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Carleton University

**AN ANGEL ON THE SHOULDER: THE POLITICAL INFLUENCE
OF THE SIERRA CLUB IN BRITISH COLUMBIA**

**A Thesis Submitted to the Faculty of Graduate
Studies and Research as Partial Fulfillment of
the Requirements for the Degree of Master of Arts**

Department of Political Science

By Michael Doherty

Ottawa, Canada

August, 1986

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"AN ANGEL ON THE SHOULDER: THE POLITICAL INFLUENCE
OF THE SIERRA CLUB IN BRITISH COLUMBIA"

submitted by Michael Doherty, B.A.

in partial fulfilment of the requirements for
the degree of Master of Arts

Thesis Supervisor

Chairman, Department of Political Science

Carleton University

September 4, 1986

Abstract

The fundamental importance of maintaining a livable environment suggests that it is desirable for environmental organizations to be able to influence public policy. To evaluate their ability to do so, three campaigns conducted in British Columbia by the Sierra Club of Western Canada are examined. These campaigns were attempts to: stop the wolf kill program in the Kechika and Muskwa watersheds; prevent the logging of the Sombrio forest; and prevent British Columbia Hydro from entering into contracts for long-term, "firm" exports of electricity. Despite having used a wide range of techniques, the organization was unable to achieve its immediate goals on any of the three issues. This suggests the need for new approaches. Recommended changes include evaluating the environmental platforms and records of political candidates, and pursuing changes to the law of standing to enable use of the judicial system.

- iv -

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Chapter 1

INTRODUCTION

If a competition were to be held in order to find the most banal observation of 1986, the winner might be the person who noted that the world has changed a lot in the last few decades. The differences which have been wrought by technological change are indeed impressive: electronic data processing, television and the control of human fertility, to name only three postwar advances, have all had enormous impacts. The changes brought about by social forces have been perceived as equally significant, however, particularly those forces which flowered during the 1960s. Movements for feminism, racial equality, international peace, and other variants of social responsibility are often thought to have significantly altered existing social and political structures.

One of the emergent forces of the 1960s was the environmental, or ecology, movement. Although the roots of environmentalism can be traced to much earlier times, the 1960s are, with some justification, perceived as the time when there began to be widespread realization that both the resources of the planet and its capacity to repair damage to its life-support systems were limited. The

environmental movement was manifested in many different ways, including various organized attempts to induce governments to move on environmental priorities. While environmentalists attempting to influence government policies may at one time have been merely "a ragtag band dedicated to saving trees and whales," today they are sometimes seen as being among the most powerful of political players.

This paper will suggest that, in Canada at least, this is an erroneous image. Instead, it is submitted that an image more appropriate to Canadian environmental organizations might be drawn from children's cartoon shows. In these shows, when one of the characters is facing an ethical dilemma, a tiny angel appears on one shoulder to advise the character to follow the path of righteousness, while a tiny devil appears on the other shoulder to urge that the character be guided by expediency. Invariably, the character ignores the advice of the angel, a decision which eventually results in misfortune.

Canadian environmental organizations are like these diminutive angels. They can urge governments to make environmentally responsible public policy; they can point to the long-term consequences of allowing environmental degradation; but they cannot compel any government which is not already motivated by good intention to generate

environmentally sound public policy.

While such a thesis might be most comprehensively considered by doing a complete review of the successes and failures of Canadian environmental organizations, such a treatment would pose certain difficulties. In the first place, given that Environment Canada has more than eight hundred entries on its mailing list of environmental organizations, it can easily be seen that such a review would be beyond the scope of a paper of this size.

Furthermore, since any environmental dispute involves numerous factors in addition to the participation of environmental organizations, it would still not be possible to definitively gauge the impact of these organizations on the outcome of the dispute.

The approach which will be taken in this paper, therefore, will be to consider the attempts of one environmental organization, the Sierra Club of Western Canada, to influence public policy in British Columbia. Three recent campaigns conducted by this organization will be studied. The tactics utilized in these campaigns will be examined, and evaluated for effectiveness. Alternative means by which the public policy goals of the Sierra Club² could be pursued will also be considered. In order to introduce these studies, it will first be necessary to introduce the history and structure of this organization.

The Sierra Club in the United States

The early history of the United States is a chronicle of the struggle between settlers and wilderness, and of an attempt to continually push the frontier westward. It is not surprising, therefore, that it was only when the frontier had virtually disappeared that the possibility of any inherent value in wilderness was recognized. The earliest organizational manifestation of this change in attitude was the formation of regional hiking and climbing clubs, such as the Williamstown Alpine Club (founded in 1863), the White Mountain Club (1873), the Rocky Mountain Club (1875) and the Appalachian Mountain Club (1876).² The latter organization marked a departure, however, in that in addition to its recreational aspects, it also existed in order to promote the preservation of wilderness lands. The Appalachian Mountain Club was, therefore, the first private conservation organization in the United States, and in the world.⁴

This organization was the harbinger of a conservation movement which began in earnest during the Progressive era, sixteen years later. Two other organizations with conservationist aspects also predated this period: the American Ornithological Union (1883), formed to promote the need for bird preservation, and the Boone and Crockett Club (1887), which, although best known for promoting "manly

sport with the rifle," also worked for the preservation of large game and scenic lands.²

The 1890s, however, saw the beginning of an almost continual growth of conservation organizations which extended over the next few decades. Holway R. Jones has identified seven conservation organizations founded in the 1890s; eleven founded between 1900 and 1910; six founded between 1910 and 1919; and more in the following years.³ The first of this new wave of conservation organizations was the Sierra Club.

The Articles of Incorporation of the Sierra Club were signed in San Francisco on June 4, 1892. Its creation was largely due to the efforts of two men: J. Henry Senger, of the University of California, and Robert Underwood Johnson, an eastern editor. It was conceived as a "defense association" for Yosemite. It benefitted from association with a number of notable citizens of that time, most notably writer and naturalist John Muir. The 182 charter members of the organization, however, also included a chief justice of the California Supreme Court, a United States Court of Appeals judge, a United States Senator and a university president.

It is a common misconception that the Sierra Club was founded as a hiking club, which later undertook to pursue some conservation work. The reverse is actually true.

Although recreation is a large part of the mandate of this organization, the first Sierra Club outing did not occur until 1901.⁷ This was after the club had already undertaken campaigns to preserve Yosemite, Hetch Hetchy, Mount Rainier and several forest reserves.

Throughout the first six decades of the twentieth century, the Sierra Club remained primarily concerned with wilderness preservation. While this concern occasionally led it into related subjects such as fish and wildlife preservation, it did not evince any broader "environmental" perspective. The club also remained a relatively small organization which was geographically centred in California, its membership did not reach 10,000 until 1956.

The late 1950s and early 1960s, however, saw the emergence of new environmental problems, new scientific information about the consequences of environmental problems, and growing public awareness of those problems. Changes in the operations and structure of the Sierra Club were necessitated in order to deal with these new phenomena. While the Sierra Club in the 1960s was still primarily a wilderness conservation organization rather than an "environmental" organization, its perspective began to be broadened by some of the new threats to wilderness areas. In 1960, for example, the Sierra Club opposed Project Chariot, a plan to use atomic explosives to excavate a

harbour in Alaska. Growth in public awareness about environmental problems led to a growth in Sierra Club membership, which reached 15,000 in 1960, 30,000 in 1965, 57,000 in 1967, and 75,000 in 1969.* Greater membership made it possible to supplement the volunteer conservation efforts of Sierra Club members with paid staff; in 1965, therefore, the Sierra Club Conservation Department was established, with a separate Washington office opened in 1967. The Sierra Club Foundation was created in 1969, in order to provide a vehicle for collecting and disbursing tax deductible funds.

Earth Day, which was held on April 22, 1970, appears to have been a turning point for the Sierra Club. Following this event, the scope of Sierra Club political activities broadened to include the entire spectrum of environmental concerns, such as: pesticides; toxic wastes; energy conservation; transportation; nuclear energy; nuclear war; and air, water and noise pollution. Sierra Club chapters were extended to cover every state of the United States in 1970. In the same year, the Sierra Club Legal Defense Fund was established as a separate entity within the club to carry out litigation. In 1971, the Sierra Club was granted nongovernmental representative status at the United Nations, and the International Office of the Sierra Club was opened in New York (this office was closed in 1985, and

responsibility for international programs transferred to the Washington D.C. office)... In 1980, the Sierra Club became involved in electoral politics for the first time, endorsing candidates and making donations to political candidates.

Sierra Club membership continued to grow rapidly, reaching 180,000 in 1978. The greatest growth came during the Reagan administration, reaching 270,000 in 1981,⁹ 330,000 in 1982,¹⁰ 353,000 in 1984¹¹ and 373,711 in April, 1986.¹² The financial resources of the club have grown with its membership. In fiscal year 1985, the operating income for the Sierra Club was \$21.1 million (U.S.), with an operating expense of \$19.7 million. In addition, while still considering itself a "volunteer organization," the Sierra Club in November, 1985 employed over 200 staff: 147 in its national office, 14 in its Washington office, 33 in its Legal Defense Fund, 2 in the Sierra Club Foundation and 31 in field offices.¹³

As might be expected with an organization of the size of the Sierra Club, its internal structure is quite complex. As the table on page 9 illustrates, a fifteen-member board of directors is at the top of the Sierra Club hierarchy. Candidates for board membership can be either selected by the national Nominating Committee or included on the ballot by petition. The Board of Directors is then elected by the membership at large of the club. The responsibilities of

sierra club VOLUNTEER ORGANIZATION

SOURCE: Susan Merrow et al., eds. Volunteer Leadership, Second Edition (San Francisco: Sierra Club, 1985), p. VL, II, 4.

this body are chiefly the determination of Sierra Club policy and priorities on issues of national importance and the delegation of responsibilities to regional conservation committees, chapters, Council, national committees and staff.

Below the Board of Directors, there are two main branches in Sierra Club structure. The first is composed of those entities which have primarily a national or regional focus, such as national issue committees, national internal committees, campaign steering committees, national staff and regional conservation committees. Regional conservation committees are organized around areas which are geographically cohesive, but are larger than chapter boundaries (see page 11). They are supported by staff in regional offices which report to the national headquarters.

The second branch in the Sierra Club structure is that which is based upon the chapters. These are the local units of the Sierra Club, which often correspond to state boundaries (see page 12). Their concerns are, predictably, local ones; local issues; local outings; local membership development; and other matters which can be better dealt with administratively at the local, rather than national, level. The chapters do have a national presence, however, through the representation of each chapter on the Sierra Club Council. Groups can be formed within chapters in order

ALASKA

REDWOOD

MOTHER LODE

SAN FRANCISCO BAY

LOMA PRIETA

VENTANA

TEHUPITE

TOIYABE

SANTA LUCIA

KERN-KAWLAH

LOS ANGELES

SAN GORGONIO

SAN DIEGO

SOURCE: Susan Merrow et al., eds. Volunteer Leadership, Second Edition (San Francisco: Sierra Club, 1985), p. VL, II, 8.

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Sierra Club Chapters

SOURCE: Susan Merrow et al., eds., Volunteer Leadership, Second Edition (San Francisco: Sierra Club, 1985), p. VI, III, 2.

to service even more localized constituencies.

In summary, the Sierra Club in the United States has now become a large, well-developed, well-funded organization, with a broad range of environmental concerns.

The Sierra Club in Canada

The Sierra Club did not formally expand to Canada until 1969. In that year, a British Columbia Group was formed within the Pacific Northwest Chapter of the Sierra Club.¹⁴ One year later, the Ontario Group was formed within the Atlantic Chapter of the Sierra Club. The creation of Sierra Club entities in Canada can be attributed to several factors. First, as was already noted, this was a time of expansion for the environmental movement. In Canada, this was manifested in a three year period during which some of this country's best known environmental organizations were created. Other organizations formed in 1969 included: the Conservation Council of New Brunswick; Pollution Probe; and the Society Promoting Environmental Conservation. 1970 saw the emergence of: the Canadian Environmental Law Association; Save Tomorrow, Oppose Pollution; and the Society to Overcome Pollution.. Organizations created in 1971 included the Biomass Energy Institute; the Canadian Arctic Resources Committee; the Canadian Nature Federation; the Ecology Action Centre; and Greenpeace Canada.¹⁵

A second factor in the creation of Sierra Club entities in Canada was an existing base of Sierra Club members. Many of these were immigrants from the United States who had retained their memberships in the club after moving north. Others were people who had joined the Sierra Club in order to participate in the outings organized through the association's San Francisco office. Many Sierra Club outings had taken place in British Columbia and Alberta in the preceding years; these outings had often been led by Sierra Club members resident in Canada. In the new climate of environmental activism, it was reasonable that Canadian members of the Sierra Club should seek to pursue environmental goals through the formalization of their existing ties with this organization.

A third factor in the expansion of the Sierra Club into Canada relates to the proximity of established Sierra Club entities in the United States, the longitudinal nature of North American geography and the disregard of many environmental problems for international boundaries. It seemed likely that an institutionalized basis for transboundary cooperation could prove advantageous to Canadian environmentalists. The Sierra Club was a promising vehicle for achieving that cooperation.

On June 1, 1972, the British Columbia Group of the Northwest Chapter became the Western Canada Chapter of the

Sierra Club, legally incorporated as the Sierra Club of Western Canada. It was composed of 345 members who were mostly resident in Vancouver and Victoria.¹⁶ Formally, however, the new chapter included the four western provinces and two territories. Its conservation work was entirely carried out by its members until 1977. Membership had grown to approximately 700 by that time, making it possible to hire a full time conservation representative, who was based in Victoria. For budgetary reasons, this position was terminated in November 1979; but was reinstituted in February 1983, when membership reached 1100. In April 1986, membership was 1398.¹⁷ At the time of writing, the greatest concentration of members is still in Victoria and Vancouver, but in addition to the groups in these two cities, there are also active groups in the North Columbia region of British Columbia, the Cowichan region on Vancouver Island, Alberta and Saskatchewan. The annual budget of the Sierra Club of Western Canada is slightly over \$30,000, if government grants which the club sometimes gets for employment projects are not included in the tally.

A fourteen member board of directors oversees the affairs of the chapter. This is composed of seven directors-at-large, who are elected by the chapter membership, plus one representative of each of the seven active Sierra Club groups. This body meets only three times

per year, however; so that, in practice, considerable latitude is left to individual member activists, to the executive of local groups and to the conservation representative in taking actions on behalf of the club. The board of directors normally deals only with major policy issues, large expenditures, and club administration.

Representatives from the Sierra Club of Western Canada meet regularly with representatives from the Sierra Club of Ontario, when they convene as the Sierra Club of Canada. Although the feasibility of establishing one unitary Sierra Club for all of Canada was explored at a meeting of the two chapters in October 1974, agreement could not be reached. While union remains a long-term possibility, the meetings between the two chapters currently deal with limited agendas, such as cooperation on major national issues and relations between the two Canadian chapters and the United States parent organization.

The relationship between the Canadian and United States components of the Sierra Club is itself a somewhat insubstantial one. The two Canadian organizations are independent legal entities, despite being Sierra Club chapters. They develop their own policies and priorities, and do not have to answer to the Sierra Club in the United States for the decisions they make. Unlike chapters in the United States, which retain only a small proportion of the

membership dues collected from their area, the two Canadian Sierra Club chapters keep the majority of such dues, with only the \$6 cost of members' subscriptions to Sierra magazine going to the United States. Aside from subscriptions to Sierra, the only benefits which the Canadian Sierra Club regularly receives from the Sierra Club in the United States is funding for Council delegate expenses and for the expenses of the Sierra Club of Canada (which is treated as a Regional Conservation Committee).

An interesting comparison can be made between Sierra Club membership in Canada and that in California. According to the 1980 United States census, California had a population of 23,668,049. This is roughly equivalent to the population of Canada (estimated as 25,262,500 in January 1985). California, however, has thirteen Sierra Club chapters, with a combined membership of 146,913, as of April 1986. The combined membership of the two Canadian chapters of the Sierra Club at that date was 2319. The per capita membership of the Sierra Club in California is therefore more than sixty times greater than that in Canada. Since California has an area of 156,299 square miles, there is only slightly less than one Sierra Club member per square mile. In Canada, with an area of 3,849,670 square miles, there is only one Sierra Club member per 1,660 square miles. While this comparison between a state where the Sierra Club

has existed for ninety-four years and a country where it has only existed for seventeen years may appear unfair. It does illustrate the comparative lack of resources of the Sierra Club in Canada. These resources are not, however, out of line with those of other Canadian environmental groups.

Most Canadian environmental organizations are restricted to only one province. This probably reflects both the predominantly provincial responsibility for environmental matters under the Canadian constitution, and the fact that the almost simultaneous creation of many environmental groups in the late 1960s and early 1970s prevented any one group from becoming dominant.

It is difficult to make comparisons between the resources of different Canadian environmental organizations, due to differences in their structures and funding sources. While the Sierra Club is based upon a mass membership, Greenpeace, for example, did not have individual members for much of its existence. In addition, many groups rely upon government grants and services for their continued existence; if these sources were to be discounted, their "core" budgets might appear out of line with their activities. Preliminary indications, however, suggest that the resources of the Sierra Club in Canada, particularly the Sierra Club of Western Canada, are greater than those of most Canadian environmental organizations.

If this is so, then the differences between the resources of the Sierra Club in Canada and in the United States would seem to be indicative of differences between the resources of the environmental movements in these two countries in general. The smaller resources of Canadian environmental organizations may be regarded as prima facie evidence of the limited ability of Canadian environmental organizations to influence public policy. Further evaluation of the influence these groups can exert on public policy will be based upon case studies of Sierra Club of Western Canada campaigns.

A preliminary question which should be asked, however, is whether there are any grounds on which it can be asserted that environmental organizations should be entitled to influence public policy. In the following chapter, it will be argued that influence exerted by these organizations would serve the long term public interest. In addition, the approaches which have been taken by various academics and other observers to the study of Canadian interest group activity will be considered.

Chapter 1

Notes

¹No distinction will be drawn between these two terms in this paper. For a different perspective, see Murray Bookchin, The Ecology of Freedom (Palo Alto: Cheshire, 1982), pp. 21-22. Bookchin conceives of environmentalism as the search for new ways of plundering natural resources without disrupting human habitat. Ecology, on the other hand, he defines as dealing with the interdependence of living and nonliving things.

²For convenience, the Sierra Club of Western Canada will be referred to in this paper as the Sierra Club, unless the context of the reference may lead to confusion with the Sierra Club in the United States.

³Holway R. Jones, John Muir and the Sierra Club (San Francisco: Sierra Club, 1965), p. 4.

⁴"Questions and Answers," Sierra, LXIX, Number 3, May/June 1984, p. 118.

⁵Jones, op. cit., p. 5.

⁶Ibid.

⁷Susan Merrow, Janet Brode and Patricia Veitch, eds., Volunteer Leadership, Second Edition (San Francisco: Sierra Club, 1985), p. VL. I, 7.

⁸Ibid., p. VL. I, 5.

⁹Ibid., p. VL. I, 16.

¹⁰Ibid., p. VL. I, 17.

¹¹Ibid.

¹²Sierra Club, Chapter Activity Report, April, 1986, p. 1.

¹³Merrow et al., op. cit., p. VL. VI, 1.

¹⁴Robert Irwin, "A Look at the Club's Canadian Chapters," Sierra, LXVI, Number 1, p. 118.

¹⁵ Connectives (Toronto: Pat Delbridge Associates, 1984).

¹⁶ Irwin, op. cit., p. 122.

