Two Birds with One Stone: The political and environmental motives of Quebec's climate change policy

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La mise en œuvre de toute convention internationale relève de la responsabilité du Québec en ce qui a trait à ses domaines de responsabilités. Et à cet égard, en rapport avec les engagements pris par le Québec vis-à-vis de la Convention cadre des Nations Unies sur les changements climatiques et éventuellement du Protocole de Kyoto, ce sera avant tout par l'entremise du Plan d'action québécois sur les changements climatiques 2000-2002 que le Québec entend les réaliser et ce, dans un esprit de développement durable. (Drouin, 2000a)

-Energy Minister Jacques Brassard

In 2000 Quebec was about to host its provincial counterparts for that year's Joint Meeting of Ministers of the Environment and Energy in an effort to work in unison for the benefit of all Canadians and the environment. Quebec's Ministers were clear about their position on climate change policy. In their province, Quebec's policy will prevail. Federalism lies at the heart of the political dispute between Quebec and the federal government over the implementation of the Kyoto Protocol. Quebec has pressured the federal government to maintain its commitments to the international community, and has been critical of its approach to meeting them. It has seriously considered the commitments Canada has made, and in the process, diverged from federal climate change policy by taking a more global perspective. This has enabled the province to generate greater provincial powers within Canada, in line with the Quebec Liberal Party's concept of federalism. This essay will investigate climate change policy in Quebec after the Quiet Revolution, focusing on the differences between this province and the federal government's approach to international climate change agreements—specifically the Kyoto Protocol. Quebec has developed firmer climate change policy than the federal government. While this is possible because of Quebec's energy industry and the fact that it does not have to compromise with other jurisdictions in the federation, it has provided an additional outlet for the Quebecois sense of distinctiveness in Canada. This essay will argue that Quebec pursues a more ambitious climate change policy than the federal government in order to increase its provincial powers within the Canadian federation.

This paper will begin with an exposition of how Garth Stevenson describes Quebec's notion of federalism, which will be followed by an explanation of climate

change. It will then proceed with an overview of the international climate change policy regime. An outline of Judith McKenzie's three environmental policy eras in Canada: 1968 to 1972, mid-1980s to mid-1990s, and mid-1990s to present will follow. A more detailed account of the third era will be given, as policy began to address climate change specifically. The constitutional division of powers makes implementing international agreements difficult because federal and provincial governments are both responsible for environmental policy (McKenzie 2002, 107). The federal government's jurisdiction over criminal law, seacoast and inland fisheries, navigation and shipping, taxation, census, foreign relations, and works aimed at Canada's national interest, permits the development of environmental legislation at the national level (MacKay 2004-2005, 26). Provinces, however, have become the primary vehicles for strong policy in this field. The Constitution allocates authority to the provinces over local works and undertakings, municipalities, provincial public lands, matters of a local or private nature, enforcement of provincial law, property and civil law, and the development and management of non-renewable resources, forestry, and electrical energy (MacKay 2005-2005, 27). Pollution has been mostly considered a civil, rather than criminal, offense giving provinces control over water, land, and stationary air pollution regulation (McKenzie 2002, 115).

Federalism: Quebec

Stevenson offers a useful description of American and European federalism. Understanding this difference partly explains why Quebec has been protective of its provincial powers. American federalism seeks to manage a large territory effectively while protecting individual freedom (Stevenson 2011, 49). The European style aims to "allow distinct nations or cultural communities occupying different neighboring geographical spaces to preserve their identities..." (Stevenson 2011, 49). Stevenson says Quebecois are more emotionally connected to their province than other Canadians and therefore see the division of powers as ideological (Stevenson 2011, 49). Some Quebecois do not feel the constitution allows them to preserve their identity, which is a notion Quebec's separatist party, the Parti Quebecois (PQ), is sympathetic to (Stevenson 2011, 59). Others identify more with Quebec than Canada, but wish to remain in the federation to benefit their province (Stevenson 2011, 50). These views are expressed through the rhetoric and policies of the Quebec Liberal Party (QLP). They seek to protect provincial influence, and justify these beliefs because they feel Quebec is the homeland of a distinct people—a nation (Stevenson 2011, 50).

