the reality of anthropogenic climate change was largely accepted by the Canadian public, so challenging the claims of scientists was not likely to be successful. In light of this recognition, the alternative tactic adopted by the Canadian state was to disallow scientists from entering the discursive arena altogether. As such, the attempts at discursive obstruction adopted by the Canadian state were not directed exclusively at environmental groups, but also at government scientists. The pursuit of this tactic did not however go unimpeded as public outrage did ensue as awareness about what was happening became apparent. In response, an investigation was launched by the Information Commissioner in April 2013 with the final report released in February 2018 (Chung, 2018; CBC News, 2018; Jones, 2013). The report concluded that the Conservative government did essentially 'muzzle' government scientists in violation of existing laws. Furthermore, the report went on to note that, under the present Trudeau administration, there had been little progress made in terms of addressing those issues. This was corroborated by the follow-up study conducted by PIPSC in spring of 2017, which found that, despite the current Trudeau administration rescinding the communication policy of the previous Conservative government, the effects of the previous administration remained – for example, 53 per cent of the scientists still felt they could not speak freely about their work, while 73 per cent still feared

censorship and retaliation if they spoke out. The PIPSC study concluded: 'The message seems clear: undoing 10 years of damage to federal science will take more than a change of government, hopeful mandate letters, or even collective agreement provisions protecting the right of federal scientists to speak.' In what follows we will further explore how, despite a change in government, the discursive obstruction of the Harper administration had an enduring impact in other ways as well.

ANTI-ENVIRONMENTALISM IN THE POST-HARPER ERA

With the election of Prime Minister Justin Trudeau in 2015, there was some optimism that a pro-environment agenda would now be pursued. For some, however, such optimism was short-lived as it became evident that the forthcoming actions and policies of the Trudeau administration did not appear to reflect a strong environmentalist agenda. As discussed above, the Harper regime introduced significant changes to the Canadian legislation pertaining to national security and intelligence gathering and sharing by CSIS. The Trudeau government did attempt to address some of the criticisms of Harper's Anti-Terrorism Act raised by activists. As such, the Trudeau administration introduced amendments that: ensured greater parliamentary oversight and public accountability over the operations of CSIS (by creating a new agency – the National Security and Intelligence Review Agency (NSIRA); introduced less ambiguity surrounding speech restrictions – a serious concern for many activists, and giving a more clearly defined statement of the new powers conferred to CSIS (Harris, 2016). What remained problematic, however, was that information pertaining to lawful direct-action and advocacy activities would still be subject to sharing between intelligence gathering and law enforcement agencies – if they were judged to 'undermine the security of Canada' (Harris, 2016). What comes to be defined as 'undermining security' remained unclear. The direct implication was that Indigenous activists or anti-pipeline protestors would remain subject to intelligence gathering and sharing if their actions were defined as being a threat to Canadian infrastructure. Further, Amnesty International of Canada noted that the amendments did not address the issue that protestors could still be targeted without any official permit or court order (Bronskill, 2015). Thus, despite some changes the practice of surveillance of anti-pipeline activists was still allowed to continue.

The Trudeau administration's record on the pipelines at this point appears mixed overall. On some fronts a pro-environmental stance was adopted. Thus, upon taking office, Prime Minister Trudeau imposed a ban on oil tankers off the coast of British Columbia, effectively disabling the Northern Gateway pipeline proposal from proceeding (Hunter and Tait, 2015). On the other hand, the administration approved two other proposals in 2016 – the expansion of the Kinder Morgan Trans Mountain pipeline and the Enbridge Line 3 (to carry oil from Alberta to Wisconsin). In fact, with regard to the former, after the proponent Kinder Morgan stated that they would pull out of the project due to delays in approval, the federal government purchased the pipeline and held ownership of it as a Crown Corporation. Ironically, after that purchase, the Federal Court rejected the government's approval for the pipeline expansion due to insufficient consultation with First Nations groups as required by federal law (Kane, 2018).