¹⁷ Sierra Club, Chapter Activity Report, April 1986, p. 1.

¹⁸ Updated from Irwin, op. cit., p. 118.

Chapter 2

ENVIRONMENTAL ORGANIZATIONS IN THE POLICY PROCESS: A CONCEPTUAL BASE

In order to consider the relationship between the Sierra Club of Western Canada and the Government of British Columbia, it will be useful to first consider some of the conceptual paradigms involving the relationship between governments and non-governmental organizations. Basic notions of power, influence, citizenship and democracy are central to any discussion of this relationship, so that it will be useful to review these. The writings of academic commentators and other observers on this subject will also be examined.

The basis for the relationship between non-governmental organizations and the state is power. If we define power as the ability to act to accomplish some goal, and recognize the state as the ultimate receptacle of power in society, then we may say that non-governmental organizations interact with government in an attempt to influence government to use its power to accomplish goals which are beyond the power of the non-governmental organizations themselves.

Generally, these organizations represent too narrow a band in the political spectrum; they cannot command the

broad support necessary to form a democratic government. Using the environmental movement as an example, it can be seen that in no country have the "Greens" been able to form a government. Most voters have not been willing to cast their votes solely on the grounds of environmental protection. But while environmental concern has not been successfully manifested in the formation of a Green government, it has been manifested in extensive political activity by a plethora of groups.

Pross makes this distinction even more abrupt. He states that:

...unlike political parties, they [pressure groups] are not interested in directly wielding the power of the state...In general, pressure groups are interested in exerting influence and in persuading governments to accomodate the special interests of their members.²

This raises an interesting question: are third parties such as the Greens, the Western Canada Concept and others truly different from pressure groups which share their aims, or are they merely pressure groups which have overextended themselves? For the moment, it is enough to merely note that Pross is right in suggesting that interest groups do not directly run candidates in elections. Likewise, Reilly and Sigall suggest that "the interest group differs from a political party because it represents only one particular part of the society and therefore is not in a position to present candidates who can attract enough votes to win

elections." Although the statement that an interest group must necessarily represent only one particular segment of society will be contested later in this paper, it does seem true that groups only attempt to influence the exercise of power because they do not command sufficiently broad electoral support to form a government and exercise the power of the state directly.

The implications in the above quotations from Pross and Reilly and Sigall that organizations interacting with government do so to protect some special, private interest, can be found in the writings of many other commentators as well. Differences in opinion as to the correctness of this presumption are partly responsible for a semantic dilemma which plagues writers on this subject: that is, what term to use to refer to non-governmental organizations that attempt to influence government.

The term "special interest group" is sometimes used, but the connotation of this term, that the group works to promote the special interests of one segment of society, is objectionable to representatives of groups which seek to promote the public interest, as well as being inaccurate for describing those groups. "Pressure group" has also been widely-used; but with the wide-spread intrusion into everyday life of the modern state, it is difficult to imagine a group which will not at some point wish to exert

pressure on the state - therefore, the utility of this term is questionable. In addition, since most groups will have some primary purpose other than exerting pressure on government, the term distorts perceptions of the nature of those groups. Furthermore, the negative connotations of "pressure," as a phenomenon which most of us do not like to be under, may lead to a bias against these groups.

White, Wagenberg and Nelson attempt to differentiate between "pressure groups" and the more generic term "interest groups," by suggesting that "sometimes interest groups are distinguished from pressure groups as those groups that have the resources to set up a permanent lobby as opposed to the less permanent pressure groups."

While there may be some utility in differentiating between groups at these different levels of development, the taxonomy which White, et al suggest seems unduly artificial, and furthermore does not appear to correspond with the usage of any other writers which this author has encountered.

Since it can be presumed that any organization with which government has dealings will, to some extent, exert pressure on government, whether overtly or simply through the more subtle mechanics of interpersonal relations; and since it is only these organizations which will be the object of the attention of political scientists; then there would appear to be no danger of confusion arising from the

use of the relatively value-free terms "organizations," "groups" or "non-governmental organizations." This practice will, therefore, be followed in this paper.

As was alluded to above, the writings of a number of commentators indicate that, whatever term they may use to denote organizations, they presume that organizations will attempt to influence government specifically and solely for the benefits of the members of those individual organizations. This is most evident in the definitions of the purpose of organizations given by these writers. In the case of Pross, for instance, this can be perceived in the quotation given above, as well as in his statement that the members of pressure groups join them in order to "obtain some special benefit that each organization alone can offer."⁵ Paltiel suggests that a government decision or policy initiative will "provoke the intervention of some organized body concerned about its impact on the interests of its members."⁶

There would appear to be two reasons why this explicit or implicit presumption is made in so many analyses. The first is that the majority of organizations are, in fact, self-interested. A 1981 survey by John Walker found that 80 per cent of those interest groups surveyed "sought to protect some professional, industrial or bureaucratic interest."⁷ A second reason is that these

self-interested groups, particularly business groups, are generally more powerful, better-financed and longer-established than groups which are not self-interested. This not only makes them easier to study for political scientists, who are able to find these groups, deal with fellow-professionals in the organizations, and have a reasonable likelihood that the organization will remain in existence for long enough for the study to be completed - none of which can be guaranteed with more altruistic organizations - it also makes them a more prestigious target for research. It would seem that, at face value, it would make more sense to study organizations which are able to exert a powerful influence on the policy process than those which are relatively ineffectual.

Unfortunately, these attitudes have led to an almost total academic disregard for public interest organizations. Given the relative dearth of studies on organizations by Canadian political scientists, the absence of a body of studies on public interest organizations is not surprising. If, however, one accepts that public interest organizations are just that, organizations which work to protect the public interest, then attempts to evaluate how successful these organizations are, and how they can be made more effective, would clearly serve the public good.

The difficulty in this regard lies in defining the

public interest." Faulkner suggests that, "In reality there is no absolute definition of the public interest, at least not one to which ordinary citizens in a democracy will respond if enjoined....In practice, the public interest on any question appears to be what a majority of Parliament declares it to be." Hartle goes even further, suggesting that the term "public interest" might most suitably be used in a derogatory sense. "Usually it is a euphemistic blanket under the cover of which many a special interest has been served."¹⁰

While Faulkner may be correct in asserting that there is no absolute definition of the public interest, it is possible to intuitively assert that certain things are in the public interest: good health; happiness; life itself. Whatever merit might be claimed by the variety of organizations which are often subsumed under the term "public interest organization," there are two types of organization which work to protect the basic elements of life upon which any other aspect of the public interest is dependent: environmental organizations and peace groups.¹¹

Both types of organization actually work to ensure the continuation of life upon this planet, in opposition to the threat of nuclear annihilation on the one hand, and the equally deadly, albeit less dramatic, threat of the total

collapse of the earth's life-support systems, on the other. To assert that these efforts are, in fact, in the public interest, is not to substitute subjective for objective criteria, but merely to understatedly assert the self-evident.

Three arguments can be suggested by which this assertion might, however, be criticized. The first would be on the grounds that neither atomic warfare nor environmental degradation actually threaten the continuation of life, and could not substantially reduce the quality of human existence. While this perspective does represent the views of some people, it is based upon an inability to digest and extrapolate from readily available scientific facts; hence, it need not concern the serious reader.

The second argument would be on the grounds that any calculation of the public interest should only consider the current public interest. Since environmental collapse and nuclear war would happen at some indeterminate point in the future, their greatest impact might be upon those who are not even born at this time, and they would certainly not have any impact upon some of those who are currently alive. It might, therefore, be argued that any current sacrifice in order to prevent the realization of these two threats does not serve the current public interest. Such an argument appears to be inconsistent with the concept of a broader

public interest, however; and ignores the problems caused by the current manifestations of environmental degradation.

The third argument would be that the efforts of environmental organizations and peace groups might actually be counterproductive. That is, that by interfering in the delicate balance between the superpowers, peace groups actually increase the likelihood of nuclear war; and that by interfering with "progress," environmental groups delay the acquisition of the scientific and technological sophistication which would enable a society to exist which is in harmony with our natural ecosystems. This is the most powerful of the three arguments, due to the difficulty in extrapolating the results of any trend, action or policy. Those who might make such arguments are bound, however, by the same limits to prescience as are those who would defend the activities of environmental and peace organizations. In addition, environmental organizations, those groups with which we are actually concerned in this paper, can already point to the realization of many of the problems which they have predicted in previous years. Furthermore, the arguments that peace will lead to war and environmental protection will cause environmental destruction call to mind Orwell's famous dictum that: "War is peace. Ignorance is strength. Freedom is slavery." Even if the arguments should conceivably be correct, they cannot form the basis

for a rational philosophy.

If we accept the notion that environmental organizations and peace groups are truly "public interest" organizations, then our previous suggestion must also be accepted: that attempts by political scientists to evaluate the success of these groups and how they might be more successful, would also be in the public interest.

If we examine the literature on the political activity of groups, particularly in Canada, we can find little that reflects this thinking. Considerations of this phenomenon tend to treat all organizations as basically homogeneous. In addition, they generally assume that pressure from organizations can affect government policy, and their subsequent discussions are based upon this presumption. Before proceeding, we will examine some of the major themes that can be found in the literature on the political activity of groups.

Much of what has been written attempts to describe and explain the existence of organizations. Those functions of organizations which make them useful both to their members and to government generally figure prominently in these discussions. The most notable of these is their information function: that is, their ability to obtain and transmit to government both factual information and information concerning public opinion, and also to transmit information

concerning government policies and programs to the concerned public.

Pross, for example, notes that "From the group member's point of view, then, the lobbying activities of their associations are first and foremost intended to communicate. People in government also see pressure groups in this light, though not always happily."¹² Reilly and Sigall

Identify three advantages of this communication function: lower cost of government, since information provided by groups would have to be obtained by alternate means; a means for government to gauge public reception of its policies; and an alternative information source against which the bureaucracy can be compared.¹³ Wallace states that underequipped British M.P.s need the support of interest organizations in order to be sufficiently informed to deal with the committee stage of legislation.¹⁴

As Thompson and Stanbury note, however, this is a "somewhat idealized version of interest group representation," which "puts the emphasis on the information needs of political leaders rather than the desire of groups to influence policy outcomes."¹⁵ It seems likely that most groups are not so much concerned about the difficulties which the modern state faces in obtaining information as they are about what the state actually does.

Furthermore, the presumption that governments are even

aware of their own information deficiencies seems unrealistic. The picture of governments seeking out alternative information sources to balance the information provided by the bureaucracy is certainly one which many of those people lobbying on behalf of organizations would find unrecognizable. In addition, the implied recognition by governments of the legitimacy of organizations, particularly public interest organizations, as participants in the public policy process, is far from universally accurate.

Furthermore, the fact that government must actually deal with a surfeit of information rather than a shortage of it is also overlooked. Gillies and Pigott note that when Pigott was an opposition backbench M.P., she had two hundred papers from groups cross her desk in a week.¹⁴

Selecting and processing information must undoubtedly be a more serious concern for those in government than merely obtaining it; and there is little to indicate that groups are perceived by political decision-makers as being particularly useful in this regard.

A second major area of concern for writers on the political activities of groups is the question of the legitimacy of those activities. This is not, of course, a new concern. The warnings of writers such as Rousseau and Madison that associations can pose a threat to the popular will are often cited. The evolution of political thought

from the atomistic conceptions of Locke, to the group-oriented approach of Bentley; appears, however, to have eliminated the notions that a unitary "popular will" can be identified, or that associational behaviour can be proscribed. De Tocqueville, in fact, argued for the creation of large numbers of voluntary associations, in order to provide the basis for a stable democratic state.

De Tocqueville's argument is consistent with the political paradigm known as "sociopolitical pluralism." This conception sees the political system as an arena where the various groups in society seek to promote their own interests, with government functioning as the referee determining the allocation of government benefits to their competing demands. As Paltiel notes, "if pluralism is not an accurate description of the political process in advanced capitalist democracies, it nevertheless survives as one of not the most accepted of establishment ideologies."

Criticisms of sociopolitical pluralism can be made not only of its inaccuracy in describing how government does work, but also on the grounds of its unacceptability as a vision of how government should work. Olsen states that the three basic criticisms of sociopolitical pluralism are that: (i) many people do not belong to any organizations, or are merely nominal members; (ii) organizations themselves are subject to control by oligarchies;

(iii) organizations cannot, in general, exert significant influence on national decision making.²⁰ He further states that the third of these criticisms has been expressed in several different ways, including: (a) contemporary societies are dominated by small but extremely powerful elite classes;²¹ (b) resources possessed by organizations are not sufficient to give them adequate leverage to influence national political decisions;²² (c) many - perhaps most - groups, are excluded from access to the political system, while those that are not tend to be those dominant interests whose interest already coincides closely with those of governmental leaders.²³

One of the better-known approaches to the study of interest groups in Canada is through the theory of elite accommodation. As represented by the works of Presthus,²⁴ Porter,²⁵ Clement²⁶ and Olson,²⁷ this approach demonstrates how the relatively homogeneous elite which constitutes the leadership of business, the civil service and politics is likely to serve its own interest, and exclude from the public policy process those who do not belong to this restricted circle. These studies lend significant weight to the criticisms of sociopolitical pluralism outlined above.

All of these criticisms appear to be valid. As with other writings on groups, however, these criticisms are made

without regard to an essential part of the difference between public interest groups and special interest groups. That is, while acknowledging the differences in resources and political access available to different organizations, they have been made without consideration for whether there are differences in the ethical basis for the participation of these groups in the policy process. Thus, the entire notion that there may be a sound basis for the participation of at least some groups in politics seems to be dismissed along with the overall concept of sociopolitical pluralism.

Another major concern of writers on the political activity of groups also relates to their legitimacy: the question of whether groups are supplanting the functions of political parties and Parliament in our political system. In the summary of discussions at the 1981 Institute of Public Administration of Canada annual seminar, Pross reports that "some wonder whether their [groups'] proliferation and increasing prominence signal a malaise in western systems of representative government and they ask whether the nature of the state is changing fundamentally."²⁰ While he goes on to note that the notion that parties and interest groups are in competition was generally discounted by those attending that meeting,²¹ others seem to disagree. Van Loon and Whittington state that "the increasing role of many interest

groups and the increasing relations between them and client-oriented senior bureaucrats who speak the same technical language they do has also been significant in diminishing ministerial, parliamentary, and party influence."²⁰ As articulated by Lowi, the traditional political struggles are replaced by the struggle for group legitimacy.

With regard to these arguments, however, it is interesting to note the following points in Olsen:

1) Associational memberships, associations attended regularly and associations in which one has held an official position are all related fairly strongly to political participation;

2) Both passive membership, attendance and position holding have additive effects on political participation, so that the combined voluntary association involvement index provides the best predictor of political participation in all of the variables examined in Olsen's study;

3) With the exception of membership in labor unions, members of all types of voluntary associations tend to be more politically active than non-members;

4) Voluntary association involvement is more effective than education or socioeconomic status in mobilizing individuals for electoral, organizational, partisan and governmental political participation, and it also has some

independent effects on cognitive and expressive participation;

5) Involvement in voluntary associations is related to all forms of political activity regardless of the extent to which these organizations have engaged in political actions.²¹

If Olsen's findings are correct, then this would suggest that interpreting participation in groups as detracting from the traditional roles of political parties and Parliament is, at best, only partially correct. It would seem to be both more accurate and more productive to view groups as a primary pool of those individuals who are willing and qualified to participate in the traditional political processes. If, as Pross suggests, "pressure groups have become prominent because they are effective where parties fail,"²² then it would seem to fall to the political parties to become more effective at identifying and articulating the needs of individuals.²³

The positive connection between the resource which groups represent and the possible rejuvenation of political parties has not been entirely lost on political commentators. Perceiving the fact that the shift of power away from Parliament to the executive and the bureaucracy makes Parliament itself largely irrelevant to groups and others, Faulkner,²⁴ and Gillies and Pigott²⁵ suggest

the strengthening of the Parliamentary committee system, a possibility which Hartle also appears to support.²⁶ In general, however, this whole area of discussion is one which remains largely untouched by Canadian political scientists.

The final general approach of commentators on the political activities of groups which will be mentioned here is the case-study approach to these activities. While it was suggested earlier in this chapter that little work has been done on the questions of whether groups are able to influence public policy and how groups might increase their effectiveness, that work which has been done is largely found within the case-studies which have been done of individual Canadian organizations. Since the conclusions reached by those who have done these studies sometimes seem a blend of anecdotal evidence and "common sense," we will also refer to some of the comments of political practitioners and commentators that shed additional light on these writings.

As with the other writings on group participation in Canadian politics, those case studies which have been done tend to be oriented more toward self-interested groups than public-interest groups. Since Coleman and Jacek complain that business interest associations have not been sufficiently studied as a distinct phenomenon, however, and that their importance has been downplayed,²⁷ it may well

be imagined that even the self-interested groups have not been adequately examined.

The case studies of individual organizations generally include some or all of the following four components: a general description of the organization, including its history, resources and structure; observations on the group's relationship with government, including any unique or unusual aspect of that relationship; a study of the group's activities during a specified period or on a specified issue; and an attempt to identify either the weaknesses or the strengths of that organization, and possibly other organizations like it.

The body of information describing these various organizations and their activities is a very useful resource. It enables analysis and comparisons on a variety of aspects of the phenomenon of non-governmental organizations. It will further allow such analysis and comparison to be carried out over time, charting the changes which time brings about; this can already be seen, for example, in Dawson's²⁰ and Goldstein's²⁰ studies of the Consumers' Association of Canada, studies conducted almost two decades apart from each other.

The attempts to analyze what makes organizations either successful or unsuccessful, however, whether essayed in case studies or other types of writings, are not generally as

praiseworthy. The following quote from Thompson and Stanbury, for example, is difficult to take seriously:

Based upon a review of the legislative decision-making process in Canada, we conclude that legitimate, wealthy, coherent interests having multiple sources of access to the legislative process would tend to be much more influential than less legitimate, poor, diffuse interests, having few sources of access to the legislative process.⁴⁰

Other sage observations are that interest groups should have: good management;⁴¹ good information;⁴² credibility;⁴³ tenacity;⁴⁴ usefulness to decision-makers;⁴⁵ access to opposition members, particularly the leader of the opposition;⁴⁶ access to key members of caucus;⁴⁷ access to the Prime Minister's aides;⁴⁸ public meetings and door-to-door canvassing;⁴⁹ originality;⁵⁰ good media relations;⁵¹ a recognition of the "economic facts of life;"⁵² and letters to government from supporters.⁵³

While it would be difficult to deny the value of any of these assets, it would be possible to draw up a comparable list of other virtues and resources which have not been identified, such as: good leadership; a large middle-class membership base; offices in provincial and federal capitals; independent funding sources; supporting educational programs; and many other beneficial attributes. If such an exercise is undertaken, however, then it should be borne in

mind that groups, particularly public interest groups, operate in a world in which resources are limited. Given that fact, it would seem useful that, while taking note of the strengths and weaknesses which characterize organizations, a primary goal should be to identify those characteristics of organizations which are essential to their success, or underlie their more superficial aspects, and attainable means of acquiring those characteristics.

Failure to look for these underlying characteristics may lead to confusion on such questions as, for example, whether groups should maintain prominent images in the news media, a strategy which appears to be considered valuable for some groups²⁴ but not for others.²⁵ Another example would be whether groups should attempt to establish mutual accommodation with government, or actively criticize government for its perceived failings.