Climate Change

Climate change results from human development. In their First Assessment Report, released in 1990, the Intergovernmental Panel on Climate Change (IPCC)—which is an international scientific research body—explained the phenomenon. They say human activities result in the increased atmospheric concentrations of greenhouse gas (GHG) emissions, which cause the earth to warm beyond what it would otherwise (IPCC 1990b, 52). While water vapor and ozone are most responsible for the greenhouse effect—i.e., the natural warming of the earth's surface due to its absorption of certain gases—policy makers target other emissions because they are human induced (IPCC 1990a, XV). The gradual warming of the earth, and the aggregate nature of GHGs in the atmosphere, will have unpredictable and uneven effects on climate patterns (IPCC 1990b, 53). These changes will affect global ecosystems that humans depend on to survive.

International Institutions: Climate Change

International institutions form the framework within which climate change policy in Canada is made. These institutions, such as the IPCC, set global standards, which governments (if signatory) are expected to implement through domestic regulation. The 1972 UN Conference on the Human Environment in Stockholm was the first international conference to address the environment broadly (McKenzie 2002, 243). It brought the world's attention to environmental problems caused by industrial development. Subsequently, the IPCC's work helped create the United Nations Framework Convention on Climate Change (UNFCCC) and the adoption of the 1997 Kyoto Protocol. The UNFCCC is an international treaty to stabilize GHG emissions and was established at the 1992 Earth Summit in Rio de Janeiro (UNFCCC 2012a). The first Conference of the Parties (COP1)—i.e., the first meeting between the 195 countries that ratified the Convention—was held three years afterwards (UNFCCC 2012a). The Kyoto Protocol was later adopted at COP3 in 1997. It committed industrialized countries to the formation of emission reductions targets and the creation of a global carbon market to mitigate climate change (UNFCCC 2012b). Those countries that ratified the protocol (including Canada, which was committed to a 6 per cent reduction in GHG emissions below 1990 levels by 2012) were expected to draft domestic regulations to meet their targets (CBCnews 2007).

McKenzie divided Canadian environmental policy into three eras. During the first era, 1968-1972, state-centered Quebec nationalism emerged (Stevenson 2011, 52). Prime Minister Pierre Trudeau had a pan-Canadian view of national identity. Quebecois did not share his point of view, but were internally divided. Some wanted to promote their interests by leaving Canada (Stevenson 2011, 52). Others believed Quebec could gain more powers in the federation to accomplish this task (Stevenson 2011, 52). Each of these visions has affected federal-provincial relations because parties representing them have gained power in Quebec since the Quiet Revolution. These competing political forces have affected climate change policy in Quebec because the file is inter-jurisdictional.

Governments adopted a “command and control” regulatory approach—i.e. penalties for non-compliance—to environmental policy making in the first era (McKenzie 2002, 108-109). Canada's welfare state was expanding—Trudeau created the Ministry of Environment as well as enacted nine environmental statutes at this time (McKenzie 2002, 108). Environmental policy-making was decentralized and provinces were mostly responsible for regulating air and water pollution (McKenzie 2002, 110). Much of the framework for federal and provincial climate change policy was created in this first era.

However, Quebec was not focused on climate change policy at this time. It was mostly concerned with water pollution (Cantin 2012). Premier Jean Lesage encouraged interprovincial and federal cooperation to expand the scope of Quebec's jurisdiction to create opportunities for Quebecois professionals (Lachapelle 1993, 40). As such, private electricity companies were nationalized in 1963 (Dickinson and Young 2003, 313). Quebec's environmental policy infrastructure was also emerging. The environment was recognized for the first time in Quebec legislation in the Protective Services for the Environment Act (SPE) in 1972 and the Environmental Quality Act, which was passed that year as well (Cantin 2012; Lachapelle 1993, 369). Moreover, the province's Ministry of Environment (MENVIQ) was created in 1979 (Cantin, 2012). The PQ gained power in 1976, challenging the durability of Canada's federation (Lachapelle 1993, 44). Their demand for policy autonomy would be apparent in the province's environmental policy regime in the era to come.

