From Public Relations to Mob Rule:
Media Framing of Social Licence in Canada

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ABSTRACT

Background *Social licence refers to the idea that corporations and governments require broad public support for resource development projects from affected communities, citizens, and stakeholders. Talk of social licence has become pervasive in media discussions of resource development in Canada and especially prominent in debates around oil pipelines.*

Analysis *This article explores changing Canadian newspaper coverage of social licence over the past two decades. It identifies and analyzes the formation of four distinct "logics" of social licence: corporate, regulatory, oppositional, and conservative attack.*

Conclusions and implications *This analysis provides a more robust framework for understanding how different groups have advanced competing visions of social licence within the public sphere, while illuminating the active role that news media have played in shaping the definition of social licence to fit their own editorial cultures.*

Keywords *Social licence; News media; Pipelines; Extractivism; Frame analysis; Public relations*

RÉSUMÉ

Contexte *« Permis social » se rapporte à l'idée que les sociétés commerciales et les gouvernements requièrent, pour le développement des ressources, l'appui des communautés, citoyens et parties prenantes concernés. Cette idée de permis social apparaît souvent dans les discours médiatiques sur le développement énergétique au Canada, surtout par rapport aux oléoducs.*

Analyse *Cet article explore les changements dans la manière dont les journaux canadiens ont traité du permis social au cours des deux dernières décennies. Par rapport à ce concept, il identifie et analyse la formation de quatre « logiques » différentes : corporative, règlementaire, oppositionnelle et conservatrice attaquante.*

Conclusion et implications *Cette analyse fournit un cadre plus robuste pour comprendre comment divers groupes ont mis l'accent dans la sphère publique sur des interprétations divergentes du permis social. D'autre part, elle élucide le rôle actif joué par les médias d'information dans la définition, selon leurs orientations éditoriales, de ce qu'est le permis social.*

Mots clés *Permis social; Médias d'information; Pipelines; Extractivisme; Analyse des cadres; Relations publiques*

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> Success on the bottom line, financial return to shareholders, is only reinforced through success beyond the bottom line, to communities and the environment … Our corporate responsibility policy … will provide EnCanans with an overarching framework to ensure the validity of our social licence to operate.
>
> —Gwyn Morgan (2003, p. D9), CEO, EnCana

> [Social licence] marked the beginning of the end of timely, cost-aware regulatory processes. As the social-licence snowball gained momentum, it accumulated anti-fossil fuel zealots, multi-national environmental groups, aboriginal bands claiming control over huge tracts of "traditional lands," and scores of others opposing projects for whatever reason.
>
> —Gwyn Morgan (2017, p. FP9), former CEO, EnCana

Introduction

The top epigraph marks the first time that the term social licence was used in Canadian print media in connection with the oil and gas industry. Gwyn Morgan's (2003) enthusiastic endorsement of the idea as a measure of corporate legitimacy was reflective of its widespread adoption by mining and forestry companies seeking to shore up their reputation among communities concerned about the destructive impacts of resource development. Fourteen years later, conservative ideologues such as Morgan had turned decisively against the concept, condemning it as a dangerous idea that enables radical environmental groups opposed to resource development to illegitimately cast themselves as representatives of the public will. The trajectory of Morgan's public views neatly encapsulate the evolution of dominant media perspectives on social licence as it metamorphosed from a low-key public relations strategy to a democratic, political idea that threatened to hold corporations and governments accountable to the communities in which they operate.

Social licence refers to the idea that corporations require broad public support for resource development projects from affected communities, citizens, and stakeholders (Moffat, Lacey, Airong, & Leipold, 2016; Raufflet, Baba, Perras, & Delannon, 2013). Talk of social licence has become pervasive in media discussions of resource development in Canada (Colton, Corscadden, Fast, Gattinger, Gehman, Findlay, Morgan, Sayers, Winter, & Yatchew, 2016; Gehman, Lefsrud, & Fast, 2017) and especially prominent in contentious debates around proposals to construct or expand oil pipelines, including Enbridge's Northern Gateway project, Kinder Morgan's Transmountain Expansion Project, and TransCanada's Energy East project. While media interest in social licence has exploded in recent years—with much of this taking place in Canada[1]—to date there has been no scholarship on the evolution of the representation of social licence in Canadian in news coverage.

This article explores changing Canadian newspaper coverage of social licence over the past two decades, focusing on the role that differential sourcing practices played

in determining who served as the "primary definers" (Hall, Critcher, Jefferson, Clarke, & Roberts, 1978, pp. 57–60) of social licence and its public framing. In doing so, four distinct "logics" of social licence: corporate, regulatory, oppositional, and conservative attack are identified and analyzed. This analysis provides a more robust framework for understanding how different groups have advanced competing visions of social licence within the public sphere, while illuminating the active role that news media have played in shaping the definition of social licence to fit their own editorial cultures.

Social licence and news media in Canada

Most scholarship on social licence has focused upon how companies can secure and protect social licence through practices such as enhanced consultation, a more equitable distribution of risks and rewards, co-management arrangements, and so on (e.g., Dare, Schirmer, & Vanclay, 2014; Gunningham, Kagan, & Thorton, 2004; Moffat & Zhang, 2014; Prno, 2013). To date, critical analysis of social licence has tended to investigate how industry actors understand and apply the concept, and thus how it functions as a form of public relations (Owen & Kemp, 2013; Parsons, Lacey, & Moffat, 2014; Parsons & Moffat, 2014;).

Joel Gehman, Lianne M. Lefsrud, and Stewart Fast (2017) have recently argued that, at its core, social licence is about legitimacy, defined as "a generalized perception or assumption that the actions of an entity are desirable, proper, or appropriate within some socially constructed system of norms, values, beliefs, and definitions" (Suchman cited in Gehman et al., 2017, p. 302). News media have long been recognized as one of the principal societal arbiters of legitimacy (Bennett, 2015; Hackett & Gruneau, 2000), and this is especially true with respect to conflicts around environmental and resource issues (Lester, 2010). Yet scholarship has been surprisingly inattentive to the question of how the (re)presentation of social licence to the public through news media intersects with industry and government efforts to defuse conflict and build consensus on the one hand, and the contestation of projects by environmental groups, indigenous people, and local communities on the other. One rare exception is Libby Lester's (2016) review of the use of social licence in Australian print media between 2000 and 2014, primarily in the context of logging conflicts in Tasmania. Ultimately she found that the critical potential of the idea to galvanize broader public debate about resource governance largely dissipated as environmental groups joined industry and government behind closed doors to negotiate the conditions under which the forest industry could be granted social licence.

