



OIL PIPELINE RESISTANCE IN CANADA AND THE US

Similarities, Cross-Border Alliances and Border Effects

In this essay, I analyse the nature of the opposition to oil pipelines in both Canada and the US¹. Specifically, the essay addresses three questions. The first is whether pipeline opposition shares similar characteristics in both countries. The second is how resistance has flowed across the border. Thirdly, I analyze whether “border effects” suggest that national resistance strategies are likely to persist, and even dominate, notwithstanding the continental structure of the pipeline networks. I draw upon evidence from the 2010s, but these questions have ongoing relevance, not least because of the re-election of President Trump.

In the next section, I provide a brief overview of the continental oil market and the role of governments, on both sides of the border, in promoting it over the past four decades. In section 4, I turn attention to the dynamics of resistance in both countries and the emergence of cross-border alliances, identifying which groups have found it the most feasible to make cross-border alliances and why. Section 5 discusses “border effects.”

I document some major similarities in the resistance movements in both countries, notwithstanding their different political economies and histories. The cross-border scalar jump has been most easily made by Indigenous groups and international environmental NGOs; local NGOs have found this leap more difficult and, in some

Paul Bowles
Department of Global
and International Studies
and School of Economics,
University of Northern
British Columbia, Canada



<https://orcid.org/0000-0001-7714-772X>

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cases, unwanted. I also find that regulatory frameworks, government actions, and state characteristics all point to the existence of “border effects” and the continued relevance of national-level resistance even in the presence of continental pipeline networks.

THE CONTINENTAL CONTEXT

Under the provisions of the Canada-US Free Trade Agreement signed in 1989, a “proportionality clause” was included, which stated that Canada would maintain the average ratio of energy exports to the US to Canadian energy total production over the previous three years (see Laxer and Dillon; Sierra Club et al.). Reductions in Canadian exports to meet domestic needs were therefore ruled out, and a regulated continental energy market between Canada and the US was formally put in place (even though it was part of a “free trade” agreement).

The proportionality clause was included in the subsequent NAFTA Agreement of 1994, although Mexico negotiated an exemption from it. Therefore, while Mexico retained energy sovereignty, Canada did not, reducing Canada to what critics termed an “energy colony” (Laxer and Dillon 9). At this time, the US focused very much on securing its energy supplies, and the proportionality clause was seen as a way of contributing to this. This was still the post-OPEC period when energy supply was seen as a crucial component of national security; in 1975, the US had introduced a ban on all crude oil exports as part of its energy security policy.

The US crude oil export ban was lifted 40 years later, when the continental energy market was much different. For example, in the Bakken field, unconventional oil and gas extraction had led some to ask if the US was the “new Saudi Arabia” (Gross). The same technologies had also transformed oil production in Canada with the extraction of bitumen from Alberta’s tar sands, making Canada the world’s fourth largest oil producer, with 64 percent of that coming from the tar sands, and the world’s fourth largest oil exporter (Natural Resources Canada).

When the US repealed its crude oil export ban in 2015, it was no longer in such need of oil from Canada. However, the export ban was lifted to enable the light oil from the Bakken plays to be exported since the US refineries had long been built to refine the heavy oil from Canada, Mexico, Nigeria, and Venezuela. Therefore, Canadian extracted oil still goes overwhelmingly to the US market. To illustrate this, in 2023, 98% of Canada’s crude oil exports went to the US, accounting for approximately 60% of total US crude oil imports. 85%

of Canada's oil exports are by pipeline (Canadian Association of Petroleum Producers, *Canadian Exports* 3–8).

Even though NAFTA's renegotiated successor, the United States-Mexico-Canada Agreement (USMCA), does not contain a proportionate clause, the Canadian and US oil markets remain heavily intertwined. The dynamics have shifted, however, and now Canada—or its governments working on behalf of oil companies—is making the pleas for the US to accept more of its oil. With 98% of Canada's known oil reserves located in the Alberta tar sands and with tar sands producers wanting to increase tar sands production anywhere between 50 to 100 percent by 2030 depending on the global oil price (Williams), the US will continue to be a major destination for Canadian oil notwithstanding the Canadian government's aim to also diversify its markets.

Tar sands have achieved global attention for their actual and potential impact on climate change. Debate continues on the sands' culpability for emissions and climate change (Greenpeace; Canadian Association of Petroleum Producers, *GHG Emissions*), as well as on their implications for Canada's ability to meet its own greenhouse gas emission reduction target of a 30 per cent decrease on 2005 levels by 2030 (Laxer; Harvey and Miao). Regardless, expansion is sought, and for this to be realized, oil must increasingly be transported across the Canada-US border. Despite the ever-increasing rail shipments, this has meant a need for increased pipeline capacity. This went anything but smoothly for the many projects that were proposed during the 2010s, including TransCanada's Keystone XL, the TransMountain Expansion (which includes a Puget Sound connector pipeline into US refineries), and Enbridge's Alberta Clipper and Line 3 replacement pipelines (See Figure 1).² While pipelines have been in place for many decades, they were built when climate change was not on the public radar, Indigenous³ rights were routinely ignored, and local communities and landowners had less opportunity for opposition and voice. The situation in the 2010s changed substantially, and pipelines were challenged at every step of the way.