In the second era, from the mid 1980s to mid 1990s, the government was more open to the influence of interest groups (McKenzie 2002, 110). Environmental

groups started using the courts, which forced the federal government to conduct environmental assessments (McKenzie 2002, 110). Quebec protested because it wanted full control over the development of the James Bay hydroelectricity project (Macdonald 1991, 17). The Federal environment minister could not defend Quebec's position on this matter because he was under pressure from western Canada to oppose an environmental project in Saskatchewan (Macdonald 1991, 18). Quebec's Environmental Assessment process—BAPE—had already been established in 1978 (Lachapelle 1993, 371). Nevertheless, its environmental policy continued to lean heavily towards water pollution. In 1993 about 75 per cent of the environmental department's expenses went towards this issue (Lachapelle 1993, 369). Climate change policy was not an explicit concern for Quebec at this time, yet the federal government's involvement became important as jurisdictional boundaries overlapped.

The third era, from the mid 1990s until the present, is characterized by de-regulation (McKenzie 2002, 111). A weakened economy led governments to loosen restrictions on business (McKenzie 2002, 111). Ideas about free-markets, neoclassical economics and individualism led to the belief that government is inefficient (McKenzie 2002, 112). As a result, by the mid 2000s, after the Kyoto Protocol was ratified, Canadians were wondering, “what it means to be committed to the protocol but not its targets” (Staff 2006). As the federal government and Quebec's climate change policy evolved, their different approaches became obvious.

After two failed attempts at constitutional reform under the Liberal government, the PQs under Jacques Parizeau came into power in 1994. However, Jean Charest's Liberals and Stephen Harper's Conservatives have been in power since 2003 and 2006 respectively. Quebec has increasingly asserted its leadership over this file in the last decade. A 2012 Leger poll found that 80 per cent of Quebecois felt Quebec should aim to be a world climate policy leader (Leger Marketing 2012, 10). Their top three motivations were the potential of renewable energy (51 percent), the visibility of certain climate change effects (49 percent), and the position of the Canadian government (48 percent) (Leger Marketing 2012, 10). This view is in line with the QLP's vision of federalism, which advocates more power for the province.

Since 2002, when the Kyoto Protocol was ratified in Canada, the federal government consistently reiterated its intention to stay committed, with little tangible results. At the beginning of his mandate, Harper promised he would not implement it

(Kent 2012). This generated mixed support from Canadians. An Environics poll found that in 2003, 40.7 percent of Canadians strongly supported its implementation, however by 2006, that percentage dropped by 39.3 per cent (Canadian Opinion Research Archive). More recently, a 2011 Environics poll found that most Canadians support Harper's climate change action plan. It found those strongly in favor of robust climate change policy fell to 26 percent from 38 percent in one year (McCarthy 2011). Harper's climate change policy has been weak. The Conservatives introduced their “botched” Clean Air Act in 2006, and its Turning The Corner: An Action Plan to Reduce Green house Gases and Air Pollution of 2008 was also unconvincing (Ibbitson 2006; Drexhage and Murphy 2010, 14).

Finally, at COP17 in Johannesburg, Federal Minister of Environment Peter Kent announced Canada's intention to withdraw from the Protocol (Economist Intelligence Unit 2012). For many it was not a surprise, yet unacceptable. Former PQ MNA and Bloc MP, Daniel Turp, called on Canadians to take legal action. He claimed the federal government was breaking its commitments under the 2007 Kyoto Implementation Act (The Canadian Press, 2012). Not all Canadians agreed with him. Canada's economy depends on the development of Alberta's oil sands—a massive carbon emitter. Since withdrawing, Harper has championed this energy source in both the United States and China. His recent talks with Chinese leaders over the Northern Gateway pipeline to transport oil to China are just one example (Ljunggren 2012). Development of this resource has made meeting Kyoto objectives difficult.

