



Offsetting dispossession? Terrestrial conservation offsets and First Nation treaty rights in Alberta, Canada



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ABSTRACT

A diverse range of actors in Alberta, Canada have recognized terrestrial conservation offsets as a way to compensate for the ecological consequences of the province's oil sands boom. Offset programs are representative of a global trend toward the rescaling of environmental governance, and greater use of market-oriented tools for conservation practice. This global shift in conservation techniques has generated a somewhat divisive academic literature that views market oriented approaches as either utopian win-win scenarios, or as part of a larger class-based project that threatens democracy and serves to channel benefits to powerful societal actors. Much less attention has been paid to how seemingly neoliberal practices might be appropriated for a diverse range of political ends, resulting in more heterogeneous political and material outcomes. Drawing on recent scholarship that frames neoliberalism as a set of governance techniques, rather than a unified political project, the paper explores the ways in which market-based conservation tools, such as conservation offsets, might be put to progressive political ends in a manner unanticipated by the often bifurcated literature on the topic. Specifically, the paper explores recent attempts by some First Nations in Alberta to implement conservation offset programs as a means of securing greater control of traditional territory and social and cultural sustainability. The case study complicates some of the dominant narratives of market-based conservation, and works to expand our understanding of neoliberal conservation practice by focusing on how the context of particular places may complicate both the underlying logics and material outcomes of market-oriented conservation.

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Introduction

Market oriented approaches have been a central component of what some have described as a 'neoliberal turn' in conservation practice (Igoe and Brockington, 2007; Brockington et al., 2008; Buscher, 2008). Mechanisms such as conservation easements and land trusts, payment for ecosystem services, biodiversity offsets, and tradable quotas in biological resources have become increasingly popular on a global scale. These new approaches are often juxtaposed to the failures of earlier state-centered command and control models and are lauded as a means to reconcile environmental conservation with economic development and growth. The increased use of market-based tools is representative of a broader global trend toward the rescaling of governance, including environmental management, and an increased role for non-state actors and market-based tools in the production and allocation of public goods and services.

Discussions of neoliberalism in general, including neoliberal environmental management, have tended to be broken into two

distinct camps – those that view such shifts as utopian win-win scenarios that successfully reconcile tensions between the environment and economic growth (Anderson and Leal, 2001; Turner and Daily, 2008; Shogren, 2005) or a growing array of critical perspectives, which often present the shift to non-state actors and markets as part of a larger class-based project that threatens democracy and serves to channel benefits to powerful societal actors (see inter alia MacDonald, 2010; Kelly, 2011; Brockington et al., 2008). An exploration of terrestrial conservation offsets in Alberta complicates some key narratives of the existing critical literature, providing a case study in how market-based conservation tools may serve multiple political ends, and may in some instances be used to empower communities resisting threats of dispossession, privatization and the imposition of market-logics. Using data derived from a case study of terrestrial offsets in Alberta the paper aims to illustrate broad theoretical claims about the political nature of neoliberal environmental conservation instruments. In doing so, I engage a body of recent scholarship that explores the complex and often contradictory manifestations of neoliberal environmental governance, suggesting that such arrangements might support a variety of political ends. While the increased use

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of market-oriented conservation is certainly engaged in the channeling of benefits to powerful interests as described in much of the critical literature, the issue of assumed political allegiances may be more complicated than often presented. The following case study complicates pervasive discussions in the geographic literature of neoliberal conservation practices as being coherently aligned with specific political projects or producing predictable and uniform material outcomes, and rather, provides an analytic framework that deviates from some of the dominant critical approaches to the study of neoliberal conservation. While novel conservation approaches like offsets do indeed participate in processes of accumulation by dispossession, such characteristics are not exclusive or uniform. Market-based conservation tools often do more than simply dispossess and channel benefits to powerful interests. Intersections with place-specific contexts often generate a complex series of political openings and closings, including their use as strategies for the attainment of more progressive political ends. While not losing sight of the potentially perilous impacts for both human societies and non-human natures, I suggest that we also remain open to exploring co-occurring political processes that may deviate from the outcomes anticipated by much of the critical literature. An openness to such possibilities deepens our understanding of neoliberal environmental governance, and opens spaces for discussion of imperfect, and yet often effective, political strategies that may engage with neoliberal conservation as a means of achieving progressive political outcomes, even when those gains are occurring within the confines of existing power structures and a limited range of options.

