

**PRESSURE TO PAY THE PRICE:
A NORMATIVE APPROACH TO ENVIRONMENTAL POLICYMAKING**

by

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Abstract

The pressure to adopt domestic environmental policies is growing as a result of increasingly integrated and influential global environmental regulations, conventions, and institutions. The transformative nature of environmental policies, and carbon taxes in particular, present challenges for domestic governments vis-à-vis public opinion, business groups, and interest groups. Given that provinces have different regional contexts and differing existing normative structures, how can governments inspire acceptance of environmental policies with broad and unspecific global normative rhetoric? In the Canadian provincial context, I argue that norms (known as the widely accepted appropriate or desirable patterns of behaviour within a given society) and ideas play a significant enabling role in aiding governments in the introduction stage of environmental policies that would otherwise be hard to accept. Further, given that different domestic contexts cannot simply adopt normative rhetoric at the global level, I argue that governments must utilize normative strategies to bring the policy to be complementary to existing local norms, discourses, and structures. These strategies include grafting, known as introducing a new norm by connecting it with an existing norm in the same issue area, and framing, known as suggesting alternative perceptions of appropriate normative application that better resonate with public understanding. Lastly, while norms are not the only policy perspective that governments must consider, domestic normative processes have the potential to be a dominant consideration due to the impact they have on other factors of the policymaking process. In light of the recent federal announcement to implement a carbon tax in all provinces currently without a carbon pricing system by the end of 2018, I illustrate my argument by showing how two provincial governments, with vastly different industry and contextual backgrounds, both voluntarily introduced carbon taxes prior to the announcement. Their existing normative structures – the already existent polluter-pays principle in British Columbia and normative pressures from the top-down in Alberta – proved to be crucial factors to the introduction of the carbon tax in their respective provinces. These cases serve not only as an interesting comparison, but are also useful examples of the employment of normative strategies to other provinces hoping to follow suit.

Lay Summary

Environmental issues are becoming increasingly serious, making the adopting environmental policies more urgent than ever. However, these policies can be hard to introduce, and ways in which people talk about environmental issues also varies between the international and domestic levels. Despite this, I argue that norms (known as the widely accepted appropriate or desirable patterns of behaviour within a given society) can help governments introduce policies that would be hard to accept by the public. Domestic governments also must use province-specific strategies or tools to change the ways in which people think and the beliefs people hold, in order to make these globally held ideas seem more in line with locally held ideas about policies, which can in turn influence other aspects of the policymaking process as well. I look specifically at the introduction of carbon taxes in the Canadian provinces of British Columbia and Alberta to illustrate my point.

Preface

This thesis is the original, unpublished work of the author, Shona Zhang.

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To my family and Daniel Sedin.

Introduction

Global environmental problems have grown in salience in the past few decades; issues of climate change and ozone layer depletion have gained attention due to the complexity and cooperation required to combat them. As a result, environmental issues require a sort of “co-governance” to a greater extent through an integrated network of institutions, state, and non-state actors.¹ Subsequently, a set of governing environmental norms (with ‘norms’ referring to the widely accepted appropriate or desirable patterns of behaviour)² have emerged, including the norms of liberal environmentalism,³ and the common but differentiated responsibility norm.⁴ However, the increasing normative pressure for states to adopt environmental policies present challenges for domestic governments that must introduce these transformative policies with little political space facing public opinion and business interests.

On October 3, 2016, Canadian Prime Minister Justin Trudeau announced that all provinces will have until the end of 2018 to introduce a carbon pricing system before the federal government imposes a carbon tax. Even prior to this announcement, provinces have undertaken the difficult task of introducing various carbon pricing policies. The literature has discussed at length the ways in which global normative discourse can facilitate “social learning processes” and shape state behaviour and identity⁵; this paper picks up on the discussion of normative

¹ Bernd Hackmann, “Regime Learning in Global Environmental Governance,” *Environmental Values* 25, (2016): 663.

² Martha Finnemore and Kathryn Sikkink, “International Norm Dynamics and Politics Change.” *International Organization* 52, no. 4 (1998): 897.

³ Steven Bernstein, “Liberal environmentalism and global environmental governance,” *Global Environmental Politics* 2, no. 3 (2002).

⁴ Lavanya Rajamani, “The principle of common but differentiated responsibility and the balance of commitments under the climate regime,” *Review of European Community & International Environmental Law* 9, no. 2 (2000); Lavanya Rajamani, “The changing fortunes of differential treatment in the evolution of international environmental law,” *International Affairs (Royal Institute of International Affairs 1944-)* 88, no. 3 (2012).

⁵ Hackmann, “Regime Learning in Global Environmental Governance”; Finnemore and Sikkink, “International Norm Dynamic.”

processes at the domestic level and how sub-national governments use norms and ideas to introduce policies that address global environmental issues. Given that provinces have different regional contexts and differing existing normative structures, how can governments inspire acceptance of environmental policies with broad and unspecific global normative rhetoric? In other words, how can domestic governments inspire support for similar environmental policy outcomes in light of differing existing structures, institutions, and norms?

In this paper, I specifically explore the normative processes and strategies that two Canadian provincial governments utilized to introduce their respective carbon taxes. Normative processes function to play a crucial role in enabling domestic governments in introducing environmental legislation that would otherwise be shocking and perhaps unwelcomed by the public. Following the norm localization literature, because varying domestic contexts find it difficult to use the broad global rhetoric regarding climate change, I argue that governments must employ different strategies given the normative structures and contexts that already exist in a specific region. In other words, I demonstrate that in the Canadian federal context, provinces can introduce policies with similar normative underpinnings by using region- or province-specific normative strategies that best bring the policy in line with existing local discourses, norms, and structures. Policymakers can do this through a variety of channels; I focus primarily on the use of grafting, known as introducing a new norm by connecting it with an existing norm in the same issue area, and framing, known as suggesting alternative perceptions of appropriate normative application that better resonate with public understanding. Norms are not the only thing worth considering in environmental policymaking; rather, my argument suggests that norms have the potential to be the dominant consideration for domestic governments due to the effect that norms can have on other factors to the policymaking process. For the purposes of my paper, I focus my

analysis exclusively on the introduction stage of the policy. This paper does not attempt to evaluate how environmental norms have maintained positive perceptions of environmental policies throughout their implementation, which arguably require very different normative processes and strategies.

The originality of my argument and analyses comes from my application of norm localization theory in the Canadian context of environmental policies, as more and more jurisdictions are beginning to adopt carbon pricing systems given the immediacy of issues regarding climate change. I draw from the literature on norms and their diffusion processes, as well as from Baumgartner and Jones' punctuated equilibrium theory to offer a theoretical account of norms in policymaking, and provide practical insight through two case studies.

Roadmap and Methodology

My paper will begin by laying out a theoretical framework based on the literature on normative diffusion and highlight the broadly accepted normative framework that I will call the polluter-pays framework, that underlie carbon taxes. I intersect this literature with Baumgartner and Jones' punctuated equilibrium theory of domestic policy processes to put forth a theoretical argument concerning the ways in which provincial governments must act to introduce unfamiliar and dramatic environmental policy. After setting out the theoretical basis for my argument, I will apply my theory to two case studies. I highlight the differing strategies of British Columbia (BC) and Alberta in introducing their respective carbon taxes based on their contrasting normative contexts in place. These provinces provide an interesting comparison for two reasons. First, BC and Alberta were the only two provinces that already had a carbon tax in place at the time of the federal announcement. Not only do their respective introduction phases illustrate how differing normative strategies can be used to introduce similar carbon taxes, but they serve as useful case

studies for other provinces hoping to follow suit. Second, BC and Alberta differ greatly in their industries and energy profiles, which both contribute to their existing normative structures within each province. My paper ends with a discussion regarding the impacts of normative strategies on future environmental policies in Canada.

Norms and the Global Environmental Problem

Environmental issues have gained considerable influence following the establishment of global environmental politics (GEP) as a distinct field of study that first emerged as a subfield within the study of international relations. The movement itself was popularized by Rachel Carson's *Silent Spring*, which coincided with a period of rocketing economic growth following the second World War.⁶ Concerns over the unsustainability of increasing levels of growth reached a tipping point at the 1972 United Nations Conference on the Human Environment in Stockholm, where institutions of this emerging regime began to take form.⁷ These institutions, along with the many state and non-state actors involved in a cooperative approach to combat global environmental issues, has been referred to as the global environmental regime.⁸ Environmental regimes can exist within one another, and are established to protect some environmental values with the main goal of accomplishing changes in human behaviour.⁹ The 'global' nature of the regime arises from the fact that issues of global environmental importance are situated within the literature on international relations. Because environmental issues span across borders, potential solutions require cooperation but can suffer from the tragedy of the commons dilemma, or lack international cooperation.¹⁰ The very nature of regimes therefore attempt to overcome these problems by inspiring cooperative action through norms.