It may be that attempts to categorize groups will be helpful in this regard. Pross, for instance, classifies groups as issue-oriented, fledgling, mature and institutionalized, and suggests characteristics and patterns of operation which correspond to these stages in the development of an organization.²⁶ The development of political action propositions, as proposed by Beam and Simpson, may also be useful in this regard, by highlighting the tensions between an organization's goals and its

existing situation.³⁷

In the next chapter, three issues which the Sierra Club of Western Canada has recently dealt with will be examined. This will make it possible to highlight the variety of tactics which are used by this organization, and some of the internal and external dynamics which affected their success or failure on these issues. It should be possible to use these case studies to gain a clearer understanding of whether groups are, in fact, able to influence public policy in Canada. The concrete examples considered should also provide the means by which to suggest changes which might make it possible for this organization, and organizations like it, to more effectively safeguard the public interest.

Chapter 2

Notes

¹In this chapter, although the subjects, purposes and manifestations of group activity are of interest, the structure of the groups themselves is not. Therefore, there will be no distinction made between such terms as "organization," "association," "non-governmental organization," and "group," despite the utility which such distinctions might have in other types of studies.

²A. Paul Pross, "Pressure Groups: Talking Chameleons," in Michael S. Whittington and Glen Williams, editors, Canadian Politics in the 1980s (Toronto: Methuen, 1984), pp. 287-289.

³Thomas A. Reilly and Michael W. Sigall, Political Bargaining (San Francisco: W.H. Freeman and Company, 1976), p. 79.

⁴W.L. White, R.H. Wagenberg and R.C. Nelson, Introduction to Canadian Politics and Government (Toronto: Holt, Rinehart and Winston, 1977), p. 38.

⁵Pross, op. cit., p. 289.

⁶Khayyam Z. Paltiel, "The Changing Environment and Role of Special Interest Groups," Canadian Public Administration XXV:2, Summer 1982, p. 198.

⁷Ibid., p. 205.

⁸In a compilation of definitions of the public interest prepared by W.T. Stanbury and found in Douglas G. Hartle, Public Policy Decision Making and Regulation (Toronto: Institute for Research on Public Policy, 1979), pp. 213-216, most of the definitions would be incompatible with the notion that environmental protection is unequivocally in the public interest. A few of those whose definitions are quoted - Roger G. Noll, Edward C. Banfield, C.W. Cassinelli - advance definitions which are not actually incompatible with this concept, but none of the two dozen definitions could actually be perceived as supporting it. Most appear to turn upon the idea that the public interest is made up of compromises, and is the outcome of intergroup competition.

⁹J. Hugh Faulkner, "Pressuring the Executive," Canadian Public Administration XXV:2, Summer 1982, p. 252.

¹⁰Hartle, op. cit., p. 16.

¹¹It is not my intention here to slight the other types of organizations which are often referred to as "public interest groups" or "collective rights groups," such as development organizations, consumers' organizations or social support groups. While I would agree with the designation of these organizations as "public interest groups," I believe that the claim of environmental and peace groups to this term is more easily defended. Social concerns would become irrelevant if life itself was to cease.

¹²Pross, op. cit., p. 289.

¹³Reilly and Sigall, op. cit., p. 82.

¹⁴William-Wallace, "The Pressure Group Phenomenon," in Brian Frost, editor, The Tactics of Pressure (London: Stainer and Bell Ltd., 1975), p. 96.

¹⁵Fred Thompson and W.T. Stanbury, The Political Economy of Interest Groups in the Legislative Process in Canada (Montreal: Institute for Research on Public Policy, 1979), p. 7.

¹⁶James Gillies and Jean Pigott, "Participation in the Legislative Process," Canadian Public Administration XXV:2 Summer 1982, p. 256.

¹⁷Paltiel, op. cit., p. 208.

¹⁸Marvin E. Olsen, Participatory Pluralism (Chicago: Nelson-Hall, 1982), p. 182.

¹⁹Ibid., p. 188.

²⁰Ibid., p. 193.

²¹Ibid.

²²Ibid.

²³Ibid.

²⁴R. Presthus, Elite Accommodation in Canadian Politics (Toronto: Macmillan, 1973).

²⁵John Porter, The Vertical Mosaic (Toronto: University of Toronto Press, 1965).

²⁶Wallace Clement, The Canadian Corporate Elite (Toronto: McClelland and Stewart, 1975).

²⁷D. Olson, The State Elite (Toronto: McClelland and Stewart, 1980).

²⁸A. Paul Pross, "Governing Under Pressure: the Special Interest Groups - Summary of Discussion," Canadian Public Administration XXV:2, Summer 1982, p. 170.

²⁹Ibid., p. 173.

³⁰Richard J. Van Loon and Michael S. Whittington, The Canadian Political System (Toronto: McGraw-Hill Ryerson, 1981), p. 368.

³¹Marvin E. Olsen, op. cit., p. 107.

³²Pross, "Pressure Groups: Talking Chameleons," p. 287.

³³Ibid.

³⁴Faulkner, op. cit., p. 253.

³⁵Gillies and Pigott, op. cit., p. 264.

³⁶Hartle, op. cit., p. 141.

³⁷William D. Coleman and Henry J. Jacek, "The Roles and Activities of Business Interest Associations in Canada," Canadian Journal of Political Science XVI:2 June 1983, pp. 258-259.

³⁸Helen Jones Dawson, "The Consumers Association of Canada," Canadian Public Administration VI:1 March 1963.

³⁹Jonah Goldstein, "Public Interest Groups and Public Policy: The Case of the Consumers Association of Canada," Canadian Journal of Political Science XII:1 March 1979.

⁴⁰Thompson and Stanbury, op. cit., p. viii.

⁴¹Pross, "Governing Under Pressure," p. 179.

⁴²Faulkner, op. cit., p. 247.

⁴³ Ibid.

⁴⁴ Ibid.

⁴⁵ Ibid.

⁴⁶ Gillies and Pigott, op. cit., p. 256.

⁴⁷ Ibid.

⁴⁸ Walter Stewart, "The Thirty Men Trudeau Trusts," Maclean's, October 1969.

⁴⁹ Andrew Colman, "The Psychology of Influence," in Brian Frost, editor, The Tactics of Pressure, p. 90.

⁵⁰ Brian Frost, "The Disablement Income Group," in Brian Frost, editor, The Tactics of Pressure, p. 90.

⁵¹ Ibid.

⁵² Ibid.

⁵³ Barbara McCallum, "The Blafra Lobby," in Brian Frost, editor, The Tactics of Pressure, p. 70.

⁵⁴ Frost, op. cit., p. 90.

⁵⁵ Faulkner, op. cit., p. 247.

⁵⁶ Pross, "Pressure Groups: Talking Chameleons," pp. 292-301.

⁵⁷ George Beam and Dick Simpson, Political Action (Athens, Ohio: Swallow Press, 1984), p. 43.

Chapter 3

THREE SIERRA CLUB CAMPAIGNS

The Sierra Club is active on a wide variety of issues, ranging from its work on subjects of international importance, such as the Law of the Sea Treaty, third world deforestation and other global problems, to the work of its local groups on issues that may be of interest only to those people in their immediate local areas. The Sierra Club of Western Canada, itself, while having fewer resources than most Sierra Club entities, regularly undertakes action concerning parks, wilderness, wildlife, environmental contaminants, energy, fisheries, forestry and other matters. In addition to the work which is done in order to achieve a specific aim on a given issue, much of their work involves more general attempts at education or at preparing a suitable climate for the future achievement of specific goals.

These factors make it difficult to choose case studies by which to examine the behaviour of the Sierra Club of Western Canada. There is probably no possibility of identifying any one case as typifying the approach of the organization, since tactics and strategies will vary from one case to another. As the noted activist Saul Alinsky has

stated:

It's very hard to get across how an organizer works - being loose and free, not really knowing himself what the issues are going to be. He knows that in life you go with the action and that you consciously look for hooks and handles that you can grab hold of, that you can twist and turn and pull and get the reaction that is so important in building a power organization.

These "hooks and handles" appear to vary from one issue to the next.

In addition, while it is possible to look at the tactics of the organization in the course of its campaign on a given issue, it is not possible to gauge the impact of the organization's previous relationships with the politicians, civil servants, journalists and others involved in the issue. Since the Sierra Club of Western Canada makes a considerable effort to cultivate good relations with many of these individuals during non-crisis periods, this might conceivably influence the course of events during those times when their interactions are dominated by specific issues.

Nevertheless, an examination of the behaviour of an organization in working on a particular issue can give an accurate indication of the nature of the organization and its approach to the political processes. For this reason, we have selected three of the issues which the Sierra Club of Western Canada has recently worked on, and will consider the history of its involvement on these issues. An attempt

will be made to show why these particular issues were considered important, what the objectives of the organization were in each case, what methods they used to attempt to achieve these objectives, and the impact of their efforts.

The three issues which will be considered are: the Northeastern British Columbia Wolf Kill; the Sombrio Forest Logging; and British Columbia Hydro Electricity Exports.

There are several reasons for selecting these three issues.

The first is that in all three of these issues, the British Columbia Government was the primary decision-making body which had to be influenced. Although the Sierra Club of Western Canada does deal with Federal, regional and municipal levels of government, in addition to provincial governments, more of its efforts are directed at provincial governments than at any of the other levels. This is due to the preponderance of provincial authority on environmental and resource matters under the Canadian constitution.² Since the greatest concentration of the members of the Sierra Club of Western Canada reside in British Columbia, and the head office of the organization is in Victoria, the provincial government with which it deals most frequently is that of British Columbia.

Since the W.R. Bennett administration has been perceived by environmentalists as hostile to the

environment, particularly following the May 5, 1983 election,² it might appear that a more balanced view might be obtained by selecting some issues that did not concern this government. Since one of the major purposes of this paper, however, is to explore the ability of the Sierra Club of Western Canada and other environmental organizations to influence public policy, it is more useful to consider their ability to do so on issues in which government is not already predisposed in their favour.

The actions taken by the Sierra Club in the course of its involvement in these three issues included a variety of tactics, not all of which are used on every issue. These include: lobbying politicians; lobbying the civil service; coalition-building; public education; media work; generating letters of public support; and other actions which do not lend themselves to such simple descriptions. The variety of tactics employed in these three issues was another factor in their selection.

The Northeastern British Columbia Wolf Kill

The Sierra Club first became involved with the British Columbia Government's project to kill wolves in northeastern British Columbia in December, 1983. At a meeting of the Board of Directors of the Sierra Club of Western Canada, a director resident in Hudson Hope, a city in northeastern British Columbia, introduced a news clipping from the

November 30, 1983 issue of the Alaska Highway News."

The clipping concerned the plans of the British Columbia Fish and Wildlife Branch to undertake a "massive predator control programme" in northeastern British Columbia."

The Board of Directors indicated its concern on this issue, and its intention to investigate further. Several factors can be identified as having been responsible for the initial concern of the Board of Directors.

- i) A general suspicion of human ability to successfully intervene in the natural functioning of ecosystems in order to achieve specific goals.
- ii) A general distrust of any form of predator "control," since this term can be a euphemism for those programs of predator extermination, which have resulted in the extinction of large predators throughout most of North America.
- iii) A belief that environmental destruction cannot generally be justified on economic grounds. The Fish and Wildlife Branch spokesman in the Alaska Highway News article justified the wolf kill project on the grounds of the benefits to the local economy of the hunting of ungulates.
- iv) Resentment of an attempt to short-circuit a public consultation process which had already been agreed upon. Only a few years earlier, the Government of British Columbia

had developed management plans for major wildlife species in British Columbia, following a program of consultation with the concerned public, including the Sierra Club. The Government had pledged that there would be future public consultation if major changes to any of the management plans were contemplated. The Board of Directors suspected that the Government intended to ignore its previous commitment.

v) A history of recent Sierra Club involvement in Government wolf management. In the spring and summer of 1983, the Sierra Club had appealed a Fish and Wildlife Branch permit for the use of the poison "1080" for wolf and coyote poisoning to the British Columbia Environmental Appeal Board.⁷ In 1982, the Sierra Club had objected to an experimental program being conducted by the Fish and Wildlife Branch in which all wolves in the Nimpkish Valley on Vancouver Island were exterminated. In addition, other organizational entities within the Sierra Club had recently been active in opposition to wolf kill programs and proposals in Alaska⁸ and Minnesota.⁹

vi) A belief that the funding of the wolf kill project by hunting clubs was improper, in that special interests should not be able to pay government to undertake programs from which those interests derive specific benefits.

The first step taken by the Sierra Club was to seek more information concerning the wolf kill program. On

December 15, 1983, a letter was sent to Dr. F.S. Tompa, the Director of Predator Management in the British Columbia Fish and Wildlife Branch, by the Sierra Club's Regional Conservation Representative. The letter posed several questions: was the article in the Alaska Highway News accurate; did the proposed program represent a shift in Government policy on predator control for game enhancement from experimentation to large-scale implementation; if such a shift was contemplated, would there be a process of public consultation preceding it; were figures and data referred to in the article available to the public?

Simultaneously, a copy of the letter and the article were sent with a covering letter to the New Democratic Party environment critic in the British Columbia Legislature, Barbara Wallace. The covering letter explained why the Sierra Club felt that the proposed wolf kill might be significant, and offered to provide a copy of the Predator Management Director's letter, when it arrived.

It was the intention of the Sierra Club to await a reply to their letter from the Predator Management Director before taking further action. There were two reasons why this intention was not realized. The reply to their letter was dated January 9, 1983, more than three weeks after the original letter was sent out. Inexplicably, the letter was mailed to Calgary, to the office of the Alberta

environmental coalition in which the Sierra Club participates. It was received at that office in mid-January, and sent back to British Columbia, arriving more than a month after the initial letter of inquiry was sent.

Despite this delay, the Sierra Club might still have awaited a reply to its letter before proceeding, since such a delay was much less than that normally occurring in replies to correspondence with the British Columbia Government, and was, in fact, only one-third of the normal delay involved in correspondence with the Federal Government. In the meantime, however, the Association for the Protection of Fur Bearing Animals had also learned of the planned wolf kill, and had broken the story on the front page of the Vancouver Sun, along with a letter from the British Columbia Environment Minister, calling the wolf "one of the most dangerous, vicious, wasteful and unrelenting killers in existence."

The publication of this story immediately sparked vociferous public debate. A factor which must not be underestimated in considering why this issue generated the public attention it did is that it emerged at the same time as the release of the motion picture Never Cry Wolf. This motion picture painted the same extremely sympathetic picture of the wolf as did the Farley Mowat book on which it

was based, and received a very favourable reception at the box office. The first news media follow-ups to the initial news story were, in fact, interviews with Farley Mowat to seek his reaction to the proposed wolf-kill and the Environment Minister's characterization of the wolf.¹¹

Not having received a reply from the Fish and Wildlife Branch, unable to reach the Minister of Environment, who was on vacation, and fearing that the wolf kill policy would be attacked solely on emotional grounds, rather than from the aspects of sound wildlife management practices, the Sierra Club decided to take further action. A press release was issued on January 17, 1984, which drew attention to contradictions between Government justifications for the wolf kill and a report prepared by the Fish and Wildlife Branch two years earlier, titled Public Safety, Fisheries and Wildlife Considerations.¹² This report stated that ungulate populations had been in decline in northeastern British Columbia since the late 1950s, and that reasons for the decline included improved forest fire protection, loss of habitat, and increased human pressure from improved human access to previously inaccessible areas. According to the Sierra Club, this conflicted with Fish and Wildlife Branch statements that an escalating wolf population had caused recent declines in the populations of game species.¹³

In addition to issuing the press release, the Sierra Club was also researching available materials on the history of government wolf policies in British Columbia. As is indicated by the subject of the January 17 press release, their research concentrated on finding those grounds on which the wolf kill could be criticized for scientific or management reasons. In a five page letter to the N.D.P. environment critic in the B.C. Legislature on January 24, 1984, there is no mention of the ethical aspects of the wolf kill, aspects which were central to much of the other criticism of the wolf kill. Instead, the stated intention of the letter was to give the environment critic "some of the information that the Sierra Club has obtained on this topic."

This letter criticized the Government for proposing the wolf kill on several grounds. It suggested that the Government had unreasonable expectations of its ability to increase huntable levels of ungulate populations. It suggested that the wolf was being used as a scapegoat for the detrimental impacts on wildlife populations of "the Government's perceived support groups," the forest industry, other industries, and hunters. It repeated the data from Public Safety, Fisheries and Wildlife Considerations cited in the January 17 press release. It questioned whether wolf populations really were increasing and ungulate populations

decreasing, as the Government suggested, gave evidence that the Government did not have accurate population estimates for either the historic or the current population levels of wolves or ungulates, and suggested that any changes in population dynamics which might be occurring could actually be a return to the sort of balance which existed before man interfered with the natural ecosystem.

The letter also showed that the Fish and Wildlife Branch had not imposed any restrictions on human hunting in the area of the proposed wolf kill, and stated that this indicated the lack of any real concern for declining game populations in the region. It stated that claims of Government concern about mortality rates for moose calves were incompatible with instructions to hunters in the British Columbia Hunting Regulations Synopsis 1983-84, which told hunters encountering a moose cow-calf pair to shoot the calf, rather than the cow. It suggested that the Minister of Environment's comments on the nature of the wolf indicated a bias which made him unsuitable for his office. It pointed out discrepancies in Government statements concerning both the justification and the extent of the proposed program. Finally, it concluded by expressing hope that the matter would be raised in the Legislative Assembly, and indicated an intention to write to both the Leader of the Opposition and the Opposition House Leader in order to

request that time be made available for the environment critic to raise the issue in the Assembly.

Attempting to obtain satisfactory explanations of the discrepancies which were pointed out in Government statements concerning the justification and extent of the wolf kill had become one of the five main foci of the Sierra Club's activity on the wolf issue at this time. The second was networking with other individuals and organizations which were interested in this issue. The third was providing information to the news media on the issue, and fourth was the preparation of an information factsheet on the issue. The fifth was attempting to obtain the release of the studies and data which the Government claimed to possess which supported the wolf kill.

Discrepancies in statements concerning the extent of the wolf kill had arisen in the January 9, 1984 letter to the Sierra Club from the Predator Management Director of the Fish and Wildlife Branch, and stories in the Vancouver Sun on January 18, 1984¹⁴ and January 21, 1984.¹⁵ A comparison of the information given by different government spokesmen in these three sources indicated that the wolf hunt might already have been an ongoing program. The eventual resolution of the questions which these discrepancies raised came on January 31, 1984, when it was finally revealed that the wolf hunt was not an entirely new

endeavour, and had been carried on in secrecy in the Kechika Valley for two years. What was new was the introduction of the wolf kill into the Muskwa Valley.

The means by which this was confirmed was the release of five studies which the Government claimed formed the basis of its decision to undertake the wolf kill.¹⁴ This was perceived as a victory by the Sierra Club, which was confident that the studies would be scientifically invalid. The studies did, in fact, appear to the Sierra Club to have been hastily done, and to contain a number of errors and inaccuracies. A number of these were outlined in a four-page briefing document prepared by the Sierra Club for the opposition environment critic. These were released almost verbatim in a February 6, 1984 press release by the environment critic, calling for a task force to review the wolf kill.

Following the release of the studies, the Sierra Club sent copies of these documents to the Wildlife Society of Canada, at the request of their President, D.M. Lavigne. It was felt by the Sierra Club that criticisms of the scientific grounds of the hunt would be regarded as more authoritative when issued by the Wildlife Society of Canada and the Canadian Society of Zoologists (chaired by A.L.A. Middleton, Dr. Lavigne's colleague at the University of Guelph) than if issued by the Sierra Club itself.

Consequently, although the Sierra Club did submit the Government studies to several biologists for criticism, including several in the B.C. Ministry of Environment, the resulting criticisms were not formally released to the press.

