

Roadblocks to Conservation



By
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Back in November, AWA hosted a talk with Lorne Fitch to celebrate the release of his new book, *Stearns of Consequence: Dispatches from the Conservation World*. During the lively Q&A session towards the end of the evening, a member of the audience raised the issue of how difficult it can be within the environmental movement to educate the broader public on all the barriers that exist to prevent meaningful conservation work. This is also a topic I have wanted to write about for some time.

There likely isn't a cohesive public understanding of how environmental work is carried out. But, from my interactions with people outside of the environmental sector, I get the sense that many people assume that environmental non-governmental organizations (or ENGOs) are working on these issues and that we have the situation under control. This couldn't be further from the truth.

ENGOs like AWA aren't out there solving the climate crisis or preventing biodiversity loss on our own. I don't go to work every day and save X number of plants or wildlife from harm. ENGOs only really help to slow things down, to paper over the cracks, and serve as just another band-aid solution to the relentless pursuit of infinite profits. We still play an incredibly important role, by serving as a voice for the environment — for the plants and the animals and the ecosystems who cannot speak for themselves — at the decision-making table, but that's only if we're invited to participate. Our role is to make things a little slower and a little more difficult for

corporations (and the governments who support them) from causing greater harm while trying to convince the public that we need their support.

THE DIRECTLY AFFECTED TEST

In a capitalist economy, property rights are king, and that's also how we manage our natural resources. Our different levels of government (i.e., provincial or federal) are responsible for leasing off natural resource rights to corporate interests such as industry. If a corporation owns or leases the rights to the natural resources in a given area, such as mineral rights, water licences, or a forest harvest allocation, there's very little we can do ourselves to prevent the destruction from taking place.

A byproduct of this system of managing resources through private property rights is that ENGOs are often excluded from having a seat at the table in decision-making processes. In many cases and depending on the jurisdiction, environmental groups have no legal standing to get involved, to resist, or to even provide comments on particular issues (i.e., new industrial development projects) because we have no property rights that are being directly affected or infringed upon.

For example, in Alberta, the *Environmental Protection and Enhancement Act* (EPEA), and the Natural Resources Conservation Board Act (NRCB Act) only permit individuals and groups who are directly affected by a project to participate in assessment and decision-making processes. Government officials and courts have narrowly interpreted "directly affected" to require an individual's or group's interests to be personally, directly, and adversely affected by a project to participate in the decision-making process. For example, this might include someone with a nearby property that is at risk of being directly harmed by the project.

PRIVATIZING PUBLIC WEALTH

Seen in this way, private property rights can enable environmental harm and put the health of our planet at risk for the sake of corporate profits, while often barring environmental groups from providing feedback.

This system treats nature as just another

commodity that can be bought and sold at will. It allows corporations (Canadian, international, or multinational) to extract wealth from Alberta by turning our ecosystems (our "natural capital") into profits ("financial capital") only to line the pockets of shareholders who could live anywhere in the world, rather than providing tangible benefits to Albertans. This process is a great example of what's known as the Lauderdale Paradox, whereby collective public resources (i.e., Alberta's natural ecosystems) are privatized and sold off for the sake of private riches.

Yes, ENGOs are occasionally invited to provide comments or feedback on various issues, such as multi-stakeholder processes like land-use planning or cooperative management boards. But again, our involvement in those processes is not mandatory and is usually dependent on the goodwill of government and/or industry. And this sort of involvement doesn't guarantee that our input will be acknowledged or even considered, as our participation is oftentimes treated solely as a checkbox item so that government or industry can say they consulted with environmental groups. Our participation can feel wasted if our feedback isn't meaningfully reflected in the results of the decision-making process.

CHARITABLE STATUS

Many environmental groups or ENGOs exist as registered charities, which means that these organizations must rely on some combination of government support, grants, university partnerships, membership programs or charitable donations to cover their operational costs.

In many jurisdictions, ENGOs, charities, and non-profits are required to remain politically non-partisan (or unbiased) to maintain their status as charitable organizations. In Canada, the *Income Tax Act*: "prohibits a charity from devoting any part of its resources to the direct or indirect support of, or opposition to, any political party of candidate for public office." This significantly disadvantages ENGOs because it effectively muzzles these organizations by preventing them from advocating for specific political parties or movements that are aligned with their environmental goals.

For example, an ENGO couldn't outwardly support a political party that wants to



The Alberta government confirmed it received roughly 200 statements of concern from the public during the 30-day public feedback period in 2019 when Fortress Mountain Ski Resort requested to truck millions of litres of water per year from Kananaskis to sell as bottled water. Yet, none of these were considered 'valid' statements of concern since none of the citizens were 'directly affected', which in Alberta means having nearby property rights.

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phase out oil and gas, otherwise it might be seen as politically biased. The ENGO could publicly state that it supports a fossil fuel phase-out, but it couldn't be perceived as supporting a party that echoes those same demands. This forces ENGOs into this ridiculous contradictory position whereby we are trying to achieve environmental outcomes, but we are forced to remain politically neutral on the subject. To explicitly take a side would compromise our charitable status.

Losing charitable status would mean that some people might be discouraged from donating to an organization because they are no longer officially approved as a charity, and as a result, those donors would no longer receive tax write-offs for their donations. Tax breaks might not be the sole reason why people donate to charities, but it most certainly incentivizes greater contributions. These partisanship rules functionally limit the ability of ENGOs to achieve environmental outcomes.

Yet even with charitable status, most non-profit organizations suffer from chronic under-funding relative to their opponents. A lack of resources for ENGOs means that we lack capacity given the immense wealth available to billion-dollar corporations. This

wealth disparity often means organizations must prioritize certain issues at the expense of others which may be equally important. This lack of capacity seems to have resulted in the splintering of the environmental movement across multiple organizations, each competing for attention, public support, and funding, rather than fighting together against our actual adversaries who are driving environmental destruction. The fact that ENGOs manage to achieve so much, with the scales weighed so heavily against them, is testament to their dedication and efficiency.

WHAT IS TO BE DONE?

Environmental organizations don't have many tools available to us, but our position as advocates has the potential to be the most useful because public support on these issues is crucial. One of the best avenues available to the environmental movement (as with any other movement) is to get the broader public involved on these issues.

If you look at other major social changes throughout human history, it's only through sustained demonstrations of public outrage, collective action, mass mobilizations, and sometimes civil disobedience that groups of people have forced their leaders to listen

to their demands. I am constantly inspired by Indigenous land defenders around the world who continue to put their bodies on the line to try and protect their Traditional Territories, and even striking workers in the labour movement who are fighting for better working conditions for themselves and their colleagues. It takes a commitment to solidarity and a significant group effort to mount this sort of resistance.

I don't know if there is a remedy for the issues described above without a massive shift away from treating nature as a resource that exists solely for profit. I often tell my friends that a huge chunk of my work for Alberta Wilderness Association is just trying to find novel ways to prevent or slow down the "speed of business" and the ceaseless pursuit of profits. Our ecosystems cannot keep up with the pace. And although I recognize that changing societal norms is a lot to ask for, that doesn't mean I'm pessimistic about the path ahead. I just think it's important for people to recognize the numerous hurdles that exist which prevent (or limit) ENGOs from doing the work we set out to accomplish. Whatever path we choose to follow, the fight must go on. 🌱