Media and industry observers in Canada have often criticized the close ties—economic, political, and ideological—between the country's media and the oil and gas sector (e.g., Brown, 2015; Linnit, 2014; McSheffrey, 2015). The problem is especially acute at Postmedia, which exercises control over most English-language dailies in Canada, including all of the major regional papers in British Columbia, Alberta, and Saskatchewan. In 2013, for example, the company delivered a presentation to the Canadian Association for Petroleum Producers (CAPP) that proclaimed Postmedia's enthusiasm for oil and gas development as the key to Canadian prosperity and the company's desire to "bring energy to the forefront of the national conversation" (cited in Uechi & Millar, 2014, n.p.). A small body of recent academic work has begun to ex-

plore how news media have shifted the "national conversation" in the direction of legitimating the ongoing expansion of extractivist development, documenting a variety of techniques including narrative and melodramatic polarization (Gunster & Saurette, 2014), productivist framing (Murphy, 2015), technological nationalism (Barney, 2017) and an over-reliance on official sources and hegemonic discourses (Raso & Neubauer, 2016). While declining circulation has compromised the first-order agenda-setting power of newspapers, they continue to play an oversized role in generating much of the content that is subsequently aggregated and repackaged on social media (Pew Research Center, 2010). A critical analysis of newspaper coverage of social licence will further contribute to our understanding of how Canadian media shape public discourse about extractivism.

Methodology

The top five sources of news coverage about social licence in Canadian news media were identified as defined by a keyword search of Canadian Newsstream: *National Post, Calgary Herald, Vancouver Sun, Edmonton Journal,* and *Globe and Mail.* The country's two "national" newspapers (*Post, Globe*) were selected, as well as the two leading dailies in the regions most affected by discussions of social licence (*Herald, Sun*), excluding

Table 1: Coverage of social licence by date

	National Post	Globe and Mail	Calgary Herald	Vancouver Sun	Total
1998	0	2	0	0	2
1999	0	1	0	4	5
2000	0	1	1	4	6
2001	0	0	0	1	1
2002	0	0	1	1	2
2003	1	0	1	2	4
2004	0	1	0	2	3
2005	1	1	0	0	2
2006	0	1	0	2	3
2007	0	2	2	1	5
2008	1	3	4	0	8
2009	1	1	2	2	6
2010	2	3	1	8	14
2011	7	3	11	5	26
2012	20	17	34	23	94
2013	18	29	49	40	136
2014	37	32	49	45	163
2015	30	27	27	16	100
2016	76	43	76	37	232
2017	13	12	27	10	62
Total	207	179	285	203	874

the *Journal* given that Postmedia and Alberta were well-represented. The *Post, Herald,* and *Sun* are published by Postmedia; the *Globe* is owned by Woodbridge, a holding company of the Thomson family. All articles containing "social licence" or "social license" published by these papers between January 1, 1998, and July 31, 2017, were collected. This generated a total sample of 874 items, with a mix of 425 news stories, 276 columns, 93 op-eds, 46 editorials, and 34 letters to the editor (see Table 1).

In addition to basic citation information, all items in the sample were coded according to four variables.

First, all items with a substantive focus upon social licence were identified. In such items, the majority of content referred to social licence, or the concept was foregrounded (in the title and/or initial paragraphs) as the lens through which to interpret the article's content.

Second, all sources that defined the meaning of social licence within an item were identified. Such definition included both direct citation as well as more informal paraphrasing and attribution. Only those sources that specifically addressed social licence were included. External sources were divided into four categories: industry (including financial analysts and professional consultants associated with the resource sector); government (including politicians and government officials); environmental organizations and/or First Nations (which were tracked separately, but combined for analytic purposes); and experts (including academics and think-tank commentators). Authors of op-eds were coded as external sources. Media opinion and commentary (columnists, editorials, letters to the editor), which presented their own accounts of social licence were coded separately. News items that used the term but did not attribute its meaning or usage to any specific source were coded as not having a source.

Third, all items were coded for the sectoral focus, in which the reference or discussion of social licence was located, including oil and gas, mining, forestry, and other resources (e.g., agriculture, fish-farming, hunting).

Fourth, items were coded for the presence of five distinct social licence "logics." The first three logics affirm the concept of social licence as a means of legitimation. Corporate logic aims to legitimate corporate power, and emphasizes the actions (or potential) of an individual corporate actor, an industry, an economic sector, or corporations in general to secure the support of a particular community and/or the broader public for a project or type of activity. Regulatory (or government) logic aims to legitimate regulatory processes and/or state authority, and emphasizes the need for public agencies and/or governments to undertake or enforce more stringent regulatory actions to secure social licence. While the social licence itself may accrue to a project or industry, the principal agent invoked is government. Oppositional logic emphasizes the absence of social licence to legitimate public opposition to projects and/or industrial sectors and affirm the agency of citizens, communities, and civil society groups to participate in the democratic governance of resource development. Two "negative" logics that criticize the idea of social licence were also identified. Conservative attack frames social licence as threatening the rule of law and economic prosperity, emphasizes the adequacy of existing regulatory processes to assess and legitimate development, and criticizes those who promote a social licence framework as either naïve,

selfish, or authoritarian. Radical attack criticizes social licence as a public relations tactic designed to neutralize opposition with minimal levels of community engagement. All logics present within an item were coded. Items that did not discuss social licence in the context of resource development (and associated economic, political, ideological, and/or social contexts), or did not include enough context to assess, were coded as not relevant.

All items were coded by the first author with the second author coding 10 percent of the sample to assess inter-coder reliability as measured by Krippendorff's alpha. All variables achieved an alpha co-efficient of over .8—focus (.93), sources (.826), sector (.884), and logic (.885)—which is the accepted threshold for content analysis (Krippendorff, 2004).

The analysis begins with a brief overview of the evolving patterns of media coverage and emphasis based on the quantitative results, followed by a more detailed exploration of how four of the primary logics—corporate, regulatory, oppositional, and attack—were represented and developed. The logic of radical attack was only minimally present in the sample (in less than 1% of items) and, consequently, it is not reviewed at greater length.

Overall patterns of emphasis

As Table 1 demonstrates, social licence attracted little media attention between 1998—when it first appeared in reference to the BC forest industry—and 2010, with only a handful of business-oriented stories each year. Coverage picked up significantly in 2012 and 2013, as concerns about the environmental and health impacts of the oil sands, and community resistance to projects such as Enbridge's proposed Northern Gateway pipeline, raised questions about the oil and gas industry's possession of social licence. As media attention increased, so too did the range of logics associated with the concept (see Figure 1), as stories defining social licence as the responsibility of corporations were increasingly accompanied by those emphasizing the role of state and civil society. Federal and provincial governments, for example, were increasingly positioned as essential partners in the legitimation of extractivist development. Initially, conservative governments in Alberta and Ottawa willingly assumed the mantle of social licence advocates, counselling the virtues of (modest) regulatory reform, enhanced industry performance, and, above all, better marketing to improve public perceptions of the oil sands and associated infrastructure, such as pipelines. Between 1998 and 2013, media discussions of social licence were largely dominated by the positive, aspirational framing of the idea favoured by both industry and government.