2 Of course, other intra-country pipelines such as Enbridge's Northern Gateway pipeline in Canada (discussed further below) and Energy Transfer Partners' Dakota Access pipeline in the US have also led to substantial resistance.

3 The term Indigenous is used throughout except when quoting sources which use alternative terminology such as Native North American, First Nation, Indian, and Aboriginal.



Fig. 1: Oil Pipelines from Canada's Tar Sands, Actual and Proposed, and Continental Oil Pipeline Infrastructure 2014. Source: Nelson, Joyce, "Line 9 - Shipping Tar Sands Crude East", November 7, 2012. By permission of *Watershed Sentinel* (<https://watershedsentinel.ca/articles/line-9-shipping-tar-sands-crude-east/>).

In the next section, the dynamics of pipeline resistance in Canada and the US are examined and compared. Analysis is focused on the rural areas, which include land containing Indigenous and rural settler communities, and through which many pipeline routes, actual and proposed, pass. The section then discusses how cross-border alliances developed as necessary to combat some pipeline routes and projects. This discussion also brings in the broader environmental movement, which is more generally opposed to all pipelines designed to facilitate increased tar sands production.

PIPELINE RESISTANCE IN CANADA, IN THE US, AND CROSS-BORDER RESISTANCE IN CANADA AND THE US: WHO AND WHY

The Sioux Nation's fight against the Dakota Access Pipeline at Standing Rock in 2016–17 captured global attention for many reasons, including the power of Indigenous voices opposed to fossil fuel development and for the violent reactions of the US state against them. Another remarkable part of that struggle was the sight of over 4,000 US veterans forming a human shield to protect the “water protectors.” As part of this show of solidarity, Veterans' leaders took part in a ceremony where they asked for forgiveness from the Lakota people for the pain and suffering that the US Army had caused them (Taliman), which provides one example of a wider phenomenon,

namely, that resistance to oil pipeline has resulted in what Grossman has termed “unlikely alliances.”⁴

To further examine this, I analyze the dynamics of resistance in rural areas of Canada and the US. Pipeline routes, including those from Alberta’s tar sands, typically need to travel distances of around a thousand or more kilometers to find either refineries in the US capable of refining the heavy bitumen extracted and/or to tide water where it can be exported, which means traversing many hundreds of kilometers of territory populated by small towns and rural communities, both Indigenous and settler; typically, pipeline routes try to avoid the larger population centers where opposition could be more coordinated and politically stronger. I start by examining resistance in these small communities. Of course, not all communities, much less all people in them, oppose pipelines; many see the employment and revenue opportunities they potentially offer as ways to ensure their community’s survival.⁵ However, this essay does not consider these debates and focuses on the opposition to pipelines.

To examine the nature of the opposition on both sides of the border I draw upon published interviews conducted with anti-pipeline protesters (and anti-fossil fuel activists more generally) who organized against pipeline projects in Canada and in the US, taking two projects—Keystone XL in the US and Enbridge Northern Gateway in Canada as specific examples. This comparative method enables differences and similarities to be identified and analyzed.

In a recent book, Grossman persuasively argued that resistance to fossil fuel extraction in the US was based on the widespread formation of “unlikely alliances” between “native nations and white communities” defending “rural lands.” In this, he used interviews with Indigenous leaders and white ranchers to show how and why these alliances had been formed and the obstacles to overcome. Interestingly, many of the same dynamics reported by Grossman are also found in Canada. Despite the different colonial histories, legal frameworks, and social and political systems, the responses to a shared external threat—an oil pipeline—show remarkable similarities.

To demonstrate this, I compare the examples presented by Grossman with the interviews with twelve anti-pipeline resisters on which I reported

4 For a more general analysis of Standing Rock as an Indigenous-led coalition, see Steinman, Estes. For parallels between Standing Rock and resistance at the Unist’ot’en camp in British Columbia, see Rowe and Simpson.

5 This includes some Indigenous communities, notwithstanding the leading role of other indigenous communities in resisting pipelines. See, for example, Wanvik and Caine.

as I travelled the route of the proposed Enbridge Northern Gateway pipeline in northern British Columbia in 2013 (Bowles and Veltmeyer, *The Answer Is Still No*). This latter pipeline proposal involved the construction of two parallel 1,177-kilometer pipelines from Bruderheim, near Edmonton, to Kitimat on the northwest coast of British Columbia. The westerly pipeline would carry 525,000 barrels of bitumen daily to Kitimat, where it would be loaded onto supertankers (225 annually) and shipped to Asia and the United States. The easterly pipeline would carry condensate used to thin the bitumen to transport it by pipeline. The project was over a decade in the making; however, it was finally rejected by the Federal government in November 2016 (at the same time that the government approved Enbridge's Line 3 and the Trans-Mountain pipeline expansion, which is discussed below).