Norms do not simply emerge out of thin air; they need "norm entrepreneurs" to frame and create issues by utilizing tailored language conducive to their success, and to ensure that

⁶ Rachel Carson, *Silent Spring* (Boston: Houghton Mifflin, 1962).

⁷ Jennifer Clapp and Peter Dauvergne, *Paths to a Green World: The Political Economy of the Global Environment* (Cambridge, Mass: MIT Press, 2005), 50-51.

⁸ Arild Underdal, "One Question, Two Answers," in *Environmental Regime Effectiveness: Confronting Theory with Evidence*, ed. Edward L. Miles (Cambridge, Mass: MIT Press, 2002), 5.

⁹ *Ibid.*, 6.

¹⁰ L. R. Cass, "The discipline of global environmental politics: a short history," in *Routledge Handbook of Global Environmental Politics*, ed. P. G. Harris (New York: Routledge, 2013), 17.

norms are actively being progressed by actors who have strong conceptions about the “appropriate or desirable behaviour in their community.”¹¹ As Katzenstein contends, “[n]orms are collective expectations about proper behaviour for a given identity” that have been so internalized by actors that they achieve a “taken-for-granted” quality, making conformance almost automatic, or *normal*.¹² Accordingly, norms hold an undeniable sociological aspect, since the acceptance or rejection of a norm both defines the appropriate behaviour for the identification of a state, but also shapes the behaviour of states towards conformity for the sake of legitimation or esteem.¹³ In other words, norms also have both constitutive effects (that establish expectations about the appropriate behaviour of actors in any given situation) and regulative effects (that lend predictability to the international regime, and in this case, the global environmental regime).¹⁴ At the international level, norms depend on networks or communities of conforming states to uphold their strength, and inspire the rest of the international regime towards conforming behaviour.¹⁵ Therefore, the legitimacy of the norm comes from a sense of “communitarian peer pressure,” much like being a part of a club, that exerts a “pull to compliance” because of the extent to which these norms are commonly believed to illustrate the appropriate behaviour.¹⁶ Throughout the course of the norm being observed and rejected by states in the international sphere, this ‘friction’ that the norm experiences can work to polish the its overall robustness in

¹¹ Martha Finnemore and Kathryn Sikkink, “International Norm Dynamics and Politics Change.” *International Organization* 52, no. 4 (1998): 896-7.

¹² Peter J. Katzenstein, *Committee on International Peace & Security* (New York: Columbia University Press, 1996), 54; Nicolas Onuf, *International Legal Theory: Essays and engagements, 1966-2006*, (New York: Routledge-Cavendish, 2009), 444; Sunstein, “Social norms and social roles,” 903.

¹³ Cass R. Sunstein, “Social norms and social roles,” *Columbia Law Review* 96, no. 4 (1996): 903.

¹⁴ Katzenstein, *Committee on International Peace & Security*, 54.

¹⁵ Thomas Risse and Kathryn Sikkink, “The socialization of international human rights norms into domestic practices: Introduction,” in *The Power of Human Rights: International Norms and Domestic Change*, eds. T. Risse, S. Ropp, & K. Sikkink (Cambridge: Cambridge University Press, 1999), 4-5.

¹⁶ Harold H. Koh, *Why do nations obey international law?* (New Haven, Conn: The Yale Law Journal Company, 1997), 2642.

observation. This reciprocal interaction signals to the compliant states that they are to remain compliant, but also pressures non-compliant states to re-think their position of being ‘outsiders’.

Consequently, the self-identification of states has, at least in part, been shaped by the global environmental regime. Meadowcroft argues that states have become inevitably enmeshed with the management of environmental problems and their politics will continually be marked with environmental controversy to the point where environmental management has become an “essential component of state activity.”¹⁷ States themselves have enabled environmentalism to change the criteria of recognition of legitimacy in the global arena.¹⁸ In other words, in reference to the constitutive aspect of norms, adhering to the governing norms of the global environmental regime has defined the behaviour of what a civilized state should do. Not only do states necessarily have to take on the burden in environmental management, but they also have a stake in ensuring that the norms of the regime are applied domestically. The sorting role that environmental norms play in separating the ‘insiders’ from the ‘outsiders’ presumably contributes a great deal to the pull towards compliance that norms exert and means that states have a stake in ensuring that environmental policies are adopted domestically.

From this global perspective, some have argued that the sovereign state has been compromised in light of state inclusion in the global environmental regime. States are coerced to change state behaviour and enact policies with global normative underpinnings, with limited domestic power to affect the direction of the states’ environmental policy agenda. However, authors, such as Barry and Eckersley, argue that states will remain key actors in environmental governance domestically, since the effectiveness of non-state modes of governance relies greatly

¹⁷ James Meadowcroft, “Greening the State?”, in *Comparative Environmental Politics*, ed. Stacy D. VanDeveer and Paul F. Steinberg (Cambridge: MIT Press, 2012), 67.

¹⁸ Robert Falkner and Barry Buzan, “The Emergence of Environmental Stewardship as a Primary Institution of Global International Society,” *European Journal of International Relations* (2018).

on the organizational capacity of formal states.¹⁹ States also have more steering capacity and legitimacy to enforce regulations against damaging behaviour than any non-state counterpart.²⁰ States in regimes may be embedded in a highly integrated system, but governments nonetheless have multiple concerns and objections that inevitably influence negotiation and introduction behaviour.²¹ Despite the socialized and common expectations of acceptable behaviour in the global environmental regime, the state still holds considerable power in deciding on the nuances of the environmental policy to be introduced, and how the policy is introduced. Therefore, it is important to understand not only the universal normative underpinnings of environmental policies, but also how domestic governments work to adapt those norms to specific contexts. Put differently, the ways in which domestic governments work to bring global norms back home is a large part of how the global environmental regime transcends international boundaries to have lasting and practical environmental effects at the domestic level.

Global Environmental Norms: The Polluter-Pays Normative Framework

Environmental norms often take the form of principles that are observed by many actors in environmental regimes. I will delve into two norms in the international sphere that together form a normative framework for a carbon tax, a policy that has been increasingly considered. Although norms can inspire a variety of domestic environmental policies that vary in their scope and objective,²² the carbon tax is of particular interest to this paper as the Canadian government has chosen this particular policy to implement nation-wide.

¹⁹ John Barry and Robyn Eckersley, *The State and the Global Ecological Crisis* (Cambridge, Mass: MIT Press, 2005), xxii.

²⁰ Stacy D. VanDeveer and Paul F. Steinberg, "Comparative environmental politics: domestic institutions and actors", in *Routledge Handbook of Global Environmental Politics*, ed. P. G. Harris (New York: Routledge, 2013), 152.

²¹ Underdal, "One Question, Two Answers," 36.

²² See Charlotte Epstein, "The Making of Global Environmental Norms: Endangered Species Protection," *Global Environmental Politics* 6, no. 4 (2006) for an example of how international norms coalesced into American policies regarding whaling; and see Jennifer Clapp and Linda Swanston, "Doing away with plastic shopping bags:

Although the concept of ‘polluter-pays’ has its roots in Western traditions as early as in the writings of Plato,²³ the polluter-pays principle (PPP) first appeared in modern contexts in the Recommendation on Guiding Principles Concerning International Economic Aspects of Environmental Policies, adopted by the OECD Council in 1972. Under Section (A.a.4), the recommendation reads:

The principle to be used for allocating costs of pollution prevention and control measures to encourage rational use of scarce environmental resources and to avoid distortions in international trade and investment is the so-called “Polluter-Pays Principle”. This principle means that the polluter should bear the expenses of carrying out the above-mentioned measures decided by public authorities to ensure that the environment is in an acceptable state. In other words, the cost of these measures should be reflected in the cost of goods and services which cause pollution in production and/or consumption. Such measures should not be accompanied by subsidies that would create significant distortions in international trade and investment.²⁴

In 1989, the meaning of the PPP was further expanded by the OECD Recommendation of the Council concerning the Application of the Polluter-Pays Principle to Accidental Pollution, that expanded the principle to include hazardous installations to protect against accidental pollution.²⁵

The PPP saw a tremendous milestone regarding this Recommendation, as it was the first time

international patterns of norm emergence and policy implementation,” *Environmental Politics* 18, no. 3 (2009) for policies against plastic shopping bags based on international patterns of norm emergence.

²³ Luppi et al. (2012) quotes Plato’s writings: “If anyone intentionally spoils the water of another...let him not only pay damages, but purify the stream or cistern which contains the water” (p. 135).

²⁴ Organisation for Economic Co-operation and Development, “Recommendation of the Council on Guiding Principles concerning International Economic Aspects of Environmental Policies,” *OECD Legal Instruments* (1972), <https://legalinstruments.oecd.org/en/instruments/OECD-LEGAL-0102>.

