

This PDF includes a chapter from the following book:

The Resistance Dilemma

Place-Based Movements and the Climate Crisis

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12 Conclusion

Thus far, this book has addressed three questions: (1) Has the strategy of place-based resistance to fossil fuel development been effective at promoting climate action and the reduction of global warming emissions? (2) Does the strategy risk the unintended consequence of feeding place-based resistance to the clean energy transformation? (3) Is there hope in more innovative processes of regulatory review and facility siting that can promote social acceptance of the rapid transition to the clean energy system but avoid the confrontational politics that have characterized fossil fuel resistance? After a brief summary of the answers to these three questions, this concluding chapter addresses the book's fourth and final question: if innovative approaches have been demonstrated to reduce conflict, why are they so rarely used?

Place-based resistance was effective at delaying and in some cases leading to outright cancellations of pipeline projects. The anti-pipeline movement inflicted economic pain on the oil sands industry. When the Alberta and Canadian governments were run by conservative parties, they retrenched and defied environmental critics. That was changed in 2015 by the provincial election in Alberta and by Canada's federal election, and led to significant advancement in provincial and federal climate policy. The resistance strategy reduced oil sands production and emissions below what they would otherwise have been and eventually forced Canadian governments to adopt stronger climate policies than they would have absent the effects of that resistance strategy. The most important thing the pipeline movement did was force the federal government to get involved in climate policy in ways that it never had. It was not the only thing or even the most important reason why this happened, but it was pivotal.

If humanity has any hope of limiting climate change to manageable levels, a massive and rapid transformation of energy system infrastructure

is required. The strategic decision by the climate movement to focus on blocking new fossil fuel infrastructure may facilitate the transition to clean energy, but it also risks creating a “resistance dilemma” by legitimizing place-based resistance that can then be mobilized to thwart needed clean energy infrastructure. As stated in chapter 10, the purpose of highlighting this resistance dilemma is not to question the legitimacy, sincerity, or efficacy of place-based resistance or to cast blame on the climate movement or challenge the wisdom or merits of its place-based resistance to fossil fuel infrastructure. Place-based resistance has a long tradition predating its adoption by climate activists. Rather, the reason for highlighting this resistance dilemma is that there is an urgent need to build massive amounts of clean and renewable energy infrastructure, and historically our institutions have not been effective at resolving the tensions between local desires to minimize impacts and the broader public interest in establishing necessary infrastructure. In short, we have a process legitimacy crisis, and we need to address that in order to effectively address the climate crisis.

Overcoming place-based resistance is critical to decarbonization. If governments around the world can't get projects sited and built because of local resistance, fundamental human needs will not be met. Fortunately, the literature on public engagement contains a wealth of insights into how to gain greater acceptance for contested infrastructure processes. Since the 1980s, public engagement practitioners have developed processes that can improve decision quality, conflict resolution, and public acceptance of technically complex policy decisions. These innovative processes show promise in reducing the risk and impact of place-based resistance to renewable energy, yet policymakers (particularly in North America) have shown great reluctance to engage in such processes.

The Strategic Calculus behind Process Choice

Place-based resistance can indeed be shown to have resulted in climate action. Strengthening the institutional muscle for place-based groups to block infrastructure does create the risk that needed clean energy projects will be delayed or canceled, but there is hope that more innovative processes can overcome place-based resistance.

This book's final question is: if innovative approaches have been demonstrated to reduce conflict, why are they so rarely used? To address this

question, it is necessary to examine the literature on the political incentives underlying the choice of administrative and planning procedures. Insights from this literature can be used to develop a strategic calculus to guide the design of planning and siting processes. Examining the incentive structure of government decision-makers and project proponents will help explain this dilemma and help inform the development of process reforms to promote the social acceptance of projects that facilitate the transition to clean energy.

The actor-centered analytical frameworks that guide this book's analysis also help explain this dilemma. Strategic actors, the central agents of policy, interact within a context of institutional rules. However, they also work to change institutional rules through venue shifting or other means (Baumgartner and Jones 2010; Hoberg 2001; Pralle 2006a). Institutional rules can be pivotal because when the location or form of authority changes, the balance of policy preferences guiding policy decisions could also change significantly. As our case studies demonstrate, many conflicts between energy and environmental policy have been about "the politics of structure," or the struggle over defining the rules of the game (Moe and Wilson 1994).