While the Enbridge Northern Gateway project was rejected, the resistance that it faced is instructive and bears comparison with the resistance in rural lands reported by Grossman. The dynamics of resistance in rural areas on either side of the border show some remarkable similarities. Writing of the US experience, Grossman (170) states that "alliances of environmental and climate justice activists, farmers and ranchers, and Native peoples are blocking plans to ship carbon and the technology to extract it." Much the same has been said about Canada. As Bowles and Veltmeyer (*Pipelines and Protest* 270) note in their analysis of the alliances in northern British Columbia against the Enbridge Northern Gateway pipeline, they "crossed many lines, involving First Nations, landowners, ranchers, environmentalists and labour, an impressive example of Putnam's (2000) 'bridging' social capital." Both are examples of the activism which Klein has termed "blockadia."

Turning in more detail to these "unlikely alliances," the first similarity I discuss here is the ways in which conservative ranchers become surprised by the agreement that they found with environmentalists in protecting land and water resources from corporate threat; as Grossman (5) notes, it formed the basis for an "anti-corporate populism" which brought together seemingly disparate groups. Consider, for example, the initial reactions and struggles expressed by Shannon McPhail, an anti-Northern Gateway campaigner who first became active in an earlier campaign against Shell and its plans to drill for methane in the Sacred Headwaters of the Skeena in north-western BC. Describing herself as a "cowgirl," she says, "when you look up red neck, you will see a picture of my family" (Bowles and Veltmeyer, *The Answer Is Still No* 89). She was enticed by the promise of funding for her campaign against Shell to attend the Canadian

Environmental Leadership Program. Her initial reaction was that it sounded “really hippy” and that she would not go. Things got worse when she discovered that meditation and yoga were morning activities. However, the promise of funding persuaded her, although things did not go much better initially. She describes being “furious” when discovering the retreat was vegan and being “livid” when songs were part of the activities. She “just wanted to go home.” Nevertheless, over time, she realized that the people she had spent almost her “entire life mocking and thinking they were wing nuts” were on to something and joined them. She has been active ever since, including playing a vocal role in the anti-Northern Gateway campaign (Bowles and Veltmeyer, *The Answer is Still No* 94–95).

Compare this with the views of Nebraska rancher Bob Allpress, an opponent of the Keystone XL project, reported in Grossman: “I’m a redneck Republican [...] standing there in cowboy boots and a hat next to people in peace necklaces and hemp shirts ... it’s been—an experience. A good experience. We’ve enjoyed the hell out of it” (185).

The alliance between rural settlers and urban environmentalists is not, however, a seamless one, and many of the former still see themselves as more grounded environmentalists or even not as environmentalists at all, given the associations that often come with the term in rural areas. Another Nebraska rancher, Ben Gottschall, opposed to Keystone XL, says that “[...] we pipeline fighters are not just a few angry landowners holding out or environmentalists pushing a narrow agenda. We are people from all walks of life and include the people who have been here the longest and know the land best” (as reported in Grossman 186). For Gottschall, environmentalists push a “narrow agenda” whereas he sees himself as part of a movement including a wide range of people. The same sentiments can be found among anti-pipeline activists in northern British Columbia. McPhail again: “some people call it environmentalism, but I call it ‘common sensism.’” (Bowles and Veltmeyer, *The Answer Is Still No* 91)⁶

You could also take the example of a member of a small NGO, Douglas Channel Watch (DCW), which took on Enbridge in a plebiscite campaign over the Northern Gateway pipeline held in Kitimat in 2014. She reported viewing her environmentalism as being defined by local inhabitants enjoying their natural surroundings and nature-based activities such as fishing, contrasted with extra-local “environmen-

6 See also Willow (37) for discussion of how, in Canadian Indigenous communities, “environmentalism” has been seen as an outside label applied to the activities that they have always done.

talists" who were more concerned about climate change (Bowles and MacPhail 22). Indeed, this provides one primary reason why, when fighting the plebiscite, DCW turned down offers of assistance from outside environmental groups and deliberately chose to keep their campaign against the world's largest pipeline company as local as possible.⁷ Interestingly, similar strategies have been reported in the US, too. Grossman (201) reports that in Washington State, where a coal terminal was proposed, "the Quinault Nation sponsored the July 2016 'Shared Waters, Shared Values' rally, including a flotilla of fishing boats, tribal canoes, and kayaks. Notably, the rally's roster highlighted tribal and local speakers, but none from outside environmental groups".

The quote from rancher Gottschall above about ranchers working with "those who have been here the longest" refers to rancher—Native American alliances or, as it became formally known in the opposition to Keystone XL, the Cowboy Indian Alliance (CIA). The alliance, starting as a "loose affiliation" and moving towards an "alliance deepened through a series of spiritual camps" (Grossman 180–181), played a critical role in bringing Indigenous and rural settlers together in opposition to the corporate takeover of their lands. Of course, the status of "their" lands is ambiguous, but the external threat brought disparate actors together. This alliance was based on the meaning that the land had for both communities, not only for the Indigenous peoples but also for "the ranchers and farmers who treasure Mother Earth as we do," as spoken by a chief (quoted in Grossman 180).