The Sierra Club had been in contact with other interested organizations since early January, including the Wildlife Society of Canada. It had sent information to an animal protection group called PAWS in Seattle on January 19, 1984, and to a student wildlife society at Guelph University at approximately the same time. Telephone conversations with Greenpeace, the Society Promoting Environmental Conservation and the Sea Shepherd Society had taken place, as had a meeting with a Canadian Nature Federation representative. A factsheet on the wolf kill which was prepared by the Sierra Club was jointly released in late January by the Sierra Club, the University of Victoria Animal Rights Society, and the Greater Victoria Animal Crusaders. On February 13, the Sierra Club and these two groups also co-released "Wolves, Weather, Caribou and You," a re-interpretation of some of the data contained in the Government reports.

The nature of the Sierra Club's relationship with the media on the wolf issue was varied. Their first interaction was a tip given to a reporter on the Victoria Times-

Colonist in December that a wolf kill program might be about to commence, and that he might expect controversy to develop. Following the January 17, 1984 Sierra Club press release, the Sierra Club received numerous telephone calls from reporters seeking information about the wolf kill. There was some resulting attention paid to the Sierra Club's position, and interviews with a Sierra Club spokesperson appeared on both local and national CBC Radio programs.¹⁷ In the Vancouver Sun,¹⁸ the Victoria Times-Colonist,¹⁹ and the Globe and Mail.²⁰

Most of the reporters who contacted the Sierra Club for information on the wolf kill did not, however, include any reference to the Sierra Club or its arguments in their subsequent stories.

Most of the attention of the media in the period beginning in late January was given to the anti-wolf kill campaign conducted by Paul Watson and the Sea Shepherd Society, under the name "Project Wolf." By aiming their efforts at fashioning "media events," rather than attempting to communicate the substantive issues which underlay the opposition to the wolf kill, Project Wolf was able to garner a great deal of media attention.

The reaction of the Sierra Club to the Project Wolf campaign was not to attempt to raise their own presence in the media, but to virtually abdicate the public forums to

those on both sides of the wolf kill issue who debated it on emotional, rather than scientific or management grounds. The Sierra Club decided to concentrate its further efforts on educational and lobbying efforts.

It attempted to arrange a public forum in Vancouver, where the wolf kill could be debated by leading experts on both sides of the predator control issue. Several biologists and zoologists in Canada and the United States were contacted, and all expressed their willingness to participate in such a forum. Eventually, it proved impossible to arrive at a date when the different panelists were all available, and the idea of the debate was shelved.

The lobbying efforts of the Sierra Club were directed at four targets in the course of their campaign on the British Columbia wolf kill issue: the Minister of Environment; the Cabinet; the Fish and Wildlife Branch; and the Opposition. The latter target showed the most immediate results, as has already been mentioned, but was not productive in the long term, due to a split within the N.D.P. Caucus. The environment critic, who represented a southern Vancouver Island riding, and other southern N.D.P. Members of the Legislative Assembly, were sympathetic to the Sierra Club's position on the wolf kill.²¹ Several northern N.D.P. members, however, actually supported the wolf kill.²² This split may have caused a reluctance to

comment on the wolf kill, following the initial comments made by the environment critic.

In the hopes of having the Minister of Environment overruled on the wolf kill, the Sierra Club had written to the individual members of Cabinet on January 27, 1984. It was felt that while the Minister of Environment himself was personally committed to the wolf kill, Cabinet might feel that its political costs were too high. The four-page letter sent to Cabinet was very similar to that sent to the N.D.P. environment critic, and concentrated on the various reasons for doubting the initial necessity, ultimate effectiveness, and economic justification of the wolf kill. No attempt was made to follow up this letter with meetings, and only two of the twenty Cabinet Ministers replied to the letter.²²

One fact which is immediately evident upon a review of the Sierra Club's correspondence on the wolf kill issue is that no letters were sent to the Minister of Environment himself, Anthony Brummet, on this issue until March, 1984, after the initial controversy on the wolf kill had died down. The reason for this lies in the perception that the Minister was personally committed to the continuation of the program. Aside from the obvious fact that the Minister was ultimately responsible for the initiation of the program, the facts that he was himself a big game hunter, and the

M.L.A. for the affected area, indicated to the Sierra Club that he would be unlikely to shift his position on the issue. When it became apparent, however, that the Government was not going to immediately retreat on the wolf kill, the Sierra Club sought a meeting with the Minister.

On March 5, 1984, two Sierra Club representatives and two representatives of the University of Victoria Animal Rights Society had a one-hour meeting with the Minister of Environment. The focus of the meeting was on the scientific errors in the Government documents supporting the wolf kill, and on what these two groups felt were false premises underlying the whole concept of predator control for game enhancement. The Minister was shown the results of the manipulation of the data in the Government studies, as done by a researcher at the University of Victoria, which showed that the severity of winter weather was a more significant factor in ungulate mortality than wolf predation; a conclusion which suggested that winter feeding of ungulates might be more effective than predator control in increasing game populations.

The meeting did not succeed in effecting any change in the Minister's position. The Sierra Club representatives reported that the Minister would not seriously discuss scientific arguments concerning the wolf kill. The absence of any of the Minister's civil servants may have been a

factor in his reluctance to deal with technical matters.

When assessing the meeting afterward, the only gain which the Sierra Club representatives perceived was in a pledge by the Minister that the results of the wolf kill would be monitored. Since it was the position of the Sierra Club that the results of the wolf kill would be detrimental to game populations in the long run, the accurate monitoring of the effects of the wolf kill was considered vital. For this reason, the March 21, 1984 letter to the Minister thanking him for the meeting noted his "commitment to monitor the effects of the wolf control programme." It was felt that this letter could be used at some point in the future as evidence of this commitment, if this were needed.

While the Sierra Club felt that it had not been able to affect the Minister's position on the wolf hunt, there is one other aspect of their relationship on this issue which should be mentioned. A researcher for the N.D.P. Caucus passed on information which they had received indicating that the Minister had been hunting with a big-game guide from the area affected by the wolf kill when the guide was arrested for poaching several years earlier. In subsequent discussions with Fish and Wildlife Branch staff, the Sierra Club discovered that this was a well-known rumour among the Fish and Wildlife Branch employees. Although the possibility of attempting to obtain evidence concerning this

alleged incident in order to discredit the Minister on the wolf kill issue was seriously discussed within the Sierra Club, the idea was never pursued further.

The Sierra Club's efforts to lobby the bureaucracy resulted in a meeting on May 13, 1984, which was very different from that which the Sierra Club had had with the Minister. Four representatives of the Sierra Club met with five of the senior members of the Fish and Wildlife Branch, including Dr. John Elliot, the person responsible for the conception and execution of the wolf kill program. The discussion at this meeting was entirely concerned with the scientific arguments for and against the wolf kill. While the Sierra Club representatives found this discussion more satisfying, in that they were able to fully discuss those matters which were of concern to them, there was no indication that there would be any change in the commitment of the Fish and Wildlife Branch to the wolf kill programme.

Following this meeting, the Sierra Club became inactive on the wolf kill issue until November, 1984. At a Sierra Club Board of Directors meeting at this time, the publication of a new brochure on the wolf kill was authorized. The brochure was prepared over the following months, and released to the public and the news media in March, 1985. No instances of any media follow-up could be found.

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Subsequent changes in the key players involved in the wolf kill led the Sierra Club to hope that there might soon be an end to the wolf kill program. On November 1, 1984, a new director of the Fish and Wildlife Branch was appointed, who was known to be critical of the wolf kill. In 1985, a new Minister of Environment was appointed, Austin Pelton, who represented a riding near Vancouver.

At the first meeting between representatives of the Sierra Club and the new Minister, on June 17, 1985, the wolf kill was the first item on the agenda. No clear direction in the Minister's thinking on the issue could be discerned by the Sierra Club representatives at that time, but late in 1985, the termination of the wolf kill program was announced.²⁴

The Sombrio Forest Issue

The Sierra Club first became aware of the intention of Western Forest Products Ltd. to log the forest above Sombrio Beach in late February, 1983. This area, approximately eighty kilometers west of Victoria, had been a popular recreation spot for many years, because of the beauty of both the beach itself and the old-growth forest behind it. The Sierra Club had occasionally sponsored service trips to repair the hiking trails which the forest contained. In addition to the recreational values of the forest, it was also of biological interest as the last remaining unlogged

stand of "west coast climax" forest between Victoria and Jordan River.

That the Sierra Club originally found out about the proposed logging was due to another unusual aspect of the area. For many years, there had been a settlement of squatters on Sombrio Beach, living in huts which had largely been constructed out of driftwood and salvaged materials. When these squatters noticed an unusual amount of activity by Western Forest Products personnel in the Sombrio area, they asked these personnel about the reason for their presence. Upon learning of the logging plans, two of the squatters came into Victoria to visit the office which the Sierra Club at that time shared with Greenpeace. Both Greenpeace and the Sierra Club took an interest in the proposed logging plans. Over the course of the subsequent campaign to prevent the logging of the Sombrio forest, the efforts of the two organizations were loosely coordinated.

The initial interest of the Sierra Club in the Sombrio forest issue can be attributed to a number of causes, two of which have already been alluded to.

1) A belief that the area was best utilized for recreational purposes, rather than resource extraction, in that it offered the only "package" of ocean and old-growth forest available for recreation within a reasonable distance from Victoria.

11) A conflict between the logging plan and the Sierra Club's longstanding advocacy of the creation of a narrow shoreline park following a historical telegraph trail between Victoria and Port Renfrew.

111) A perception of the Sombrio forest issue as typifying the objections which the Sierra Club had to forest management practices in British Columbia. These objectionable policies and practices included:

(a) The elimination of all old-growth forests in order to plant second-growth monoculture forests with an expected eighty-year crop rotation. The destruction of the gene pool, elimination of wildlife habitat, accelerated soil loss and other environmentally destructive consequences which accompany this cycle make it unattractive to the Sierra Club.

(b) Timber harvesting on a "boom and bust" cycle, rather than for "sustained yield." At this time, two mills on southern Vancouver Island, at Honeymoon Bay and Chemainus, had recently closed down - closings which were attributed by some to local shortages of large timber. While government reports had pointed out that all areas of the province would soon face the "falldown effect," shortages of timber arising from the failure to replant logged areas, Vancouver Island was perceived as being the first region to face acute shortages. It was felt that if it were necessary to log a

relatively small area like Sombrio, then that necessity must be a result of the failure to implement sustained yield policies.

iv) A belief that the people of Victoria would be more concerned about a local wilderness issue than about some of the more remote wilderness issues which the Sierra Club was involved in. A commitment of the Sierra Club's limited resources to this issue might therefore lead to a membership gain from the large population pool that the Greater Victoria area represented. It might also sensitize people in this urban centre to other, more remote, wilderness issues.

v) A desire to test the extent of the Government's commitment to its policies permitting public participation in the decision-making process on forest management issues. Despite an apparent commitment to public involvement, as articulated in the Public Involvement Handbook,²⁵ the Sierra Club and others believed that the Government was abandoning its public involvement policy.

Once again, the initial action of the Sierra Club appears to have been to seek information. In a March 17, 1983 letter to F.S. Williams, Co-ordinator of Tree Farm Licenses for the British Columbia Ministry of Forests, the Sierra Club requested that it be provided with copies of the five year development plan for Tree Farm License # 25, which

included the Sombrio Forest. The letter asked that, if a copy of the development plan could not be provided, then that a copy be made available for examination at the Victoria office of the Ministry of Forests. No reply was ever made to this request.

Letters were also sent on March 17, 1983 to the Minister of Tourism, Claude Richmond, and the Director of Policy Development and Planning in the Ministry of Tourism, M. Collins. Attached to these letters were copies of a brochure which the Sierra Club had previously published outlining its proposal for a park along the coastal strip west of Victoria. The letters pointed out the tourism values of the proposed park, outlined the threat which was posed by the logging of the Sombrio forest, urged support within Cabinet for the proposed park, and asked the Ministry's position on the park proposal.

On March 22, 1983, similar letters were sent to the Minister of Lands, Parks and Housing, A.H. Brummet, and three senior civil servants in this Ministry, Deputy Minister John Johnston, Manager of Park Resources Bryan Price and Director of Planning and Research George Trachuk. These initial attempts to obtain support within other ministries for the Sierra Club's anticipated conflict with the Ministry of Forests were, however, unsuccessful. The Minister of Tourism sent a perfunctory reply, and the Deputy

Minister of Lands, Parks and Housing wrote that his Ministry was not interested in establishing Provincial Park status over the area in question.

The Sierra Club first broached its concerns over the Sombrio issue with the Ministry of Forests in a March 21, 1983 letter to the Chief Forester, W. Young. Their primary objective at this time was to delay any decision which might be made by the Ministry of Forests on whether to allow Western Forest Products to log the Sombrio forest, since the Sierra Club had been informed by a source within the Ministry of Forests that Western Forest Products had asked to have approval of its proposed logging within a month. In the letter to the Chief Forester, the Sierra Club cited a February 4, 1983 Ministry of Forests Statement on Integrated Resource Use, which stated that:

timber production...must now take its place in the overall scheme of integrated resource management. This confirms that all resource values must be considered and evaluated with respect to their supply, and the social and economic benefit they can produce.²⁴

The Sierra Club letter questioned whether an adequate mechanism existed to ensure that this objective would be realized in the case of the Sombrio forest. It drew attention to a statement made in the media by an employee of the Ministry of Forests Duncan District Office (the office which had direct responsibility for the decision on the Sombrio issue) stating that the logging would go ahead.

since it was "necessary from a pure forestry point of view;"²⁷ and suggested that this indicated that the consideration and evaluation of "all resource values" did not appear to be taking place.

The letter recommended that "an integrated management plan for the entire west coast strip should be developed through a public planning process," and asked that the Ministry of Forests defer the decision on approval of Western Forest Products' plans and immediately initiate such a process. Copies of the letter were sent to four other environment and recreation organizations, as well as several other offices within the British Columbia Government.²⁸

The March 28 reply to this letter from the Chief Forester affirmed that the responsibility for approval of logging plans would rest with the Duncan District Office, but noted that "the District Manager in Duncan...plans to invite interested parties to review and discuss the proposed plans. I have been assured that no approval of harvesting plans will occur prior to the convening of this meeting."

On March 30, 1983, the Sierra Club wrote to T.A. Walker, the Duncan District Manager in the Ministry of Forests. This letter quoted the statement from the Chief Forester's letter given above, and urged "that this review take the form of a full public hearing, with terms of reference which would make possible a consideration of the

future of the entire west coast strip, from Port Renfrew to Jordan River." In an April 8, 1983 reply to this letter, Walker stated that "prior to final approval for logging, a public meeting will be convened to present and explain our findings." He indicated that the Sierra Club would be invited to attend that meeting.

As can be perceived from the exchanges above, obtaining assurances that there would be some forum by which effective public participation could be introduced into the decision-making process on the Sombrio forest issue had become central to the Sierra Club's strategy at this stage. This objective was pursued further in an April 27, 1983 letter from the Sierra Club to T.A. Walker. In this letter Walker was asked to "please explain the discrepancies between the various statements which have been made" by Ministry of Forests spokesmen in correspondence and in the media on the topics of whether a public review would be held and whether environmental impact assessments were being done by departments of the Federal and Provincial governments on the effect of the proposed logging. No attempt was made to contact these departments directly to ascertain whether environmental impact assessments were planned. The May 5, 1983 reply stated that Walker could not comment on the conflicting statements and that no approval of harvesting plans would take place prior to the convening of a public

meeting. This meeting was eventually held on July 26, 1983.

In addition to attempting to ensure that there would be public participation in the decision-making process on the Sombrio forest, the Sierra Club was undertaking two main efforts on this issue at this time. The first was an attempt to meet with the Minister of Forests, the Minister of Tourism, and the Minister of Lands, Parks and Housing to discuss this issue. Of these three, however, only the Minister of Tourism would schedule an appointment with Sierra Club representatives; and even this Minister cancelled the scheduled meeting.

The second initiative was an attempt at building a coalition to oppose the granting of approval for the logging. While the targets of these efforts included environmental and community organizations, as might be expected, they were also directed at those interests which might benefit from the tourism potential of a new park in this area, as well as local elected officials.

A slide show was created, which was used in presentations made to a variety of individuals and organizations. Letters were sent and personal approaches made. Local Members of the Legislative Assembly were taken on a hiking trip to the Sombrio forest. As a result of the Sierra Club's networking efforts, calls for a moratorium on the Sombrio logging were made by the Capital Regional

District, the Capital Region Economic Development Commission, local M.L.A.s, the local M.P., the National and Provincial Parks Association, the Saanich Greenbelt Association, the Victoria Outdoor Club, the Western Canada Wilderness Committee, and numerous other groups and persons. Many of these made presentations at the meeting sponsored by the Ministry of Forests on July 26.

Although the Sierra Club attempted to utilize the media in its campaign on the Sombrio forest issue, it enjoyed mixed success. Two reasons for the difficulties encountered can be identified, both of which are specific to this issue. The first was that the issue was perceived by some members of the news media as being of only local interest, making it difficult to penetrate the major news outlets in Vancouver. The second was that, as was the case with the wolf kill issue, much of the reporting which was done did not deal with what the Sierra Club considered to be the substantive aspects of the issue. Instead, the focus was often on the "human interest" of the squatters living on the beach below the forest; and the impression sometimes left was that the preservation of their counter-cultural lifestyle was the crux of the debate on the Sombrio forest.²⁰

Nevertheless, by July 26, 1983, coverage had been obtained in two of the province's three major daily newspapers,²⁰ as well as on several radio

stations,²¹ and a Victoria television station.²²

This news coverage combined with networking activities resulted in an estimated public attendance of about one hundred people at the public meeting held by the Ministry of Forests on that date. Since the meeting was held in Sooke, a small town forty kilometers away from Victoria, this level of attendance was considered satisfactory by the Sierra Club.

The manner in which the meeting was conducted was considered to be less than satisfactory by the Sierra Club. The majority of the time at the meeting was taken up with a presentation to the public by Western Forest Products, outlining their logging plans. The representatives of Western Forest Products sat on the stage of the auditorium, together with the Ministry of Forests representatives, detracting from the appearance of impartiality which might have been considered appropriate for the Government representatives. The only organization which received any notification that members of the public would be allowed to make presentations at the meeting was Western Forest Products; the members of the public themselves had to prepare for the meeting without knowing whether they would, in fact, be allowed to speak. Each individual and organization was allowed only five minutes in which to make a presentation. There had been no public access to Western

Forest Products' logging plan prior to the meeting; and no copies were available at the meeting, nor were they provided subsequent to the meeting. While a Ministry of Forests spokesman had previously indicated that environmental impact assessments were being conducted by various Federal and Provincial Departments and Ministries, it was believed that the public was being denied access to these studies (it was eventually discovered that no such studies had been prepared).

The decision to allow the Sombrio logging to proceed was handed down by the Ministry of Forests on August 29, 1983. There was no administrative recourse available to the Sierra Club following this decision; and the possibility of any intervention by the Minister of Forests or the Environment and Land Use Committee of Cabinet seemed unlikely, judging by the earlier reluctance of Cabinet Ministers to discuss the Sombrio issue.

Lawyers active in the Sierra Club proposed the possibility of appealing the decision of the Ministry of Forests in the courts. It was suggested that recent decisions involving the law of procedural fairness and natural justice had established precedents which might make it possible to challenge the procedure whereby the Ministry of Forests had arrived at their decision to allow the logging. One of these lawyers offered to represent the

Sierra Club on a pro bono basis, should the Club wish to pursue this option.