As opposition to pipelines intensified in British Columbia, however, the vocabulary of social licence was gradually (and unevenly) appropriated by regional politicians and environmental groups to highlight the failure of industry and government to secure the consent of local communities and First Nations. Unsurprisingly, the growing prevalence of an oppositional framing intended to constrain rather than enable development significantly cooled the enthusiasm of many industry proponents for the idea of social licence. For some opposition politicians, however, the commitment to social licence offered an opportunity to burnish their democratic credentials and differentiate themselves from the increasingly hardline approach of the federal Conservatives. Meanwhile, environmental groups and First Nations began citing the absence of social

Figure 1: Social licence logic by year
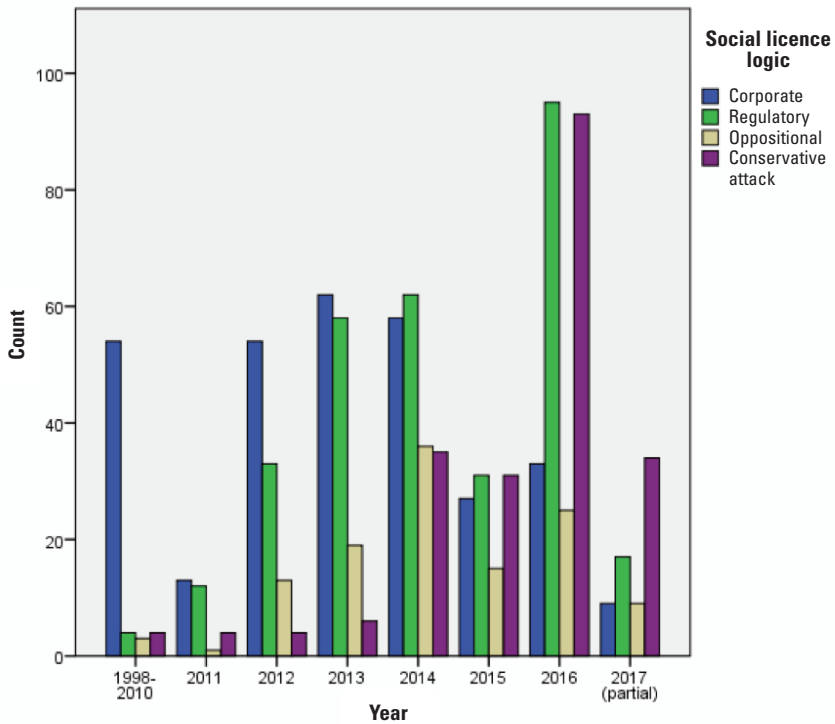
licence to justify ongoing public opposition to pipelines and other projects. As this radical, oppositional framing of social licence intensified, so too did a conservative backlash against the idea, led primarily by media commentators, as well as a stream of hostile op-eds from right-wing, pro-industry think-tanks.

Media coverage of social licence peaked in 2016, largely on the strength of a significant increase in stories from the *Calgary Herald* and the *National Post*, which together accounted for close to 60 percent of all items that year (see Table 1). In 2015, progressive governments had been elected in both Alberta and at the national level, ushering in a more conciliatory approach to balancing environmental considerations with oil and gas development. Prime Minister Justin Trudeau and Alberta Premier Rachel Notley implemented a suite of stronger climate policies and commitments with the hope of generating social licence for controversial energy projects, such as pipelines and liquefied natural gas (LNG) export terminals. News and commentary analyzing this political gambit dominated coverage of social licence in the *Vancouver Sun, The Globe and Mail,* and especially the *Herald,* generating a spike in the regulatory framing of the concept throughout 2016. Even more significant, however, was the dramatic growth in conservative attacks upon social licence that sought to discredit the idea as the rhetorical invention of radical environmentalists and a serious threat to both the rule of law and the Canadian economy. This assault was led by the ideologically con-

servative *National Post* and, to a lesser extent, the *Herald,* which together published over 80 percent of those items criticizing social licence from a conservative perspective. Generally speaking, the most prolific and aggressive critics were newspaper columnists and editorial boards, who served as social licence definers in more than half of all items attacking the idea. Notably, media commentary was far more likely to champion a conservative attack logic (43.9%) than advance a corporate (19.1%), regulatory (32.4%), or oppositional (6.1%) framing of social licence.

Social licence and corporate public relations: Toeing the industry line

The application of social licence to resource development was initially pioneered by Canadian mining executive Jim Cooney (2017) during a meeting of the World Bank in March 1997. The term first appeared in Canadian media less than a year later in the context of forestry. In 1998, Tom Stephens, the CEO of forestry company MacMillan-Bloedel, was cited as eager to maintain the company's social licence by showcasing its voluntary adoption of more ecologically sensitive harvesting practices (*The Globe and Mail*, 1998). As Table 1 shows, however, the term initially found little traction in the media. References to social licence were sparse over the next several years, appearing primarily in the business pages of the *Vancouver Sun* and the *The Globe and Mail* in connection with the ongoing efforts of the forestry and mining industries to secure public approval for their operations. Such discussions relied heavily upon corporate executives, industry consultants, and financial analysts to define the meaning and significance of the term. Between 1998 and 2010, over two-thirds of coverage utilized industry sources to define social licence, with negligible use (less than 5%) of other source types, such as politicians and government representatives, environmental organizations, First Nations, or experts (see Figure 2). Unsurprisingly, over this same period close to 90 percent of items included the corporate logic, while only six percent featured either regulatory, oppositional, or conservative attack logics (see Figure 1). This industry-driven coverage largely echoed the key themes, priorities, and lexical patterns that researchers have identified as dominant within corporate material, such as sustainability reports and industry conferences (Parsons, Lacey, & Moffat, 2014; Parsons & Moffat, 2014). Corporations were unilaterally positioned as the principal authors, agents, and even beneficiaries (in terms of managing the business risk of resource development) of social licence. The tone was overwhelmingly positive and aspirational, providing largely celebratory (and unchallenged) accounts of how corporate initiatives and values emphasizing safety, environmental stewardship, and community consultation were generating social licence both at home and abroad.

