Who governs? Changing the representation of the common good – the case of shale gas in Quebec

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Abstract: In several countries, the exploration and exploitation of shale gas has become a politically controversial issue. Our paper analyses the case of shale gas exploration in the province of Quebec. Explorations by private companies, undertaken in 2009 and 2010, have provoked strong reactions from organized groups and citizens. The mobilisation by civil society has led to important changes in the governance of shale gas in Quebec. At first, the exploitation and exploration of shale gas was understood as solely a question of economic development through private investment. With the growing mobilisation, however, the debate has turned into a much broader discussion of Quebec’s economic and political development. This shift in public debate is the result of a combination of factors: the growing articulation of social protest at different scales (from local towns to national coalitions and international networks); popular education via mobilizations and media exposure; and consultation conducted through an independent, public participatory venue. In this paper, we address the nature of this change from the point of view of interest formation. We argue that the spatial dimension in terms of territory, place, and scale of the conflict articulates itself differently for the actors involved in each arena of conflict. While for social actors the spatial dimension of the shale gas conflict empowered their movement, the contrary was the case for economic interests.
Introduction

Over the last five years, the governance of shale gas in Quebec has changed dramatically. Shale gas development was initially accepted rather enthusiastically, as a result of economic considerations and industry interest promotion; since 2011, however, the Quebec government has adopted a more cautious approach by deciding to require environmental impact assessments (strategic environmental evaluation) for all shale gas exploration projects after an initial public consultation. This shift in governance raises a number of intriguing questions regarding the formation and mobilization of interests and the impact of interest intermediation on governmental action (Hall et al. 2010).

As we demonstrate throughout our analysis, a traditional explanation based on pressure group politics, where the economically more powerful actors succeed in translating their interests in their preferred policies, cannot explain this shift. We argue this for a number of reasons. First, economic interests did not win, even though the government initially shared their position. In addition, we observed that only national oil and gas companies are actively engaged in the conflict while international companies did not mobilize at all, even though they have been engaged in the exploration and exploitation process since its beginning; hence, we conclude that international companies have a stake in Quebec shale gas governance. Furthermore, the representation of interests and identities did not mainly take place through political parties in classical institutional arenas, for example parliament and lobbying efforts. Social and economic groups mobilized outside of formal institutional arenas in the “social conflict arena,” but also in formal institutional arenas that facilitate public participation and hence offered additional venues for mobilization and coalition building. In fact, the governance of shale gas development was a rare moment in Quebec’s recent history where collective actors in the environment field were able to build and sustain a large coalition of actors to successfully overcome historical divisions and to translate their claims in actual policy gains. Finally, we need to explain why the policy gains of the environmental coalition were important, given that government chose to adopt the most stringent practices in terms of environmental evaluation when it could have chosen other instruments for addressing the issue.
Based on these observations we can formulate the following research questions:

1. Why, in the case of shale gas, did the environmental interests succeed in building a large coalition and overcome the historical divisions charactering the Quebec environmental movement?
2. Why did the economic interests not succeed in broad coalition to prevent the shift in governance towards an overall more cautious and less industry favouring approach?
3. Why did the public hearing become a place of mobilization and alliances between environmental interests?

In order to answer these questions, we assume in this paper that “…interests are constituted through political processes…” (Hall et al. 2010: 4). As Hall et al. (2010) remind us, interests and identities are not independent from one another but intrinsically intertwined in an interpretative process. These processes of interest formation and mobilisation take place within different arenas. We therefore need to consider the formation and mobilisation of interests and identities for each player, i.e. the environmental coalition, the economic actors and the government within the formal and informal arenas of mobilisation, and their interaction within and across various arenas. To this perspective, we add the argument that the spatial dimension of conflict plays a role in the building of collective interests and identities. The spatial dimension (territory, place, and scale of the conflict) articulates itself differently for each collective actor in each arena of representation mobilized during the political process, either as a resource or as a constraint. Spatial dimensions of shale gas conflict were a resource for social actors who were able to build a large national coalition, relying on territorial belongings, visibility of places, and articulation of multiple scales of actions in the social conflict arena resulting in empowerment. For economic interests, to the contrary, these same spatial dimensions of the conflict constrained their scope of influence, limiting the possibility of alliances with international companies and delegitimizing their activities of exploration and exploitation. Spatial dimensions of shale gas conflict have also shaped the public participation process because there was a unique alliance in the recent history of Quebec environmental movement between local communities concerns and activist groups usually involved at the societal scale. The addition of these elements allows us to explain why the government changed its position so drastically compared to its initial preferences.
The theoretical relevance of our argument is twofold. First, in terms of political representation, our analysis demonstrates the importance of distinguishing between types of “institutional factors” and understanding arenas of representation as having different effects on the construction of interests and identities according to the informal and formal institutional features of each arena. For example, we argue that social conflict arenas (public spaces) work along different rules and norms than public participation arenas. These distinct arenas organise the debate among actors differently, put different constrains on them, but also offer different resources. Therefore, they impact the way actors frame their discourses and express their identities and interests differently. In addition, our article argues that arenas of representation are spatialised in the sense that they are defined by intersecting questions of places, question of territories and question of scales of actions. Collective actors build upon these spatial dimensions and we show how they intervene in their relationship dynamics.

Our empirical analysis is based on a qualitative content analysis of press releases since 2009 for all social actors involved; analysis of actions driven by mega-coalitions in 2010, 2011 and 2012; analysis of actions driven by the principal private actors (Association des minières du Québec); and analysis of public documents related to the issue (including reports written by different committee mandated by the government).