²⁵ Ling Zhu and Yachao Zhao, “Polluter-pays Principle: Policy Implementation,” *Environmental Policy and Law* 45, no. 1 (2015).

that the PPP had advocated for full internalization of the costs, insisting that governments should not aid polluters in bearing them.²⁶

The PPP is useful in allocating and associating costs to pollution. When speaking of the principle in a legal norm perspective, the economic aspect of the norm is often overshadowed by more pedagogical perspectives,²⁷ which instills in both polluters and consumers a sense of responsibility and awareness about the amount of pollution that they produce through consumption and production of goods and services.²⁸ From an equity perspective, the PPP promotes fair and equal distribution of the costs of pollution.²⁹ These fundamental approaches to the PPP are arguably what has made it one of the oldest and most widely observed norms in the global environmental regime.³⁰

In addition to the PPP, a related norm based on a broader set of egalitarian norms gained attention. Complementing the equity in distributing the costs of pollution mentioned in the PPP, the equity norm stresses the “common[-]sense conception of justice” related to ensuring that everyone has an equal share of a resource.³¹ The norm stems from the concept of the “global commons,” referring to the principle that the world must not be appropriated by any one state, and that any use of shared commons must be done so with regard for the shared benefit for all.³² Since states would rarely sanction themselves against unrestricted access to the environment in

²⁶ Ibid., 35.

²⁷ Sanford E. Gaines, “The Polluter-Pays Principle: From Economic Equity to Environmental Ethos,” *Texas International Law Journal* 26, no. 463 (1991).

²⁸ Mizan R. Khan, “Polluter-Pays-Principle: The Cardinal Instrument for Addressing Climate Change,” *Laws* 4, (2015): 640.

²⁹ Ibid., 641.

³⁰ Leigh Raymond, *Reclaiming the Atmospheric Commons: The Regional Greenhouse Gas Initiative and a New Model of Emissions Trading* (MIT Press Scholarship Online, 2017), doi:10.7551/mitpress/9780262034746.003.0001.

³¹ Ibid.

³² David B. Hunter, “International environmental law: sources, principles, and innovations,” in *Routledge Handbook of Global Environmental Politics*, ed. P. G. Harris (New York: Routledge, 2013), 130.

an international sphere that lacks governing force, the global environmental regime works to sustain a societal structure that sees the environmental commons as being shared equally among countries, delineating permissible use through governing environmental norms.³³ However, the equity norm goes beyond the creation of a well-ordered environmental society based on conceptions of justice; the norm itself heavily implies a sense of egalitarianism that ensures *public benefit* from extensive private use. In other words, the public should be provided with tangible benefits from the payments resulting from the PPP. In practice, the Kyoto Protocol embodies the principle of equity: “a [s]tate must bear the cost of its actions’ globally consequential environmental impact, either by desisting from them (and bearing the cost of their suppression) or by compensating other States for the harm they have suffered from them.”³⁴

The clear connection between the PPP and the equity norm form a strong foundational normative framework to be translated into policy options in the form of a carbon tax that typically involves a levy on polluting behaviour, and a revenue-neutral component that is awarded back to lesser-polluting citizens. This polluter-pays framework highlights both the financial burden and normative pressure on the shoulders of polluters to bear the responsibility and costs of pollution, but also the equity and fairness governments must consider when handling the capital raised from the policy itself.

The prominence of these norms is not to say that they are neither unproblematic nor perfectly applicable. First, the difficulty of the PPP is to define the polluter in question. A closer look at the 1972 Recommendation reveals that the document does not define the polluter, nor the confines of the expenses that they would incur.³⁵ Second, while the PPP suggests state behaviour

³³ Ernst Mohr, “Environmental norms, society, and economics,” *Ecological Economics* 9 (1994), 234.

³⁴ Alexander Zahar, “Implementation of the polluter pays principle in China,” *Review of European, Comparative & International Environmental Law* (2018): 3.

³⁵ Zhu and Zhao, “Polluter-pays Principle”.

towards regulating future pollution, it does not suggest any retribution of pollution damage caused in the past, meaning industrial polluters would only be responsible for pollution caused ‘from here on out’. Polluters do not have to acknowledge or bear the responsibility of past pollution emitted, which effectively eludes them from any reparative measures.³⁶ Finally, the literature on universal application of the PPP presents a critical perspective that takes into consideration the differences in context between the Global North and South.³⁷ In order for the PPP to work for countries in the Global South, the countries must have reached a level of government capacity that is able to sustain the complex public administration requirements. For example, countries that have recently adopted the principle through legislative, constitutional, and judicial reforms have been found to have fallen back on mitigation of harm by way of government liability.³⁸ Because polluters cannot always be identified, or are insolvent, in many cases the local or central government have assumed the responsibility of providing prompt relief to the victims of environmental harm.³⁹ The situation is further complicated when imbalances of power between states results in the environmental harm of one nation-state caused by another. Therefore, while the norm of the polluter-pays has found general acceptance in the global environmental regime, it is nonetheless important to recognize that the principle has setbacks to its application.

While the literature has drawn a distinction between principles (which are “beliefs of fact, causation, and rectitude”) and norms, states can adhere to principles to a normative standard.⁴⁰

³⁶ Ibid., 34.

³⁷ Khan, “Polluter-Pays-Principle”; Barbara Luppia, Francesco Parisib, and Shruti Rajagopaland, “The rise and fall of the polluter-pays principle in developing countries,” *International Review of Law and Economics* 32 (2012).

³⁸ Ibid., 135.

³⁹ Ibid.

⁴⁰ Friedrich V. Kratochwil, *Rules, Norms, and Decisions: On the Conditions of Practical and Legal Reasoning in International Relations and Domestic Affairs* (Cambridge: Cambridge University Press, 1989), 59.

As a norm and framework, the polluter-pays has gained worldwide application in one way or another.⁴¹ It has become common for governmental authority to regulate and implement taxes to decrease the pollution levels down to tolerable levels.⁴² According to Zahar, the simplest explanation for PPP's legal normative force simple:

[It] corrects the social inequity caused by the existence of an environmental externality – by removing (or reducing the size and therefore the impact of) that externality... [f]or where such externalities exist, those who harm the environment more than others benefit from their actions because the detriment (the cost of governmentally funded clean-up, reduced environmental quality, deleterious impact on health, etc.) is not borne by individuals in proportion to their contribution to the harm but affects every person indiscriminately.⁴³

Governments and societies therefore aim to achieve greater levels of justice the more they target these negative externalities.

However, while states can adhere to environmental principles in the same way states can observe other norms, such as the norm against torture or against the use of chemical weapons, the difficulty that many environmental principles encounter is that they do not preclude a specific form of behaviour. Unlike norms that clearly stipulate prohibition, global environmental norms do not provide guidelines for policy or end goals towards which to guide action, but instead theoretically outline the bounds of appropriate and legitimate behaviour. In other words, while the global environmental regime provides theoretical norms, these norms do not provide any practical changes until the norms reach the policy sphere in which they are translated into

⁴¹ Zahar, "Implementation of the polluter pays principle in China," 2.

⁴² Ibid.

⁴³ Ibid., 3.

domestic law. Therefore, it is up to the careful craft of domestic governments to take a normative framework from the global sphere, and adopt domestic policies that reflect those norms.

Global Environmental Norms and the Domestic Sphere

It is important at this point to delineate between two spheres of normative influence. Thus far, the normative processes we have discussed have pertained primarily to the international sphere, where global environmental norms act as pressure points for domestic governments to act. Up to this point, I have demonstrated why states may be motivated to introduce policy in accordance to global norms, and have given an example of a prominent normative framework pertaining to environmental regulation. However, the scope of my study focuses on how *domestic actors* influence and introduce *domestic policy* that have their roots in *international norms*. Therefore, the remainder of this paper will discuss the processes that pertain to the normative strategies that governments have at their disposal when introducing policy. I will show how the polluter-pays framework – a universal and broad normative framework – can be adapted to the domestic level through normative strategies in order to advance a carbon tax. I do not preclude the possibility that domestic policies and their acceptance by the public can be directly influenced by normative discourse at the global level; instead, I conclude that domestic governments must use strategies to localize the global normative discourse as part of their own specific normative strategies that can, in turn, become the dominant strategy for governments. Domestic-level processes are of primary concern to our discussion.

As mentioned earlier, prior to states accepting norms to produce variations in compliance and interpretation through policy, international norms lack any practical impact. Hence, not only are states socialized to global norms,⁴⁴ but domestic processes are crucial in the early stages of an international norm's life cycle.⁴⁵ The influence of environmental norms has penetrated domestic politics with surprising similarity to other highly varied states. Price argues that the

⁴⁴ Price, "Reversing the Gun Sights".