Much like mining and forestry, the oil and gas industry was initially an enthusiastic proponent of social licence, with industry spokespeople regularly acknowledging the need to secure public approval through improvements in environmental performance. A lengthy 2010 *Globe* feature, for example, explored the willingness of oil and gas companies to learn from the forest sector in terms of accommodating stakeholder concerns. It cited Tom Stephens, the former forestry executive who had become a board member of pipeline giant TransCanada: "He knows the value of an industry confronting its environmental demons. 'This is of primary importance to the future of industry. … We

Figure 2: Social licence source types by year
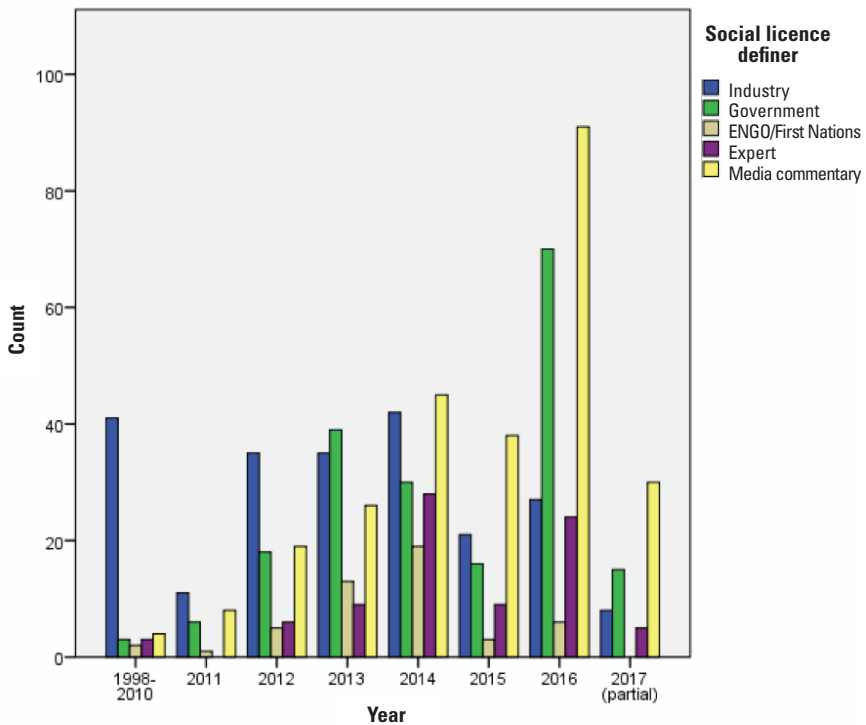
spend a great deal of time talking about it. … If [the oil sands] is perceived to be 'risky', if it is perceived to be a candidate for losing its social licence, capital will go someplace else'" (Vanderklippe, 2010, p. B1). In many cases (and especially in the business pages), industry advocates were quite open about the quid pro quo nature of social licence: confronting one's "environmental demons" was not something to be done for ecological, health, or ethical reasons, but for its marketing and public opinion value. In January 2012, for example, when CAPP introduced a set of voluntary guidelines to better regulate fracking, news coverage led not with the environmental rationale, but instead with the impact on perception.

> Getting ahead in the public relations battle over hydraulic fracturing of natural gas wells will be costly but it is vital to the continued health of the industry, according to [CAPP]. In announcing best operating practices for 'fracking' on Monday, CAPP president Dave Collyer said the public gives the industry its 'social licence' and it must earn that social licence. (Morton & Healing, 2012, p. C2)

Benign corporate platitudes celebrating industry's commitment to social licence remained an important component of media coverage throughout the sample period and continued to dominate attention to social licence in mining, forestry, and other resource sectors such as agriculture and fish-farming. But as attention to the idea's rele-

vance to the oil and gas sector ramped up in 2014 and beyond, such sentiments had less impact in defining media discourse concerning social licence. They appeared increasingly hollow, formulaic, and bland, a discourse that was expected from corporate public relations but that seemed anemic and unconvincing when compared to the more robust and passionate rhetoric that characterized competing logics of social licence.

Social licence and government regulation: Drafting the (promotional) petro state

The media landscape around social licence began to shift as commercial papers—especially the *Calgary Herald*—started to use the term in connection with growing criticism of the environmental and health impacts of the oil sands and the significant risks such criticism represented to the ongoing development of the resource. Between 2010 and 2012, there was almost a sevenfold increase in social licence coverage and this growth was entirely driven by the application of the idea to the oil and gas sector, especially the oil sands and pipelines. In 2011 and 2012, the proportion of items focused

Figure 3: Industry focus by year
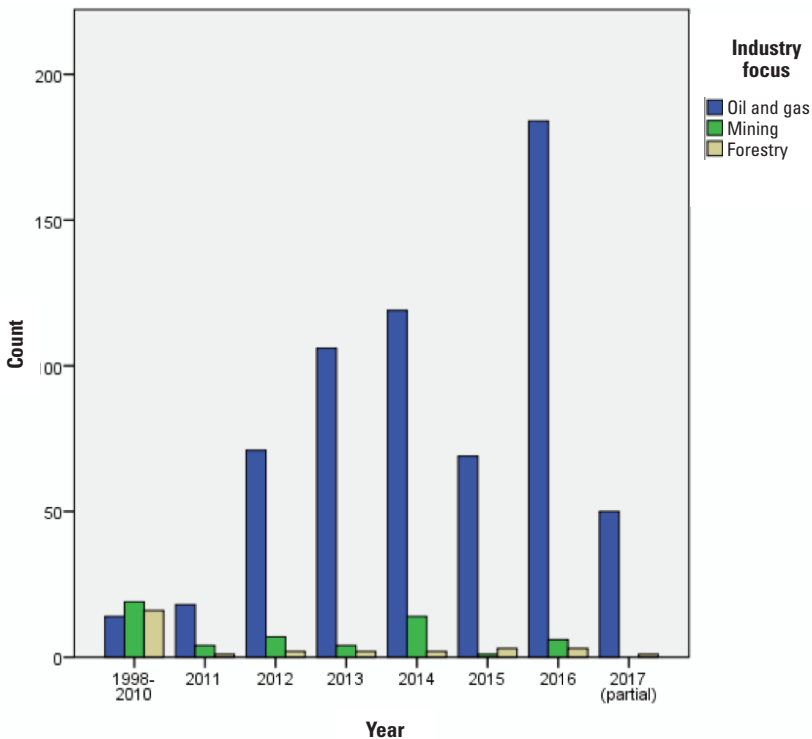
upon the sector jumped to close to 75 percent, as compared to less than 25 percent between 1998 and 2010 (see Figure 3).

As the emphasis moved to the oil and gas sector, sourcing patterns and social licence logics also began to change. Unlike earlier discussions in mining and forestry, which largely focused on individual corporate action, social licence for the oil sands was almost always framed as a shared problem facing both industry (as a whole) and governments. This marked a significant departure from the original development of the term within the mining industry, which simply presumed a legitimation crisis for state regulation, positioning privatized forms of corporate governance as supplying the site-specific legitimacy that governments were unable to furnish. Canadian media coverage of social licence in the oil and gas sector, in contrast, was far more likely to blur the boundaries between public and private, portraying the management of social licence as the primary responsibility of the state. Given the Alberta government's longstanding role as an active champion of oil sands expansion, its financial dependence upon the oil and gas sector and the ideological fusion of the province's interests with those of industry in the public sphere (Davidson & Gismondi, 2011; Gunster & Saurette, 2014), this conceptual drift was not surprising.