The Board of Directors of the Sierra Club of Western Canada authorized a legal action at their fall meeting in 1983. Because Greenpeace had also been active on this issue, and had a file of substantiating correspondence which could usefully supplement the Sierra Club records on the Sombrio case, Greenpeace was invited to be a co-appellant in the action. On December 2, 1983, these two organizations filed an action against the Ministry of Forests under the Judicial Review Procedure Act, asking that the decision of the Ministry be set aside.

The hearing was held in the Supreme Court of British Columbia on March 28 and 29, 1984. While the action was originally only between the two environmental organizations and the Ministry of Forests, Mr. Justice MacDonell allowed Western Forest Products to be admitted as co-respondent in the case.

Three points had to be demonstrated by the two environmental organizations: that they had "standing" to appear before the court; that the public meeting which had been held on the Sombrio issue was, in fact, a quasi-judicial hearing, and should be bound by the laws which govern government hearings and by the principles of natural justice; and that the Ministry of Forests had

behaved unfairly in their treatment of these organizations in the conduct of that hearing. The first requirement, the need to demonstrate standing, is an obstacle which, in Canada, effectively bars all but those who have an identifiable financial interest in a government decision from challenging that decision in court.²² Although the lawyer for the Ministry of Forests did not challenge the standing of the Sierra Club and Greenpeace (a decision for which he was reprimanded by Mr. Justice MacDonell), the lawyer for Western Forest Products did challenge the standing of these organizations. Decision on the question of standing was reserved, however, and handed down at the same time as the decision on the merits of the case.²⁴

The argument of the environmentalists on the question of standing was closely tied to their argument on why the Ministry of Forests was bound by the laws which govern the conduct of quasi-judicial hearings. Their fundamental premise was that at the July 26, 1983 public meeting, the official responsible for making the decision on the Sombrio logging had accepted public submissions concerning his decision; and that this was a de facto public hearing, and should therefore have been conducted under the normal guidelines for such hearings. While a number of the reasons for the dissatisfaction of the environmentalists with the conduct of the meeting have been mentioned previously, it

should be noted that the denial of documents concerning the logging plan by the Ministry of Forests both before and after the public meeting was advanced at the trial as the most serious cause of concern. The standing of the environmentalists was argued as stemming from their attempt to participate in the decision-making process on the Sombrio logging, as well as the long-standing interest of the Sierra Club in this area.

It should also be noted that while an attempt was made to overturn the decision to allow the logging of the Sombrio forest, no attempt was made to obtain an interim injunction against the logging of the forest, which began in the winter of 1983. It was felt that if an injunction were obtained, and the decision to allow the logging to proceed was subsequently upheld by the courts, the costs which would be levied against the environmental organizations would be sufficient to bankrupt them. Thus, even if the court action were successful, one-third of the area would already have been logged when the decision was handed down.

The decision of the court was released on May 7, 1984. The court ruled that the petitioners did not have standing to challenge the decision of the Ministry of Forests; that the Ministry of Forests did not have to conduct the July 1983 meeting in accordance with the law concerning quasi-judicial hearings; and that the Ministry of Forests

was not obliged to release any documents or information which it had before it in making its decision on whether to allow the logging to proceed. Costs were awarded to the respondents (although only Western Forest Products accepted the payment of their costs).

The Sierra Club decided not to appeal the decision. Although the cost of obtaining the trial decision had been relatively low, thanks to having had the services of counsel on a pro bono basis, the cost of an appeal would have been substantially higher. In addition, very little of the Sombrio forest would have remained intact by the time an appeal decision could have been handed down. The logging of the Sombrio forest was completed in the winter of 1985.

ELECTRICITY EXPORTS

One of the most reliably recurrent of resource disputes is that which revolves around the most appropriate uses for rivers. The level of feeling which is aroused in such disputes reflects the continued importance of rivers in human civilization, as well as the degree to which one use of a river may preclude another. In western North America, where rivers do not generally have long histories of domestication for human use, this debate has often revolved around the question of whether a given river should remain in its "wild" state or be dammed for hydroelectric or other uses. The Sierra Club has been involved in such debates

almost since its creation, when it unsuccessfully attempted to prevent the flooding of the Hetch-Hetchy Valley in California.²⁵

British Columbia has been the site of numerous disagreements concerning the damming of rivers for the generation of hydroelectricity. The Sierra Club has opposed several proposals for new hydroelectric dams, including proposals for dams on the Stikine, the Liard, the Peace and the Stein. British Columbia Hydro and Power Authority has exercised great power in the past, however; such power that many would suggest that neither public opinion nor mounting public debts have been considerations in determining the extent of their construction programme. The limits to the amount of electricity which the British Columbia public could possibly consume may have been the only check which prevented many proposed dams from being built.

The Sierra Club had feared for some years that this restriction might be eliminated by allowing B.C. Hydro to engage in unlimited sales to markets outside of British Columbia, particularly those in the United States. Until 1983, however, B.C. Hydro was restricted to making only "short-term interruptible" sales of surplus power. That is, they could not enter into long-term contracts for sales of electricity outside British Columbia, nor could they guarantee the supply of any given amount of electricity

(known as "firm" as opposed to "interruptible" supply) at any given time. Only the amount of electricity which was being generated but not consumed in British Columbia at any given moment could be sold as surplus. The Sierra Club believed that an easing of this restriction might be the first step toward allowing the actual construction of hydroelectric generating facilities for export purposes.

The construction of the Revelstoke dam, which began generating electricity in 1984, fuelled these fears. The Sierra Club had objected to the construction of the dam, stating that the power demand projections used by B.C. Hydro were wildly inflated. Although inflated demand forecasts have not been an unusual element in the construction of many electrical generating facilities, both in British Columbia and elsewhere, it was believed that the Revelstoke project represented a ruse by which B.C. Hydro might circumvent the restrictions on the export of electricity.

On October 27, 1983, news reports quoted Robert Bonner, Chairman of B.C. Hydro, as having stated that B.C. Hydro had asked the British Columbia Government to allow it to enter into long-term contracts for the export of electricity. Bonner was said to be optimistic about the prospect for marketing British Columbia electricity in California.²⁴

On November 1, 1983, the Sierra Club wrote to Stephen Rogers, the British Columbia Minister of Energy, Mines and

Petroleum Resources to express their opposition to the proposed change in policy. B.C. Hydro was criticized for its disregard for public opinion, debt load, and its overestimation of demand for electricity. The sustainability of U.S. demand for electricity was questioned. The letter stated that "the only acceptable mandate for B.C. Hydro" was to meet the domestic needs of British Columbia. In a request which was undoubtedly inspired by the legal appeal which the Sierra Club was at that time preparing on the Sombrio forest issue, the letter also requested either "copies of any documents or evidence submitted by B.C. Hydro in support of its proposal" or notification that no new evidence had been submitted.

While the letter was acknowledged by Rogers' office, with the assurance that the Sierra Club could "expect a response very shortly," that response never arrived. Seven days later, however, the Minister's position was made clear, when he unveiled a new Government energy policy which would allow B.C. Hydro to enter into long-term contracts for the export of power.²⁷

Between this November 8, 1983 announcement and the end of November, the Sierra Club undertook three initiatives on this issue. The first was to continue to press for copies of any documents which might have been submitted by B.C. Hydro to the British Columbia Cabinet in support of their

request for a change in policy concerning electricity exports. In a November 23, 1983 letter to Stephen Rogers, the Sierra Club again asked for "copies of any documents, reports or data" which had led to the change in Government policy. In addition, the letter asked to be kept informed of any new developments concerning electricity exports. A copy of this letter was sent with a November 23, 1983 letter to Doug Forrest, Systems Operations Manager for B.C. Hydro, asking him to expedite the provision of the requested information.

The second action undertaken at this time by the Sierra Club was the submission of an editorial to CBC Radio for its morning "Commentary" feature. While the proposed electricity exports had already received some negative publicity in British Columbia, the Sierra Club apparently wished to emphasize the national and international aspects of the proposal. Preliminary contact with CBC Radio had indicated, however, that exports of electricity to the United States would probably be treated as a local, rather than a national issue; and the Sierra Club submission was not accepted for broadcast.

The third approach to the issue taken by the Sierra Club of Western Canada in November was an attempt to obtain the assistance of Sierra Club entities in the United States in closing U.S. markets to exports of British Columbia

electricity. Since four Los Angeles area municipalities had already negotiated tentative agreements with B.C. Hydro, this effort was directed at the California area. On November 23, 1983, letters were sent to the Sierra Club's Los Angeles Chapter, its Sacramento office and its Southern California office. On November 30, 1983, a letter was sent to a member of the Southern California and Nevada Conservation Committee of the Sierra Club, who had expressed interest in the issue when approached by a representative of the Sierra Club of Western Canada. The letters asked whether their recipients would be willing to lobby governments in California to dissuade them from purchasing B.C. power, and if they could provide advice on the approval process that the purchasers of imported electricity would have to go through in the United States.

None of these letters received a reply, or any other form of acknowledgement. Whether this indicated an unwillingness to help on the part of the Sierra Club's California entities, or simply the inadequacy of mechanisms for transnational cooperation between the Sierra Club's component parts, is difficult to gauge. It was not until one year later, however, that any further attempt was made to obtain the support of the Sierra Club in the United States on this issue.

In December, 1983, the Sierra Club began exploring the

regulatory obstacles which might be used to prevent B.C. Hydro from being allowed to export power to the United States. On December 6, 1983, a letter was sent to the National Energy Board to ask for information concerning the National Energy Board hearing procedure which would take place before any exports would be allowed. This was eventually followed by a February 22, 1984 letter to the National Energy Board, giving notice of the intention of the Sierra Club to intervene in the N.E.B. hearings concerning B.C. Hydro's proposed exports.

On December 15, 1983, letters were also sent to two U.S. regulatory agencies, the California Public Utilities Commission and the Federal Power Commission. These letters asked for information concerning approval procedures which might be necessary prior to the transmission of power from British Columbia to California; and asked to be kept informed of any any applications for such transmission by British Columbia Hydro, or of any hearings concerning such applications. Neither of these letters received any reply.

The Sierra Club also contacted the Bonneville Power Administration (B.P.A.), the federal agency which controls electrical transmission lines in the northwestern United States. A November 22, 1983 story in the Victoria Times-Colonist had indicated that B.P.A. might attempt to prevent British Columbia Hydro from using its power lines.

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which it claimed were already being used to capacity.

In a December 20, 1983 letter to B.P.A., the Sierra Club indicated its willingness to assist in having the objections of B.P.A. upheld over any attempt by B.C. Hydro to have those objections overruled by U.S. regulatory agencies. No cooperation between B.P.A. and the Sierra Club resulted from this contact.

As was the case with the Sombrio forest issue and, to a lesser extent, the wolf kill issue, the Sierra Club's relationship with the Opposition in the B.C. Legislature was more satisfying than its relationship with the Government on the electricity export issue. The Sierra Club wrote to Barbara Wallace, the N.D.P. environment critic on January 4, 1984, to inquire as to the position of the British Columbia N.D.P. and its Caucus on long-term electricity exports. In a January 23, 1984 reply, Wallace indicated that both of these bodies were on record as being in opposition to long-term exports. Representatives for the Sierra Club and the N.D.P. met to discuss strategy for National Energy Board Hearings in March 1984.

The Sierra Club announced its intent to participate in N.E.B. hearings in a press release on February 24, 1984. This press release coincided with a trip to California by Premier William Bennett and B.C. Hydro Chairman Robert Bonner to attempt to stimulate sales of B.C. electricity.

It emphasized the belief of the Sierra Club that electricity sales were not intended to utilize a temporary surplus, as was claimed by the Government of British Columbia. As evidence of this, the press release pointed to the failure of B.C. Hydro's proposed export permit to provide for declining amounts of electricity exports over the life of the permit. It was suggested that by proposing to export a constant amount of power over the life of the permit, B.C. Hydro would create a foreign dependency on British Columbia electricity, eventually leading to the construction of new dams for export purposes.

No evidence, however, can be found of the news media giving any coverage to the Sierra Club press release. In fact, the only media record of the position taken by the Sierra Club is a letter to the editor of the Vancouver Sun which criticized the position of the British Columbia Government on both electricity exports and water exports.²²

National Energy Board hearings into the export application by B.C. Hydro took place in Vancouver from March 26 to 30, 1984. The Sierra Club was one of seventeen groups and individuals which opposed this export application at the hearing. The others included environmental organizations, native bands, politicians, political parties, local governments and the Consumers Association of Canada.

The presentation by the Sierra Club at the hearings compared expected levels of precipitation (which determines the water height behind a dam) with predictions by B.C. Hydro of their excess generating capacity. It attempted to show that there was a statistical probability that B.C. Hydro would not have excess generating capacity sufficient to allow them to meet their projected export schedule.

The real concern of the Sierra Club, that the construction of excessive generating facilities at the Revelstoke Dam represented a "back door" method of building dams for electrical exports, was not touched upon in Sierra Club testimony or arguments at the hearings. The National Energy Board panel conducting the hearing had indicated that while they would be prepared to listen to environmental arguments, the construction of dams within the province was outside their jurisdiction.

The decision of the National Energy Board, released on August 16, 1984, was to allow the export of firm electricity by B.C. Hydro. It did, however, restrict the term of the export license for firm power to four years, rather than the six years which B.C. Hydro had requested, on the grounds that for the last two years of the license period applied for, B.C. Hydro could not be shown to have "firm power and energy surplus to reasonable foreseeable Canadian requirements."

Following this decision, the Sierra Club of Western Canada renewed its efforts to work through the Sierra Club in the United States to discourage the purchase of British Columbia electricity. At the October 1984 meeting of the Board of Directors of the Sierra Club of Western Canada, a resolution was passed requesting that the Sierra Club in the United States direct its resources toward preventing such purchases. In addition, it specifically asked that United States Sierra Club entities support those aspects of Bonneville Power Authority's Intertie Access Policy which would make such purchases difficult.

The Northwest Regional Conservation Council of the Sierra Club and two California Regional Conservation Councils of the Sierra Club have subsequently given their unanimous endorsement to the requests of the Sierra Club of Western Canada. No evidence can be found, however, of any specific actions which have been taken by the Sierra Club in the United States to oppose U.S. imports of power from British Columbia.

Chapter 3

Notes

¹Marion K. Sander, "The Professional Radical, 1970," Harper's Magazine, Vol. CCXL, Number 1436, January 1970, p. 42.

²Peter W. Hogg, Constitutional Law of Canada, Second Edition (Toronto: Carswell, 1985), pp.582-600.

³Michael Doherty, "British Columbia: Gray Times for Environmentalists," Sierra, LXIX, Number 5, September/October 1984, p. 14.

⁴In preparing this chapter, extensive use has been made of Sierra Club files. References to correspondence, minutes, etc. which have been taken from these files are not footnoted.

⁵"Hunters Run Raffle for Woods Project," Alaska Highway News, November 30, 1983, p. 1.

⁶Ibid.

⁷Unlike the wolf kill program discussed here, which was intended to inflate game numbers to benefit hunters, the 1080 poisoning program is for reactive control of wolves and coyotes which have attacked livestock. The Sierra Club was represented at hearings into the use of 1080 by the same legal counsel who acted for it in the Sombrio forest trial (discussed later in this chapter). The Sierra Club brought Dr. Carl Gustavson from the United States to testify on taste aversion as an alternative to poisoning for predator control. The Environmental Appeal Board, however, granted the British Columbia Government its permit for the use of 1080.

⁸"Alaska Hunts Wolves to Enlarge Moose, Caribou Herds," Sierra, LXX, Number 1; January/February 1985, p. 12.

⁹Odean Cusack, "Reprieve for Minnesota's Wolves," Sierra, LXIX, Number 2, March/April 1984, p.38.

¹⁰Molra Farrow, "Wolf kill program shocks some," Vancouver Sun, January 11, 1984, p. 1.

¹¹Molra Farrow, "Wolf-kill plan draws howls," Vancouver Sun, January 13, 1984, p. A13.

¹²Ministry of Environment, Public Safety, Fisheries and Wildlife Considerations (Victoria: Fish and Wildlife Branch, Ministry of Environment, 1982).

¹³James Oakes, "Group says B.C. report refutes wolf-hunt logic," Toronto Globe & Mail, January 18, 1984, p. 1.

¹⁴"Wolf shoot unjustified, group says," Vancouver Sun, January 17, 1984, p. A12.

¹⁵"Wolf killing under way," Vancouver Sun, January 21, p. 1.

¹⁶The five papers released were: Kechika Enhancement Project: Project Working Plan for 1982 January - 1982 March; J.P. Elliott, Kechika Wolf Project: 1982-83 Annual Progress Report (Fort St. John: Fish and Wildlife Branch, B.C. Ministry of Environment, 1983); Dr. J.P. Elliott, Muskwa Project: Draft Problem Analysis/Working Plan (Region VII, B.C. Fish and Wildlife Branch, October, 1982); John Elliott, Don Eastman, David Hatler, Ian Hatter, Northern B.C. Wolf - Caribou Study: a comparative analysis of caribou calf recruitment in an experimental wolf removal and control area (Fish and Wildlife Branch, B.C. Ministry of Environment, January 1984); Surveys of Caribou, Moose, and Wolves in Northern British Columbia in 1978-79 and 1979-80: a summary of results (Victoria: Wildlife Management Section, Fish and Wildlife Branch, Ministry of Environment, June, 1983).

¹⁷The local programs included "Early Edition," "B.C. Edition" and "Almanac." The national programs included "Sunday Morning" and "As It Happens."

¹⁸"Wolf shoot unjustified, group says," Vancouver Sun, January 17, 1984, p. A12.

¹⁹"Smarter wolves pose problems for kill plan," Victoria Times-Colonist, February 2, 1984, p. D-11.

²⁰James Oakes, "Group says B.C. report refutes wolf-hunt logic," Toronto Globe & Mail, January 18, 1984, p. 1.

²¹Aside from Barbara Wallace, however, no New Democratic Party M.L.A publicly opposed the wolf kill.

²²Jim Hume, "Talk Politics," Victoria Times-Colonist, February 16, 1984, p. A-5.

²³These were Jim Chabot, the Provincial Secretary, and Claude Richmond, the Minister of Tourism. The former replied with an acknowledgement, the latter with a form letter.

²⁴"Wolf kill program halted by province," Victoria Times-Colonist, September 24, 1985, p. A-3.

²⁵British Columbia, Ministry of Forests, Public Involvement Handbook, (Victoria: Queen's Printer, 1981).

²⁶British Columbia, Ministry of Forests, Statement on Integrated Resource Use (Victoria: Ministry of Forests, February 4, 1983), p. 1.

²⁷Ted Alden, "Logging set for Sombrio," Monday Magazine, IX, Number 12, March 18-24, 1983, p. 4.

²⁸The recipients of copies of the letter included: the Duncan District Office of the Ministry of Forests; the Ecological Reserves Branch of the Ministry of Environment; the Fish and Wildlife Branch of the Ministry of Environment; the Parks Branch of the Ministry of Environment; the Ministry of Tourism; the Capital Regional District; Greenpeace; the Victoria Outdoor Club; the Western Canada Wilderness Committee; and the National and Provincial Parks Association.

²⁹Molra Farrow, "Spirit of '70s lives in threatened forest," Vancouver Sun, October 12, 1983, p. A1. Sid Tafler, "Beach life on B.C. island does not end with winter," Toronto Globe & Mail, December 6, 1983, p. 3.

³⁰The Vancouver Sun and Victoria Times-Colonist.