⁴⁵ Finnemore and Sikkink, "International Norm," 893.

systemic convergence of normative change begins in the transnational civil society, where the very interests of states are shaped via moral persuasion and the social pressure stemming from identity politics.⁴⁶ The impetus to transform domestic practices comes not from an internal desire to correct any existing problems, but from an external source that ‘teaches’ governments both the problem and the solution, who then come to see “new practices as appropriate for themselves as members of international society.”⁴⁷

The extent to which governments are persuaded by the international arena does not necessarily imply a similar sentiment in all other actors at the domestic level. As mentioned earlier, norm entrepreneurs must work intensively in order to ensure that their norm emerges as dominantly accepted in a highly contested normative space. In order to gain support for various policies, actors aim to strengthen the “relative influence of different norms, values, and other beliefs” in shaping opinions about an issue.⁴⁸ The ways in which norms can shape human attitudes and behaviour is fundamental to the discussion of how norms can influence domestic policy. In fact, at the domestic and sub-national level, norms have real impacts when informing policy decisions for citizens, such as informing partisanship. George Lakoff posits that differences between liberals and conservatives are largely explained by belief in differing models of the family, based on related norms of parenting – the Strict Father model and the Nurturing Parent model.⁴⁹ Norms can vary in their salience in informing policy decisions – some norms may be less influential in informing an individual’s behaviour, while other norms may be more assertive than others.⁵⁰ For example, while one’s belief in a norm that it is bad to harm the

⁴⁶ Price, “Reversing,” 616.

⁴⁷ Ibid., 621.

⁴⁸ Raymond, *Reclaiming the Atmospheric Commons*, 19.

⁴⁹ George Lakoff, *Moral Politics: How Liberals and Conservatives Think, Second Edition* (Chicago: University of Chicago Press, 2002), 33.

⁵⁰ Chandra Sekhar Sripada and Stephen Stich, “A Framework for the Psychology of Norms”, in *Innateness and the Structure of the Mind*, ed. P. Carruthers, Stephen Laurence and Stephen Stich (Oxford University Press, 2005).

environment through ‘luxury emissions’ might push the individual away from driving to work every day, the norm of observing driving as a sign of wealth as opposed to taking public transit may at the same time push the individual to do the opposite. Farrow et al. find that, in general, social norms have significant impacts on pro-environmental behaviour pertaining to the specific norm invoked and the social and environmental context in which decisions take place.⁵¹ The strength of norms and their diffusion is not universal or given; Finnemore and Sikkink elaborate on three hypotheses about which norms will be influential, and under what conditions:

legitimation, based on the states’ self-identification in the international arena; prominence, being norms that are widely viewed as desirable and successful; and the intrinsic qualities of the norm.⁵² However, scholars have rejected that there are any inherent qualities of norms that make them more acceptable to internalization. For instance, Price rejects the idea that intrinsic characteristics of certain norms make them more influential; he argues that chemical weapons are not any worse than other weapons, yet they are the only weapons that have been subject to a strong prohibitive norm against them.⁵³ Therefore, given that observing particular norms can alter policy decisions, if we are able to change public perception of which norm “should govern a particular situation or issue,” or even which norms the public thinks are consistent with their actions, we arrive at the possibility for intervention for political actors who seek to introduce policy through normative channels.⁵⁴ Especially concerning environmental issues, transformative approaches must necessarily be taken.⁵⁵

⁵¹ Katherine Farrow, Gilles Grolleau, and Lisette Ibanez, “Social Norms and Pro-environmental Behavior: A Review of the Evidence,” *Ecological Economics* 140 (2017), 2.

⁵² Finnemore and Sikkink, “International Norm Dynamics”, 906-7.

⁵³ Richard Price, “Reversing the Gun Sights: Transnational Civil Society Targets Land Mines,” *International Organization* 52, no. 3 (1998).

⁵⁴ Raymond, *Reclaiming*.

⁵⁵ Meadowcroft, “Greening the State”, 77.

Domestic Strategies and Policymaking

Consequently, the likelihood of influence may depend on other factors, such as the relationship between new norms and existing norms. Finnemore and Sikkink contend that the persuasiveness of a normative claim is “explicitly tied to the “fit” of the claim within existing normative frameworks,” and termed the concept as ‘adjacency’.⁵⁶ The adjacency, or connectedness or congruency, of a particular norm to an existing norm is rarely obvious, and must be diligently constructed by the relevant norm actors. This process of congruence-building that Acharya calls ‘localization’ nicely illustrates how transnational norms can shape national and regional institutions, including the acceptance of carbon taxes.⁵⁷

Norm entrepreneurs take up processes, such as framing and grafting, and are able to create issues by using specific language in order to suggest interpretation in a certain way.⁵⁸ Proponents of a norm are able to suggest alternative perceptions of appropriate normative application that might take over in a highly contested normative space. Known as ‘framing’, these newly developed cognitive frames, if successful, are able to better resonate with public understanding and act as a new alternative to understanding the issue at hand. Frames work by rendering significant or relevant events meaningful through organizing experiences and guiding action, whether at an individual or collective level.⁵⁹ Framing therefore highlights the dynamism of the norm diffusion process, and how motivated actors actually shape the influence of the norm at regional levels.

⁵⁶ Finnemore and Sikkink, 908.

⁵⁷ Amitav Acharya, “How Ideas Spread: Whose Norms Matter? Norm Localization and Institutional Change in Asian Regionalism,” *International Organizations* 58, no. 2 (2004).

⁵⁸ Finnemore and Sikkink, 897.

⁵⁹ David A. Snow, E. Burke Rochford, Jr., Steven K. Worden and Robert D. Benford, “Frame Alignment Processes, Micromobilization, and Movement Participation,” *American Sociological Review* 51, no. 4 (1986), 464.

Grafting, on the other hand, can be defined as a tactic that norm entrepreneurs use to introduce and institutionalize a new norm by connecting it with an existing norm in the same issue area.⁶⁰ Price defines the term to refer to the “combination of active, manipulative persuasion and the contingency of genealogical heritage of norm germination.”⁶¹ Scholars have utilized terms such as “issue-resonance,” “salience,” and “nesting” to refer to the idea that norms are more likely to be influential if they are complementary to existing discourses within a particular setting.⁶² Closely related to the ‘adjacency’ idea of Finnemore and Sikkink, norms can be reinterpreted and represented to resonate with an existing norm in order to find acceptance. Therefore, grafting relies on the condition that there is some scope between the global norm and the existing normative structure within a locality, while framing does not require this scope condition.⁶³ The process of grafting new norms onto existing ones can rely on framing, as framing can provide norm entrepreneurs with a tool to create links to familiar norm structures. In other words, grafting can “make a global norm appear local” by establishing their value at that local level.⁶⁴

Despite the transformative nature of environmental policies, domestic policies are based upon theories of ‘incrementalism’.⁶⁵ The punctuated equilibrium theory looks to explain the reasons behind moments of “punctuation” in an otherwise stable and incrementalist system of democratic policymaking. Punctures refer to substantial policy shifts in a state of equilibrium, where essential features of the system do not change, and any changes eventually regain their

⁶⁰ Ibid.

⁶¹ Price, “Reversing the Gun Sights”, 617.

⁶² Ibid., 630.

⁶³ Acharya, “How Ideas Spread,” 251.

⁶⁴ Ibid., 244.

⁶⁵ Frank R. Baumgartner and Bryan D. Jones, *Agendas and Instability in American Politics* (Chicago: University of Chicago Press, 2009), 9.

balanced state.⁶⁶ Among Baumgartner and Jones' explanations for this phenomenon, they explore the role of ideas, such as norms, and hone in on the policy possibilities at the sub-governmental level.⁶⁷ Because citizens cannot consistently remain interested in a multitude of policy issues, few issues of political importance are left up to the larger system of policymaking, and most are left up to smaller "policy monopolies."⁶⁸ The ability for policymakers to elevate environmental issues and invoke change, to 'puncture' the system with breakthrough policy, can be understood through norms.

The point advanced here is that by increasing the salience and applicability of a global norm (or in this case, a normative framework) through framing, grafting and other strategies, the norm can therefore create the political space for domestic actors to invoke policy change given that norms that are deemed to fit more closely to one's existing normative structures exercise greater influence over decisions than those norms that have a weaker fit.⁶⁹ Normative fit is defined here as being "how well a norm seems to apply to a particular issue," and relies on an individual's judgement about the norm's applicability.⁷⁰ At the same time, judgement of normative fit is dynamic and subject to change. Because the applicability of norms is often ambiguous, policymakers can therefore utilize tools to underscore a norm's degree of fit in order to undermine an existing policy, or to create the political space for new policy potential. Policymakers, who can be understood here as the norm entrepreneurs, evaluate existing normative structures in order to assess two things: first, the weaknesses of the existing normative structure to undermine the status quo, and second, the areas onto which an alternative norm can

⁶⁶ Ibid., 13.