A key driver of this shift was the much greater prominence given to federal and provincial politicians, industry associations, and business columnists as sources in framing the meaning of social licence. As Figure 2 shows, the proportion of sources from government and media opinion rose quite significantly in 2011, as compared to the earlier period when they were almost entirely absent. These sources often foregrounded Alberta, rather than individual corporations or even the sector at large, as both agent and beneficiary of social licence, helping cultivate and reinforce hegemonic perceptions that the interests of industry and the region as a whole were one and the same. The opening lines from a sympathetic front-page profile of the Alberta energy minister are emblematic of this approach:

> Facing increased scrutiny from across Canada and abroad, Alberta needs a 'social licence' and strong environmental performance to continue growing its oil and gas industry, the province's new energy minister says… Alberta must prove to people beyond its borders that 'we are conducting ourselves appropriately so that we have a social licence to continue to develop our resources.' (Wingrove, 2012, p. A1)

This broadening perspective on social licence as a political rather than simply corporate imperative was amplified by regular *Herald* business columnists such as Stephen Ewart and Deborah Yedlin (among the top five authors in the sample), who increasingly integrated considerations of social licence into their commentary on the oil and gas sector. Their frame of reference was almost never the behaviour of individual companies: instead, they emphasized the broader sectoral and economic risks posed by the potential loss of social licence, as well as the necessity of a coordinated, collective, and often political response to shore up industry's reputation, especially with foreign governments and global publics. In March 2012, Yedlin wrote four separate columns discussing social licence, including a piece on then-Alberta Premier Alison Redford's take on the idea.

> 'If what we are seeing now is industry leaders talking about social licence to operate,' Redford explained, 'one of the things I think we can do as

trusted partners in the public interest because we are government—is to say, 'How can we help you to get that social licence to operate?' (Redford cited in Yedlin, 2012, p. D1).

Between 2011 and 2012, columns by Ewart and Yedlin accounted for close to half of all the discussions of social licence in the Calgary Herald, and their consistent advocacy of a political, regulatory logic was a key factor in shifting media coverage in this direction.

It is worth emphasizing that this shift from a corporate to regulatory logic did not fundamentally change the instrumental, public relations-based conception of social licence as a means of managing business risk and facilitating resource development. Instead, it intensified the "partnership" between industry and government, shifting the obligation of legitimating development (i.e., secure social licence) to government entities possessing greater credibility with stakeholders and the public, as well as the disciplinary capacity to impose and coordinate necessary improvements in environmental performance. This shift has been described in terms of the evolution of the *promotional* petro-state:

> [T]he intensification of anti-oil sands campaigns … has generated the need for new cultural and political resources, and the development of new discursive capacities to intervene quickly and effectively in globalized struggles over the representation of the oil sands. The success of the petro-state, in other words, has come to depend on radically increasing its capacities to defend and promote the resource in the court of public opinion. Building *symbolic and ideological* infrastructure, providing *information and communication* subsidies has become just as important – more so, perhaps – than more traditional forms of regulatory, material and financial assistance. (Gunster & Saurette, 2014, pp. 348–349, emphasis in original)

Calls for government to assume the mantle of securing social licence, then, primarily aimed to entrench and deepen the logic of public relations as the (not so) secret telos of regulation.

Paradoxically, this dynamic was intensified as opposition politicians such as federal Liberal leader Justin Trudeau sought to differentiate themselves from the aggressive efforts of conservative governments in Alberta and Ottawa to promote extractivism. In a well-publicized phrase that eventually anchored Trudeau's 2015 election platform, he asserted that "governments can grant permits, but only communities grant permission" (Whitehorse Star, 2013, p. 5). While this campaign rhetoric strongly suggested a vision of social licence affirming the democratic rights of local communities, once elected Trudeau's strategy as prime minister involved a much different conception that tied social licence for pipelines to more aggressive action on climate change and the renovation of regulatory agencies and practices (O'Neil, 2016). While the Liberal government positioned its commitment to social licence as differentiating it from the Conservatives, its embrace of a regulatory framing of the idea—rather than a democratic one emphasizing community consent—was not all that different from that of its predecessors. "Canada must improve its greenhouse gas record so it can obtain society's support – what he called social licence – to continue to develop oilsands re-

sources" (Marsden, 2013, p. C1). These words belong to Conservative Natural Resources Minister Joe Oliver, but the development-oriented logic of public relations they express is a pretty good fit for how the Liberal government has come to treat social licence.

An instrumental casting of climate policy as a means of securing social licence for pipelines was especially prevalent in media coverage of Alberta politics. Consider a May 2016 op-ed from University of Calgary School of Public Policy Senior fellow Ted Morton (2016) entitled "Notley's climate gamble." The NDP Alberta Premier, argued Morton, had bet "that by imposing a $5-billion-a-year carbon tax, replacing coal with wind and mandating a hard cap on oilsands' emissions, her new 'Green Alberta' will win social licence in the rest of Canada for the desperately needed new oil export pipelines. So far, there is little evidence that this is working"(p. A15). Morton's cynical characterization of a climate policy/social licence/pipeline nexus was typical of coverage in provincial and national media. This storyline was especially acute in the *Herald*, whose coverage single-mindedly emphasized Alberta's desperate need for more export capacity. And when federal and Alberta climate initiatives showed little sign of softening resistance to pipelines, conservative politicians and columnists jumped at the chance to attack both social licence and climate policy on the basis that neither idea had achieved its primary goal—the legitimation of extractivism.

Licence denied: Social licence as democratic opposition

As Figure 1 shows, the use of social licence to describe resistance to resource development was virtually absent in early news media coverage. While increasingly intense opposition from First Nations, environmentalists, and local communities to the Northern Gateway pipeline proposal throughout 2010 and 2011 did attract significant media attention, it was rarely articulated in terms of the failure of pipeline projects to achieve social licence. Prior to 2013, items discussing social licence almost never featured perspectives from environmental groups, which served as sources in less than five percent of items. Even more remarkable, not a single item featured a First Nations source addressing social licence, despite the fact that government and industry sources often identified engaging with First Nations as a top priority in achieving such licence.

Oppositional uses of social licence started to appear with greater frequency late in 2012, spurred in large part politicians' adoption of them. Fierce resistance to the Northern Gateway proposal had forced B.C. Premier Christy Clark to adopt a more critical stance: "[T]his project can only go ahead if it has the social licence to do so," asserted Clark in a front page *Globe* story. "It can only get the social licence from the citizens of British Columbia. And that's what I'm representing as Premier" (Mason, 2012, p. A1). In 2013, Clark was the second most cited individual source (behind only CAPP representatives) and her argument that Northern Gateway lacked social licence and should not be built until it was secured rapidly circulated through media. This articulation of social licence with pipeline opposition created an opening for environmental groups and First Nations to do the same, and the frequency of these sources defining social licence doubled between 2012 and 2013. When the National Energy Board (NEB) formally approved the project in late December 2013, news reports prominently featured claims from local environmentalists that the project did not have and would never secure social licence from British Columbians.