The paper begins with an outline of our theoretical framework and then turns to the empirical analysis. The empirical analysis first provides an overview over the development of the case. Second, we investigate in detail the dynamics of interest formation and interaction among actors for the environmental coalition and the industry actors in the social conflict arena. Third, we discuss the consultative arena (BAPE) and the interaction between economic actors and the movement. The conclusion summarizes our findings.

Theoretical framework

Following Hall et al. our theoretical framework is based on the assumption that “…interests are constituted through political process.” (Hall et al. 2010: 1). Classic approaches to interest formation assume that either socioeconomic variables or cultural factors determine interests. In the case of institutional-rational choice explanations, for example, institutions explain potential
differences between the socio-economic interests (of groups and individuals) and the interests they voice in the political conflict. As actors behave rationally, they adjust the way they express their interests in the public space according to the rules in place in order to maximise their gains. For example, they choose the most effective strategies given the specific institutional context and the positions voiced by other actors. In the case of cultural-structural interpretations, institutions translate and reinforce ideas and norms over time; they are the carriers of norms that constitute and structure identities and interests over time. For our analysis, like Hall et al. we assume that interest representation cannot be reduced to material interests, cultural routines, or institutional rules. To the contrary, interest representation “…is a function of politics” (Hall et al. 2010: 10), of the process of constructing, and of mutual interpreting interests within and across various formal and informal arenas of mobilization.

The term arena has been used in various ways in the political science and more specifically the public policy literature. First, the term arena is used to designate formal institutional contexts of debate and decision-making. Classical pluralists see the state as an “…arena within which interest groups worked out the competitive games over power and influence.” (Peters 1998: 134). However, the state is not a single arena of power; there are multiple formal arenas, such as the legislative, the executive, the bureaucratic or the judicial arena organized through formal legal procedures. Yet formal institutional settings alone are not sufficient for analysing policy-making processes: “…the term ‘action arena’ refers to a complex conceptual unit containing one set of variables called an action situation and a second set of variables called an actor” (Ostrom 2007: 28f). In fact, when talking about specific policy issues, the term arena is often used synonymously with the concept of subsystem, which is based primarily on the actors and their interaction around a policy issue within a formal or informal institutional context. Hence, for the purpose of our analysis, an arena is “an organised system of institutions, procedures and actors, in which social forces can make themselves heard, and use their resources to obtain responses to the issues that they raise” (Neveu, 2002: 16). In an arena, an issue can be voiced as a social problem; at the same time, an arena constitutes a venue for adjudication of interests, a venue for obtaining additional or new resources and powers. An arena is therefore a space for mobilisation and interest intermediation, a place or sphere for controversy and competition of interests.
Hall et al. (2010) are interested in how globalization has impacted existing forms of representation. While our analysis does not primarily or exclusively focus on processes of globalisation, we are particularly interested in the spatial dimension of interest representation. In terms of formal arenas of debate and decision-making, the term arena is regularly used to distinguish levels of government and governance, to distinguish for example between the global political arena vs. the national or local arena. Ostrom, for example, distinguishes no less than 4 levels for analysing action arenas: metaconstitutional, constitutional, collective choice, and operational situations, which are nested (Ostrom 1990). For this analysis, our conceptualization of spaciality goes beyond designating levels of governance, as both the literature on social movements and theories of the policy process emphasise the importance of spatiality, i.e. arenas are nested vertically as well as horizontally. Studies on agenda-setting, for example, emphasise the capacity of actors for venue-shopping, horizontally as well as vertically and for adapting policy images accordingly (Baumgartner and Jones 2009). Hence, “scalar strategies” are common for actors within the political system, but also for social movements (Leitner et al. 2008: 159). Leitner et al point out different ways in which scale matters for contentious politics: first, “state-constructed scalar configurations” evidently influence movements’ strategies, an observation that is equally valid for other political actors. Second, movements “jump scales”, from local to regional or national, to expand their power and influence, or vice versa to better locally anchor a movement. Equally the policy literature is rich with empirical examples where political actors alter bottom-up and top-down strategies for initiating policy change. Third, scales are also relevant for framing contentious politics, i.e. social issues are being framed spatially, and “[D]ifferences in the scales at which problems are framed also influence the scale envisioned for action.” (Leitner et al. 2008: 160). Similarly, the concept of venue shopping assumes that image construction and venue choice are necessarily intertwined, and that the horizontal spatiality of arenas is of equal importance to their hierarchical organization.

For the issue of shale gas we go one step further and argue that in addition to the question of vertical and horizontal scales, the materiality of space is of particular relevance to understanding contentious politics and the overall policy-making process. The exploration and exploitation of shale gas intervenes directly in the materiality of places and sites. The material environment is the result of human intervention and activities over time, such as any type of construction, zoning, deforestation etc., and “…regulates and mediates social relations and daily
routines within a place, and is thus imbued with power” and meaning (Leitner et al. 2008: 161). As Mormont argues, behind environmental conflicts are not just diverging interests in terms of the usage of space, but conflicting social constructions based on identities, values, and knowledge, which in turn are not independent from the materiality of places and space. While the “…materiality of space […] shapes the nature and possibility of contention” (Leitner et al. 2008: 161), the meaning and identities embedded in space and places are also a resource for social movements and other actors for constructing issues, and for redefining meanings and symbols (Mormont 2006). The fact that shale gas exploration intervenes and changes the direct immediate material environment of where people live has an impact on the possibilities of mobilisation and contestation, opening up a repertoire of constructing meanings that is directly linked to places, space, and territory.