⁶⁷ Ibid., 18-19.

⁶⁸ Ibid., 6-7.

⁶⁹ Raymond, *Reclaiming the Atmospheric Commons*.

⁷⁰ Leigh Raymond, S. Laurel Weldon, Daniel Kelly, Ximena B. Arriaga and Ann Marie Clark, "Making Change: Norm-Based Strategies for Institutional Change to Address Intractable Problems," *Political Research Quarterly* 67, no. 1 (2014), 201.

be framed or grafted to fit with existing structures. They can exploit the weaknesses in the existing norms to undermine the stability of the structure, but also to point out the poor normative fit with the current issue. Acharya contends that the variation in the acceptance of norms could be explained, at least in part, by the differing ability of local agents to reconstruct norms to ensure a better fit with existing norms.⁷¹ Put differently, because the norms that inform decisions can be flexible and impressionable based on the perceived level of normative fit, policymakers can utilize tools such as normative framing and grafting in order to enable dramatic policies to be introduced.

Other Actors? Interest groups and Business Interests

Explaining environmental policy adoption at the domestic level has many perspectives. Among the most common actors studied are interest groups and business interests. Although interest group approaches gained support through promotion as a democratic ideal⁷², the perspective was condemned by critical responses of economic policymaking that saw government responding only to those interests of the most powerful buyers in the political market.⁷³ Interest group politics suggest those interests with large costs and benefits at stake will dominate, while those with diffuse costs and limited benefits will have little influence at all.⁷⁴ By this logic, any dramatic changes in environmental policy would mean that powerful interest groups, with an interest in maintaining the status quo, would dominate the policy sphere. Although this perspective has remained at the center of understanding policy change, I contend that norms can exert influence in a way that may affect the very interests and beliefs of powerful

⁷¹ Acharya, "How Ideas Spread".

⁷² David B. Truman, *The Governmental Process* (New York: Alfred A. Knopf, 1951).

⁷³ George J. Stigler, "The Theory of Economic Regulation," *The Bell Journal of Economics and Management Science* 2, no. 1 (1971).

⁷⁴ Raymond, *Reclaiming*.

groups. Rather than studying the dynamics of power between groups that make up policies, it is important to study ‘ideational’ influences on outcomes of policymaking.

Similarly, business interests have significant influence on the policymaking process due to their buying power. Belfry Munroe argues that when popular opinion changed about the need to manage climate change in Canada, industry officials saw the authoritative regulative measures as being inevitable.⁷⁵ Only then did industry representatives come to accept and support a familiar regulatory system; those who had no prior experience had no preference. Although her contention is not that business interests had a particular say in the policy that was eventually enacted (as a matter of fact, it seems that public opinion forced businesses to jump on board with regulative measures), her work suggests that business interests are vulnerable to the ways in which citizens perceive environmental issues. Given the vulnerability of public perception from normative instruments, theories about both business interests and interest groups would benefit from the valuable expansion that normative theories provide. In other words, part of my argument is that norms have the potential to be the dominant consideration for governments when introducing environmental policies, due to the fact that norms have the ability to change the discourse influencing the actions of both interest groups and business interests. Normative influence has the potential to create a current strong enough to sweep other domestic factors, such as interest groups and business interests, towards acceptance of environmental policies.

⁷⁵ Kaija Belfry Munroe, *Business in a Changing Climate: Explaining Industry Support for Carbon Pricing* (Toronto: University of Toronto Press, 2016).

The Polluter-Pays Framework as the Carbon Tax: Norms to Policy

As countries attempted to balance trade with environmental problems throughout the 1960's, a school of environmental economists promoted a policy principle that emphasized internalization of costs; however, countries recognized that these costs imposed on manufacturing industries not only made them less competitive, but also gave countries that allowed government subsidies in private pollution control a price advantage in the international market.⁷⁶ As a response, the OECD as an international organization effectively created the framework of the polluter-pays, first as a suggestion, then eventually adopted by many other countries, elevating the principle from being something countries thought was the right thing to do, to being something that countries were effectively implementing.

Domestically, the PPP has varying degrees of acceptance within existing structures. It is not difficult to see why states would support the PPP: from a governmental perspective the PPP can be seen as a move against the socialization of environmental costs and privatization of benefits.⁷⁷ Although the principle itself signals personal responsibility, domestic governments see the PPP as an opportunity to legitimize their efforts in achieving environmental responsibility, while maintaining regulative power and minimizing costs. Accordingly, legislative power is used in a way as to “indirectly adjust the price of goods and services within its jurisdiction so that the product prices incorporate (or ‘internalize’) the cost of the environmental impact” associated with the producing and consuming these products.⁷⁸ The principles serve as a means for national governments to solve the question of “who pays for pollution control?”⁷⁹

⁷⁶ Gaines, “The Polluter-Pays Principle,” 466.

⁷⁷ Khan, 640.

⁷⁸ Zahar, 2.

⁷⁹ Gaines, “The Polluter-Pays Principle”.

With the global environmental regime strengthening as a primary institution, Falkner and Buzan suggest that we would expect to see states creating domestic environmental agencies, and the integration of environmental objectives into policymaking at the state level.⁸⁰ Environmental multilateralism has penetrated domestic policymaking agendas, with the strength of normative commitment varying between countries.⁸¹ As global environmental consciousness grew throughout the mid to late 20th century, differing approaches to modern environmental policy were developed and many states saw adoption of environmental ministries and agencies. Meadowcroft has argued that over the last few decades, the state has undergone the genesis of an ‘environmental state’, where states have reached a point where they must devote a significant portion of resources and attention to managing environmental concerns.⁸² Modern environmental government began with the development of central governmental institutions concerned with environmental management, and later moved on to attempt to control long term environmental burdens.⁸³ At the same time, states have developed ways in which environmental issues can be jointly integrated with other policy domains, including economic growth and welfare state provision.⁸⁴ Meadowcroft argues that further development of the environmental state is inevitable – governments will continue to be enmeshed in a web of environmental complexities that will perpetually require attention.⁸⁵ These complexities can be as a result of domestic needs, or from growing pressure and increased entrenchment of governing environmental norms in global agreements, like the Kyoto Protocol and the Paris Agreement, that embody the obligation to participate on the part of states.⁸⁶

⁸⁰ Falkner and Buzan, 22.

⁸¹ Ibid., 23

⁸² Meadowcroft, 76.

⁸³ Ibid., 64.

⁸⁴ Ibid., 73.

⁸⁵ Ibid., 81.

⁸⁶ Falkner and Buzan, 25.

Canada, like many other countries, has long been part of the global conversation about combatting climate change. Being a signatory to the United Nations Framework Convention on Climate Change (UNFCCC), Canada was one of the first to sign the Kyoto Protocol, and expressed great enthusiasm towards its ratification process.⁸⁷ The country has repeatedly reaffirmed its commitment towards managing climate change by setting a goal of greenhouse gas emissions reduction of 65% below 2006 levels by 2050.⁸⁸ Despite the rhetoric and federal environmental goals, Canada has failed to live up to its environmental targets. When Stephen Harper's Conservative minority government came into office in 2006, members of the party including Minister of the Environment, Rona Ambrose, suggested that the environmental situation the government had inherited was one that made the Kyoto target, negotiated by the Liberals, "unachievable."⁸⁹ Under the same government in 2011, Canada infamously withdrew from the Kyoto Protocol, another large step back in the country's intended plan to fight climate change.

However, these events do not necessarily suggest that Canada was unaffected by the global environmental regime, nor does it suggest that the country was deliberately shirking its responsibilities. In fact, according to House of Commons proceedings, frequent reference was made to Canada's lag in fulfilling commitments and responsibility under Kyoto, showing that Canada was quite conscious of its position.⁹⁰ Members of Parliament have identified the country as being a "genuine world leader" in global environmental negotiations, and have openly pressured the federal government to live up to its international commitments and

⁸⁷ Nathalie J. Chalifour, "Making Federalism Work: Canada's Division of Powers over Carbon Taxes," *National Journal of Constitutional Law* 22, no. 2 (2008).

⁸⁸ National Round Table on the Environment and Economy, "Achieving 2050: A Carbon Pricing Policy for Canada," *Government of Canada* (2009).

⁸⁹ House of Commons, *Hansard No. 21* (Parliament of Canada, 2006).