In 2014, media attention to the oppositional logic continued to grow, although it still remained well below the frequency of corporate and regulatory logics (see Figure 1). A key moment was an April 2014 plebiscite in which residents of the town of Kitimat—the terminus of the Northern Gateway pipeline and a potential beneficiary of the project's economic impacts—were asked whether they approved of the proposal. Enbridge spent considerable resources on advertising and outreach campaigns to sway local voters (O'Neil, 2014), an effort condemned by opponents as an attempt to "buy" social licence (Cattaneo, 2014). Yet local voters decisively rejected the proposal by a 58–42 margin, a result that even industry friendly columnist Stephen Ewart (2014) conceded as "reinforc[ing] that Enbridge doesn't yet have a 'social licence.'" (p. C1). Initially anchored by the media spotlight on Kitimat, reports about the absence of social licence for a variety of projects—pipelines, fracking, LNG export terminals, mines, ski resorts—became a more common feature of news concerning resource development. Political resistance to such projects was not new, but the term social licence provided a convenient shorthand for registering opposition while signalling deeper public concerns about democratic governance, community autonomy, and Indigenous sovereignty.

For the most part though, this broader context for the oppositional framing of social licence was not investigated in any depth. Declarations from environmental groups (or, more rarely, First Nations) that a company or project did not have social licence often appeared toward the end of an article, inserted with minimal background on why local communities refused to sanction projects. "Ordinary" citizens were especially under-represented in discussions of social licence, cultivating the impression that those invoking the idea were not necessarily representing the views of the public, but instead leveraging the idea's democratic aura to enhance their own credibility. Media's early reliance upon the B.C. Premier (an otherwise fervent advocate of business-led resource development) to champion this rationale may well have solidified perceptions of it as a strategic negotiating ploy—to extract concessions from pipeline companies and Alberta while currying favour with B.C. voters—rather than a normative commitment to democratic governance. Sporadic and abbreviated claims from environmentalists that pipelines would never achieve social licence could easily appear as arbitrary, dogmatic, and even selfish, especially when set against a larger narrative emphasizing the willingness of corporations and governments to accommodate reasonable stakeholder concerns. Such framing presented ample opportunities for conservative voices to launch a powerful counter-attack against the very idea of social licence.

The conservative backlash: Social licence as mob rule

National Post business columnist Peter Foster (2003) initially raised the alarm about social licence in 2003, warning readers that if it "means a requirement to consult with local communities, then it is only sensible, but if it means that every new project will involve an election campaign, then it could spell stagnation as radical NGOs play on misconceptions—behind a facade of 'democracy'—to stop development" (p. FP19). Over the next several years, Foster authored a steady stream of pieces anticipating key arguments in the conservative backlash, including: most environmentalists are ideological opponents of development and thus will never provide social licence to projects under

any conditions; social licence is a rhetorical invention of radical groups to bully, intimidate, and blackmail corporations; and environmental groups themselves have no social licence to represent local communities. A conservative Cassandra, Foster's warnings went largely unheeded as industry and then government latched on to the idea as a useful strategy for managing business risk and legitimating resource development.

Things started to change, however, in the aftermath of the 2014 Kitimat plebiscite and a remarkably successful campaign by civil society groups to mobilize opposition to the Enbridge pipeline. Criticism of social licence became significantly more pronounced with conservative columnists and editorial boards—often cued by reports and op-eds from business-oriented think-tanks—leading the charge. Between 2013 and 2014 there was a five-fold increase in the number of items attacking social licence. Excluding letters to the editor, this study identified 66 items (7.9% of the sample) with a substantive focus upon social licence. While the logic of conservative attack occurred in just under one-quarter of items in the total sample, it dominated those pieces with a social licence focus (and thus with an outsized impact upon framing the idea for the public), appearing in almost two-thirds of them, a much higher proportion than corporate (34.9%), regulatory (28.8%), or oppositional (16.7%) logics.

Both exemplary and catalytic in this regard was a commentary by Terence Corcoran (2014), a business columnist and comments editor for the *National Post,* that appeared ten days after the Kitimat vote. Provocatively titled "Social Licence to Kill," it was the most sustained engagement with social licence to appear up to that point and rehearsed a litany of allegations that would become standard conservative talking points. Echoing the sentiments of his colleague Peter Foster, Corcoran opened by defining social licence as "a new free-market killing concept" that is "an outgrowth of the anti-corporate governance crusades and NGO activism of the last few decades," a contemporary manifestation of "the old Communist maxim: 'Everything belongs to the people.'" Corcoran (2014) decried the idea's apparently far-reaching impacts on the economy, claiming that:

> over the last couple of years the idea that corporations need to obtain a "social licence to operate" has rocketed to the top of the ideological hit parade. … Now business needs … some kind of project-by-project public consent to build plants, open mines, ship oil, or operate drive-through doughnut shops. More broadly, corporations need to secure social licences for their brands, from Coke to Exxon, or face constant war with NGOs and an endless parade of people with social, political and ideological grievances. (p. FP13)

Corcoran's commentary offered a highly partial and misleading account of the idea that stands in stark contrast to how it actually emerged in the public sphere. As has been shown here, the principal advocates of social licence in the Canadian press up to that point had not been "NGO activists" but instead had overwhelmingly been business and government elites. When Corcoran's column was published, the four papers in this study had published a total of 352 items discussing social licence. Environmental groups and/or First Nations served as social licence sources in 28 of those items (8.0%) as compared to representatives of industry in 133 items (37.8%) and government in 71 items (20.2%). Corporate framing of social licence outnumbered oppositional framing by almost a five

to one margin, with the latter appearing in only 12.2 percent of items. Mobilizing social licence to oppose development had played only a marginal role in commercial media discourse. Yet the straw man of social licence as a hegemonic force, wielded by small numbers of industry opponents to terrorize corporations and governments, quickly became one of the most popular arguments of those seeking to discredit the idea.