³¹Including CFMS, CJVI and CBU (CBC Vancouver).

³²CHEK-TV.

³³See Chapter 4 for further discussion.

³⁴Sierra Club of Western Canada v. R. in Right of B.C. (1984), 54 B.C.L.R. 82. Reserving decisions on standing is a common practice. It eliminates the need for the plaintiff to return to trial court for a decision on the merits of the case if there is a successful appeal on a denied right of standing.

²⁵Eric Seaborg, "The Battle for Hetch Hetchy,"
Sierra, LXVI, Number 6, November/December 1981, pp. 61-65.

²⁶"Hydro seeks change in power export rule,"
Victoria Times-Colonist, October 27, 1983, p. B-15.

²⁷"More power exports seen, Site C off," Victoria Times-Colonist, November 9, 1983, p. A-3.

²⁸"Northwest may bar California hydro buy,"
Victoria Times-Colonist, November 22, 1983, p. 2.

²⁹"Water and electricity exports could be a
millstone in future," Vancouver Sun, June 27, 1984, p. 5.

³⁰National Energy Board, Reasons for Decisions in
the Matter of the Application Under the National Energy
Board Act of British Columbia Hydro and Power Authority
(Ottawa: Minister of Supply and Services, July 1984) p. 1.

Chapter 4

THE TECHNIQUES OF INFLUENCE

It was stated earlier in this paper that it would probably not be possible to identify any one campaign from among the many issues which the Sierra Club has worked on as being a "typical" example of an attempt by the Sierra Club to influence public policy. In the three cases which have been examined, however, a variety of techniques can be identified which were used in the attempts to realize the policy goals of the Sierra Club. These are techniques which preliminary examination of Sierra Club records on other campaigns reveals are not atypical of Sierra Club campaigns in general.

In this chapter, these techniques of influence will be identified, and the successes and difficulties which have characterized their use by the Sierra Club will be considered. References will be made to the three campaigns which have been examined in this paper, as well as to other Sierra Club campaigns. Together with the case studies in Chapter 3, this will form the basis for the conclusions in Chapter 5 about the adequacy of the existing relationship between environmental organizations and governments in Canada.

The Elements of Strategy

In "The Psychology of Influence," Andrew Colman gives a clear overview of the task which faces organizations attempting to influence public policy in the United Kingdom, one which applies as well to the Canadian situation:

In practice, a pressure group in Britain usually finds itself confronted by a more or less principled government policy on the issue at hand, and its task is to influence the decision-makers to change that policy. This in turn usually involves inducing them either to modify the principles which guide their existing policy, or to modify the policy in spite of the principles, in the interests of expediency for example.¹

Or, as Thompson and Stanbury state more succinctly, "In Canada, interest groups seek to promote their interests primarily by persuading legislators of their views."²

There are many ways, however, in which groups can seek to undertake this persuasion. As we have seen in the last chapter, there may even be ways of achieving a given end without effecting a change in government policy, such as through the courts or an administrative tribunal.

1) Lobbying the Government.

In practice, this usually means lobbying the Minister responsible for a given policy. Occasionally, however, if the minister appears to be personally committed to a viewpoint opposed to that of the Sierra Club, an attempt may be made to bypass him, and lobby the Premier or other cabinet ministers. On the wolf kill issue, for instance,

the Sierra Club wrote to all members of Cabinet before writing to the Minister of Environment. An examination of Sierra Club letter-writing requests to its members in 1984 indicates, in fact, that the Minister of Environment was being virtually boycotted at this time, and that letters on environmental matters were routinely directed at Premier Bennett, rather than at Anthony Brummet, the Minister of Environment.

In British Columbia, the Sierra Club generally attempts to lobby at the political level through correspondence, rather than by meetings or telephone conversations. There appear to be at least three reasons why this is so. The first is that meetings with Ministers can be difficult to obtain; or, as was the case in the Sombrio forest issue, impossible to obtain.

The second is that when it is possible to arrange meetings with a Minister, there is usually a waiting period, sometimes as long as several months, before the meeting actually takes place. This may not be objectionable if the meeting represents an annual briefing session, for example, or a chance to present the Minister with findings from some new research. If the meeting is to advance a position on a topical issue, however, such a delay may make the meeting pointless.

A third difficulty relates to the fact that information

is generally considered the coin which lobbyists use to purchase meetings with politicians. The information which is transmitted to the politician may simply be the reaction of an organization to government policy, particularly if the organization is exceptionally powerful. However, information in the form of public opinion surveys, economic projections, or other studies which may be useful to the politician in some way, represent greater value in the lobbying situation, particularly for organizations which do not command significant financial or other resources. As Abraham Holtzman notes, "(t)he furnishing of research by lobbyists and the conveyance of information are probably the most usual day-to-day types of interaction [between lobbyists and legislators]."

Unfortunately for organizations like the Sierra Club, these are the same sort of organizations which have difficulty in rapidly generating sophisticated studies. The volunteer members who constitute the operating base of the Sierra Club cannot drop their other responsibilities in order to devote their full time to a new Sierra Club priority. Nor can the small staff of the Sierra Club in British Columbia stretch itself thin enough to be able to prepare such materials while carrying out its other duties. Therefore, while the Sierra Club generally attempts to schedule meetings with appropriate ministers when they

complete major research papers, such as those recently published on the firewood, tourism and mariculture industries,⁴ their issue-specific meetings with ministers would generally have to be conducted without the benefit of such documents. This would seem likely to affect their willingness to press for time with a cabinet minister, rather than sending their arguments to the minister in the form of a letter.

While there is no reason to believe that the Sierra Club would not like to have more meetings with cabinet ministers, they do appear to be aware of the one advantage which lobbying by correspondence conveys: the existence of a written record. While no evidence could be found of the Sierra Club releasing correspondence to the media in British Columbia, the possibility of doing so always exists. In the conflict over the northeast B.C. wolf kill, the release by the Association for the Protection of Fur-Bearing Animals of the letter from the Minister of Environment vilifying the wolf obtained considerable media coverage.

Some Sierra Club correspondence files seem to be directed toward possible future use. One example is a file containing repeated requests for a corridor pass to the B.C. Legislature for a Sierra Club staff person. At the start of every sitting of the Legislative Assembly for the past two years, the Sierra Club has written to the Speaker of the

Assembly, requesting a pass. The Speaker has just as regularly written back, denying the request. While this might suggest merely that the Sierra Club hopes that the Speaker will change his mind, members of the Sierra Club executive have confirmed that they wish to amass a record of these requests and denials with an eye toward litigation under s. 15 of the Constitution Act, 1982.

The possibility that a written record of correspondence between the organization and the Government may be useful in case of litigation was apparently brought home to the Sierra Club during the Sombrio forest trial. Much of its subsequent correspondence, such as that requesting documents from the Minister of Energy, Mines and Petroleum Resources concerning electricity exports, appears to have been composed with this in mind.

11) Lobbying the Civil Service

In the three case studies which we examined, most of the Sierra Club contact with the civil service would not generally be characterized as lobbying. Instead, the purpose of Sierra Club contact with civil servants was generally to seek information concerning the issues. The exceptions to this generalization were the meeting with senior members of the Fish and Wildlife Branch concerning the wolf kill, and much of the contact with the Duncan District Office of the Ministry of Forests on the Sombrio

forest issue.

This pattern would seem to reflect the conflict between the Sierra Club position and Government policy in the issues which we have examined. In all three of these issues, the Government either was doing, intended to do, or could be reasonably expected to do something which the Sierra Club disagreed with. Therefore, the political level would normally have appeared to be the best point at which to exert pressure, since the degree of initiative necessary to reverse Government policy would not normally be possessed by the civil service.

In the case of the Sombrio forest issue, however, the Duncan District Office of the Ministry of Forests did, nominally at least, possess the authority to approve or disapprove the logging plans of Western Forest Products. Furthermore, despite the degree of perceived support of the Minister of Environment for the wolf kill, the program was conceived and executed by one civil servant, Dr. John Elliot, and based almost entirely on his field research; making it not unreasonable to attempt to apply pressure to him on this issue. These attempts to lobby the civil service in a conflict situation appear, however, to be exceptions to the normal operating patterns of the Sierra Club.

Lobbying of the civil service might ordinarily be

expected to take place in the more relaxed atmosphere which exists before public conflicts develop over specific issues. Ongoing day-to-day contacts between lobbyists and civil servants can affect public policy while it is still at a seminal stage, as well as providing a variety of benefits to both parties. While this type of contact does not generally result in any written record, and is therefore difficult to document, this does characterize the normal pattern of civil service lobbying by the Sierra Club in British Columbia.

iii) Lobbying Backbench M.L.A.s and the Opposition

In the British Columbia Legislature, lobbying backbench members of the Social Credit Caucus would be a strategy of uncertain value. Of the thirty-five elected Social Credit Members of the Legislative Assembly, twenty-one are cabinet ministers, and one is the Speaker of the Legislative Assembly. Of the remaining thirteen, all but one have received some sort of appointed office, such as a parliamentary secretaryship, chairmanship of the Government Caucus, Deputy Speakership, etc.. In one sense, therefore, there is only one "true" Government backbencher who would be available for backbench lobbying.

A more serious consideration for the Sierra Club or other organizations which want to influence public policy and might consider lobbying backbench Government M.L.A.s is the degree of effectiveness of this approach. A calculation

of the effectiveness of this tactic would be similar in some aspects to a calculation of the effectiveness of lobbying the opposition. An organization lobbying either of these two target groups might be presumed to do so for one of three reasons.

First, they might believe that Members of the Legislative Assembly on either the Government backbenches or the opposition benches actually contribute in some direct way to the formation of Government policy. In the case of the opposition, this would almost certainly have to be regarded as a misconception. In the case of backbench M.L.A.s, there might be some possibility of influence being exercised through the Government Caucus, either in Caucus meetings or informally. It would seem unlikely, however, that significant influence on Government policy would normally be exercised through these channels.

The literature concerning organizational involvement in the political process sometimes gives the impression that this sort of misunderstanding of the political system is the only reason for a group to lobby those members of the legislative body who do not have cabinet portfolios. In fact, the second and third of our three reasons for lobbying these elected members are quite reasonable.

It may be that a group wishes to enlist these members as what might be termed "intermediate activists." That is,

they conceive of the elected members functioning much as the organization itself does, using their elected offices as platforms from which to lobby the Government or publicize an issue in the news media. Seen in this light, the M.L.A. is not so much an actual target of lobbying efforts as a potential partner in a coalition.

It seems likely that such an approach would generally have more applicability when lobbying opposition M.L.A.s than when lobbying Government backbenchers. While the Government might be more sympathetic to lobbying efforts from its own members than from the opposition, opposition M.L.A.s would almost certainly be more willing to take a position opposed to Government policy, particularly in the media. This is particularly true in the British Columbia Legislative Assembly, where the odds in favour of a well-behaved Government M.L.A. receiving a cabinet appointment are quite favourable. Those Government M.L.A.s who are on the backbenches tend to be either freshmen, who might be expected to be reluctant to jeopardize their prospects for advancement by championing an unpopular cause; or veteran M.L.A.s whose "maverick" records have left them ostracized by their own party, and not, therefore, particularly persuasive advocates within their party caucus.

The third reason for lobbying opposition or backbench M.L.A.s is to educate these individuals in important issues

and concepts for the time when they might themselves hold cabinet office; and to institute a mutual debt of obligation to bind the M.L.A. to the lobbying organization for future benefit during his or her possible tenure as a future cabinet minister.

\ In all three of the case studies which were examined in this paper, the Sierra Club had contact with opposition M.L.A.s, but no contact with Government backbench M.L.A.s. The contact with opposition M.L.A.s was clearly undertaken for the second of the three reasons enumerated above; that is, to enlist the opposition as intermediaries in the lobbying and news media campaigns which the Sierra Club was undertaking. In the case of the northeastern wolf kill, this went so far as the provision to the opposition environment critic of briefing notes which were released practically verbatim in her press release on the issue.

iv) Media Relations

If it is true that "the mass media have become in modern industrial societies the primary communicators of politically significant images,"² then any organization which aspires to play a role in the political process should carefully consider what images they are projecting. Not only do the mass media give the general public the information about politics and government upon which they can base their own political choices, they also give

governments an indication of how their actions are being received by the general public. Journalists do not, therefore, merely provide an historical record of political events; they also play an active role in them.

For the Sierra Club and similar organizations, news coverage in the mass media is an essential tool. Since such groups do not directly control large amounts of capital or votes, a primary means of persuading governments to change policies must be by attempting to influence public opinion, thereby threatening the electoral support needed to keep governments in office. Whether or not media coverage on specific issues can actually change voting behaviour, governments and organizations alike behave as if it does.

In all three of the cases examined in this paper, the Sierra Club did make some attempt to obtain coverage in the mass media for its position on the issues involved. The degree of effort invested in this approach varied, as did the extent of coverage provided by the mass media. While only the electricity export issue failed to generate any coverage of the Sierra Club position whatsoever, coverage of all three issues was unsatisfactory from the point of view of the Sierra Club. Several reasons for their difficulty in this regard can be identified.

The first of these is a problem specific to the Sierra Club, rather than one common to all environmental

organizations. As was mentioned earlier, the orientation of the Sierra Club toward political action has resulted in its headquarters being established in Victoria, the provincial capital. In British Columbia, however, most news agencies have their headquarters in Vancouver. Victoria is unique, in fact, for being the only one of Canada's provincial capitals which does not have a Canadian Broadcasting Corporation station.

This makes it difficult for the Sierra Club to obtain coverage for its positions. There are delays in the delivery of press releases and difficulties in coordinating television interviews. Day-to-day contacts which can lead to a rapport between newsmakers and news reporters are absent.

Aside from its three local radio stations, one local television station, one daily newspaper and one weekly newsmagazine, Victoria does have one other media resource which might be thought to offset the separation of the Sierra Club from Vancouver news outlets. This is the Legislative Press Gallery, which includes representatives from radio and television stations and networks, newspapers and wire services. These reporters have a specific task: to report on political news concerning the Government of British Columbia. What constitutes "political" news, however, appears to be a question subject to interpretation.

While the attempts of the Sierra Club to find political solutions to environmental problems indicate an inherent belief in the impossibility of separating the environment from politics, the news media do not appear to share this perspective.

The British Columbia Legislative Press Gallery has, in the experience of the Sierra Club, been unreceptive to news of environmental issues, even when those issues have been the direct responsibility of the British Columbia Government. This appears to reflect a general trend in journalism, rather than a trait which is specific to this body. The condition of the environment is perceived as a "social" issue, rather than as an issue which has political, economic and other aspects. This "ghettoization" of the environment in the media leads to journalistic neglect of many of the component concerns which together constitute environmentalism. It reflects a general reification of environmentalism which has led to this concept being viewed separately from those problems of human health, resource depletion, unemployment, genetic loss and other concerns which have spawned it. Thus, although the environment is a more frequent news topic than it was in the past, the quality of the coverage has not necessarily improved.

There are several additional problems which environmental organizations such as the Sierra Club face in

dealing with the news media. Several of these problems were touched on by Ron Verzuh in the March-April 1980 edition of Content, "Canada's National News Media Magazine." Verzuh posed the question of whether Canadian journalists are "capable of adequately reporting the scientific and technological stories of the 1980s."⁷ After examining the coverage by seven Canadian daily newspapers of three major technological stories in 1979, including the disaster at Three Mile Island, Verzuh concluded that the answer to his question was "an unequivocal 'no'."⁸

One of the reasons for this inability to adequately report on scientific stories, including environmental stories, is that the academic background of most journalists is in the arts and social sciences, rather than the hard sciences. This factor undoubtedly combines with short deadlines and understaffing to result in superficial treatment of these stories.

Another problem lies in the accepted notions of what constitutes "news." For journalists, news concerns events. For environmental organizations, it would be more useful if news were perceived as concerning issues. An example of the distinction between the two might be seen in the story of a camel being gradually loaded with straw. From the event-oriented perspective of popular journalism, the camel would become news when the final straw was added which would

break its back. Prior to that time, it would probably only receive news coverage if some prominent person spoke out on the cruelty of loading camels with straw, or if a demonstration in support of the camel was held. From an issue-oriented point of view, however, the situation which will eventually result in disaster for the camel exists throughout the entire camel-loading process.

This analogy is particularly apt, considering the long-term consequences of many of the trends which environmental organizations concern themselves with. Air and water pollution, atmospheric buildup of carbon dioxide, deforestation, desertification, depletion of energy reserves and other problems have all been underway for many years. It will presumably be many more years before they become so pervasive that they are impossible to ignore; but when that point is reached, it will presumably be too late to remedy the damage to the planetary ecosystem.

Some environmental organizations, most notably Greenpeace, have reacted to the event-oriented nature of the mass media by manufacturing media "events". By making these events their principle tactic, they are able to draw considerable public attention to the causes they espouse. Generally, however, the significance and depth of the issues that are publicized in this manner are not conveyed by the mass media, so that the reaction of the public and

government tends to be to the events themselves, rather than to the underlying issues. Furthermore, this sort of tactic can discredit the organization in the eyes of those politicians, civil servants, academics and industrialists who are involved in these issues in more sedate ways. This closes off certain other strategies to groups which choose to rely on media coverage as their primary method of pursuing their goals.

From the three case studies which we have examined, it is clear that the Sierra Club has avoided this type of relationship with the media. Their press releases in all three campaigns illuminated anomalies in government positions, sometimes citing other government reports as the basis for illustrating those anomalies. The price the Sierra Club has paid for this decision, however, is a lack of media coverage for their positions. This may not only result in less popular pressure on governments to move on issues, but also in less financial and membership support for the Sierra Club itself.

v) Public Letter-Writing

The generation of letters to the editor and letters to politicians is, like the generation of news coverage, an indirect means by which an organization can attempt to influence government decision-makers. It is undoubtedly one of the most widely-used tactics among organizations of all

kinds. The Sierra Club publication Conservation Action tells readers that "Your chief tool is the letter," and states that "Letters do work." Hall states that "almost any MP will tell you that there is one tried and tested method of lobbying which does work - and that is the constituent's letter."

Whether the generation of these letters is, in fact, an effective tactic, would seem to depend on the political decision-maker who is the target of the attempted influence. Anthony Brummet, the former British Columbia Minister of Environment, has stated publicly that letters to his office were thrown away unread. In addition, a leaked memo from Brummet to civil servants in the Ministry of Environment instructed them not to waste time answering letters from the public about whales, seals, wolves and other popular topics. It seems likely, however, that this is an exceptional case.

Rumour states that politicians have formulae for weighing public opinion from the number of letters they receive; so that one letter on a given subject might, for example, represent the views of one hundred people who share the same opinion, but were not sufficiently motivated to write. No instance could be found of any politician admitting to using such a formula, but it is not inconceivable that it might occur. Regardless of whether such mechanical calculations are used, it does seem likely

that most politicians would take some note of mail they receive from the public.

In the three cases studies which we have examined, we have not noted attempts by the Sierra Club to generate letters from the public. This is not because such effort was not undertaken. Rather, it is because the means by which the Sierra Club seeks to generate these letters do not necessarily leave written records, and also because the generation of these letters is pervasive throughout the normal routine of this organization. Sierra Club members attending Club meetings are given presentations on issues the Club is working on, and are asked to write letters of support. Members are sometimes contacted through "telephone trees," particularly on urgent issues, and asked to write these letters. Letter-writing parties are occasionally held, social events where Sierra Club members are told to bring their favourite pens for an evening of letter writing and wine (the Sierra Club provides the wine). Articles in Sierra Club publications, while they may not always overtly ask readers to write supporting letters, generally contain the information necessary to allow readers to prepare such letters.