⁹⁰ House of Commons, *Hansard No. 107* (Parliament of Canada, 2001).

responsibilities.⁹¹ Not only was the Canadian government self-conscious of its participation in the global environmental regime, but this effect trickled down to the provincial level as well. Faced with the gap between obligation and performance on a federal level, several provinces took the initiative to put their own climate plans and policies in place – Ontario released its climate change plan in 2007, and BC, Alberta and Quebec have included carbon pricing into their environmental governance strategies.⁹²

In Canada, talk of curbing emissions through a carbon tax has been widely and openly discussed since the World Conference on a Changing Atmosphere in Toronto since 1988, and has been discussed in the House of Commons since 2002.⁹³ In 2007, the Canadian National Roundtable on the Environment and the Economy (NRTEE) released a report on climate change that put forth the suggestion for the government to implement an “economy-wide emission price signal” including an emissions tax or cap-and-trade system.⁹⁴ Although there has been general agreement among the scientific community on the effects and consequences of business-as-usual practices, the level of enthusiasm towards implementing policies to curb emissions has been more reserved.⁹⁵ Despite a strong case for carbon taxes, Canada has been slow to embrace the measure.⁹⁶

The issue that provinces face is the policy sell they undergo to get citizens on board with any disruptions to the status quo in environmental policies. The carbon tax hinges on acceptance of the PPP and equity norms that embody the policy as it assigns a direct cost to those consumers

⁹¹ Ibid., House of Commons, *Hansard No. 115* (Parliament of Canada, 2010).

⁹² Chalifour, “Making Federalism Work”.

⁹³ House of Commons, *Hansard No. 177* (Parliament of Canada, 2002).

⁹⁴ National Round Table on the Environment and Economy, “Getting to 2050: Canada’s Transition to a Low-emission Future,” *Government of Canada* (2007).

⁹⁵ Kirk Hamilton and Grant Cameron, “Simulating the Distributional Effects of a Canadian Carbon Tax,” *Canadian Public Policy / Analyse de Politiques* 20, no. 4 (1994).

⁹⁶ Chalifour, “Making Federalism Work”.

that are polluting. The top-down pressure that the global environmental regime exerted was felt by not only the federal government, but provincial governments as well. As a result, provinces have stepped forward to adopt their own environmental policies. The carbon tax itself is not an easy policy to stomach – it represents a significant and dramatic change to the status quo in a policy environment that has seen modest environmental legislation. I will argue that by using normative tools, such as framing and grafting, governments are able to use environmental norms, such as the PPP and equity norms, to create the political space for introducing transformative domestic policy.

The scope of the study limits my analysis to the introduction stage of the carbon tax, referring to the crucial period of time where the government introduces the tax to the public, and must gain public approval for the policy up until its official implementation. Public opinion of a new tax policy may lie dormant for much time, but if shocking policies representing punctuations in the policy equilibrium, such as a carbon tax, are presented, governments who have not been cognizant or responsive to the electorate are usually defeated in the next election, at the very least.⁹⁷ Once the policy is successfully introduced and integrated into the existing normative structure, the domestic processes to maintain positive perception of the tax are arguably quite different from the initial norm diffusion strategies. Therefore, this paper does not attempt to evaluate how global environmental norms have maintained the integrity of environmental policies domestically; rather, this paper looks specifically at how normative processes can affect the carbon tax introduction process.

I will focus on two Canadian provinces that decided to adopt a carbon tax on their own account: British Columbia and Alberta. The Canada-wide carbon tax announcement not only

⁹⁷ Geoffrey Hale, *The Politics of Taxation* (Toronto: Broadview Press, 2002), 115.

highlighted the environmental leadership exhibited by these two provinces, but they act as important case studies for other provinces currently without carbon pricing systems that must either adopt a provincial plan or concede to the federal tax. Having been the only provinces at the time of the announcement to have voluntarily implemented carbon taxes, their normative processes demonstrate how norms can be utilized in transformative environmental policy introduction and serve as useful lessons to other provinces hoping to follow suit. In addition, the provinces have unique regional and industry differences that presented different challenges that the respective norm entrepreneurs (policymakers) had to overcome, illustrating how normative strategies must be specifically tailored in order to complement regional norms. BC and Alberta present an interesting comparison. First, Alberta's economy consists largely of the carbon heavy oil, gas, and mining industry, comprising over 18.3% of Alberta's total distribution of GDP as of 2015.⁹⁸ Second, BC and Alberta implemented the tax almost 10 years apart – BC in 2008, and Alberta in 2017 – which provides an interesting temporal difference. In the following section, I will delve into each province's carbon pricing policy, and demonstrate the ways in which normative processes were used in their introduction and their success.

British Columbia's Carbon Tax

Canada's public opinion about the evidence suggesting climate change and global warming peaked in 2007, which was also the same year that Gordon Campbell's government committed to reducing BC's greenhouse gas emissions by 33% by 2020 by way of a carbon tax.⁹⁹ However, favourable public opinion did not mean support for just any carbon policy. Although a cap-and-trade system would have been more politically palatable, the "concentrated

⁹⁸ "Economic results," *Government of Alberta*, last modified 2018, <http://www.albertacanada.com/business/overview/economic-results.aspx>.

⁹⁹ Rob Annandale, "Campbell Promises to Cut Greenhouse Gas Emissions – Later," *TheTyee.ca*, last modified September 28, 2007, <https://thetyee.ca/News/2007/09/28/CampbellGHGas/>.

benefits and diffuse costs” of the carbon tax acted as political motivation to pursue “good policy” over “good politics.”¹⁰⁰ Serious talks commenced later in the year, signaled by a public acknowledgement by Finance Minister Carole Taylor that a carbon tax was under consideration for the 2008 provincial budget.¹⁰¹ Solely being ‘good policy’ was not enough; although the tax garnered support from over 70 economists in BC, the government still had to work to frame the carbon tax to be politically acceptable to British Columbians.¹⁰² At the time, the BC carbon tax was North America’s first broad based carbon tax designed to reduce greenhouse gas emissions, and has since been praised as the gold standard for carbon pricing.¹⁰³

By 2008, the polluter-pays principle already had its grounding firmly in Canadian normative structure. Canada’s top courts had signaled protection over the PPP when the Supreme Court of Canada ruled in favour of the PPP in 2003 regarding oil pollution.¹⁰⁴ The BC Court of Appeal’s decision on *J.I. Properties Inc. v. PPG Architectural Coatings Canada Ltd.* directly cites the polluter-pays principle as the foundation of a new regulatory scheme that “radically changed the regulation and rules” governing environmental contamination.¹⁰⁵ Further, BC’s *Environmental Management Act* legally codified the polluter-pays principle in the context of hazardous spills and environmental emergencies.¹⁰⁶ Therefore, the idea of the PPP was not novel

¹⁰⁰ Kathryn Harrison, “A Tale of Two Taxes: The Fate of Environmental Tax Reform,” *Review of Policy Research* 29, no. 3 (2012): 383-4.

¹⁰¹ Ibid.

¹⁰² David Green, “Why 70 Economists Urge BC Carbon Tax,” *TheTyee.ca*, last modified November 1, 2007, <https://thetyee.ca/Views/2007/11/01/CarbonTax/>.

¹⁰³ Nicolas Rivers and Brandon Schaufele, “Salience of carbon taxes in the gasoline market,” *Journal of Environmental Economics and Management* 74 (2015); Charles Lammam and Taylor Jackson, “How B.C.’s formerly ‘revenue neutral’ carbon tax turned into another government cash grab,” *Financial Post*, last modified February 16, 2017, <http://business.financialpost.com/opinion/how-b-c-s-formerly-revenue-neutral-carbon-tax-turned-into-another-government-cash-grab>.

¹⁰⁴ *Imperial Oil Ltd. v. Quebec (Minister of the Environment)*, 2 SCR 624, (2003).

¹⁰⁵ *J.I. Properties Inc. v. PPG Architectural Coatings Canada Ltd.*, 2015 BCCA 472 (2015), section 29.

¹⁰⁶ “Environmental Management Act,” *Province of British Columbia*, http://www.bclaws.ca/civix/document/id/consol28/consol28/03053_00.

to policymakers and citizens in BC. The existing normative structure of the PPP was already in place at the time of the carbon tax, making subtle framing efforts relatively simple.

A crucial part of the introduction of BC's carbon tax was support from businesses. Although the introduction of the tax shocked the business community and even coalesced an "axe the tax" campaign from the political left, the tax was able to ultimately pull support from the business community, partially due to the subtle use of framing of the polluter-pays principle in the presentation of tax cuts.¹⁰⁷ An Angus Reid poll conducted in August of 2008 found that three-quarters of British Columbians believed that government should "exclusively target big polluters"¹⁰⁸; utilizing this rhetoric, the anti-carbon tax campaign centered around the fact that the tax would force working people to pay, while the big polluters got a pass.¹⁰⁹ However, the Campbell government turned that criticism on its head, and signalled that the tax was truly designed to target polluters. Throughout the promotion of the tax, the policy was advertised to the public as a 'tax shift' rather than an increase to the tax burden.¹¹⁰ The carbon tax was established as a binding legislative commitment to remain revenue-neutral, with the legislation threatening to reduce the Finance Minister's salary by 15% should he/she fail to do so.¹¹¹ Indeed, all revenue from the carbon tax would be returned to taxpayers, one-third of which would be through corporate tax cuts.¹¹² More importantly, the tax was skillfully normatively framed to induce the PPP. Since the taxpayer's tax burden did not increase, the Campbell government was able to promote the policy as a genuine shift in responsibility to polluters. Cuts were introduced

¹⁰⁷ Vaughn Palmer, "Campbell's veiled carbon tax paid off for him in the end," *Vancouver Sun*, last modified May 14, 2009, <https://www.pressreader.com/canada/vancouver-sun/20090514/281569466682330>.