Methods

The analysis that follows is based on findings that emerged from a larger research project exploring the use of offsets in response to resource development in the Canadian province of Alberta. Data collected during 2012–2013 included semi-structured and key informant interviews with both participating and non-participating offset stakeholders including representatives of provincial and municipal governments, industry, non-governmental organizations, and some First Nations. An informal town hall meeting was conducted by the author (with organizational assistance from staff of Municipal District 124) in September of 2012 with residents of Flatbush and Fawcett farms, a primary focus area for offset creation associated with the Alberta Conservation Association's Boreal Habitat Conservation Initiative. The research also included the collection and analysis of relevant legislation, government and NGO documents, and gray literature related to offset programs in Alberta.

The primary scope of the larger project was not focused exclusively on First Nation's engagement with offsets, but rather explores the broader evolution and material implications of the use of this particular conservation tool in the province. As part of this process, First Nations were invited to participate following consultation procedures provided by Treaty 8 First Nations of Alberta. Research focused on gaining an understanding of the perspectives and engagements of First Nation governments with offsets. A series of in person and telephone interviews were conducted with representatives of two nations, and with environment and research managers at the Treaty 8 organization. Conversations were held with representatives of a third nation that, despite expressing interest in more in depth participation, declined due to limited resources and more pressing concerns. Data collection related to the Little Red River Cree Nation's (LRRCN) exploration of offsets included interviews with former and current environmental managers and other project stakeholders, including management at The Nature Conservancy of Canada. Additional data

was collected from publications and presentations prepared by LRRCN staff.

Market-based tools and 'neoliberal' conservation practice

While there is not, as yet, a well-developed literature on the rationales and material implications of terrestrial offset programs,¹ there is a growing body of critical scholarship that examines the use of markets and financial mechanisms to achieve conservation goals (see inter alia Mansfield, 2007a, 2007b; Robertson, 2006; Sullivan, 2013a, 2013b; Pawliczek and Sullivan, 2011). There is indeed a long history of valuing nature in economic terms. The most recent iterations of such themes and the new zest for market mechanisms to save nature can be traced back to the sustainable development frameworks associated with the World Commission on Environment and Development, and the emergence of what Steven Bernstein (2001) has called a "norm complex of liberal environmentalism" that explicitly seeks to reconcile economic growth and environmental protection. Under such a norm complex continued economic growth and environmental protection are seen as entirely compatible, and in fact, mutually supportive goals. An increasing array of sustainable development approaches suggest that not only will the invisible hand of market processes guarantee that nature is properly valued and allocated, but that in order to be successful, environmental protection must be made profitable (Anderson and Leal, 2001; Daily and Ellison, 2002; Kosobud and Zimmerman, 1997; Stavins, 2003). In a related vein, the concept of placing economic value on nature and employing markets for effective allocation has become increasingly popular in development circles and the last several years have seen explosive growth in the use of such market-oriented conservation techniques as a means to not only conserve nature, but to generate economic development benefits for 'local communities', particularly in the global south (UN-REDD, 2009, for critiques see McAfee, 2012; McElwee, 2012; Milne and Adams, 2012).

The other dominant discussion on the use of markets mechanisms, or neoliberal conservation – and one that has been far more pervasive amongst political ecologists and geographers – has been a critical literature that questions the motivations, rationales and material implications of these practices. This work has tended to present two coherent criticisms of these new approaches. First, it has been argued that new markets and trading in nature and its services operates as a green-washing strategy which allows industry to look green while conducting business as usual (Buscher et al., 2012; Sullivan, 2010, 2013b). A second, and often related, theme draws theoretical support from a Marxian lens of recursive and contemporary primitive accumulation, or to use Harvey's (2003) phrase, "accumulation by dispossession" (Neves and Igoe, 2012; Corson and MacDonald, 2012; Sullivan, 2013b; Kelly, 2011; Fairhead et al., 2012). Scholars employing this approach have been particularly concerned with what they see as a parasitic incorporation of previously non-capitalist activities, the expansion of private property, the privatization of environmental politics and a shrinking public sphere associated with the commodification of environmental protection. Others have broadened these discussions, suggesting that what we are witnessing are not only new frontiers of accumulation via trading in ecological commodities, but also a larger remaking of the social and material world that seeks to overcome accumulation crises generated by the inherent contradictions of capitalism (Robertson, 2012; Buscher and Fletcher, 2014; Sullivan, 2013b).

Such analyses are theoretically rigorous, and there are numerous empirical examples that support the conclusions found in these frames, including – in part – the one presented here.

¹ Some notable exceptions include recent work by Sullivan (2013a), Robertson (2006, 2012), Dempsey and Robertson (2012).

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