This shared sense of place and the gradual building of Indigenous-settler relationships based upon it are also evident in northern British Columbia. Postal worker and DCW activist Murray Minchin recalls, when at the Northern Gateway hearings, "the Aboriginal people got to hear about how much place this means to us, the newcomers, I think that was the first time that they'd ever really heard emotion like that from us, about how we love this place. And then we got to hear about things that I wasn't aware of [...] So it was really an eye-opener for us too." (Bowles and Veltmeyer, *The Answer Is Still No* 116). McPhail made use of the cowboy-Indian analogy, too. She explained that the organization of which she is a part, the Skeena Watershed Conservation Coalition, was formed by

loggers and ranchers and miners and drillers and welders and farmers, and First Nations, because that's what our community is. When people talk about our

7 This strategy was also found in Newfoundland's anti-fracking movement by Carter and Fusco.

region, the USA have their version of cowboys and Indians, but a little differently up here, we are all on the same side ... I'm non-Native, 85 percent of the population here is Gitksan. And so, as a minority, you absorb the culture of the majority. Hence, the connection to the river, and the culture and the history, and the knowledge that this is my home, this is where my roots are. It's the only place (Bowles and Veltmeyer, *The Answer Is Still No* 92).

Many of the dynamics of resistance to pipelines at the local level and the 'unlikely alliances' formed as part of it, and therefore, find common expression on either side of the border. Needless to say, none of this is unproblematic. While there is an Indigenous/settler binary, each combines complexly with other group labels such as "ranchers", "environmentalist", "loggers", etc., and some people may reasonably see themselves as belonging to several such groups. Furthermore, as Whyte has argued, in the context of Standing Rock, "nonindigenous environmentalists are only allies if they work broadly toward decolonization, instead of aligning with indigenous peoples only when a particular issue, such as opposition to one pipeline seems to match their interests" (Whyte 6). Bosworth has also noted how populist anti-pipeline strategies reproduce dominant Euro-American worldviews that privilege private property relations and marginalize Indigenous peoples.⁸ For the purpose of the analysis here, the point is that these issues are equally relevant on both sides of the border.

CROSS-BORDER ALLIANCES: POSSIBILITIES AND CHALLENGES

When it comes to the alliances across the border, a different dynamic is evident. That is because the alliances formed within communities are based on local attachment to land and the politically scalar leaps to oppose not just the particular path of one pipeline, but the whole pipeline, and then all pipelines designed to increase tar sands production, are easier to make for some actors than others. Therefore, activism at the local level in rural areas has characteristics that differ somewhat from those more readily found in cross-border resistance. The 'scalar bridge' has been made firmly by Indigenous nations, and it is they who have formed some of the strongest cross-border alliances, as have international environmental organizations focused on climate change and campaigned against specific projects, such as Keystone XL, on those grounds. Local NGOs and communities have often found that it is a bridge too far.

8 See also Snelgrove, Dhamoon, and Corntassel for the dangers of "reifying" settler colonial modes of domination.

Before coming to cross-border alliances, it is also important to recognize the importance of informal knowledge and information sharing between organizations on different sides of the border and the importance of actions and outcomes in one jurisdiction resonating with others. For example, recall that on the same day the Canadian federal government cancelled the Enbridge Northern Gateway pipeline, it approved the Enbridge Line 3 replacement. Organizations such as the Indigenous movement's Honor the Earth used the rejection of Northern Gateway to inform its campaign against Line 3. The two pipeline projects share some clear similarities. Northern Gateway would have traversed pristine wilderness, threatening wild salmon stocks—an important food source in the local sharing economies of northwest British Columbia and a cultural cornerstone for Indigenous peoples. The line 3 replacement would also traverse "pristine aquatic ecosystems" and threaten wild rice beds, which are also important for local sharing economies and of cultural significance.⁹ It is not surprising that the two campaigns would become linked. Honor the Earth co-founder Winona LaDuke referred to the defeat of the Northern Gateway project and the failure of Enbridge's 'Indigenous Inclusion' policy in BC's northwest in her 2017 "Letter to Enbridge."¹⁰ The slogans used in the two campaigns parallel each other, such as "United Against Tankers/Enbridge" and "No Tankers, No Pipelines, No Problems." Slogans and strategic messaging travel easily across borders.

However, in addition to these project-to-project linkages, Indigenous nations have increasingly used alliances between themselves and with support from non-Indigenous groups to spearhead wider resistance based on Indigenous Law, which has also crossed borders. For example, the Save the Fraser Declaration used Indigenous Law as the basis of opposition to the Northern Gateway pipeline. Indigenous Law stresses responsibilities and obligations, rather than simply rights, and the responsibility to nature was invoked to oppose the pipeline and the oil sands. The Declaration started with 30 or so communities as signatories and, in the end, had been signed by over 160 First Nations. As Yinka Dene Alliance¹¹ member Jasmine Thomas explained, the Declaration was signed by Indigenous communities

all along the pipeline route as far as the Northwest Territories to the Arctic Ocean, including nations from other North American Indian tribes as well. Basically,

9 See http://www.honorearth.org/sandpiper_line_3_corridor

10 See <http://www.honorearth.org/dearenbridge2017>

11 The Yinka Dene Alliance is an alliance of six First Nations in north-central British Columbia that were instrumental in the Save the Fraser Declaration.

what it looks like is the whole entire coast of BC, along the Rocky Mountains border, the Northwest Territories on top, and then the US border. So, it's like Enbridge is totally surrounded. (Bowles and Veltmeyer, *The Answer Is Still No* 28).