Even though we assume that the spatiality of the shale gas issue constitutes an important explanatory factor in order to answer our three research questions, we do simply assume that policy determines politics. In his classical work on arenas of power, Lowi argued that the type of policy, whether distributive, regulatory or redistributive, explains the form of interaction that we can expect, as well as where the primary decisional locus within the American system of separations of power will be (Lowi 1972). Given that we deal with a regulatory issue in this paper, following Lowi’s categorization we would expect a classical pluralist pattern of conflict within the parliamentary arena; however, as we know, this is not the case. Rather, we assume that the spatiality of the shale gas conflict plays out differently in the various formal and informal arenas, depending on the actors engaged in the arena, together with the procedures, norms and rules that impact how the issue is constructed and how the actors interact within and across arenas. We expect that in the process of constructing mutual interpreting interests within and across various formal and informal arenas of mobilization, the spatial aspect of the shale gas conflict will be mobilized differently by the various actors involved. It will strengthen the position and resources of some actors, while limiting the abilities for successfully influencing policy outcomes for others. Therefore, we need to empirically reconstruct how issues are differently or similarly constructed across arenas, how different constructions compete within arenas, and explain why a particular arena becomes associated with a specific narrative or construction of the shale gas issue.
Within policy studies, there is a strong tradition in analysing policy-making processes through the cognitive lens, assuming that actors make sense of the world and policy questions by reducing complexity and focusing on certain aspects of a problem, while leaving others on the side (Schön and Rein 1994). Based on their beliefs and perceptions, actors focus on a “subset of potentially relevant considerations” (Druckman 2001: 1042) and thereby define the nature of the problem and delimit possible solutions. Public policies “rest on frames” (Fischer 2003: 144) and policy change can be approached through an analysis of competing constructions, images or policy frames, for which we assumed above that the spatial dimension is of particular importance.

How to specifically conceptualize and explain policy change has been at the centre of interest in public policy studies for the last half a century. Up to the 1980s, the dominant perception of policy change adhered to Lindblom’s idea of incrementalism, which conceptualizes policy change as small increments from the status quo. Hall’s (1993) seminal work on economic policy making distinguished different orders of change, arguing that small first order changes have different explanations than fundamental, third order paradigmatic policy change. Equally, punctuated equilibrium theory (Baumgartner and Jones 2009) and the Advocacy Coalition Framework (Sabatier 1988) distinguish between different levels of change respectively phases of stability with small incremental change that are punctuated by fundamental policy change. While the different theories compete with each other in the precise articulation of the mechanisms of change, they all rely to a certain extent on changes in beliefs, images, or policy frames combined with changes in actors and coalition. The goal of our paper is not to test any specific theory of policy change, but our analysis relies on a number of simple assumptions about mobilisation, issue expansion, and coalition building.

In order to impact decision-making, Schattschneider (1975) and later Elder and Cobb (1972, 1983) applied the idea of issue expansion to the analysis of policy agendas and policy change. They argue that the “losers” of the policy-making process aim at issue expansion, i.e. constructing or framing policy issues in broader terms and associating them with more general issues. This process moves an issue from a limited group of directly concerned individuals to an informed public and finally to the larger general public, an assumption not unrelated to the idea of jumping scales in the movement literature mentioned earlier. Through issue expansion they seek the support of new groups; accordingly, the actor constellation changes, which in turn impacts the current dominant coalition and its policy monopoly (Baumgartner and Jones 2009:...
The literature that addresses the impact of social movements on public policies equally points to the importance of broadening support and influencing public opinion as one among many factors that influence policy outcomes for social movements (Dufour, 2012). As Baumgartner and Jones point out, issue expansion is not, however, the only way to understand why policy monopolies and dominant coalitions are being displaced. Political actors also engage in venue shopping, i.e. they search for the most receptive arena for initiating an image change. In the process of issue expansion and image change, positive feedback mechanisms are of central importance to understanding policy change. Various types of literatures on agenda-setting, on policy networks, or on the diffusion of public policies, point to the fact that change processes often grow and accelerate over time, leading to what social scientists have termed social cascades, i.e. generating “…positive-feedback effects that cause issues to move quickly among many decision-making units.” (Baumgartner and Jones 2009: 17). This implies “.. a mutually reinforcing process in which each change [makes] subsequent changes more likely.” (Baumgartner et al. 2008). Therefore, in order to analyse the shift in government position, we need to analyse how changes in the construction of the issue and in the actor mobilisation and constellation within arenas reinforced processes of change across arenas, mutually reinforcing the gains made in specific arenas, in turn increasing the pressure on the government to act and ultimately displacing the dominant industry-government coalition. Given our assumption that policies and hence policy choice rest on constructions, images, and frames that make sense of the world, the content of the government’s policy choice must be understood as a function of the newly dominant construction of the issue or policy image.