Quebec, on the other hand, has been aware of its capacity to make strong climate change policy due to the low emission intensity of hydroelectricity (Ministry of Sustainable Development, Environment and Parks 2002, 26). In 2000, the Quebec Action Plan on Climate Change 2000-2002 (PAQCC) was announced and Minister of Environment Paul Bégin championed the CICC—a climate change committee to coordinate 14 government bodies—at the Joint Meeting of Ministers of the Environment and Energy, as an example of Quebec's leadership (Ministry of Sustainable Development, Environment and Parks 2002, 26; Drouin and Barrette 2000). However, he was disappointed after returning from Vancouver that year for two reasons (Drouin 2000b). Firstly, the federal government had not begun to discuss how efforts to implement Kyoto would be fairly distributed (Drouin 2000b). Secondly, the federal government refused to recognize emission reduction measures already undertaken in Quebec, nor the use of hydroelectricity as a means to meet Kyoto objectives (Drouin 2000b). Minister Bégin stressed the importance of

Quebec's actions within the international framework, and reiterated his desire for climate change policy to be a provincial matter.

Following Kyoto's ratification in Canada, Quebec struggled for increased authority over climate change policy. Environment and Water Minister, Jean-François Simard, and his delegation attended the 2002 World Summit on Sustainable Development in Johannesburg (Roy and Charland 2002). Quebec's Minister of International Relations, Louise Beaudoin, said it was important to cultivate foreign alliances to increase both national and international influence (Roy and Charland 2002). Following the summit, the ratification of Kyoto was received with caution in Quebec. Prior to Prime Minister Jean Chrétien's announcement, Environment Minister André Boisclair rallied citizens along with representatives from business, industry, and environmental groups to support the Declaration of Quebec (Laplane and Laveau 2002). The Declaration called for compliance with the constitution, and opposed the federal proposal for the allocation of emission rights (Laplane and Laveau 2002). They believed Quebec's manufacturing sector was unfairly burdened and demanded reductions achieved since 1990 be recognized through a bilateral agreement (Laplane and Laveau 2002). The PQ was still in power and the government fought for a unique implementation strategy, separate from other provinces, to assert their autonomy.

Minister Boisclair called for a bilateral agreement between Quebec and the federal government (Laplane 2002). He, and the National Assembly wanted Quebec to have its own strategy to implement Kyoto (Laplane 2002). With support from the Aluminum Association of Canada (AAC), which Quebec signed its first industry agreement for the voluntary reduction of GHGs with in 2002, the Quebec government called for a federal government negotiator to develop the agreement (Laplane and Noël de Tilly 2003; Ministry of Sustainable Development, Environment and Parks 2002, 28). Minister Boisclair said, "Seul un canal unique et officiel entre le Québec et le gouvernement fédéral nous permettra d'atteindre cet objectif." (Laplane and Noël de Tilly 2003). In June 2006, Quebec's 2006-2012 Quebec And Climate Change, A Challenge For The Future was announced (D'Astous and D'Amours 2006). By then, Al Gore had championed Quebec as "the conscience of Canada on the environment" (Lalonde 2007). The province had gained significant authority over the file and left the federal government behind.

Quebec had demonstrated its ambition by fostering interprovincial and international ties. In 2008, Quebec's carbon market—the Montreal Climate

Exchange—was established and the province joined the North American "antithesis" (Brethour 2009) to the Kyoto Protocol—The Western Climate Initiative (WCI) (D'Amours and Cannon 2008; Cannon 2008). The initiative is intended to be a "blueprint" for national governments once they decide to take action on climate change (Brethour 2009). The province also joined the International Carbon Action Partnership (ICAP) in 2008—an international partnership for a global carbon market (Cannon and Trudel 2008). Furthermore, in 2010, Quebec was the first North American government to join the Network of Regional Government for Sustainable Development (nrg4SD) (Leclerc 2010). In anticipation, Minister for Sustainable Development, Environment and Parks (MDDEP), Line Beauchamp, said "La très grande majorité des mesures sont mises en œuvre par les États et les gouvernements régionaux; il est donc logique que nous ayons voix au chapitre" (Leclerc 2009).

Internationally, both governments have advocated different agendas, giving Quebec the opportunity to highlight differences in their climate change policy objectives. In 2007 Minister Beauchamp attended COP13 where she reiterated Quebec's commitment to Kyoto (D'Amours and Cannon 2007). The federal government, however, strongly criticized the demands of the international community. Federal Environment Minister John Baird warned that stricter targets were unrealistic (Editorial 2007). Later at the 2009 COP15 conference, Minister Beauchamp, along with Ontario's representative, lobbied the federal government—which had not yet made any concrete climate change policy commitments—to be more ambitious (McCarthy 2009). Quebec and its provincial allies wanted to ensure Ottawa's initiatives did not represent all of Canada (McCarthy 2009). Quebec thus championed its efforts globally.