The Declaration was followed by a Solidarity Accord which brought non-Indigenous groups into the opposition and included “some of Canada and BC’s most powerful unions [such as Unifor and the BC Teachers Federation], as well as a host of local leaders from tourism businesses, municipal government, health and conservation organizations” (Anon, “First Nations”).

This strategy of alliances designed to surround particular projects can be found in a number of instances including the Mother Earth Accord to Oppose Keystone XL signed in September 2011 between Indigenous chiefs, treaty councils and Alberta First Nations (Grossman 178) and the Nawtsamaat Alliance signed in 2014 which brought First Nations, tribes, together with environmental groups, interfaith communities and frontline residents in defense of the Salish Sea. They signed the International Treaty to Protect the Sacredness of the Salish Sea and to Declare the TransMountain pipeline illegal under Coast Salish laws (193). However, the most ambitious expression of this strategy is found in the Treaty Alliance Against Tar Sands Expansion, signed in September 2016 by over 50 Indigenous nations from both sides of the border. The Treaty aims to block all proposed pipeline, tanker, and rail projects affecting Indigenous land and water, thereby surrounding the tar sands.¹² It is common in the Canadian, and especially the BC, context to talk about “modern treaties,” as the BC Treaty Commission likes to refer to them but the cross border Indigenous treaties discussed above are a very different form of “modern treaty” in their focus on the tar sands and the global environment.

This places Indigenous peoples at the forefront of the cross-border campaigns against tar sands expansion, just as they have been in local project-specific resistance within each country. The Indigenous resistance is based on an interconnected set of struggles for the preservation of Mother Earth, adherence to Indigenous Law, and the recognition of and respect for treaty rights. The Indigenous Environmental Network, working across borders, has been instrumental in these struggles, too. Of course, Indigenous cross-border alliances should come as no surprise since the forty-ninth parallel is itself an arbitrary creation of colonial powers, which contradicts

12 For the list of signatories, see McSheffrey. See also Stoddart for the coalitions opposing the tar sands.

the unity of Turtle Island in Indigenous worldviews and commonality of resistance.¹³

The environmental NGO/climate justice movement has also been active in its promotion of cross-border resistance to pipelines. Activists from both sides of the border have been involved in some of the largest rallies calling for action on climate change. There was a series of popular rallies held in the centers of power in the US and across the world, seeking to build pressure for climate change measures, organized by many environmental NGOs, including the Sierra Club and 350.org, and which targeted the Keystone XL pipeline and the tar sands in general. This new form of “rowdy greens” is a loose, decentralized alliance capable of mass mobilization (Bradshaw 2015). At the 2013 rally, a member of the Yinka Dene Alliance fighting the Northern Gateway pipeline in northern BC spoke:

The Yinka Dene Alliance of British Columbia is seeing the harm from climate change to our peoples and our waters,” said Chief Jacqueline Thomas, immediate past Chief of the Saik’uz First Nation in British Columbia and co-founder of the Yinka Dene Alliance (“People of the Earth”). “We see the threat of taking tar sands out of the Earth and bringing it through our territories and over our rivers. The harm being done to people in the tar sands region can no longer be Canada’s dirty secret. We don’t have the billions of dollars that industry has. But we do have our faith that people will do the right thing to protect Mother Earth. The Forward on Climate Rally shows that we are not alone in the fight to stop tar sands expansion and tackle climate change. (Henn)

At the time, the Forward on Climate rally was the most significant climate protest in US history, with approximately 40,000 people in attendance. The following year, it was over 300,000, and the protest went global to include rallies in 162 countries (Bradshaw).

As LeBillon and Carter have observed, “highly inclusive coalitions spanning environmental, social, labour, religious and Aboriginal organizations now extend from local and provincial organizers to national and international levels” (5). However, this scale jumping is not seamless. As discussed above, there have been occasions where there have been tensions between local and ‘outside’ environmentalists; this has led to something of division of labour between them as local NGOs take the lead on local issues, whereas national

13 See, for example, Hastings. It should also be noted that under the provisions of the 1794 Jay Treaty, Indigenous people living on either side of the border were permitted to transport their personal goods duty-free. The right of Indigenous peoples to move across the border imposed upon their land continues to be an evolving legal issue.

and international environmental NGOs focus on campaigns such as tar sands and fossil fuel divestment. However, it has left a space for those who seek to divide the opposition movement based on its national origin, as will be discussed in the next section.

BORDER EFFECTS

The cross-border alliances discussed above have merged to oppose the pipeline networks designed to facilitate the expansion of the Canadian tar sands. The Indigenous alliances have long historic roots as noted above, but especially the environmental alliances can be seen as part of the emergence of transnational social movements which have characterized contemporary globalization and garnered much attention (see, for example, Smith; Gould and Lewis). Indeed, a continental pipeline infrastructure has created a political opportunity structure conducive to fostering such transnationalism; such transnationalism is evident beyond North America (see, for example, Cerda). To this explanation for the growth in cross-border alliances, we could also add the more recent argument that space is increasingly being conceptualized and re-engineered by “corridorization” with the geography of nation states less relevant (Hildyard and Sol; Mayer and Balazs); North America’s “carbon corridors” provide interesting examples not only of the flow of oil but also of the flow of resistance along them. The resistance documented above explains why pipelines are often seen as “chokepoints,” not simply as a technocratic logistical issue, but as sites of political resistance and struggle (see Chua and Bosworth).