The conflict around shale gas: a brief overview

To understand the following analysis, it is important to briefly introduce the policy context of shale gas exploration and exploitation. Overall, it is considered that Quebec offers a favourable political environment for the exploitation of natural resources. The promotion of the economic benefits of various forms of mining, gas, and oil exploitation are regularly and prominently on the government’s agenda. Various laws, among others the law on mining (Loi sur les mines) and the law on the quality of the environment (Loi sur la qualité de l’environement), regulate these kind of economic activities.
Companies need a governmental permit to explore for shale gas reserves. If they discover any reserves, they need another permit to exploit the resource. Each permit for exploration covers a maximum of 25,000 hectares, and the government has put in place a type of cadastre that divides the zones to be explored into parcels of equal size (see map footnote 4). The permit gives the company the right to explore; however, to have access to the parcel, the company need to come to an agreement with the owner or owners of the land, i.e. the person who is the owner of the “surface” where the exploration will take place. In Quebec, all underground resources belong to the state. Thus, the owner of the land is not the owner of the natural resources that the company might find, but the state attributes the company the right to explore it in, exchange of fees and royalties. If the company cannot strike a deal with the owner, which usually includes compensation, the law gives them the possibility to ask for expropriation (Art. 36, Loi sur l’expropriation). These regulations structure the power relations between actors involved: the citizens and local communities on one side, and the industries on the other. They also define the “places” where shale gas exploration and exploitation take place and provide resources but also limit the actions of all actors.

Shale gas development suddenly appeared in Quebec public debate in 2010\(^1\). It represents a major economic issue. Some observers mention the potential of its economic impact: the Quebec shale gas reserve could be between 283 and 708 milliards of cubic meters\(^2\) for a potential of 20,000 wells\(^3\). In 2010, the rights to working shale gas wells have been granted to almost 30 companies, for the most part coming from abroad, through permissions\(^4\). The moment the mobilisations reached their first peak, during spring 2011, 31 wells were already in motion and 18 have been fracked\(^5\). The shale gas industry invested 200 million dollars for diverse projects and it planned to activate between 150 and 600 wells per year until 2015\(^6\). At this point in time, the government did not possess any impact studies or serious analyses concerning the accuracy of such a development.

\(^{1}\)In 2010, we found 449 articles and 473 in 2011 in the two newspapers Le Devoir (Montréal) and Le Soleil (Québec) on shale gas subject ; while before very few articles were published (6 in 2009, 3 in 2008) and nothing before 2008.


\(^{5}\) Hydraulic fracturing, or fracking is the method of extracting gas from shale.

The strong concerns of the population regarding shale gas development and the mobilization that followed during summer 2010 has forced the government to change its strategy. At the end of August 2010, the minister of Développement durable, de l’environnement et des parcs, Pierre Arcand, opted for a public consultation process, through the Bureau d’audience publique sur l’environnement (BAPE). Created in 1978, the BAPE is an independent organisation whose mandate is to analyse the impact of environmental projects of development through public investigation that include citizen participation and that follows a specific procedure (two series of public audiences, public report including formal recommendations). The government is free to follow the recommendations or not.

The BAPE organised public hearings in October and November 2010. In short, 85 people from the government, universities and the private sector have participated in the investigation process and 199 reports have been written by citizens, scientific experts, industry representatives, municipalities, ecologist groups, and citizen committees. The principal BAPE recommendation in February 2011 was to propose a strategic environmental evaluation (SEE). The final report of the BAPE also proposed that hydraulic fracturing (one of the most controversial techniques of the exploration of shale gas process) should be banned from exploration activities (except in the context of the SEE), as long as no additional information are available (BAPE, 2011). The government agreed with the SEE and to the limitation of hydraulic fracturing for scientific purposes.

Since then, a committee has been formed to conduct the SEE, and public audiences have been organised to present, discuss and debate the “outline” of the committee and the content of the process. The majority of the participants who showed up to these public hearings expressed serious concerns with the composition of the committee. They asked for the resignation of the representative of the private sector, who they believed should not take part in the decision-making process. Furthermore, they requested the presence of a civil society representative. The majority also questioned the necessity of developing the shale gas industry instead of investing into other renewable energies and expressed doubts that the government would act upon the recommendations of the committee. The final outline of the SEE was published in May 2012 and took into account some of the criticisms addressed in the public hearings: impact studies are broader than they were before; the notion of social acceptability has been clarified; the committee

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did not recommend hydraulic fracturing, even for scientific purposes, and also asked for additional scientific studies (Comité de l’évaluation stratégique sur le gaz de schiste, 2012). The additional studies will be available by spring 2013. The final report of the committee should be published in November 2013 and will be followed by a second round of public hearings.

Even if nothing has been decided at the governmental level, the change of attitude in the governing of shale gas is remarkable. We shift from a pro-development position, based solely on economic considerations with little room for debate to an open political process. The consultation process will last more than two years, and encourages citizens, experts, and groups to participate. It will produce new knowledge regarding various aspects of shale gas development, such as environmental costs, environmentally sound development practices etc. This shift is, of course, the result of several factors, but social actors in the social conflict arena have played a crucial role.

We can distinguish two periods of mobilisation. In the first phase, struggles emerging at the local level connected with national networks and built a framework of claims spanning across Quebec society. In the second phase, we note an expansion of protest to other environmental issues and the development of mega-coalitions. In the next part of the paper, we look at these mobilisations in greater detail and analyse the process by which shale gas became a major political issue. We show first that the territorial and place dimensions of this environmental question have facilitated the local appropriation of the issue and the building of local coalitions. Further, the concentration of shale gas in the most densely populated part of Quebec has increased the visibility of the issue and facilitated its expansion. Finally, the successful articulation of different scales of action, through a strong mobilisation at the grass-root level including educational activities, favoured the development of national coalitions. These coalitions, in turn, successfully pressured the government into acknowledging that shale gas governance was a matter of public debate and not simply a private economic activity.