Federal government inaction was more pronounced in comparison to Quebec's global and domestic efforts as the first decade of the twenty-first century came to a close. By 2010, their divide over climate change policy was escalating into a "word war" (Ibbitson and Seguin 2010). Quebec hosted nrg4SD in 2011, the year the federal government left Kyoto. The province promoted its projects including the Action Plan on Climate Change, the Northern Plan, the Plan of Action on Electric Vehicles, and the adoption of the regulations to enter the WCI (Shirley 2011a; Shirley 2011b). In reaction to Quebec's adoption of these measures, a federal official told the *Globe and Mail* they thought Quebec was "placing its self dangerously outside a continental consensus..." (Ibbitson and Seguin 2010).

While Quebec has been actively engaged in a global conversation about climate change policy, the Conservatives have largely been absent. DDEP Minister Pierre Arcand is currently developing the province's next action plan (2012-2020) on Climate Change, aiming to reduce emissions by 20% below 1990 levels by 2020 (Shirley 2012). In contrast, Ottawa's goal is to reduce Canada's emissions by only 17% below 2005 levels by 2020 (Kent, 2012). The Quebec government has promoted its emission reduction measures by forming alliances. Harper's strategy for climate change policy, as characterized by *The Globe and Mail*, is "tuning out" of the discussion (Editorial 2011). For the federal government, "...domestic politics trumped real opportunities for Canadian leadership—so that our domestic policies and stance have helped to marginalize Canada on the world stage" (Editorial 2011). In February 2012, the federal government decided to take part in another effort to mitigate climate change, which was backed by the US (Goodman 2012). Harper's climate change policy is largely dependent on the United States and China. His policies suggest the preservation of Canada's resource economy is more important than building both an environmentally and economically sustainable society for the future. Some Canadians may share this view, but it is not Quebec's.

Conclusions

Consistent with Stevenson's description of Quebecois federalists, Quebec has pursued more ambitious climate change policy than the federal government in the 2000s. It has spearheaded this policy, both domestically and internationally, allowing it to gain more power over this file. Quebec's efforts to form interprovincial alliances, which have challenged federal climate change policy, have strained the province's relationship with Ottawa.

The 1992 Earth Summit was important for putting climate change on many governments' agendas, but the Kyoto Protocol demanded specific objectives. In Quebec, environmental policy institutions established prior to the Kyoto Protocol, and its 2002 ratification in Canada, provided the precedence for future climate change policy. Early climate change institutions were followed by membership in international organizations, which later encouraged more stringent provincial climate change policy in Quebec.

While Quebec's climate change policy has evolved substantially in the past decade, its motivations have remained the same. In contrast, the ideas driving climate change policy in Ottawa have changed. In other words, the policies adopted in

Quebec have remained ambitious, but the federal government's have become weaker. Though the PQ was replaced by the QLP, both parties sought to strengthen Quebec's climate change policy, as well as gain more provincial power. The interests of Quebec's manufacturing sector, and the province's politicians, aligned to push for stronger climate change policy. For example, the PQ supported the Declaration of Quebec, and a minister from the QLP at COP15 lobbied the federal environment minister. While in 2002 the federal Liberals promised to meet Kyoto's objectives, the Conservatives withdrew from it in 2011. Quebec has been dedicated to the Protocol objectives consistently and has, since Harper has become Prime Minister, gone beyond the federal government to achieve them.

The federal government has been constrained by its need to accommodate other provinces to maintain the economic health of the country. It cannot accommodate one province at the expense of another. However, the Quebecois homeland was endowed with the resources to develop ambitious climate change policy. Quebec went from hosting its fellow provinces to hosting representatives from around the world to lead global efforts in finding solutions to climate change. Nevertheless, from Bégin to Arcand the message has remained the same. To preserve its identity by generating more power within Canada, Quebec has pursued its own policy with *and* without the federal government.

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