The logic of conservative attack spread through the four papers, with columnists, editorial boards, and op-ed authors lining up to reinvent social licence as the devious tactic of industry opponents primarily designed to undermine the legitimacy of regulatory agencies and government decisions around resource development (see Figure 4). Four days after Corcoran's column was published, the *Herald* editorial board—which only a month earlier had earnestly noted that "gaining social licence for our energy resources is crucial" (*Calgary Herald*, 2014, March 26, p. A12)—applauded his demolition of the "trendy, seductive notion of social licence," complaining that while corpo-

**Figure 4: Social licence definers in conservative attack items**
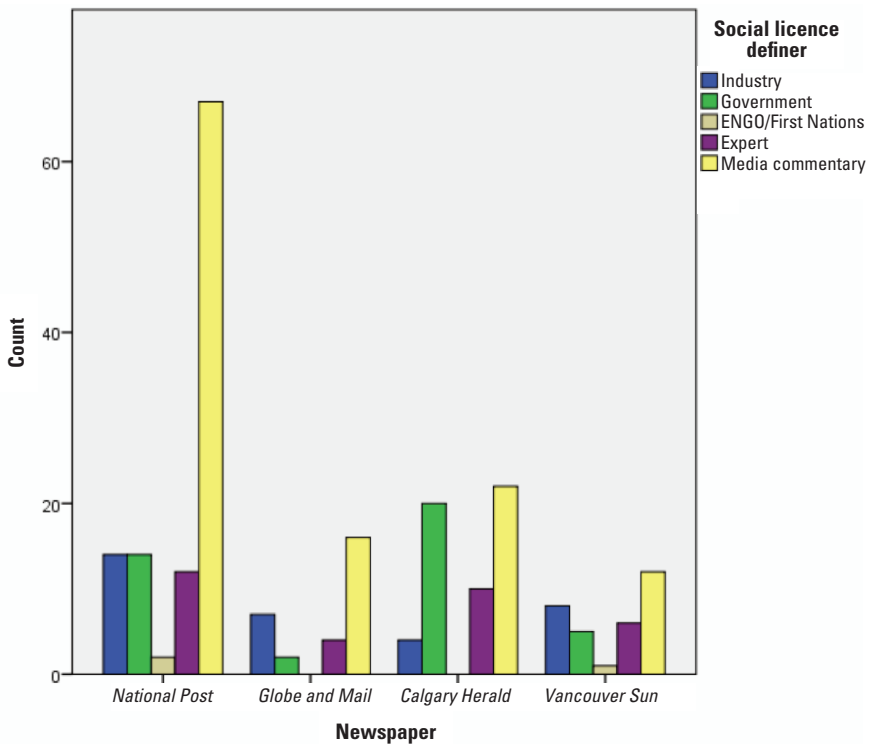
rations "tie themselves in knots in search of a so-called social licence – something so ephemeral it defies easy explanation and objective measurement – clutches of protesters are allowed to gum up the process" (*Calgary Herald,* 2014, April 26, p. A11).

From 2016 onward, conservative criticism became the most common means of framing social licence in the news, appearing in 37.8 percent of sample items as com-

pared to corporate (14.4%), regulatory (35.8%), and oppositional (16.7%) logics (see Figure 1). This dominance was largely a consequence of two intertwined factors: first, an increasing proportion of coverage from ideologically conservative media, especially the *National Post* (see Table 1), and, second, dramatic growth in the role of media commentators in defining the term (see Figure 2). Given the heightened role of social licence in mobilizing opposition to projects, one might have expected industry representatives to play a more prominent role in attacking the idea. For the most part though, they did not, cited as social licence sources in only 10 percent of items featuring conservative attacks during this period. Conservative politicians, especially from Alberta, were somewhat more prominent (27.1%), largely as critics of Notley and Trudeau's presumption that stronger climate policy would generate social licence to build new pipelines and facilitate the ongoing expansion of the oil sands.

The op-ed pages, especially as media coverage peaked in 2016, were heavily populated with pieces attacking social licence: in 2016 and 2017, for example, there were 23 op-eds that featured conservative attacks as compared to only three that included an oppositional perspective. Right-leaning Canadian think-tanks were well represented in the onslaught, including the Canadian Global Affairs Institute (Ted Morton), the Fraser Institute (Kenneth Green), the Frontier Institute for Public Policy (Ross McKitrick), the MacDonald-Laurier Institute (Brian Crowley), the Montreal Economic Institute (Germain Belzile, Youri Chassin), and the University of Calgary's School of Public Policy (Martha Hall Findlay, Jennifer Winter), each of which contributed at least one piece criticizing social licence. Former Conservative Cabinet Minister Joe Oliver, and former corporate executive Gwyn Morgan—regular contributors to the *National Post* and the *The Globe and Mail,* respectively—each penned three op-eds attacking the idea. In many cases, these op-eds were wholly focused upon discrediting social licence and capped with inflammatory titles such as "The 'Social Licence' Myth" (Hyder 2016), "Snub the 'Social Licence' Scam" (Woiceshyn 2016), "The Tyranny of 'Social Licence'" (Crowley, 2014) and "No Such Thing as 'Social Licence'" (McKitrick, 2016). Conversely, after authoring three early op-eds in the *Herald,* environmental groups and First Nations were entirely shut out of the editorial pages after May 2014.

But the real heavy lifting in advancing conservative criticisms of social licence was performed by news media themselves, and not simply as a transmission belt for ideas and opinions generated elsewhere. As Figure 5 shows, each of the "affirmative" social licence logics was predominantly defined by clusters of affiliated external sources: industry representatives defined the meaning of "corporate" social licence in 51.6 percent of such items, government representatives defined "regulatory" social licence in 40.4 percent of such items, and, together, politicians, environmental groups, and First Nations defined "oppositional" social licence in 57.0 percent of such items. By comparison, media commentary played a minor role in defining each of these affirmative logics: 17.1 percent in corporate, 28.9 percent in regulatory, and 14.1 percent in oppositional items. In the case of conservative attack, however, media commentators served as definers of social licence in 57.8 percent of such items, more than all of the external sources combined.