**The social conflict arena: the spatial dimension in shale gas issue formation**

The vast national mobilisation around the question of shale gas development in Quebec is surprising in light of the historic division within the environmental movement (Vaillancourt, 8 By national, we mean at the scale of Quebec society, and not at the institutional, provincial level.)
1981). Environmental groups emerged as a reaction to unsustainable economic development. Their activities focus on various issues such as water, soil, forest, animals, ecology, agriculture, foods, energy, waste, urbanism and territory planning etc. But beyond just their themes and missions, they employ various means in order to achieve their goals. Some groups are turned towards political action, while others offer services or realise specific conservation projects, to name an example. Activities in order to raise awareness or educate specific target groups or the general public about the environment are also often part of their responsibilities. Frequently, groups emerge around specific problems, such as river protection, specific laws or issues related to water, forest and waste management in as specific (Garon, 2008: 10). As Garon and Dufour (2011:12-13) point out, the fragmentation of the environmental movement, the ideological differences among groups, and their variable relations to public institutions have historically prevented it from becoming a strong political actor. Yet, in the case of shale gas, we observe a strong coordination and convergence of actions. The umbrella “request for a moratorium” has proven to be sufficiently comprehensive for sustaining a national coalition. In order to explain, the crystallization of such a mass movement on the issue of shale gas development, we propose a spatial analysis.

*Territory and Place: a strong grassroots base*

The problem at stake, shale gas, directly concerns the territory and soil where people live. The protest against the exploration and exploitation of shale gas thus began locally, in small municipalities, where people were experiencing the first wells. At first isolated, claims of local actors progressively interlinked and resonated with the national mobilisation initiated in parallel by various environmental groups.

In September 2009, the *Association québécoise de lutte contre la pollution atmosphérique* (AQLPA) for the first time asked for a moratorium on exploitation and exploration of shale gas. During winter 2010, several municipalities also formulated the same claim. During spring 2011, a group of citizens mobilised in Saint-Marc-sur Richelieu (a village northeast of Montreal) after the announcement of a new gas drilling. Several other groups subsequently emerged in the region.

The immediate impact of shale gas on the day-to-day life of residents living near wells have facilitated local mobilisation. Progressively, citizens committees emerged in the
municipalities where wells had been built. Preoccupations around concrete potential impacts were expressed and debated; such preoccupations included the risk of polluting groundwater, preserving air quality, and reducing noise pollution. For landowners, the fear of expropriation and the possible loss in property value for homes and land located in proximity of an exploration site was also of concern. The claim for a moratorium was one way to propose a single solution to all these claims. Progressively, the moratorium became a valid option for a large number of people. For example, at the end of 2010, a petition for a moratorium was presented at the National Assembly and within a few days 112,000 people had signed it. In 2011, a first cluster emerged and asked for a moratorium. Composed of very heterogeneous national environmental groups (*Eau secours!*, *Nature Québec*, Greenpeace, *Équiterre*, etc), several municipalities, regional councils and their clusters, a farmer union, consumer associations, citizens committees and political parties9. Of course, the mid-term goals of these actors don’t converge: some want to wait for softer technologies while others oppose the production of fossil energy in Quebec, promoting instead the production of renewable sources. To understand how this eclectic cluster of groups became a viable and powerful movement despite their differences, we need to consider how the expansion of the issue was organised around the question of territory.

In January 2010, 80 groups, scientists, artists, unions, even elected officials from all over Quebec gathered in Trois-Rivières to coordinate their actions for the year to come. Aside from environmental groups such as *Nature Québec* and AQLPA, groups active in specific policy sectors or regions were also involved, such as *Maitres chez nous au 21e siècle* (MCN-21) in the energy sector, the interregional committee of the Saint-Laurent valley, citizens mobilizing against uranium mines on the Côte-Nord, those of the Madeleine Islands fighting against oil exploitation or those protesting against the development of nuclear energy (project of Gentilly-2 central)10.

What was the glue holding all these actors together? The opposition to the legislation that would guarantee the mining sector a dominant position in every development project united them. As described above, individual citizens and municipalities are in a comparably weak position. Current policies give companies the right to turn to expropriation procedures if

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necessary for securing access to the surface of a property. The article 235 of the mining law, *Loi sur les mines*, revised in 2011\(^{11}\) says that mining companies can “[…] acquire by agreement or expropriation, all necessary goods to have land access or access necessary to exploration and exploitation work.” As we can see, the relationships to territory (and even land) and place is central in this dynamic; people from a specific place realised that private (and foreign or from abroad) interests could have a huge impact on their own daily life, even in their backyard. Furthermore, potential shale gas deposits are located along the southern shore of the Saint-Laurent, between Montreal and Levis. It is the most densely populated part of Quebec, rendering the potential consequences of project development very visible for the population, thus facilitating the participation of citizens in the protest. In the next section, we show how the articulation of different scales of action contributed to the expansion of the issue and how the *structuration* of this field of protest, generally a barrier to coordination, this time became an important resource.

*Articulation of scale of actions and the expansion of the mobilisation*

As noted earlier, in the environmental field in Quebec, it is rare that groups and citizens protest against governmental policies or development projects at the societal scale because of the internal division of the movement. This time, actors succeeded in overcoming internal divisions and the initial, local scale of protest was successfully connected with the societal scale of protest, maintaining and expanding mega-coalitions such as “Pour que le Québec ait meilleure mine”.

The actions of 2010 and 2011 culminated on June 18, 2011 when thousand of people actors (between 10,000 and 15,000 according to the organizer, between 2,000 and 5,000 for the media) demonstrated in the streets of Montreal to denounce the duplicity of the government with the fossil energy industries. They demanded a full moratorium on exploration and exploitation of fossil energy resources for twenty years. Most of the environmental groups were present, some political opposition parties, along with unions, citizen groups and artists.. This demonstration, called “Un vrai moratoire, on va l'avoir!” (a real moratorium, we will get it) was also joined by protesters who started walking several weeks before the protest from Rimouski and arrived in Montreal for the demonstration.