In the spring of 1983, one incident occurred which clearly illustrates that importance is attached to these letters not only by the Sierra Club, but by at least some of

those within government and industry. The British Columbia Ministry of Forests and the British Columbia Ministry of Environment had jointly sponsored the publication of the report Reservation of Old Growth Timber for the Protection of Wildlife Habitat on Northern Vancouver Island. The Old Growth Timber referred to in the title of the report was within Tree Farm Licenses 37 and 39, controlled by Canadian Forest Products Limited (Canfor). Canfor was opposed to the withdrawal of any timber from their cutting rights, and began a successful campaign to have their employees and their employees' families write to the Provincial Government urging that the old growth timber be logged.

Civil servants within the Ministry of Forests noted that the letters they were receiving in response to the report advocated logging by a margin of 14 to 1. These civil servants believed that this might make the logging almost a certainty, despite valid reasons for leaving the area in question unlogged. They therefore contacted the Sierra Club to request that a letter-writing campaign be launched to balance the input which they had received as a result of the Canfor letter-writing campaign. This effort was undertaken, and did result in an approximately equal balance between the letters advocating logging of the old growth forest and those advocating its preservation.

Despite the apparent importance attached to the

generation of letters to politicians and letters to the editor, the Sierra Club of Western Canada has not attempted to emulate the "Activist Network" which the Sierra Club operates in the United States. This network of Sierra Club members is composed of those individuals who have agreed to write letters of support several times each year on issues chosen by the Sierra Club. This guarantees the Sierra Club the ability to deliver thousands of letters on any given topic within a very short time. While no similar network has been established within the Canadian chapters of the Sierra Club, the Sierra Club of Western Canada has recently sponsored the creation of such a network within the Canadian Environmental Network, a national umbrella organization of environmental groups.

vi) Coalition-Building

In two of the three case studies which we examined, those concerning the Sombrio forest and the wolf kill, the Sierra Club stimulated the creation of a coalition to work towards common goals. Coalition-building is not an uncommon tactic among environmental groups; in fact, Sierra Club officers could not identify any site-specific, major environmental issue in British Columbia in recent years which has not involved some sort of coalition.

Working with a coalition of other organizations confers several advantages. The resources of the different groups

can be directed either toward combined or individual tasks. The combined memberships of the various organizations can be claimed when quoting the number of people who support the position taken on an issue. The combination of diverse groups under a common umbrella is evidence to political decision-makers that that a position taken does not represent merely the opinions of a narrow spectrum of society, but of a broader group which is more representative of society as a whole.

The strength of a coalition is perceived as being greatest in this regard if the groups which combine in the coalition are groups which are known to ordinarily be opposed to each other. A recent example of an attempt to take advantage of this perception was the coalition between the Sierra Club and other environmental groups, on the one hand, and skiing organizations on the other, in a dispute over the proposed site of the alpine skiing events for the 1988 Olympics in Calgary. The Sierra Club has often opposed ski developments in the past, viewing them as intrusions on wilderness areas. It was able to agree with government officials and skiing organizations on Mt. Sparrowhawk as an acceptable site for Olympic alpine skiing. When the site was changed to Mt. Allen, environmentalists and skiers were united in their opposition to the new site; environmentalists did not want a particularly valuable

bighorn sheep herd disturbed, while skiers wanted a site with more snow and better recreational potential.

Representatives of the Sierra Club and skiing organizations regularly pointed out to journalists the anomaly in the coalition of groups which were more often opposed to each other.

Another example of the Sierra Club being involved in a coalition with groups which it more often opposes came when it was approached by the B.C. Association of Professional Foresters for support of the latter organization's position paper opposing the construction of electrical transmission lines. The Sierra Club endorsed the paper, despite its disagreements with the Association of Professional Foresters over various aspects of forest management.

There are also disadvantages associated with participation in coalitions. The first of these is that the more diverse the groups participating in a coalition, the more narrow is their common denominator; this can make it difficult to obtain agreement on more than the most basic aspects of the coalition's platform. This is particularly disadvantageous in evolving situations, where government, industry, and the news media expect the coalition to be able to speak as a unified entity. Coalition representatives may face a choice between failing to adequately consult with their member organizations before making decisions or

statements; and losing valuable opportunities by delaying while they undertake such consultations.

A related difficulty is that participants in a coalition run the risk of embarrassment by other members of the coalition. This factor was uppermost in the decision of the Sierra Club not to combine their actions with some of the other organizations which were active on the wolf kill issue, such as the Sea Shepherd Society (Project Wolf) and the Association for the Protection of Fur-bearing Animals.

While a coalition can be structured so that individual organizations within it retain their autonomy, it may nevertheless appear to onlookers that actions by one coalition member are undertaken on behalf of all members of that coalition. This is a disincentive for joining diverse coalitions, where one organization is likely to disagree with another on acceptable tactics.

A further disadvantage to participating in coalitions is that they may confer short-term advantages at the cost of long-term disadvantages. If an organization works through a coalition on a particular issue, it will probably not gain the same amount of publicity that it would if working independently. Therefore, when the issue reaches a conclusion and the coalition disbands, there will be little ongoing benefit in the form of increased membership and public support. For an organization like the Sierra Club

which has long-term environmental goals and is dependent on its membership base for its existence, this should be a serious concern.

vii) Public Education

While creating public awareness of environmental issues may be primarily achieved through the news media, the Sierra Club does use other methods as well. The most obvious of these is by informing its own members. One means of doing this is through its own in-house publications, ranging from group newsletters to Sierra magazine. The readership of these publications ranges from approximately 200 for the Victoria group newsletter to 350,000 for Sierra; the latter, however, seldom contains articles on Canadian topics (a frequent cause of complaint among Canadian members of the Sierra Club).

Considering that one of the most accepted justifications for interest group activity is that groups serve to disseminate information about government programs and policies to their membership, it is remarkable how few of the resources of the Sierra Club are directed to communication with the members of the organization. The newsletter for the Western Canada chapter is published only quarterly, and is in a four page newsprint format. The Victoria group newsletter is the only other regular publication; it is printed between four and six times per

year on stapled sheets of legal size paper, and also services the Cowichan group. Other Sierra Club groups have occasionally published newsletters in the past. The explanation for the lack of attention given to communication with its members by the Sierra Club is probably that every mailing sent to a member consumes one percent of his membership dues in postage alone. Since the volumes of mail sent by the Sierra Club are not large enough to qualify for discounted postage rates, mailing costs discourage frequent communication with the membership.

Another means by which the Sierra Club educates its own members on environmental issues is through its meetings. Most of the Sierra Club groups hold these regularly,¹³ and often feature guest speakers on environmental issues. A variety of methods are used to communicate with non-members both on specific issues and for more general educational purposes. In its campaigns on the wolf kill and Sombrio forest issues, the Sierra Club prepared "factsheets" for public distribution. They were printed in batches of only a few hundred, however, and little effort was put into distributing them.

Unlike the Sierra Club in the United States, the Sierra Club of Western Canada does not have its own publishing house. Three books on hiking have been published, however, which have all included sections on conservation. No books

on environmental issues have been published. Occasionally, talks are given in schools and to community groups. These have been infrequent, however, and a decision was made in 1985 to further reduce the number of talks given.

Although advertising is the most obvious way for any group to get a message to the general public, it has only been used twice in recent years by the Sierra Club of Western Canada. In 1983, advertisements were put into three community newspapers in British Columbia telling voters to ask candidates in the provincial election to state their positions on environmental issues, and urging voters not to vote for candidates whose parties did not have strong environmental platforms.¹⁴ No specific recommendation was made as to which parties should or should not receive votes. A similar advertisement was placed in the Globe & Mail prior to the 1984 Federal election.¹⁵

The principal reason that the Sierra Club does not engage in more advocacy advertising is undoubtedly that the expense of doing so is prohibitive. At the time of writing, 30 seconds of advertising on BCTV, the major CTV affiliate in British Columbia, cost up to \$1500. The cost of full page advertisements in the three largest daily newspapers in the province ranged from \$2610 in the weekday Vancouver Province through \$4047 in the Victoria Times-Colonist to \$13,500 in the weekend Vancouver Sun. Any significant

advertising campaign would obviously consume a large part of the approximately \$30,000 budget of the Sierra Club.

In addition, Sierra Club of Western Canada executives remain aware of the 1966 repercussions of the advertising campaign which the Sierra Club had conducted in opposition to a plan by the United States Department of the Interior to construct two dams in the Grand Canyon. Following the publication of full-page newspaper advertisements, the Club had its tax-exempt status in the United States revoked by the Internal Revenue Service. The resulting financial losses led to internal schisms and the resignation of then Executive Director of the Sierra Club, David Brower.

Although the incident was primarily illustrative of how confusing the Internal Revenue Service guidelines were, it has been interpreted within the Sierra Club of Western Canada as a warning of the backlash which advocacy advertising can generate.

A final means by which the Sierra Club has engaged in public education in Canada is through the sponsorship of national conferences on environmental issues. The Canadian National Committee of the Sierra Club sponsored a conference on acid rain in 1979 and a conference on forestry in 1985. Both conferences brought together a wide variety of participants in forums which the Sierra Club was able to tailor to highlight its own concerns.

viii) Courts and Administrative Tribunals

Recourse to courts and administrative tribunals can be important to the Sierra Club and similar groups in several ways. When attempts to influence government policy have failed, as was the case in the Sombrio forest issue and the electricity export issue, judicial and quasi-judicial bodies provide an alternative means by which such groups may be able to realize their policy goals. The decisions of these bodies will be binding on political decision-makers, at least temporarily pending possible legislative changes. The members of judicial and quasi-judicial bodies will be theoretically non-partisan, rather than committed to a program of government policies and ideologies. If governments are aware of the possibility of recourse to these bodies, then that possibility can serve as an inducement to those governments to make sincere efforts to accomodate the demands made upon them.

There are serious obstacles, however, in the path of any group which would attempt to use judicial and quasi-judicial bodies. The first of these is cost. In its action on the Sombrio forest, the Sierra Club incurred \$700 in bills: \$300 in expenses by the lawyer for the Sierra Club and \$400 in costs awarded by the court to Western Forest Products¹⁴. The actual cost which the lawyer for the Sierra Club would have charged had he not been providing

his services on a pro bono basis, however, was \$14,000. In addition, had the Crown demanded the costs which the court had awarded to it, or had the court awarded costs on a solicitor and client basis, the expense incurred by the Sierra Club would have been higher still.

It should also be realized that the Sombrio case involved a relatively brief court appearance, and did not require the production of expert witnesses to discuss complex technical issues. This can be contrasted with cases such as the Nova Scotia herbicide trial,¹⁷ in which homes and property were mortgaged and sold by the plaintiff landowners in order to pay their own court costs. When costs were awarded by the court to the defendant forest company in that case, the amount which the plaintiffs were threatened with paying was so great that they agreed to waive any right of appeal in exchange for a promise by the defendant that those costs would not be collected.

The expense of appearing before an administrative tribunal is considerably less, of course. In the first place, it is not necessary that an intervenor before an administrative tribunal be represented by a lawyer. Nor is there any possibility of having to pay an opponent's court costs if one loses one's case before an administrative tribunal. Administrative hearings can be lengthy, however; so that considerable commitments of time can be required

from participants.

Furthermore, there are concerns that administrative tribunals may be "captured" by those they regulate. An example from British Columbia which the Sierra Club has appeared before in the past is the Environmental Appeal Board. This body has the responsibility, among other things, of approving or disapproving pesticide application permits. Until recently, it had never refused to authorize any pesticide permit, a record which caused its impartiality to be called into question by the Sierra Club and other environmental organizations.

One advantage which administrative tribunals offer in comparison with the courts is that there is not generally any standing test for intervenors who wish to appear before them. This is not the case when judicial review of government decisions is sought. It has traditionally been necessary for anyone seeking to show that there has been an interference with public rights to demonstrate that they have some special claim to protection over and above that of the rest of society. Most of those who would be sufficiently interested to initiate legal action for any such breach of rights would be in such a position: they would be property owners or businesspersons who faced some financial loss through the actions of government. Public interest groups, like the Sierra Club, have not, however,

been perceived by the courts as having any special interest sufficient to meet tests of standing.

The decisions of the Supreme Court of Canada concerning standing in three constitutional cases, Thorson v. Attorney General of Canada [1975] 1 S.C.R. 138, Nova Scotia Board of Censors v. McNeill [1976] 2 S.C.R. 265 and Minister of Justice of Canada v. Borowski [1981] 2 S.C.R. 575, appeared to suggest that the principles to be used in determining whether a plaintiff should be given standing should be less restrictive than those which had been used in the past. Attempts to advance this argument in administrative law cases, however, have been rejected by trial courts in several provinces. While academic commentators have criticized the restrictive application of the standing test, it appears likely that it will continue to be applied at least until some organization can afford the series of appeals which would be necessary to obtain a definitive judgement.

(x) Excluded Techniques

Before leaving the discussion of techniques of influence used by the Sierra Club, it would be well to note some of those techniques which were not used in the three cases examined here. These can be considered under three headings: techniques rejected for ineffectiveness; techniques rejected as unsuitable; other techniques.

Techniques not used because of their ineffectiveness might include demonstrations, poster campaigns, petitions and mass-mailings of postcards. Since these are techniques which are characteristic of what Pross characterizes as the "placard-carrying" methods of the "fledgling" group, it is not surprising that an established organization such as the Sierra Club would not normally use them. All of these techniques can be used effectively if carried out with sufficient vigour; witness the million-signature petition which the Sierra Club sponsored in the United States to demand the removal of James Watt from office. Given limited resources, however, they would not normally be the most effective techniques available for use in any given campaign.

Under the heading of techniques which are not used because of their unsuitability there might be included "direct action," violence and harassment of government or industry. That the use of these techniques for the protection of the environment is not inconceivable can readily be perceived by incidents such as the bombing of a British Columbia Hydro substation at Squamish, the driving of spikes into trees on Meares Island and the existence of the organization Direct Action in the United States. These techniques are incompatible with the approach of the Sierra Club, however, which relies on working within the existing

political system.

A third category of techniques not used by the Sierra Club of Western Canada is more difficult to classify. This might include participation in partisan politics and the encouragement of economic sanctions. That the former, at least, is not antithetical to the approach of the Sierra Club can be demonstrated by considering that since 1982, the Sierra Club in the United States has given its endorsement and financial support to political candidates. In Canada, however, it appears that there are some techniques which, while potentially effective, are considered too hazardous because of possible unwanted side effects. Considering how frequently the Sierra Club has opposed the position of the Social Credit Government in British Columbia, fear of alienating its members or angering the Government seems the most likely explanation for the failure of the Sierra Club to condemn this party during provincial elections.

Similarly, in 1985 environmental organizations in the United States offered to lobby either for a boycott of the Expo 86 World's Fair by their state and Federal governments or for support of tariffs on British Columbia lumber, in order to pressure the British Columbia Government to preserve South Moresby from logging, if the Sierra Club of Western Canada and other British Columbia environmental organizations would endorse such an action. These proposals

were rejected by the Sierra Club of Western Canada, however,
as being likely to generate public backlash.

Chapter 4

Notes

¹Andrew Colman, "The Psychology of Influence," in Brian Frost, ed., The Tactics of Pressure (London: Stainer & Bell Ltd., 1975), p. 12.

²Fred Thompson and W.T. Stanbury, The Political Economy of Interest Groups in the Legislative Process in Canada (Montreal: Institute for Research on Public Policy, 1979), p. 2.

³Abraham Holtzman, Interest Groups and Lobbying (New York: Macmillan, 1966), p. 92.

⁴D. Gemmell, M. Ward, L. Davies, The Feasibility of a Home Heating Fuelwood Industry on Southern Vancouver Island (Victoria: Canadian Forestry Service, 1982); Chris Hvid, Fred Brethour, Ian Forbes, The Feasibility of Small and Intermediate Scale Mariculture Industries for Southern Vancouver Island (Victoria: Sierra Club, 1983); Josie Bannerman, Nature Appreciation: A Resource with Market Potential for the Tourism Industry in Victoria, British Columbia (Victoria: Sierra Club, October, 1984).

⁵Frederick J. Fletcher and Daphne Gottlieb Taras, "The Mass Media and Politics: An Overview," in Michael S. Whittington and Glen Williams, eds., Canadian Politics in the 1980s, Second edition (Agincourt, Ontario: Methuen, 1984), p. 193.

⁶The December 1983 issue of Trend Report, a publication which surveys approximately 100 Canadian newspapers for the quantity of coverage given to major subject areas, reported that environmental coverage had jumped 40% in the previous six month period, to 7% of total news coverage.

⁷Ron Verzuh, "The Impact of technology: Do we know what we're talking about?," Content, March-April, 1980, p. 24.

⁸Ibid., p. 26.

⁹Sierra Club, Conservation Action (San Francisco: Sierra Club, 1984), p. 45.

¹⁰Christopher Hall, How to Run a Pressure Group (London: J.M. Dent & Sons, 1973), p. 115.

¹¹Dina Cowan and Judith Kunofsky, "Building Coalitions," Sierra, LXVII, Number 5, September/October 1982, p. 64.

¹²"...although its payroll is laden with press officers, writers and others skilled in the arts of communication, government has immense problems in explaining itself to the public, in reporting back to it and in persuading and leading it.

"Pressure groups are one of three communications systems used by most modern states to overcome these problems." A. Paul Pross, "Pressure Groups: Talking Chameleons," in Whittington and Williams, Canadian Politics in the 1980s, p. 287.

¹³There are, however, many Sierra Club members in both rural and urban areas where there are no organized Sierra Club groups. These have no opportunity to attend Sierra Club meetings.

¹⁴The advertisements were placed in Peace Arch News, May 4, 1983, p.10; Peninsula Free Press, May 4, 1983, p. 21; and an unidentified newspaper in the Kootenays.

¹⁵Toronto Globe & Mail, August 24, 1984, p. 5.

¹⁶Western Forest Products initially demanded \$947.94. The Sierra Club, however, considered a payment of \$800 sufficient. The Sierra Club and Greenpeace each paid half of this figure.

¹⁷ Cape Breton Landowners v. Stora Kopparberg Bergslags Aktiebolag (1983), 58 N.S.R. 193.

Chapter 5

SIERRA CLUB INFLUENCE

Having examined the ways in which the Sierra Club attempted to change government policy on three issues, and having isolated the individual techniques used in those attempts, it is now possible to evaluate the overall influence of the Sierra Club and the effectiveness of its techniques. It should be realized that these three campaigns were priorities for the Sierra Club, since they involved major commitments of the limited resources of this organization. The full range of techniques normally used by the Sierra Club was used in these cases.

The first observation to be made is that in none of the three cases was the Sierra Club able to realize its short term goals of halting the objectionable government actions. In the Sombrio forest dispute, for example, the immediate goal was to halt the logging of the trees above Sombrio beach. The completion of the logging marked the failure to realize that goal. Since west coast "climax" forests can take up to 2000 years to evolve, the loss by the Sierra Club on this issue must be perceived as absolute.

In the dispute over the northeast wolf kill; on the other hand, the Sierra Club objective, the cessation of the

wolf kill, did eventually occur. This did not happen, however, until after two complete seasons of the wolf kill program had taken place following the beginning of the Sierra Club initiative. This was at a time when Sierra Club efforts on this issue had almost dropped to nothing. Furthermore, the influence of the Sierra Club on the decision to end the hunt is difficult to evaluate, since the very high financial costs of the program (including helicopter rentals and the full-time services of two senior government biologists) undoubtedly were an important factor in the termination of the program.