Through an Access to Information Act request, the British Columbia Civil Liberties Association (BCLA) obtained a report that revealed that information gathered by CSIS, as part of ongoing surveillance efforts, led the intelligence agency to conclude that many environ-

mental and Indigenous groups perceived the federal government purchase of Trans Mountain pipeline as a betrayal by the Trudeau government (Bronskill, 2018a).[2] The CSIS report went on to note that this sense of betrayal was leading to a renewed sense of indignation amongst environmental movement actors that could bolster anti-petroleum activism. The report also suggested that this could lead to the possibility of sabotage and violent physical confrontations. These findings and conclusion were shared with private sector oil companies (Bronskill, 2018b). In this light, it was clear that the intensified surveillance and scrutiny of environmental activists that unfolded during the Harper era, as well as the making of the concomitant association of environmental activists as threats to national security and the potential for violence, were continuing under the Trudeau regime.

Finally, in regard to the targeted auditing of environmental groups, it was promised during the 2015 election campaign that the Liberal Party would end the 'political harassment' of charities by 'clarifying the rule governing "political activity"' (Beeby, 2018). However, several years thereafter, a lack of progress remains in terms of reforming the targeted audits initiated by Harper. In fact, although the Trudeau government cancelled the last six audits that were still scheduled to begin, the government allowed those audits already underway to continue. Thus, for example, the group Environmental Defense has been under audit for the last five years, and has spent up to CAD 500 000 in legal fees to appeal the ruling the Canada Revenue Agency that the group loses its charitable registration status (Beeby, 2018). As such, the effects of the ongoing audits are the same as those experienced by environmental groups under the previous regime, they not only contributed to discursive obstruction by stigmatizing environmental groups by publicly calling into question their status as charities, but the mounting of legal challenges to the government audits results in a diminishment of resources that negatively impacted on the everyday functioning of environmental groups.

THE POST-9/11 SECURITIZATION AND NEOLIBERAL GOVERNANCE FRAMES: IMPLICATIONS FOR ADVERSARIAL FRAMING

This chapter has highlighted the relationship between anti-reflexivity and discursive obstruction. By studying this relationship, we are able to gain an understanding of how anti-reflexivity may take different forms, that is, forms that reflect the different discursive arenas and political cultures in which the particular anti-reflexive orientation is embedded. For example, although both Canada and the United States share some common attributes, they nevertheless have pronounced differences in historical trajectories, electoral systems and political cultures. There are of course many important divergences between the two countries, such as Canada having a much more resource (staples)-based economic history; a parliamentary type of polity and a formal representation of left-wing/labour interests to a much greater degree than that found in the United States (see for example Lipset, 1990 on these differences). Consequently, the discursive arena in which environmental groups in the different countries operate will be different, and this will have implications for the types of anti-reflexivity strategies adopted in different nations. Thus, as discussed, anti-reflexivity in the US tended to focus on strategies that questioned the legitimacy of climate science and called into question the reality of climate change itself, whereas in Canada, anti-reflexivity was directed more squarely at environmental groups – who came to be defined as threats to national security. Further, although climate

science itself was not questioned in Canada, the Harper regime made it difficult for climate scientists to publicly disseminate their research in this area.

The form that anti-reflexivity took in our Canadian case was based on oppositional framing, where environmentalists were portrayed as 'enemies of the state'. Why was such a portrayal allowed to develop, gain legitimacy, and take hold at this particular point in time? To answer these questions, it is helpful to consider the concept of discursive opportunity structure (Shriver et al., 2012; McCammon et al., 2007). According to this notion, the possibility for a particular interpretive frame to take hold in the public imagination can only occur if that frame is ideologically compatible with the broader discursive environment in which it comes to be embedded (Snow et al., 1986). With this understanding, the discursive opportunity structure does not dictate the particular frame, rather the discursive opportunity structure 'delimits the spaces in which oppositional framing occurs and affects its public character' (Shriver et al., 2012 citing Snow, 2004, pp. 403–404). The important point is the 'fit' between the socially constructed interpretive frame and the broader context. That is, as Noakes and Johnston (2005) observe, the frame must ring true with the broader cultural context; that is, the frame must resonate with the target audience (for instance, a particular block of the voting public or society at large).