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\(^{11}\) Projet de loi 14, Loi sur la mise en valeur des ressources minérales dans le respect des principes du développement durable, *modifiant la Loi sur les mines*. 
This process is directly linked to the expansion of the framing of claims, from shale gas to the exploitation of natural resources in Quebec, gathered under the umbrella claim for a “moratorium.” These dynamic resulted from the activists’ work and the initial structuration of the field of protest.

The arena of social conflict is not only a space where interests are in opposition; it is also a space where learning is possible. Popular education conducted by local groups was crucial in the articulation of the scales process, mainly through local meetings and local assemblies (inside or outside municipalities). We do not have the precise figures on the number of collective debates organised locally, but the press release shows that between the summer of 2010 and the summer of 2011, thousands of events were organised and a large proportion of citizens were able to engage with different dimensions of the shale gas issue. As noted by the Institut du Nouveau Monde, the organisation that animates public audiences for the SEE committee, participants in these meetings were well informed and the debate and decisions taken during these public meetings were the result of the concertation of previous actions (INM, 2012).

Aside from the role of activists in the learning process for the local residents as well as the entire population, the way the field of environmental protest is usually organised in Quebec also played a crucial role in the articulation of scales. As we stressed earlier, the environmental movement in Quebec is highly heterogeneous. Nevertheless, we can divide it by the scope of the territory covered by groups. Some groups operate at the national scale: their actions and claims cover the whole territory (Réseau québécois des groupes écologistes (RQGE); Regroupement national des Conseils régionaux de l’environnement du Québec (RNCREQ), Eau Secours!, Front commun québécois pour une gestion écologique des déchets (FCQGED), ENVironnement JEUnesse (ENJEU) and others). Other groups have a local or regional scale: their actions are more oriented towards the specific problems that are present in certain parts of the territory. National groups are generally more involved in the representation of interests, the defence of rights, mounting awareness and education campaigns, whereas regional groups formed to address and realize a particular project. For example, the RQGE, active since 1982, has two main objectives: to facilitate communication among ecologist groups in Quebec and to represent the interests of member groups in institutions. At the regional scale, we find more groups organised for the defence of a river or a specific issue. The diversity of groups and tasks, and the division of labour among them facilitated the mobilization against shale gas. There were numerous venues
available for the diffusion of information and concertation of actions. Instead of fragmentation and polarisation that generally occur in the environmental field of protest, with respect to shale gas, the structuration of the field has facilitate the diffusion of ideas and discourses and the coordination of actions at each scale. Local, regional, and societal structures have reinforced each other to develop and maintain coordinated actions among activists. From preventing to develop a strong national movement in the past, this time, the actors successfully relied on the fragmented structure of the environmental field and turned it into a tool to amplify protest and generate a form of social cascade.

The limited mobilisation of economic actors

Compared to the environmental interests and concerned citizens the gas and oil industry mobilized late in the process. As described in the following section in more detail, they only began to take concrete public actions (such as campaigns) once the government had decided to mandate the BAPE. Prior to that, on the basis of industry press release analysis, it seems that they relied more on lobbying efforts and personal connections with the government (as former members of government now held important positions within the industry) to represent their interests. It also seems that they were rather confident in their ability to convince/win over public opinion and concerned citizens. In fact, in a first stage, through means of compensation and investments they were able to strike deals with local communities. Between 2007 and 2010, 28 exploration sites have been mounted by a variety of mainly Canadian and Quebec companies, which are generally member of the Association pétrolière du Québec (APGQ). There have been no expropriations related to shale gas exploration so far, indicating that at least in the early stages of the development of shale gas exploration, they succeeded in concluding deals with concerned land owners. In fact, no expropriation is related to mining since 1990 and the industry used the procedure only on a few occasion. Through investments in the affected communities, industries have been able to secure the collaboration of the owners.12

It is only later in the process that industries took local concerns seriously and organised local consultation. But, by that point in time, local concerns were already integrated into a much

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12 In a later phase of our research, we will investigate in greater detail how these agreements came about.
broader, environmental movement, and hence had gained not only national prominence, but also support from a variety of different, publicly highly mobilised and visible forces.

The late, and rather modest industry mobilisation and public relations efforts are rather surprising given the economic potential of shale gas exploration and the politically favourable context in which they operate. Various factors intervene. First, industry seems to have relied upon past experiences in terms of government relations as well as on their early success in striking deals through investments with local communities. These rather positive experiences probably facilitated the formulation of a political diagnostic that underestimates the potential opposition to shale gas development. Secondly, we notice the absence of big multi-national companies. Prior to 2010, the 28 exploration sites were mainly the affair of Quebec and Canadian companies and no actual exploitation was yet taking place (BAPE report). At the same time, however, in other locations throughout North-America, important exploitation activities were already underway. Hence, we could speculate that the Quebec context at this stage of shale gas development was only of modest interest for multinational companies. The absence of an international dimension may have made it considerably more difficult for the industry to play the foreign investment card and to form a more international coalition advocating shale gas development. In other words, both past experiences and the overall policy context contributed to the relatively late and modest mobilization of industry. Not only was its concrete scope of actions was limited, but the perceived spatial dimensions at stake were also confined to the local.