While transnationalism and corridorization have both generated considerable scholarship and provided explanations for the cross-border alliances described in section 3.2 above, which will undoubtedly continue to play a significant role in pipeline resistance, in this section, however, I will concentrate on the contrary, and perhaps less well-explored issue, namely, the reasons why we might expect to find a limit to cross-border alliances and activities and why national spaces will also remain significant for pipeline opponents, notwithstanding the oil industry’s continental structure. That is, I will analyze why we might expect the continuation of “border effects,” defined here as the reasons for barriers to mobilisation which arise from the existence of a border.¹⁴ I argue here, necessarily speculatively, that three fac-

14 Border effects are defined in the economics literature as effects that limit the flow of goods and services across national borders to less than would be predicted on the basis of economic models (gravity models) that estimate these flows based on distance in the absence of borders. They are significant in the case

tors might lead us to expect that the Canada–US border will inhibit the flow of resistance, with the result that pipeline resistance will likely continue to exhibit a “home bias”. These three factors are regulatory review processes, the fissures in the pipeline resistance movements exploited by other actors, especially governments and corporations, and the nature of the Canadian and US political economies.

The first of these factors, most obviously, is that pipelines face regulatory review separately in each country and therefore require close engagement with national and subnational institutions. In the Canadian case, this means the National Energy Board and Canadian Environmental Review Agency for inter-provincial pipelines, on top of which may be layered provincial environmental review processes. In fact, one of the largest pipeline disputes in Canada was between the provinces of Alberta and British Columbia, indicating the importance of subnational jurisdictional boundaries (Lindsay). In the US, this means the State Department reviews. In both countries, review processes are continually challenged, leading to lengthy domestic legal processes. As a result, resistance is likely to retain a strong national/domestic focus.

A second factor arises from the actions of governments, the putative policers of borders, which seek to disrupt cross-border alliances. This is not simply a matter of physical border controls but political attempts to divide the pipeline resistance movement along national lines. One clear example was the Open Letter sent by the then Canadian Minister of Natural Resources, Joe Oliver, in 2012, on the eve of public hearings over the Northern Gateway. In his letter, Minister Oliver wrote:

Canada is on the edge of a historic choice: to diversify our energy markets away from our traditional trading partner in the United States or to continue with the status quo. Virtually all our energy exports go to the US. As a country, we must seek new markets for our products and services and the booming Asia-Pacific economies have shown great interest in our oil, gas, metals and minerals. For our government, the choice is clear: we need to diversify our markets in order to create jobs and economic growth for Canadians across this country. We must expand our trade with the fast growing Asian economies. We know that increasing trade will help ensure the financial security of Canadians and their families.

Unfortunately, there are environmental and other radical groups that would seek to block this opportunity to diversify our trade [...].

of Canada and the US (Helliwell) and arise because of the institutional, legal, and cultural reasons, among others, which contribute to “home bias.” I adapt the term here to refer to barriers to the flow of resistance across national borders.

These groups threaten to hijack our regulatory system to achieve their radical ideological agenda [...]. They use funding from foreign special interest groups to undermine Canada's national economic interest. They attract jet-setting celebrities with some of the largest personal carbon footprints in the world to lecture Canadians not to develop our natural resources. (Oliver)

The letter is interesting for a number of reasons. Firstly, at the same time that the government was urging acceptance of the Keystone XL pipeline as being in the national interest of both Canada and the US, the Minister implied in his letter aimed at garnering support for Northern Gateway that, in fact, Canada's national interest was best served by diversifying away from the US market. This inconsistency has only intensified over time, as shown further below. Secondly, the accusation is made that "foreign special interest groups" were undermining Canada's national interest. These special interests were implicitly from the US, as were the "jet-setting celebrities" telling Canadians what to do. Thirdly, it shows how rattled a Minister can become when domestic opposition to a pipeline undermines his international sales pitch; it is all the fault of foreigners.

In many ways, the letter and its intemperate language backfired. Many who presented at the Northern Gateway public hearings took delight in pointing out that it was not radical to seek to protect their environment from potential oil spills; in fact, the corporations sought to force the pipelines through against popular opposition that were the 'radicals'. However, at another level, the letter did expose and play on the suspicions of local rural place-based environmentalists of 'outside' environmental organizations, as discussed earlier. Oliver's letter made the funding of environmental organizations an issue and reinforced that 'outsiders', in this case from a different country, were opposing Canada's national interest. This had an impact on the ground as Nikki Skuce, a northern BC-based employee of US funded ForestEthics (as it was then called; it is now Stand.earth) agreed: "It was a meme that stuck for a while and it definitely was a challenge" (Bowles and Veltmeyer, *The Answer Is Still No* 84). Cross-border alliances, especially those that involved funding, suffered from a chill effect, rooted in local suspicions of 'outsiders' in the first place.

The government specifically targeted ForestEthics, with its funding from the US Tides Foundation. According to an affidavit from a ForestEthics employee, the organization was singled out by the Prime Minister's Office (PMO) and described as an "enemy of the Government of Canada" and an "enemy of the people of Canada."¹⁵

15 Domestic opponents were also targeted in a process described by LeBillon and Carter (9) as the "criminalization of dissent."