With reference to the present case, I have alluded to the idea that the current prevailing 'cultural stock' was one informed by the broader post-9/11 context – a political and cultural backdrop in which much greater political and societal attention is directed towards issues of security, surveillance and vigilance (Lyon, 2001). Indeed, as we have seen, it was this type of broader context that enabled the restructuring of the organizational environment in which the Canadian security establishment now functions (as exemplified for instance by the adoption of intelligence-led policing and the formation of fusion centres). With the emergence of this post-9/11 backdrop, a discursive arena was established in which environmentalists could 'legitimately' be portrayed as security threats, and hence be subject to intensified surveillance, both directly in terms of the monitoring of their day-to-day activities and also in terms of the targeted financial auditing. In other words, the discursive opportunity to define environmentalists as security threats and 'enemies of the state' arose, at least in part, because of the heightened concern about national security and nationalist concerns in the post-9/11 context. Thus, for example, we have reviewed several instances above in relation to how an appeal to Canadian nationalist sentiment and patriotism was being used by various Conservative politicians (i.e. the Minister of Natural Resources, the Environment Minister as well as the Minister of Finance) to negatively influence people's views of environmentalists.[3]

It was noted above that the political opportunity for the oppositional framing of environmentalists was 'in part' due to the influence of the post-9/11 securitization frame. This is because the influence of a second frame may also be discerned – namely one based on neoliberal governance. Neoliberal governance as a frame pertains to the way in which all public issues come to be defined in purely economic terms, stripped of their social basis. Dunford conceptualized neoliberal governance as 'a new governmental mentality that aims to pre-empt, contain, and eliminate threats to corporate profit, including regulatory and safety standards' (2017, p. 71). With neoliberal governance the state attempts to eliminate intolerable threats to the market and public life to ensure political and economic stability, so that there can be continued pursuit of profit. This is why, as Forcese and Roach (2015, p. 23) note, under the Harper regime, terrorism was redefined to include threats to 'Canada's economic or financial stability' or 'interferes with critical infrastructure' – both of which of course have relevance to the way the pipeline debates were framed by the state. Indeed, the development of 'critical

infrastructure protection' (CIP) concern has been identified by Monaghan and Walby (2017) as a key discourse that has enabled domestic surveillance within Canada.

In summary, under the influence of the neoliberal governance frame, environmentalists come to be conceived of as a significant threat to the economy as well (and not just a threat to public security in the sense of extremist or terrorist threats). In line with this understanding, it would perhaps be more correct to say that the political opportunity to stigmatize and harass environmental groups came from the convergence of two frames which together opened up a discursive opportunity window to conflate security and economic threats – namely the post-9/11 securitization frame coupled with the neoliberal governance frame.

ENVIRONMENTALISTS AS 'FOLK DEVILS'

One important broader consequence of the opening of the political opportunity window that resulted from convergence of the two frames was that the impetus was created for the emergence of a 'moral panic' and a 'folk devil'. Moral panic refers to a feeling of fear spread amongst a large number of people that some evil threatens the well-being of society (Cohen, 1972). The convergence of feelings of risk or threat with moral disdain is implicit in the notion of moral panic. The folk devil refers to the particular type of individual who is selected out in a scapegoat fashion by the public as the cause of the threat. Such an individual or group therefore becomes the target of moral disdain – a stance that readily resonates with the adversarial framing technique. The folk devil therefore becomes the target of the public's wrath as the moral panic leads to a situation in which pent-up fear bursts out and is directed at that individual or group who are seen as the cause of the social problem. The folk devil represents the identifiable object onto which social fears and anxieties may be projected. Folk devils thus become symbols that are stripped of positive characteristics and endowed with pejorative evaluations. In this connection, Zygmunt Bauman (2016, p. 1) notes that, even though the activities and focus of people appear to be directed towards a particular folk devil, the locus of the panic is the object, its symbolic resonances, not the folk devil itself. In other words, folk devils serve as the ideological embodiment of deeper anxieties, perceived as a 'problem' only in and through social definition and construction. In light of this understanding, the making of environmentalists as folk devils through discursive obstruction and adversarial framing is only one example of a large phenomenon pertaining to the emergence of a whole class of emerging folk devils in the post-911 context – Muslims, refugees, immigrants, asylum seekers, elites, and so on – all of whom represent the specific crystallized sites of a more generalized moral panic. This generalized moral panic may be thought of as predicated upon a heightened sense of risk consciousness that is prevalent and characteristic to life in late modernity (Giddens, 1989, 1990; Beck, 1992), coupled with deep-seated contemporary concerns over economic security and precarity (Hochschild, 2016; Sassen, 2014; Mishra, 2017). The pervasive influence of the conflation of the post-9/11 securitization frame and the neoliberal frame is perhaps what enables anti-environmentalism and anti-reflexivity to endure even with the change in political regime. That is to say, although there was regime change, that change took place within the context of an unchanged, or slow-to-change, discursive arena.