**The public consultation arena: industry’s failed counter-strategy**

It was a surprise to everyone when, in August 2010, the Quebec government changed its strategy and created a public forum where actors and citizens could discuss whether it was opportune to develop the shale gas industry. Until then, the government said that it would not come back to decision to allow shale gas exploitation and exploration in the province because of its important contribution to Quebec’s economy. At the end of the public hearings, the BAPE recommended to conduct a strategic environmental evaluation (SEE) in order to evaluate the social, environmental, and economic benefits of shale gas. This decision was seen as a victory by the activists and citizens mobilizing against the shale gas development, because the SEE was understood as a *de facto* moratorium.
The BAPE intervention was crucial in the construction of the shale gas issue. First, it became a space of mobilization for many different actors. Usually, the average number of participants in public hearings is 55, composed of 26 individual citizens, 19 groups and 9 experts. Public hearings with more than 100 participants are the exception (Gauthier & Simard, 2011: 208). In the case of shale gas, the public hearings mobilized 333 participants (119 individual citizens, 129 groups and 85 experts). The shale gas public forums are not unique, they are similar to two public hearings at the beginning of the 2000 (one on water and the other one on large pig rearing): instead of public hearings on a specific project, they concern broad environmental issues. Second, the process of public hearings increased the visibility of the shale gas issues in the public arena and new arguments and information entered the the public debate.

How did the the BAPE episode become so important in the expansion of protest? The answer lies in some specific aspects of the process. During usual public hearings, the government and private promoters can anticipate the public environmental impact assessment process. The Law on the quality of the environment (Loi sur la qualité de l’environnement) thus establishes clear criteria for state projects requesting a public hearing conducted by an autonomous organization, the BAPE. The case of shale gas did not meet these criteria and public hearings were not on the agenda. In this context, private promoters did not plan to submit their projects to a public process. Furthermore, mandate given to the BAPE by the government on short notice prevented the promoters from using the tools they generally employ to reduce potential conflict during a public participation process (Simard, 2006B), and it allowed other collective actors to use the BAPE as an arena for expanding protest.

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13 A participant is not only a member of the audience of a public participation forum. He/she is actively involved in the public hearing, either to submit a written or an oral testimony, or to testify on the base of his/her knowledge and expertise.

14 This category of actors is very heterogeneous. It includes interest groups, political parties, local authorities and private companies.
In his research on promoters\textsuperscript{15} ‘learning’ in a context of public participation, Louis Simard showed how this specific group of actors has adopted new strategies to reduce the uncertainty created by public hearings (2006A et B; Simard and Fourniau, 2007). The first strategy is to organize their own public participation early in the project process. The aim is to be able to adapt the project according to the citizen concerns, if needed.\textsuperscript{16} In the case of shale gas, promoters used this strategy very late in the process, at a time when the protest against shale gas was already important. Once the government decided to ask the BAPE to conduct an environmental impact assessment, the \textit{Association pétrolière et gazière du Québec} (AGPQ) organized a public consultation procedure in September 2010 in three different communities located within the most promising zones for shale gas exploration. The meetings did not go well. In fact, what was intended to better inform the concerned communities and citizens and to raise acceptability for shale gas exploration turned instead into a highly confrontational situation with citizens and environmental groups heavily criticizing and questioning the industry’s approach, attitude and information campaign. Hence, contrary to the original goals of the industry the meetings gave further momentum to the protest movement. The events, intensively covered by the media, gave a bad image of the shale gas industry. It was seen as a failure by the Association and by the media: rather than improve the trust of citizens, it reduced it.\textsuperscript{17}

The second strategy employed by promoters to control the effects of public hearings is to organize a communication strategy to ‘sell’ the project (Simard et Fourniau, 2007) – including the provision of project information documents, opinion polling, news conferences, Web sites, the creation of a 1-800 number to provide information, etc. Here again the promoters failed to use these tools to their benefit in the case of shale gas, at least in the early stages.

The third strategy for promoters consists of directly negotiating with local representatives and individual owners to gain their support. The discussion with local representatives is the occasion to bargain a ‘yes’ to the project in return for local investments from the promoters in a variety of municipal facilities and services (sport, road, water facilities, etc.). Promoters can also

\textsuperscript{15} Promoters are public or private actors who planned to develop a project (often facilities) in different fields (energy, waste, highway, etc.). The research of Louis Simard concerned hydroelectricity public enterprise (Hydro-Quebec). The BAPE reports on public hearings showed that the promoters strategies surveyed by Simard also existed in the private sector (for example, BAPE, pp. 12, 24-25, 41-48).

\textsuperscript{16} This practice is usually qualified as an excellent innovation and recommended by public participation professionals.

\textsuperscript{17} During summer 2011, a group of promoters had also tried to put in place a public forum, via Internet (www.forumschiste.com) but it was not more successful than the first trial.
promise to invest in a strategy of local development and reserve a number of the newly created jobs for the members of the local community. They also make agreements with landowners who might be concerned by the project. The most experienced promoters first negotiate with the individual owners who are less recalcitrant to the project. At the end, with more and more individual agreements signed between the promoter and owners, the last protestors become marginalized by the time the public hearing begins. In fact, this kind of agreements anchors support at the local level. To the citizens involved, in comparison to the economic gains for the community, the opposition from activist groups at a regional or national scale seems irrelevant. The ‘territorial truck’ (Simard, 2006B: 101) leads to a rivalry between the rights of local communities who are directly concerned to decide what is good for them and activist groups who usually do not live near the place where the project is planned. When there is agreement between the promoters and landowners and municipalities, it tends to be more difficult to create an alliance between local communities and long standing activists. Sharing information and constructing a common understanding of the project thus becomes difficult.