Parenthetically, the tainting of oil development opponents as puppets of foreign-funded interests also found expression in the US, not aimed at Canada, but at Russia. The 2018 United States House of Representatives Committee on Science, Space, and Technology Majority Staff Report entitled *Russian Attempts to Influence U.S. Domestic Energy Markets by Exploiting Social Media* concludes that “the Kremlin is attempting to make ... ‘useful idiots’ of unwitting environmental groups and activists in furtherance of its energy influence operations” (7). The Report went on to argue that Russia has an interest in disrupting US energy markets since it competes with Russia’s oil and gas industry and points to how Russia has sought to sow discord and encourage pipeline protestors, including those at Standing Rock. In fact, this tactic of governments blaming foreign influences for opposition to fossil fuel (and other natural resource) projects is a common tactic. Governments around the world have sought to appeal to a nationalist populism to defeat the anti-corporate populism of resistance movements and in doing so have made the work of local NGOs with international contacts and transnational networks that much harder, often with legislation designed to hinder (or worse) such alliances and repress NGOs (Matejova, Parker and Dauvergne).

The third factor contributing to border effects concerns the nature of the political economies that pipeline resistance faces. Arguably, the extent to which opponents focus on domestic governments depends partly on the size of the task they face in persuading their governments of their objections. If this is the case, we may expect that national focus will continue for some time, given the stances of the two governments representing Canada and the US, which can be described as a petro-state and a rogue state, respectively.

A petro-state can be defined in a variety of ways. One approach is purely statistical, relying on indicators such as the percentage of exports derived from fossil fuels, the percentage of tax revenue from energy, and the percentage of GDP (Campbell). This definition spurred debate even in the mainstream financial media about whether Canada is or is not a petro-state (Anon, “Canada”). Another approach is viewing the designation from a political economy perspective, where a petro-state is interpreted as an alliance between the state and fossil fuel corporations promoting fossil fuel development (Carter).¹⁶ It is this approach that is used here.

16 For an analysis of how the state-corporate alliance fractured the “unlikely alliance” that emerged in response to the Northern Gateway pipeline project, discussed here, when a later natural gas pipeline was proposed for the region, see MacPhail and Bowles.

The promotion of the energy sector by the Harper Conservative government has been well documented and critiqued (Nikiforuk; Urquhart). The tar sands developers' early goal of doubling production by 2025 was embraced by the government, which saw it as a way of making Canada an "energy superpower." It lobbied extensively in Washington to convince the US to accept more tar sands oil and branded Canadian oil as coming from a reliable friend, as opposed to that supplied by other countries. Gary Doer, a former NDP leader in Saskatchewan and Canada's Ambassador to the US during the Harper government, urged President Obama in 2015 to approve the Keystone XL pipeline arguing that "the courageous choice for the administration is to choose hard hats over Hollywood, the intelligent, energy-efficient, safer infrastructure of a pipeline over rail, and Canada, an ally, over Venezuela" (Doer 2015). He had previously made the point that "it always makes more sense in our view to get energy from middle North American than the Middle East" (Chiasson).

The Harper government provided a clear example of the political economy definition of a petro-state. Here, I focus on the post-Harper Trudeau government and argue that it deserves to be tarred with the same brush. Attending an energy conference in Texas in March 2017, Trudeau received a standing ovation from oil company executives for his speech, which included the statement that, "No country would find 173 billion barrels of oil in the ground and just leave them there" (Berke), which is a quite extraordinary statement and indicates a commitment to extracting every last drop of tar sands oil. He continued in his speech to offer support for the Keystone XL pipeline and to repeat the Harper-era mantra that "nothing is more essential to the US economy than access to a secure, reliable source of energy. Canada is that source."

At the same time as Trudeau supported Keystone XL and argued that Canadian exports of tar sands oil to the US is in the interests of both Canada and the US, he has also continued with the contradiction, evident in former Minister Oliver's letter above, that actually it is in Canada's interest not to sell more oil to the US, where the price is lower, but to diversify sales to Asia. This is evident from his support for (then) Kinder Morgan's TransMountain expansion pipeline through British Columbia, which was approved the same day Enbridge's proposed Northern Gateway route was rejected. Speaking in Alberta's capital in February 2018, Trudeau stated that "we know that getting our oil resources to new markets across the Pacific is absolutely essential" and that "we can't continue to be trapped with the price differential we have in the American market. We need this pipeline and we're going to move forward with it responsibly like I committed to" (Reuters).

It appears that Canada's national interest is in favour of whatever pipeline is being discussed at the time, whether that be to sell more oil to the US or to diversify and sell more oil elsewhere. The one constant is the increase in tar sands production. Furthermore, to emphasize the fact that government and industry sing from the same songbook, compare Trudeau's explanation above for supporting the Kinder Morgan project with that offered by the company itself at the time:

The Trans Mountain Expansion Project will help make sure Canada gets full value for its oil. Everyone will benefit [...]. Currently, nearly all the oil produced in Western Canada goes to one market, the United States Midwest [...]. For much of the last decade, Canada has been selling into the United States at a discount to the world price for similar oil products.