SUPPRESSION OF ENVIRONMENTALISM

Walby and Monaghan (2011, p. 24) note the concept of 'repression' is commonly used in the social movement literature, but they are wary of the usage of this term because it is close in meaning to the idea of 'overt governmental coercion'. For this reason, following Boykoff, they prefer the term 'suppression' – a more general term that refers to the 'process through which the preconditions for dissident action, mobilization, and collective organization are inhibited by either raising their costs or minimising their benefits' (2007, p. 12). For our purposes here, the term 'suppression' is also preferable because it emphasizes the less coercive aspects of social control tactics such as those based on clandestine surveillance practices and harassment that we have reviewed above with respect to pipeline opponents and environmentalists. The processes of state-imposed adversarial framing and discursive obstruction represent means to suppress environmental activism and collective action. This suppression or demobilization may take effect by either raising the costs or minimizing the benefits of mobilization for social movement activists. Demobilization is the process in which social movement actors discontinue the making of contentious claims and disengage from contentious politics (Boykoff, 2007). In this light, Boykoff (2007) has identified several overlapping social mechanisms that facilitate demobilization, including: resource depletion, stigmatization, and intimidation. We see all of these at play in the present case.

As reviewed above, there were several clear instances of the depletion of various types of environmental group resources, including: spending a much greater time in filling out complex forms that became necessary to allow the group to give testimony at NEB hearings on the pipelines; the destruction of databases and archives of environmental research data; repeated tax audits whereby activist groups had to redirect their efforts away from day-to-day operations to meet the demands of government auditors; to pay for legal fees to appeal the loss of charitable status due to the tax audits; and the loss of revenues due to declining donations because of the loss in charitable status. It should be noted that, even if a loss of charitable status did not result, merely being selected out for a targeted audit may have led to suspicion amongst potential donors who may be less reluctant to direct their donations to a stigmatized group – hence the resultant loss in financial resources. Similarly, with the wavering of reputation, volunteers may be reluctant to give their time to such groups, thus depriving the group of vital human resources.

In addition to the indirect forms of stigmatization associated with the audits, stigmatization was more directly and explicitly evident in the various strategies of adversarial framing we have reviewed above. Most vividly this is seen in the remarks of the Conservative Natural Resource Minister, who charged environmentalists as being: selfish, short-sighted, hypocrites, unpatriotic, and extremists. Boykoff notes that the effects of stigmatization are numerous, including 'putting social movements on the defensive, on the ever-unfolding path of self-explanation, justificatory back-tracking, and damage control' (2007, p. 297). For the purposes of the present discussion, one main effect from a discursive perspective is that, under the present post-9/11 political and cultural climate, stigmatization facilitated the process through which the environmentalist was socially constructed as a folk devil and a security threat and hence defined as a legitimate subject of state surveillance and control.

The social mechanism of intimidation may also be identified in our case study. Boykoff notes that intimidation imposes a new logic on social movement activity, forcing actors to consider the consequences of their activities and to reconsider their position and commitment.

One effect of intimidation we have already seen is in terms of the potential for recruitment; volunteers may reconsider their involvement in the group. A second example seen is the reluctance of government scientists to publicly discuss their research findings on climate change and environmental issues.