Paradoxically, the legal formalization of public hearings leads to these special negotiations that are upstream from the public process. Given that their project meets the criteria enacted by the law to request an environmental impact assessment process, the promoters know that a public hearing will be planned. In a predictable context such as this, it is easier to implement the three strategies noted above. Promoters carefully plan their projects and take the time to know the local actors networks. In other words, in a context of predictability, promoters can reduce the risk linked to a public participation process through local strategies of communication and consultation and by striking local agreements. With these strategies, they “localize” the project issues; the project becomes a project of the local community.

The unpredictability of mandating the BAPE prevented shale gas promoters from deploying the three usual strategies just described. We can hypothesis that the lack of preparation on the part of shale gas promoters led to more open and diverse public hearings. A first indication of this is the fact that the number of local actors who participated in the process as individual citizens and municipal representatives was particularly high. In this context, public hearings on shale gas opened the doors to a broader mobilization of protest and thus reinforced the protestors’ common discourse.
Given the nature of shale gas exploration, the gas and oil industry needs the consent of the landowner. As mentioned above, underground resources are owned by the state, and not by the landowner, and hence through governmental permits companies obtain the right to exploration and access, but require them to strike an agreement with the land owner. So, for exploration purposes, they did not need the support of a broader community, but could negotiate one by one. Yet, while on paper this seems to facilitate their task, in practice that was actually not the case. The fact that citizens were directly concerned with their own property and with protecting their own immediate living environment from rather visible and important interventions on their land, strengthened the base for building a broad social movement. The landowner cannot sell the natural resources that are found under his or her property, as that is the case in other countries. Accordingly, the negative consequences of shale gas exploration on the owner’s land were not offset by the prospect of important, long term financial gains. Rather, exploration signified and was framed as the potential loss of privacy and “home”. This in turn facilitated the mobilization of concerned citizens in the public consultation arena. In addition, the failed public campaign prior to the BAPE consultations made it comparably more difficult for the industry to influence the direction the public hearings would take.

Conclusion

We began this article by arguing that arenas of representation have different effects on the construction of interests and identities according to the informal and formal institutional features of each arena that impacts the way actors frame their discourses and express their identities and interests. Our theoretical framework then proposed that arenas of representation are spatialised; these different arenas are characterized by intersecting questions of place, territory and scale of action. Collective actors build upon these spatial dimensions in order to initiate change within but also across various arenas. As our analysis shows, spatial dimensions played out very differently for economic interests compared to environmental interests and citizens mobilizing against shale gas exploration and exploitation.

Our empirical analysis shows that the movement against shale gas exploration mobilised from local to national, beginning with individual and small groups of citizens concerned with the
first shale gas exploration projects. The meanings embedded in places, such as one’s home and life, are directly touched by exploration activities. More indirectly, potentially negative impacts on the environment and natural resources such as water supplies are also a potential threat to one’s direct living environment. This understanding of “place” was an important resource for mobilizing on the local scale. Simultaneously, environmental interests started to take up the issue as well. Through important information and education campaigns, they succeeded in linking the local with the national scale: they connected citizens directly concerned by potential exploration activities with the broader issue of Quebec energy policy, the exploitation of natural resources, and its environmental impact; they hence succeeded in turning the issue into a national concern.

The industry mobilised comparatively late, and its attempt to “educate” locally concerned citizens in order to increase acceptance failed, as the movement at this point had already mounted in generality. The issue was no longer just about the concerns of local communities vs. what they could profit from shale gas exploration and exploitation; it also became about environmental protection and about who profited economically the most vs. who had to live with the potentially negative impacts. Hence, the analysis clearly shows that the work of the BAPE intervened in a context where the movement against shale gas exploration had gained a prominent public place and formed a broad coalition spanning from local to national and across the province. The industry and economic interests, however, lacked any local or regional allies, as their campaign to win over public opinion had not worked well. As the BAPE consultation is independent from the government, it is of little surprise that the consultation mirrored the strong environmental and citizen concerns, and that the industry had a considerably more difficult task of regaining public trust for shale gas exploration and exploitation through the public consultation arena. The fact that the BAPE operates at arm-length from the government, who initially was in favour of shale gas exploration and exploitation, helped the broad movement to carry its momentum over into the public debate. While the mining laws can be seen as favouring industry interests, the rules of the public consultation arena guarantee equal access and voice to all actors and therefore, the successful mobilisation prior to the BAPE consultation carried over into the public participation arena.

Given the shift in public debate in the social conflict arena as well as the public consultation arena, the government’s initial position towards shale gas exploration and exploitation lacked public support. Facing a broad social mobilization against shale gas
exploration and exploitation and at the same time a largely failed strategy by economic and
industry interests to create a more favourable public environment through information and
consultation procedures, the Quebec government delegated the shale gas issue to an independent
body and process of assessment. As the research on independent bodies shows, delegating an
issue to independent bodies, in particular if they possess the necessary professional and technical
knowledge to formulate an informed opinion, enhances the government’s legitimacy. This
certainly applies to the BAPE and the strategic environmental impact assessment. Given the
government’s favourable initial position, accepting the demand for a moratorium directly was not
a feasible option. Delegating the analysis and the discussion of the issue, however, opened the
possibility for temporary policy change while not entirely closing the door to shale gas
exploration and exploitation by the industry. The government, therefore, was responsive to the
movement’s mobilisation, but also and in light of the permits already issued, aimed at ensuring
continued cooperation with the industry in continuation of its past overall industry friendly
policies.
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