¹⁰⁸ Harrison, "Tale of Two Taxes," 393.

¹⁰⁹ Carole James, "Carole James: We can stop the B.C. Liberals' HST tax grab," *The Georgia Straight*, last modified August 7 2009, <http://www.straight.com/article-246584/carole-james-we-can-stop-bc-liberals-hst-tax-grab>.

¹¹⁰ Rivers and Schaufele, "Salience of carbon taxes in the gasoline market".

¹¹¹ Kathryn Harrison, "The Political Economy of British Columbia's Carbon Tax," *OECD Environment Working Papers*, no. 63 (2013).

¹¹² Harrison, "Tale of Two Taxes".

to both corporate and small business taxes, thus placing the new tax burden on those businesses that were truly doing the bulk of the polluting. Rather than being presented as being a mere tax grab for the government, it was normatively framed as a means for the government to invoke the PPP as an effort to alter polluting behaviour of the industry's biggest polluters. The Campbell government was skillful in ensuring that citizens and businesses did not feel unfairly taxed; rather, the government ensured that the public knew that the purpose of the tax was to target polluters that were directly contributing to environmental degradation. The Campbell government was able to frame the carbon tax to fit the existing PPP framework that already existed in the province.

Framing the tax in such a way also signalled to BC's environmental community that the government was serious about combatting climate change, as opposed to increasing governmental revenue.¹¹³ However, the Campbell government did not stop there; they went beyond the norm of making polluters pay, and went as far as to ensure a sense of egalitarianism through public benefit. The expectation of the tax was to jointly establish mechanisms for environmental protection, but also to ensure public benefit from use of the global commons. As a means to sell the tax to the public, the government advertised not only business incentives through the PPP but also public benefits through equity norms: "the cleanest performers would receive the largest incentives."¹¹⁴ Further, the policy itself, though ensures revenue neutrality on the grand scheme of things, was not tax-neutral for each individual payer. The expectation was that those taxpayers with more greenhouse gas intensive lifestyles pay more than they receive in benefits, and therefore, those individuals with less greenhouse gas intensive lifestyles would

¹¹³ Chelsea Peet and Kathryn Harrison, "Diverse Regional Reactions to British Columbia's Carbon Tax," *BC Studies*, no. 173 (2012).

¹¹⁴ "Environmental Management Act," Province of British Columbia, http://www.bclaws.ca/civix/document/id/consol28/consol28/03053_00.

receive a net benefit.¹¹⁵ Critics of the carbon tax believed that the tax would unfairly disadvantage the poor – on the contrary, the carbon tax included cuts to individual taxes, and a one-time Climate Action Dividend of \$100 paid to every resident of BC in 2008.¹¹⁶ The carefully crafted wording and presentation of the tax to citizens ensured a sense of equity and egalitarianism from the policy. Whether citizens were directly cognizant of the utilization of equity norms, the result was a frame to position the carbon tax as fair and beneficial as a result of private use and exploitation of the environment, which evidently sat well with citizens.

At the end of the day, BC's provincial economy grew faster than its neighbors', all while reducing its greenhouse gas emissions.¹¹⁷ The carbon tax has been used extensively as a model for other subnational governments to implement similar policy. The Campbell government strategically and effectively utilized existing normative structures, that included the regulative norm of PPP to frame the policy to be more palatable to the public. By presenting the policy as being normatively adjacent to policies already in place, the Campbell government presented a policy based on holding polluters accountable, and providing net benefits to those low-polluting actors. As Harrison contends, the BC carbon tax intertwined with many other climate policies introduced in the province between 2007 and 2008. Utilizing existing normative structures, policymakers were able to effectively reframe their global regime-inspired carbon pricing policy to fit nicely with local attitudes .¹¹⁸

¹¹⁵ Peet and Harrison, "Diverse Reactions".

¹¹⁶ Harrison, "Tale of Two Taxes".

¹¹⁷ Eduardo Porter, "Does a Carbon Tax Work? Ask British Columbia," *The New York Times*, last modified March 1, 2016, <https://www.nytimes.com/2016/03/02/business/does-a-carbon-tax-work-ask-british-columbia.html>.

¹¹⁸ Harrison, "The Political Economy".

Alberta's Carbon Tax

On November 22, 2015, Alberta's Premier Notley did the unthinkable: she announced a provincial carbon tax surrounded by the province's most prominent business actors. Politically, the announcement came at a welcomed time; an Angus Reid poll showed 75% support for a cap-and-trade system in their own province, and more than half (56%) of respondents thought that the federal government was not doing enough to combat climate change.¹¹⁹ However, given Alberta's rich oil sands production associated with high levels of carbon emissions per unit of production, as well as the province's numerous coal-fired energy plants, adoption of the carbon tax came as quite a surprise.¹²⁰

However, a closer look at the normative structures and the pressures behind Alberta's carbon tax adoption lends insight into why the government chose such a bold step in climate policy rather than a safer cap-and-trade option. Alberta has been at the center of criticisms regarding their emission-heavy oil sands industry, which had come to create "reputational challenges" for the province."¹²¹ Canada, as a result of international pressures, has incrementally stopped focusing on new growth in the sector as the country attempts to meet its climate goals stipulated under the Paris agreement.¹²² At the same time, politicians were hoping to show climate leadership by introducing legislation to cap oil sand emissions within the next decade, and many others believe that the oil sands would, much like coal, be phased out in an increasingly "carbon-constrained" world.¹²³ Much of Alberta's energy profile is based on coal,

¹¹⁹ "Most Canadians Support Carbon Pricing; but less consensus on effectiveness of such measures," *Angus Reid Institute* (2015).

¹²⁰ Dennis McConaghy, "The Inescapability of Carbon Taxes for Canada," *Canadian Global Affairs Institute* (2017).

¹²¹ Province of Alberta, "Climate Leadership Plan: Progress Report," (2017).

¹²² Claudia Catteneo, "Alberta's patch: Solving the world's big environmental challenges or a sunset industry?" *Financial Post*, last modified September 28, 2017, <http://business.financialpost.com/commodities/energy/the-oilsands-next-50-years-solving-the-worlds-big-environmental-challenges-or-a-sunset-industry>.

¹²³ *Ibid.*

resulting in the most carbon intensive electricity generation of any province in Canada.¹²⁴

Especially in comparison to Alberta's neighbors to the west, the province faced great normative pressures to live up to its environmental responsibilities. The government had struggled as being an "international environmental pariah" as a result of the province's 'dirty' energy profile and considerable oil sands industry.¹²⁵

Consequently, Alberta has attempted to break its poor reputational history and move in line with normative pressures to "de-escalat[e] the conflict worldwide about the oil sands."¹²⁶ All these reasons are factors that have collectively fuelled a normative push towards environmental stewardship within the province. The normative pressure, along with strong public sentiment that the government was not doing enough to combat climate change (46% in Alberta) gave the Alberta government all the more political motivation to move boldly towards a carbon tax.¹²⁷ As Premier Notley said in her announcement: "This is the day we step up, at long last, to one of the world's biggest problems – the pollution causing climate change."¹²⁸ Given the existing normative structure within the province that has put pressure on the government to take environmental responsibility and live up to the standard that other similar jurisdictions had implemented, the Alberta government was able to subtly introduce the idea of the carbon tax by grafting the strict responsibility of the PPP norm onto the existing normative structure. As an example, Premier Notley specifically noted that the carbon tax was meant to apply a performance based standard to emitters, and clearly stated that the oil sands industry was to be

¹²⁴ B. Lysenga, A. Rowea, P. Wilda, J. Englisha, T. Nieta,b, L. Pitta, "Decarbonising the Alberta power system with carbon pricing," *Energy Strategy Reviews* 10 (2016), 40.

¹²⁵ Bob Weber, "Alberta to implement carbon tax in 2017," *CTV News*, last modified November 22, 2015, <https://www.ctvnews.ca/politics/alberta-to-implement-carbon-tax-in-2017-1.2669291>.

¹²⁶ Speech by Rachel Notley; can be found at: <https://www.ctvnews.ca/politics/alberta-to-implement-carbon-tax-in-2017-1.2669291>.

¹²⁷ "Most Canadians Support".