The simple truth is that Canada's oil will fetch a better price if we give ourselves the option of shipping more of it via Trans Mountain's Pacific tidewater terminal in Burrard Inlet. Canada will earn more on every barrel of oil that's piped west compared to those sold to our existing customers in the United States Midwest market, a differential that exists regardless of the price of oil. The Project will allow Canadian oil to be delivered to international markets and, as a result, Canada will earn approximately \$3.7 billion more per year. (Trans Mountain)

The simple truth, it could be plausibly argued, is that this could just as easily have been a government press release. It came as no surprise then when, faced with Kinder Morgan's hesitancy in the face of on-going legal challenges, the Federal government announced, in May 2018, that it would purchase the project for \$4.5bn in order to ensure its completion (and has put Canadian taxpayers on the hook for the ballooning construction costs which are six times higher than initially forecast). Canada is, and remains, a petro-state, and opposition focused on challenging this domestic agenda is likely needed at least as much as international activity. Canadian-based activists are in the best place to lead it.

Similarly, the peculiarities of the US as a state make it necessary for US activists to operate in their own backyard. The power of Big Oil in the US is unquestionable and it took sustained large scale popular pressure to finally convince President Obama after years of prevarication to declare in November 2015 that "the Keystone XL Pipeline would not serve the national interest of the United States" and that "America is now a global leader when it comes to taking serious action to fight climate change. And frankly, approving this project would have undercut that global leadership" (The White House.) Since then, of course, Trump came to power, the US abandoned any role as a global

leader on climate change, Keystone XL was approved by Trump in 2020, a decision which President Biden subsequently revoked on his first day in office in 2021. With the re-election of President Trump, Keystone XL is now back on the agenda, and Big Oil will be as potent as ever under the mantra of “drill, baby, drill”. It is an understatement to say that there remains plenty of work for US activists to do at home.

In his first stint as President, Trump’s withdrawal of the US from the Paris Accord placed it at the time in the same company as only Nicaragua and Syria as non-signatories (both signed in October and November 2017, respectively), prompted even Nobel Laureate economist Joseph Stiglitz (2017) to describe the US as a “rogue state.” However, the US has long been viewed as a rogue state, unwilling to submit itself to international laws and regulations and unwilling to support a range of human rights domestically; according to Blau et al (2016), the US is even the leading rogue state. With President Trump expected to withdraw again from the Paris Accord after taking office in 2025, US activists and oil pipeline opponents will have enough on their hands with their government and correspondingly less time to organize against Canada.

CONCLUSIONS

In this essay, I have discussed the impacts of the border on resistance to oil pipelines in North America. The context for this is the widespread battles over pipeline expansion projects needed to expand tar sands production. I showed that resistance to pipelines shares some remarkable similarities on both sides of the border in the wide spaces of rural Canada and rural US, through which the proposed pipelines will pass. This resistance is characterized by what Grossman has called a series of “unlikely alliances” encompassing Indigenous nations, settler communities, environmentalists, faith-based communities, and labour organisations, alliances which we find duplicated on both sides of the border. The task of resisting the pipeline projects has led to cross-border alliances in order to “surround” particular pipelines as well as the tar sands themselves. In this change of scale, the resistance of Indigenous nations has found new expression while national and international environmental NGOs have been active; local environmental NGOs have often found this scalar bridge more difficult. Cross-border alliances have continued to grow and might be expected to continue to do so as the climate crisis intensifies and becomes ever more urgent, and yet the relentless push for greater continental oil production continues.

However, there are also factors constraining this scalar shift, and “border effects” are likely to remain significant. I argued that three factors are important in the continuance of national and subnational mobilization strategies, namely, the national and subnational regulatory regimes, the efforts of governments to divide opponents along national lines, and the political economies of Canada and the US which are likely to ensure that pipeline opponents will have to maintain a strong domestic focus. While the analysis of this paper focused on the 2010s, it is of continued relevance for the challenges of the 2020s.

Abstract: The construction of new oil pipelines and the expansion of existing ones have been met with sustained resistance across North America. Pipeline expansion has been justified for economic reasons, but has emerged as a “chokepoint” for the industry as popular resistance has sought to protect land and water resources. This resistance has both national and cross-border continental dimensions, depending on the specificities of the pipeline under analysis. The cross-border dimensions are particularly evident in the efforts to halt the expansion of Canada’s tar sands, the source of much of the increased oil production. Despite the continental scope of the oil industry, however, distinct national dimensions—“border effects”—and cross-border alliances remain.

Keywords: pipelines, resistance, North American oil market, extractivism

Bio: Paul Bowles, Professor Emeritus, Department of Global and International Studies and School of Economics, University of Northern British Columbia, Canada, is a political economist who has published widely on the themes of capitalism, globalization, and development. Particular areas of interest are: China’s political economy, extractivism in Canada and elsewhere, and global monetary relations. Recent books include: *Capitalism*, 3rd edition, Routledge, 2024; *Extractive Bargains: Natural Resources and the State-Society Nexus*, Routledge, 2024 (co-edited with Nathan Andrews); and *The Essential Guide to Critical Development Studies*, 2nd edition, Routledge, 2022 (co-edited with Henry Veltmeyer).

THE “OTHER” BORDER:
On Canada/US Culture,
Power, and Politics

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