Figure 5: Social licence definers by social licence logic
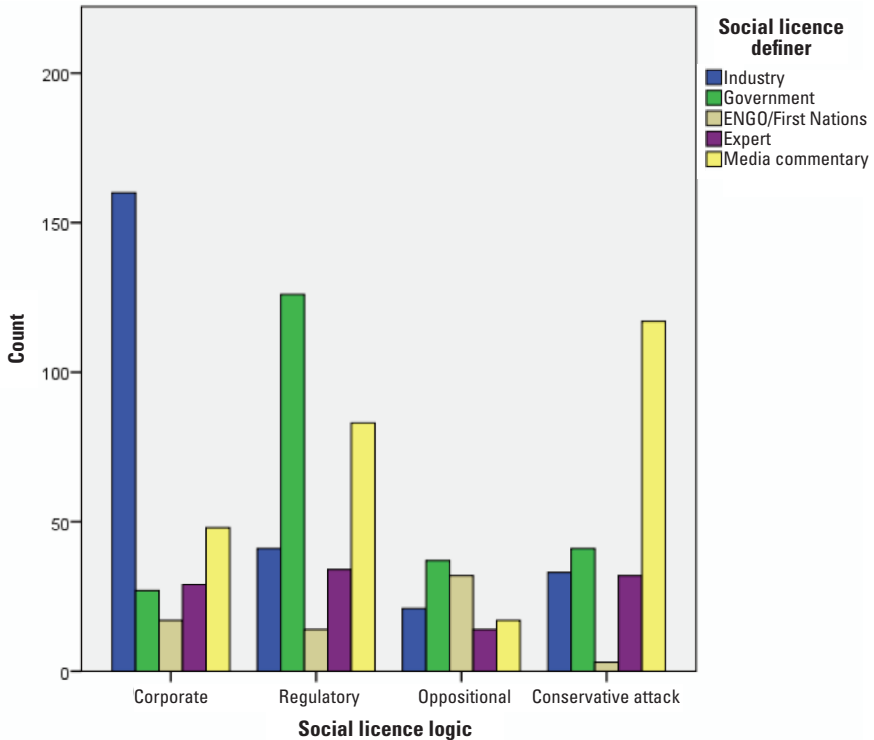
This pattern was exceptionally pronounced in the *Post*, where media commentary was almost single-handedly responsible for conceptualizing and driving forward conservative attacks (see Figure 4). As hostility to social licence built and intensified in the *Post*, the columns and feature stories of its leading energy journalist, Claudia Cattaneo—who was the top author in the sample with 36 pieces—turned decisively against the idea. Largely content to echo the pro-social licence orientation of industry and government authorities between 2011 and 2013, her later writing—especially from 2016 onward—was unequivocally negative, positioning the acceptance of social licence as exemplary of all that was wrong with the politics of energy. When protesters in Montréal disrupted hearings into the Energy East pipeline project, Cattaneo (2016) framed their "deplorable" (p. A1) actions as triggered by social licence and its consequent erosion of the rule of law. A sprawling, 3,700 word investigative feature (co-authored with Geoffrey Morgan and Jesse Snyder) that claimed that opponents were blocking 35 projects worth $129 billion laid the blame squarely upon "environmental extremists" (Cattaneo, Morgan, & Snyder, 2016, p. FP1), who had leveraged social licence to hijack independent, objective, scientific regulatory processes. And, perhaps most egregiously, a story about a First Nation chief's alleged attempts to secure a bribe from a pipeline company (against the wishes of his own community) was described

as providing "a rare window into what energy companies must navigate in their pursuit of a social licence for projects" (Cattaneo, 2017, p. FP4).

Conclusion

"Social licence," writes *National Post* columnist Rex Murphy (2017), "is one of those phrases … that just seem to pop into lexical existence, almost out of nowhere, and instantly take on the authority of unchallenged and long-accepted concepts. They are mouthed in every Parliamentary speech, are munched over by the solons of the afternoon panel shows, and crowd the editorial and opinion pieces of all the finest newspapers" (p. A12). Murphy's characterization of the explosive growth of social licence in media discourse and the idea's adoption by a range of actors certainly fits with this analysis. Pulling back the curtain on "nowhere," Murphy (2017) reveals that "these terms and their semantic kin usually emerge from the fertile lexicography of the social justice camp" as the "central point of social licence" is to serve as "an obstructionist tactic, designed to forestall and delay, till whatever its target has been become so worn down by process and protest and delay that it is simply taken off the policy table" (p. A12). As this study has demonstrated, the opposite is actually true. The "social justice camp" had a negligible impact upon defining social licence in the Canadian mainstream press and, instead, it was the "fertile lexicography" of the "editorial and opinion pieces of all the finest newspapers" that bears primary responsibility for the successive mutations of social licence in media discourse.

Initially, the idea was little more than a tool of public relations designed to showcase industry's desire to accommodate and defuse stakeholder concerns that might otherwise threaten resource development. Largely content with recycling subsidized corporate content, news media were little more than passive accomplices to the circulation and amplification of industry-generated information flows that marshalled the idea of social licence to legitimate their activities. As critical awareness and concern about the negative impacts of oil and gas development ramped up, social licence then served as a useful means of drafting governments into the role of promotional petrostate, leveraging the (albeit diminishing) credibility of civic authorities to position extractivism as essential to shared prosperity and the common good. Eventually, regulatory visions of social licence settled upon modest improvements to climate policy as the favoured strategy for securing the public approval of pipelines and other projects. While news media had little choice but to recognize the more radical, democratic usage of social licence by industry opponents, such discourse remained marginalized with little space allocated to investigating the claims of those who were angry with the lack of social licence. Finally, as the discursive and ideological capacity of the idea to legitimate extractivist development became largely exhausted, news media spearheaded an aggressive assault against the idea that reinvented it as a devious, anti-democratic rhetorical strategy of radical environmentalists to subvert the rule of law and threaten the Canadian economy.

This is not to make the case that the concept of social licence—as it has evolved in the public sphere—has only ever served as a tool of public relations. Indeed, it is precisely the idea's (largely untapped) counter-hegemonic potential to offer alternative visions of democratic resource governance and indigenous sovereignty that sum-

moned such a sustained counter-attack from conservative ideologues and industry proponents.

Yet the relatively insignificant role of opponents in circulating an oppositional social licence frame in commercial media raises the question of what actually motivates the ongoing backlash. One answer lies in the consistent complaint by conservative critics that project opponents now use social licence to attack the rule of law and undermine the authority of the state's regulatory apparatus. Such claims must be understood in the context of environmental hearings—and broader corporate and state practices concerning the technocratic definition and management of environmental risk—as always having been, at least partly, an exercise in hegemonic legitimation. It is therefore not the use—or even abuse—of "social licence" terminology to which critics now object, but the democratic impulse behind contemporary opposition to extractivist development, and the subsequent redefinition of environmental risk as a fundamentally political—as opposed to merely technocratic—concern.

The second possibility, entirely complementary with the first, is that Canada's corporate press may no longer be the prime discursive terrain upon which opponents challenge extractivism and redefine environmental risk. Decades of declining readership for newspapers, coupled with the explosive rise of social and, to a lesser extent, alternative media, means that the agenda-setting power of the press now competes with alternative means of generating and circulating ideological meaning. Future scholarship should explore the extent to which social media, organizational blogs, and alternative media have allowed environmental groups, First Nations, and community opponents to reframe and circulate an oppositional social licence discourse outside of the mainstream press (Gunster & Neubauer, 2017).

Such scholarship could bring new meaning to the findings here, in which social licence coverage in mainstream media has largely evolved in harmony with the imperatives of industry and government. Indeed, the fact that it was newspapers themselves that so decisively closed ranks against the social licence threat is a testament not only to their resolve in defending the legitimacy of Canadian extractivism, but the necessity of alternative, oppositional channels of communication in the development of any democratic challenge to the status quo.

Note
1. Based on a Factiva keyword search for "'social licence" or "social license."

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The Globe and Mail, https://www.theglobeandmail.com/
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