¹²⁸ Speech by Notley, see footnote 126.

kept responsible for its emissions through compliance, and an emission cap.¹²⁹ The Premier also made it clear that not only would those polluting would be held responsible, but evoked a sense of common responsibility: “we all contribute to carbon pollution, and we can all be part of the solution. By we, I mean industry, I mean mining, I mean all of us in our cars and the many ways we all burn carbon.”¹³⁰ Solely from the initial presentation of the tax, it is evident that the tax was framed in a way that resonated with a sense a responsibility and leadership in Albertans, and also in a way that clearly placed the responsibility on the polluters. The norm of equity was also referenced, with specific regard to the framing of revenue-neutrality of the tax, and how, unlike in California or Quebec, all the revenue generated will remain in Alberta, building the economy, creating jobs, and promoting greater efficiency. The norm of the PPP was easily grafted onto the existing normative structure that many within the province had felt self-conscious about, and acted as a way to alleviate the normative pressure. The way in which the tax was framed and grafted played a key role in enabling Notley’s government in being able to bring forth such a controversial tax. While it is still too early to evaluate the long term effects of the carbon tax in Alberta, the NDP government and many citizens believe that a province-tailored tax will nonetheless be superior to a federal carbon pricing plan.¹³¹

The Alberta case is interesting in that it illustrates not only the use of norms for framing or grafting, but also more generally throughout its introduction. For example, Kaija Belfry Monroe, who studied the Alberta case at great length, stipulates five hypotheses about why businesses might prefer climate change policy: greenwashing, when firms lie about their support

¹²⁹ Ibid.

¹³⁰ Ibid.

¹³¹ James Wood, “Carbon tax set to increase to \$30 per tonne in 2018; no further increases until 2021,” *The Province*, last modified December 17, 2017, <http://theprovince.com/news/politics/carbon-tax-set-to-increase-to-30-per-tonne-in-2018-no-further-increases-until-2021/wcm/49d7b460-1c6c-4803-bca9-9054083c8d35>.

for environmental policies to increase market share or better their reputation; competitive advantage based on market factors; expectations of future government policy inevitably leading to the policy; external pressures from the public or shareholders, and; ideas of the managers that determine preferences.¹³² Through interviewing members of the business community, she finds that pressures from environmental non-governmental organizations did little to sway business sentiment; however, she notes that some respondents referred to the pressure felt from other provincial jurisdictions, namely BC, that suggests that expectations of government policy implementations might have been significant.¹³³ She further points out that the Canadian business community exhibits a fair bit of homogeneity in preferences for climate change policy and policy instruments, and suggests that processes of norm diffusion may be at play.¹³⁴ She also suggests that normative framing may be useful in preparing business officials to view public opinion in a certain way.¹³⁵

¹³² Belfry Monroe, *Business in a Changing Climate*, 37-8.

¹³³ *Ibid.*, 43.

¹³⁴ *Ibid.*, 136.

¹³⁵ *Ibid.*, 137.

Conclusion and Discussion

The federal carbon tax announcement was made in advance of parliamentary debates regarding the Paris climate change agreements, signifying Trudeau's outwardly commitment towards Canada's international position. As Environment Minister Catherine McKenna said in an interview: "Polluters should pay, and if you figure out how to innovate, you will pay less."¹³⁶ The plan required provinces to adopt either a cap-and-trade system, or a carbon tax that meets the federally imposed floor-rate. Carbon tax systems must reach \$50 per tonne by 2022, while cap-and-trade systems must decrease emissions in line with Canada's national target.¹³⁷ Trudeau's plan not only forces a minimum carbon price, but also pledged to return any revenue generated back to provinces or directly to citizens and businesses.¹³⁸ Following legal precedent based on *General Motors of Canada Ltd v City National Leasing (1989)*, the federal government can reasonably impose a national carbon tax, given they demonstrate that provinces are constitutionally incapable of imposing the tax themselves, and that the failure to participate on the part of one or more provinces would jeopardize "successful operation of the scheme in other parts of the country."¹³⁹

Following this bold move by the federal government, many provinces will, much like BC and Alberta, have to present their own carbon pricing policies. My paper argues that by adopting a normative approach and understanding the power of ideas, governments can utilize norms to aid their domestic policy introduction processes for a carbon *tax*, which can be difficult to accept by citizens. Governments must use normative strategies that best complement the existing

¹³⁶ "'Polluters should pay': Trudeau to force carbon tax and cap on holdout provinces," *Financial Post*, last modified May 18, 2017, <https://business.financialpost.com/commodities/energy/polluters-should-pay-trudeau-to-force-carbon-tax-and-cap-on-holdout-provinces>.

¹³⁷ Belfry Monroe, 137.

¹³⁸ "'Polluters should pay'."

¹³⁹ Chalifour, 194.

structures and norms in place, which can in turn translate to be a dominant consideration for governments. I argue that norms can and do play a significant enabling role in the way in which governments introduce environmental policy. In other words, norms can effectively enable governments to introduce policies that they would otherwise have a hard time getting the public to accept.

The argument advanced here is not to say that norms are the only policy tool that policymakers should consider. Instead, utilizing ideas and norms are only one of many perspectives that governments should take when creating the political space for dramatic new policy. As demonstrated above, the existing normative structure – the already existent polluter-pays principle in BC and normative pressures from the top-down in Alberta – proved to be crucial to the introduction of the carbon tax in their respective provinces. Grafting and framing are only two normative processes that I have chosen to examine. Norms also work in other ways to influence the way specific groups within society might view policies. Further, there exist other environmental norms that governments may choose to utilize in policymaking. I argue that governments that have a stake in ensuring environmental policy success necessarily need to pay attention to norms and ideas as mechanisms. More broadly, using normative processes can allow policymakers to introduce surprising and dramatic policies to better combat the increasing problem of climate change.

There remain critics of the polluter-pays framework and its related policies. The policy measure itself merely dis-incentivizes polluting behaviour and polluting industries, but does not actively work to remove emissions from the atmosphere, nor does it set guidelines for emissions; essentially, those who can afford to pollute will continue to do so and those who cannot are left with the burden of changing their behaviour to avoid the tax. Further, the difficulty of reporting

emissions and assigning responsibility of emissions results in many companies getting away with emitting behaviour.

Still, the largest body of criticism is that carbon taxes are not doing enough to combat climate change. Government legislation and international laws relating to environmental protection are still largely based on good intent and voluntary, non-binding agreements. The emergence of a “green economy,” characterized by resource efficiency, decoupling economic growth from environmental externalities and the notion of producing more with less, has brought about justice concerns at both national and international levels, but have so far fallen short of momentous change to alter global economic structures and ideas rooted in neoliberal tenets of free-market capitalism.¹⁴⁰ It is important to remember the strong connection between local and global acts of ecocide – acts of harm have increased in prevalence across geographies and more often than not, have “transnational or global impacts on human health and the natural environment.”¹⁴¹ The various instruments and mechanisms developed in the environmental field have been inadequate in responding to or preventing serious environmental damage to the point where there has been a proposed amendment to the Rome Statute of the International Criminal Court to include “ecocide,” an extensive damage to or destruction of ecosystems, as the fifth crime against peace.¹⁴² From the polluter point of view, polluting activities are necessary for continued economic growth; however, critics of this destructive trajectory of development have urged governments to prohibit acts that severely disrupt and damage the environment and its many ecosystems in order to “stop the flow of destruction...and create pre-emptive duty on

¹⁴⁰ Chukwumerije Okereke and Timothy G. Ehresman, “International Environmental Justice and the Quest for a Green Global Economy: Introduction to Special Issue,” *International Environmental Agreements: Politics, Law and Economics* 15, no. 1 (2015): 6.

¹⁴¹ Deniz Tekayak, “From ‘polluter pays’ to ‘polluter does not pollute’,” *Geoforum* 71 (2016): 64.

¹⁴² *Ibid.*, 62.

corporate activity to prohibit mass destruction to ecosystems from the outset.”¹⁴³ Governments can create policy cultures that discourage carbon-intensive activities by framing these ventures as insecure once environmental destruction becomes normatively undesirable and frowned upon.¹⁴⁴

Notwithstanding the subjective understandings of success of carbon pricing in Canada, what remains to be the primary takeaway is that governments do and will continue to have large impacts on environmental policies in their jurisdictions. Because domestic contexts vary, domestic governments cannot simply use the same rhetoric at the global level to change domestic opinion of environmental policies. Instead, domestic governments can use normative tools to adopt environmental norms to be more in line with the existing domestic normative structure. Governments are in a position to be able to influence not only the dominant norms to be considered when introducing policy, but have an arsenal of normative tools to influence other domestic actors (such as interest groups and business interests) at the introduction stage. Normative processes therefore not only serve as influential at the global level, but domestic normative processes have also proven to be a dominant consideration for governments looking to successfully introduce environmental policies.

¹⁴³ Ibid., 64.

¹⁴⁴ Ibid.

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