Scholars have differentiated between two types of institutional strategies: procedural strategies that require agencies to follow specific processes (e.g., performing an environmental assessment or consulting with affected interests) and structural strategies that influence the organizational design of agencies (e.g., the choice between an independent regulatory commission and a more traditional line agency) (Shapiro 2017). Depending on the circumstances, information resulting from complying with procedural requirements influences decisions, and the organizational structure can shape what information flows to decision-makers (Shapiro 2017). Others have explored how different organizational structures "might shape learning about problems and solutions, policy choices, and conflict resolution in quite predictable ways" (Egeberg 1999).

Much of the literature focuses on how legislators, acting as principals, use requirements for procedure or structure to influence the outcomes from administrative agents (McCubbins, Noll, and Weingast 1987). However, strategic actors outside government also have large stakes in structure and procedure. According to Moe and Wilson, "all political actors know that structure is the means by which policies are carried out or subverted, and that different structures can have enormously different consequences. As a result, there is inevitably a "politics of structural choice" (Moe and Caldwell

1994). In this structural politics, strategic actors in and out of government will advocate for rules and venues that give them the greatest likelihood of achieving policy outcomes that reflect their interests.

This politics of structure incentivizes various actors in energy-environment conflicts to promote different procedural and structural rules. These conflicts can be thought of as involving three major categories of actors: those in favor of a particular project, those opposed to the project, and the policymakers who decide both the process and ultimate fate of the project. Project proponents' interests are normally in a stable, certain process of manageable scale and duration controlled by a single decision-maker so they can minimize process costs. Generally, these interests create pressures for minimal process requirements. These interests are balanced by proponents' interest in gaining sufficient public legitimacy to minimize political risks to their projects. This combination of values is clearly revealed in the statements by the Canadian industry associations quoted earlier.

Project opponents obviously have different incentives. They prefer comprehensive information requirements, widespread public access to decision processes, demanding consultation procedures, lengthy proceedings, multiple veto points, and clear rights to appeal unfavorable decisions. Opponents actually have a strategic interest in increasing process costs and delays as a way to discourage proponents.

Politicians designing regulatory processes, in addition to needing to balance these competing demands, have their own policy, budgetary, and especially electoral interests to keep in mind. They can be expected to want strong control over decisions where there is an opportunity to claim credit for favorable outcomes and to keep an arm's length from decisions that are more likely to be politically unpopular (Harrison 1996; Weaver 1986). All else being equal, they would prefer to minimize process time and costs, but they also need to be attentive to political legitimacy. The political influence of interests opposed to or skeptical of new infrastructure projects leads both politicians and proponents to prefer regulatory processes that are more time consuming, elaborate, and costly than they would prefer.

In some circumstances, elected officials grant discretion to administrators. Research on the incentives of administrators to integrate public engagement into policy decisions suggests support for public participation in principle but that in practice administrators are very skeptical about the practical usefulness of public participation in improving decision quality or social acceptance (Liao and Schachter 2018). When the perceived benefits of public engagement

are low, managerial concerns about process costs, time delays, and a loss of control over the agenda discourage them from initiating engagement processes (Moynihan 2003).

Since the 1980s, public engagement practitioners have developed processes that can improve decision quality, conflict resolution, and public acceptance of technically complex policy decisions. These innovative processes show promise in reducing the risk and impact of place-based resistance to renewable energy, yet policymakers (particularly in North America) have shown great reluctance to engage in the sorts of processes that reflect best practices because they are perceived to conflict with core incentives to control process costs, duration, and outcomes. A gap between political incentives and best practices is hardly novel, but in the case of planning for the transition to clean energy, they take on new importance. Perhaps a clearer understanding of how more sophisticated engagement processes can improve decision quality and public legitimacy while also being conscious of process costs and timeliness will promote a willingness to adopt approaches that are more effective.

Addressing the climate crisis is an urgent imperative for humanity, but to make significant progress, the process crisis also needs to be addressed. The institutions and practices for energy planning and project approval require urgent reform to build sufficient social and political legitimacy in the coming infrastructure transformation. The experience with processes that engage the public more deeply and do so not at the project level but at a more strategic level gives cause for hope. But the political incentives of those who design institutions for planning and project approval help explain the reluctance of policymakers to adopt the types of processes that analysts recommend.

The most significant component of the institutional dilemma for designing better processes is whether local governments should be granted veto power. If they are, it gives local authorities—Indigenous or not—the capacity to veto projects determined to be in the interests of the broader geographic political jurisdiction. But if that power is taken away, local groups resent the disempowerment, which can strengthen resistance. The engagement literature sees hope in giving communities a say but engaging them in meaningful processes that help community members see the broader public interests being promoted by projects that have impacts on treasured local values. Giving local communities a real governance role risks resistance, but shutting them out probably results in a much greater chance of impactful project opposition.