Lastly, it is useful to put into socio-historical context of developments such as the making of environmentalists into folk devils and the moral panic that ensues, as well as the techniques of suppression discussed above. In an insightful social constructionist analysis of ecoterrorism (particularly the Earth Liberation Front) during the George W. Bush administration in the US from 2001 to 2009, Paul Joosse (2012) observes that corporate and state interests were expressed in such a way that mainstream media coverage normalized discourses of ecoterrorism. Consequently, any legitimate and reasoned environmental claims by these groups were not given any consideration in the media depictions. This may have set the stage for the types of developments we have discussed in the present chapter with respect to the administration of Canadian Prime Minister Stephen Harper. That is, that which was previously applicable to only certain 'extreme' groups now seems to apply to mainstream environmental groups in Canada, and with the same effects – a loss of legitimacy of environmental groups and their message in the eyes of the public.

CONCLUDING REMARKS

This chapter highlights one neglected aspect of the anti-reflexivity movement, namely the use of discourse to justify the state suppression of environmental groups. Anti-reflexivity as a counter-movement is multidimensional. This is perhaps not surprising given that the environmental issues themselves are inherently complex, encompassing many different facets of the social and biophysical world. Thus, political strategies designed to counter environmentalism may select out particular elements of the environmental problematic to focus upon while neglecting others. For instance, in the case of the United States, the discursive context was one in which anti-reflexivity takes a form based on the denial of the reality and science of anthropogenic climate change. In Canada, the context was different for various reasons, but most importantly because the reality of climate change was not questioned to the same degree it was in the United States. This may have influenced the emergence of a different form of anti-reflexivity developing in Canada.

In Canada, state actors directed their anti-reflexivity strategies against environmentalists through a different set of discourses. Notably, discursive obstruction in Canada was based on the adversarial framing of environmentalists as 'folk devils'. This particular framing was made possible because of the convergence of two dominant discourses, namely neoliberal governance and a post-9/11 emphasis on securitization. Neoliberal governance may have particular influence in a country such as Canada, which has historically developed on the basis of natural-resource extraction. Although that dependence may not be as integral to the Canadian economy today as it was in the past, the influence still remains. For example, emphasis on the development of infrastructure (such as the railway) was very important for the transport of natural resources of historical import (e.g. wheat, fish, metal ores, potash, wood, etc.). Today, the pipeline as a form of infrastructure has taken on greater significance for the transport of a particular resource that is now in demand: oil. The development of pipelines-as-infrastructure is clearly influenced by dynamics of neoliberalism that have intensified since the mid-1980s.

And the efforts of the former prime minister to make Canada an 'energy superpower' (Way, 2011; MacNeil, 2014) reflect this neoliberal emphasis. In this context, environmentalists and others opposed to the pipelines are seen as obstacles to neoliberal economic development. For the state to eliminate these perceived obstacles, while retaining legitimacy in the eyes of the public, state actors in Canada made recourse to the post-9/11 securitization discourse – a discourse that rose to prominence and influence with the restructuring of the security assemblage in Canada after 9/11. The securitization discourse enabled the state to redefine environmentalists as 'security' threats who would be subject to surveillance and other forms of suppression. It justified the various suppressive techniques reviewed in this chapter, including making it difficult for environmentalists to participate in the public processes pertaining to environmental policy-formation, the targeted auditing of environmental groups, and the control of scientific information.

NOTES

1. Furthermore, restrictions were put in place on who would be able to speak at these hearings. Specifically, individuals proposing to speak had to demonstrate their stake in the issue, and this was narrowly defined in terms of the pipeline impacts and not concerns about the broader implications of the pipeline for climate change and enabling the expansion of oil sands extraction (Campbell, 2010; Toledano, 2013).
2. The BC Civil Liberties Association argued that such surveillance efforts were illegal, in that CSIS is not legally entitled to collect information about Canadians unless there are reasonable grounds to conclude that the parties put under surveillance are a threat to national security (Bronskill, 2018a).
3. It is interesting to note that the use of patriotic themes to discredit activists is not unique to the Canadian pipeline case. For instance, Cable et al. (2008) found the deployment of a similar strategy in influencing the public's views about activist claims concerning hazardous exposures at the Oak Ridge Nuclear testing site in Tennessee.

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