The attempt to prevent the negotiation of long-term contracts for electrical export was also unsuccessful in the short term. Since the main reason for the Sierra Club action on this issue was fear that a policy of allowing construction of hydroelectric dams for export purposes would eventually result, and since such a policy has now been announced by the British Columbia Government, it seems that the Sierra Club failed to accomplish its long-term goals on this issue as well.

The conclusion to be drawn from these results is that the Sierra Club does not have the ability to exert any meaningful influence upon government policy. Two possible reasons for this ineffectiveness present themselves. The first is that the resources of the Sierra Club are

inadequate to allow it to successfully apply the techniques of influence which it already uses. This is to say that if the Sierra Club had more members and a bigger budget, then it could generate more letters to politicians, make more visits to civil servants, get more media coverage for its positions, and so on. While this is undoubtedly true, it seems unlikely that a quantitative change in the Sierra Club operations would be significant. A politician who does not respond to one newspaper story or letter from a constituent will not necessarily respond to ten of them.

A second explanation for the failure of the Sierra Club to accomplish its goals seems more likely to be true. This is that the techniques available to it are themselves ineffective; they do not represent a serious inducement to government to pursue environmentally acceptable policies. Since these techniques are the same ones which are used by other Canadian environmental organizations, then it may be expected that other organizations will be similarly powerless to change the positions of governments on environmental issues.

If the tactics of the Sierra Club in the three campaigns studied in this paper are examined, it can be seen that reasoned persuasion was always the primary technique utilized. Believing that its position on the three issues was the correct one on the grounds of sound resource

management, economics or other aspects of environmentalism, the Sierra Club viewed its lobbying function as a matter of presenting the British Columbia Government with evidence which would show it why its own position was incorrect. There was an implicit belief that if this information could only be presented in a clear enough manner, the Government would want to change its position. Even media statements and information given to the opposition seem to have been formed with a view toward finding more effective platforms for communicating with the Government, rather than to maximizing their value to their apparent target.

Obviously, reasoned advocacy should be the basis for lobbying governments. The truth of this assertion should not, however, conceal the fact that overreliance upon dispassionate argument may be a weakness. As the following quote from James Rachels suggests, it is not a weakness unique to the Sierra Club:

When disagreement occurs, two explanations are possible. There could be some failure of rationality on the part of one or the other person, or they could simply be different in that they care about different things. In practice, when important matters are at issue, we always proceed on the first hypothesis. We present arguments on the assumption that those who disagree have missed something: they are ignorant of relevant facts, they have not thought through what they know, they are not consistent, and so on. We do not credit the idea that they are 'different.'²

Such a failing is particularly serious if the person

with whom one is in disagreement is an elected member of government. A politician is subject to a myriad of conflicting demands, arising from the need to satisfy the needs and expectations of so many people: constituents; party supporters; caucus; cabinet; various interests in society; family and friends; and even his or her own conscience. To expect that a politician would necessarily arrive at the same conclusions from a given package of information as an environmental organization would do is naive.

Although this paper has argued, and the Sierra Club would undoubtedly agree, that environmental protection in order to guarantee the sustainability of life on earth is a primary value, a politician may not agree. Protecting existing jobs or the comfort of people alive today might, for example, seem preferable to taking actions the benefits of which might not be seen for generations. If the Sierra Club has to rely solely on the goodwill and reasoned support of politicians, therefore, it is unlikely to realize many of its goals.

It might be suggested, however, that some of the other techniques used by the Sierra Club in its campaigns do not depend on attempting to convince government to act on the basis of the rightness of a particular course of action. Techniques such as encouraging public letter-writing and

seeking coverage in the news media might be said to represent attempts to "pressure" the government; while the use of the courts and, to a lesser extent, administrative tribunals, represents an attempt to bypass political decision-making channels altogether. In the cases which were examined in this paper, however, the latter methods were resorted to only after the lobbying of government had failed to achieve desired results.

In addition, the effectiveness of the former techniques must be questioned. If a government cannot be induced to adopt a particular policy on the basis that it is inherently preferable to alternative policies, then it can only be induced to do so because of the promise of benefit or the threat of sanction. By generating either media coverage or public letters on an issue, an organization may hope to suggest to politicians the possibility of a sanction: that voters may be sufficiently displeased with the position of the politician on that issue that they will vote him out of office at the next election. The possibility that such a sanction would ever be realized is, however, very slim. Voters may make their decisions on the basis of any number of factors, ranging from their preferences for a particular local candidate to notions that it is "time for a change."² Those voters who do cast their votes primarily on the basis of a particular issue are more likely

to do so with regard to purely economic issues than to environmental issues.

The use of courts and, to a lesser extent, administrative tribunals, on the other hand, represents a sanction in itself: namely, that if a government does not behave in an acceptable manner, steps may be taken to have its power to legislate on a given matter overruled. In addition to the loss of part of its sovereign power, the government faces the subsidiary threats of delay and expense involved in court action.

Clearly, if a government action is actually prevented from taking place by the use of a judicial or semi-judicial tribunal, then the effectiveness of this technique is demonstrated. Furthermore, the mere availability of these institutions as an alternative means by which organizations can achieve their goals could compel governments to attempt to accommodate those goals, even in situations where recourse to judicial and semi-judicial institutions has not yet been pursued.

Unfortunately for organizations like the Sierra Club, their access to the courts in Canada is severely restricted. As suggested in Chapter 4, the law of standing is an obstacle which largely bars environmental organizations from recourse to the courts at this time. That this is currently so does not, of course, mean that it will continue to be the

case.

Precedent for change in this matter can be found in the United States experience. Prior to the 1960s, environmental organizations in the United States had the same difficulties with obtaining standing before the courts as their Canadian counterparts do today. A combination of new legislation⁴ and liberal judicial decisions,⁵ however, resulted in a more relaxed law of standing. Although the new laws, such as the 1970 Clean Air Act and the 1969 National Environmental Policy Act, were the tools which were used in the litigative protection of the environment, it was the manner in which these acts were interpreted by the courts which allowed environmental groups to break the standing barrier. In 1965, for example, in Scenic Hudson Preservation Conference v. Federal Power Commission, the Second Circuit Court noted that Section 313(b) of the Federal Power Act gave the right to judicial review to any party "aggrieved by an order issued by the [Federal Power] Commission."⁶ The Court interpreted "aggrieved by" as not referring solely to economic injury, but as also including "those who by their activities and conduct have exhibited a special interest" in "the aesthetic, conservational, and recreational aspects of power development..."⁷

Four United States Supreme Court cases, two in

1968⁸ and two in 1970,⁹ confirmed that a more liberal law of standing would be the norm.¹⁰ In 1972, however, the Sierra Club was defeated in the Supreme Court on the issue of standing in Sierra Club v. Morton.¹¹

This case concerned the efforts of the Sierra Club to prevent a planned Walt Disney development of a ski resort in the Mineral King Valley, adjacent to Sequoia National Park. The Supreme Court held that the Sierra Club had no standing to sue because it had not claimed personal injury from the planned development. The Sierra Club was ultimately successful in stopping the development by other means; but the case illustrated that the Court was not willing to open the door to any potential litigant merely on the basis of an asserted interest in a given matter. Frederick R. Anderson has noted, however, that, even following the Sierra Club loss in the Morton case, "(f)ew challenges to citizens' standing have succeeded."¹²

That United States environmental organizations have found litigation a useful tool is indicated by the frequency with which they have used it. Lettie M. Wenner, in her comprehensive study of environmental litigation in the United States in the 1970s, found 636 reported cases in which environmentalists were the plaintiffs.¹³ In 575 of these, governments were the defendants.¹⁴ The most common type of environmental case in the federal district

courts was:

that in which an environmental interest group sued government, arguing that the latter abused its discretion to administer environmental control laws by not applying the law with sufficient zeal or that government itself degraded the environment by building a public work or performing some other government function without adequately considering the environmental consequences.¹⁵

This is, of course, precisely the application which would be most useful to the Sierra Club in Canada.

The Sierra Club initiated more litigation than any other environmental group in Wenner's study: 93 out of 351 national environmental group cases.¹⁶ A separate legal branch within the Sierra Club, the Sierra Club Legal Defense Fund, was created in 1970 in order to pursue legal tactics. Other organizations were also created specifically to take advantage of the new opportunities for litigation, such as the Environmental Law Institute (1969), the Environmental Defense Fund (1970) and the Natural Resources Defense Council (1970).

The success which United States environmental organizations have had in realizing their goals through litigation in the last two decades suggests that Canadian environmental organizations would also benefit from being able to use the judicial system. The law of standing is not, of course, the only obstacle which environmental organizations would have to overcome in order to use the

courts. There are currently few, if any, environmental organizations in Canada with budgets large enough to allow them to regularly engage in litigation.

It is submitted, however, that gaining the potential to use the court system would enhance the attractiveness of organizations like the Sierra Club to potential members. Once it was established that these organizations had a technique by which they could demonstrably achieve their goals, their members would have proof that their donations and membership fees really could make a difference in the outcome of environmental disputes. Thus, gaining the procedural ability to use the courts could also lead to gaining the financial resources necessary for their use. It might be noted that in the United States, the greatest growth in Sierra Club membership has occurred after the organization gained access to the courts; although other factors undoubtedly contributed to this growth.

Effective use of the courts is, therefore, the first technique which can be recommended as a means by which environmental organizations like the Sierra Club can gain increased effectiveness, in that it would be: an effective technique in itself; a potential sanction which would induce governments to bargain in good faith; and a possible means for increasing organizational membership.

A second technique which could be recommended for

increasing the effectiveness of environmental organizations is one which is already within their capabilities: the creation of a system for the evaluation of the environmental records of incumbent governments on a regular basis, combined with recommendations to voters based on the results of those evaluations. This technique would also represent a sanction for governments which do not treat the environment in an acceptable manner, as well as a reward for those that do. Precedent for such evaluations can be found in the United States, where both the Sierra Club and the League of Conservation Voters prepare evaluations of political candidates, and the Sierra Club endorses some candidates.

Admittedly, the institution of a system of political evaluations in Canada would pose difficulties not encountered by United States environmental organizations in evaluating Congressional candidates. In the United States, the two-party system and the freedom of individual politicians to vote on their own initiative, rather than along party lines, combine to make it relatively easy to make recommendations at election time: if an incumbent politician has an unsatisfactory voting record, and there is any possibility that his opponent will be preferable, then the opponent should be endorsed. In Canada, on the other hand, it is difficult to determine whether the position of a particular political candidate on a given issue is

preferable to that of his party as a whole. Nor can a party which adopts a principled position on an issue when it is in opposition be depended upon to maintain that position when it forms the government.

Nevertheless, a subjective assessment of the environmental records and platforms of Canadian political parties and individual political candidates could be prepared. This would at least give voters who are concerned about the environment, but not deeply involved in the environmental movement, the benefit of the informed opinion of the Sierra Club. In addition, by evincing a willingness to become involved in electoral politics, the Sierra Club could create the impression among political decision-makers that policies detrimental to the environment would eventually generate the sanction of lost votes.

While the evaluation and endorsement of political candidates and overcoming the barrier which the law of standing poses to litigation both represent new tactics by which the Sierra Club could become more effective in achieving its policy goals, there are also internal changes which could be made in order to make the organization more effective. The most obvious of these would be to increase the resources of the Sierra Club: achieving a greater membership and a larger budget. In effect, this would mean communicating with people who are not currently subject to

Sierra Club recruitment messages, and convincing them that they should become members. Unfortunately, the current budget of the Sierra Club is not large enough for it to engage in any meaningful level of advertising or direct mailing. Without the introduction of some outside source of funding for the specific purpose of membership development, it seems likely that the Sierra Club will be able to make only incremental gains in its membership. While development funding could conceivably be obtained from the Sierra Club in the United States, foundations or even Environment Canada, no effort is currently being made by the Sierra Club of Western Canada to pursue this possibility.

Even without an increase in membership and associated resources, the Sierra Club of Western Canada could seek to make more efficient use of its current resources. It might, for example, seek to increase the proportion of its membership which could be considered "activist;" those members who actually work for environmental protection rather than just paying their membership fees. Undertaking long-range planning and goal-setting could also increase the efficiency of the Sierra Club, in that the majority of its efforts could be concentrated on a few priorities, rather than being diffused by campaigns on a broad range of issues. Establishing a structure of internal committees could improve the ability of the Sierra Club to respond to

emerging issues. It must be emphasized, however, that without changes in the methods used by the Sierra Club, no reasonably foreseeable gains in membership and resources would be enough to enable it to have any real impact upon political decision-making.

A final point which must be made with regard to the effectiveness of the Sierra Club at influencing public policy concerns the nature of the government which is the target of the lobbying efforts. The three case studies in this paper all examined the efforts of the Sierra Club to influence the policies of the Government of British Columbia between 1983 and 1985. The Social Credit administration of this period may be regarded as unsympathetic to environmentalists, and not generally committed to consultation with the public.¹⁴ Other Canadian governments which are more willing to acknowledge that there is a role for non-governmental organizations to play in public policy formulation, and are more concerned about environmental protection, could find means by which to enable groups like the Sierra Club to be more effective. The primary means for doing this would be to consult with these groups at an early stage in the policy formulation process, rather than when confrontation over an issue has already become inevitable. Consultation with public interest groups does not, however, characterize public

policy formation in Canada. In a study of environmental regulatory policy, T.F. Schrecker has noted that:

At both provincial and federal levels, regulatory policy with respect to environmental hazards is normally made on the basis of negotiations between the agency concerned and the firms or industries whose actions are the target of the proposed policy initiative. These negotiations are usually conducted in secret. Those individuals or groups not party to the negotiations are seldom entitled to information about their substance, or even of their existence.¹²

In arriving at its policy of permitting long-term electrical exports, the British Columbia Government not only did not consult with the Sierra Club, it also refused to release the records of its consultation with British Columbia Hydro when the Sierra Club requested that it do so. The decision to begin the northeastern wolf kill may have involved consultation with hunting organizations, including the British Columbia Wildlife Federation, since that group was to have supported the kill with the proceeds from a lottery. There was no consultation with the Sierra Club or other non-hunting groups, however; and the wolf kill was, in fact, carried on in secrecy for two years before 1983. Only the Sombrio forest issue involved any form of public consultation before a final decision was made, and that was at too low a level for any decision involving broad policy guidelines.

Consultation with the Sierra Club might have made compromise possible on these issues. On the other hand,

consultation might have merely been the prelude to decisions by the British Columbia Government to proceed with the policies which it chose in fact. As suggested earlier, the influence currently exercised by environmental organizations is only that which governments choose to allow them to exercise.

Conclusion

In Chapter 1, it was observed that the Sierra Club of Western Canada, while small and underfunded by objective standards, is nevertheless one of the most powerful environmental organizations in Canada. In Chapter 2, it was argued that the Sierra Club of Western Canada, and other environmental organizations, should be able to influence public policy, because of the seriousness of the threat that environmental degradation poses.

When three recent, major campaigns of the Sierra Club were examined in Chapter 3, however, it was seen that the Sierra Club was unable to exert any serious influence upon a government which was committed to what the Sierra Club perceived to be anti-environmental policies. Both lobbying attempts and attempts to bypass lobbying channels, as through recourse to the courts, failed to achieve any change in the position of the British Columbia Government. The techniques used by the Sierra Club, which included a full range of the techniques available to environmental

organizations in Canada, were ineffective.

It has been argued that if the Sierra Club and other environmental organizations could overcome the obstacle currently posed by the law of standing, and thereby attain greater access to the courts, the ability of these organizations to achieve their goals would be greatly enhanced. Not only would litigation then be available as a means by which governments could be induced to protect the environment, but there would also be an incentive for governments to bargain in good faith with environmental organizations during the policy-making process. While other means of increasing the effectiveness of environmental groups should also be pursued, it is submitted that they would not result in the same degree of change in the role that environmental groups can play as a change in the law of standing would bring about.

Is such a change likely to occur? The answer to this question rests with the judiciary and the federal and provincial governments. Dramatic changes in the law have been made by courts in the past, without the benefit of legislative changes. For the courts to change a procedural matter like the law of standing would be much less serious than, for example, the changes made to the law concerning product liability by Donoghue v. Stevenson.²⁰ Overcoming the "standing" obstacle through the courts,

however, could be an expensive exercise in trial and error, requiring repeated court challenges and appeals. Canadian environmental organizations could not afford to undertake such a process at this time.

Legislated changes to allow environmental organizations full access to the courts could be relatively simple. Either through the passage of legislation in each jurisdiction, or by a single constitutional amendment, the right of standing could be clearly established. The political will to make such a change has, however, been absent so far.

Whether it can be stimulated by the Sierra Club and other organizations is also questionable. Thrust into their role as defenders of the environment against myriad threats, they may be reluctant to divert resources from their efforts on substantive issues in order to pursue procedural changes. Being the unheeded angel on the shoulder of the government may be unsatisfying, but might be considered preferable to allowing opposing forces to monopolize the ear of the policy maker. The task that must be confronted, however, is how to achieve results, rather than just the moral satisfaction of having tried and failed to do the right thing. New operating methods for environmental organizations will be the key to making this change.

Chapter 5

Notes

¹Sierra Club of British Columbia, The West Coast Trail and Nitinat Lakes, Fifth Edition (Vancouver: Douglas & McIntyre, 1985), p. 89.

²James Rachels, "Can Ethics Provide Answers?", in Arthur L. Caplan and Daniel Callahan, editors, Ethics in Hard Times (New York: Plenum, 1981), p. 26.

³See, for example, Jon H. Pammett, "Elections," in Michael S. Whittington and Glen Williams, editors, Canadian Politics in the 1980s, Second Edition (Agincourt, Ontario: Methuen, 1984), pp. 271-286.

⁴Lettie M. Wenner, The Environmental Decade in Court (Bloomington, Indiana: Indiana University Press, 1982), pp. 4-11.

⁵Kenneth Culp Davis, "The Liberalized Law of Standing," University of Chicago Law Review, XXXVII (1970), pp. 450-473.

⁶Scenic Hudson Preservation Conference v. Federal Power Commission (1965), 354 F.2d 615 (U.S.C.A., Second Circuit).

⁷Ibid., p. 616.

⁸Hardin v. Kentucky Utilities Company (1968), 88 S. Ct. 651; and Flast v. Cohen (1968), 88 S. Ct. 1942.

⁹Association of Data Processing Service Organizations v. Camp (1970), 90 S. Ct. 827; and Barlow v. Collins (1970), 90 S. Ct. 832.

¹⁰Davis, "The Liberalized Law of Standing," p. 450.

¹¹Sierra Club v. Morton (1972), 92 S. Ct. 1361.

¹²Frederick R. Anderson, NEPA in the Courts (Baltimore: John Hopkins University Press, 1973), p. 26.

¹³Wenner, The Environmental Decade in Court, p. 41.

¹⁴Ibid.

¹⁵ Ibid., p. 39.

¹⁶ Ibid., p. 47.

¹⁷ Michael Doherty, "Environmental Non-Governmental Organizations in Canada & the U.S.A.," unpublished paper, Northwest Association for Environmental Studies Conference, Victoria, 1984, p. 6.

¹⁸ Michael Doherty, "British Columbia: Gray Times for Environmentalists," Sierra LXIX, Number 5, September/October 1984, pp. 14-22.

¹⁹ T.F. Schrecker, Political Economy of Environmental Hazards (Ottawa: Law Reform Commission of Canada, 1984), p. 7.

²⁰ Donoghue v. Stevenson, [1932] A.C. 562.

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