

# The Future of Citizen Engagement: An Interview with the Members of the New Brunswick Commission on Hydraulic Fracturing

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## Abstract

Marc Léger, John McLaughlin, and Cheryl Robertson, the three members of the New Brunswick Commission on Hydraulic Fracturing, spent months consulting various publics in New Brunswick. Their final report, released in early 2016, was not just about the controversial and divisive policy area. It spoke to a need for the province to engage with its citizens more transparently, more openly, and to understand why the paternalism and corporate and government elitism of the past is no longer viable. In this interview, their insights into how to address and engage with these publics are outlined, and the observations gleaned from direct interaction with groups suggest a way forward in future public consultations.

## Résumé

Les trois membres de la Commission du Nouveau-Brunswick sur la fracturation hydraulique, Marc Léger, John McLaughlin et Cheryl Robertson, ont passé des mois à consulter différents publics néo-brunswickois. Leur rapport final, publié au début de 2016, ne traitait pas uniquement de l'aspect controversé des politiques en tant que source de discordes. Ce rapport insistait sur la nécessité pour la province de dialoguer avec ses citoyens de façon plus transparente et ouverte, et de comprendre pourquoi le paternalisme et l'élitisme au sein des entreprises et du gouvernement du passé n'est plus viable. Dans cet entretien, on expose leurs points de vue quant à la façon de s'adresser à de tels publics et de les mobiliser. De plus, les observations qui proviennent de l'interaction directe avec les groupes offrent des pistes de solution en vue de consultations publiques futures.

## Introduction

In February 2016, following the 2014 decision of Brian Gallant's Liberal government to place a moratorium on hydraulic fracturing in the province, the New Brunswick Commission on Hydraulic Fracturing issued its report after nearly a year of discussions with every major stakeholder in the province. Mandated to report to Cabinet within one year from its March 2015 starting date, the commission's findings came as a bit of a surprise to some for a government-mandated report. Refreshingly progressive in terms of addressing the issue of hydraulic fracturing, what the report states, both between the lines and directly, is that New Brunswickers, and Canadians for that matter, no longer tolerate backroom deals and government officials working non-transparently with the corporate sector on issues of immense public importance.

While the commission was mandated to report on five specific conditions, its findings tell a far larger narrative about how New Brunswick has often operated with a paternalistic closed-door mentality

in which public discussion is not taken into account and where corporate and government stakeholders behave in unaccountable ways. Whether a stereotype of the province as the handmaiden of corporate forces or not, it is a narrative the public by and large believes. The commission tailored its findings to the mandate by Premier Gallant as to whether five conditions can be met to lift the moratorium:

- a social licence in place;
- clear and credible information about the impacts of hydraulic fracturing on our health, environment and water, allowing us to develop a country-leading regulatory regime with sufficient enforcement capabilities;
- a plan that mitigates the impacts on our public infrastructure and that addresses issues such as wastewater disposal;
- a process in place to respect our obligations under the duty to consult with First Nations;
- a mechanism in place to ensure that benefits are maximized for New Brunswickers, including the development of a proper royalty structure.

While adhering to these conditions, the findings in the report actually speak to the issue of engagement and credible consultation before any of the conditions can be met. That involves a series of changes in how government, energy or resource stakeholders, and citizen-organized groups engage with the publics. The report is not entirely damning of hydraulic fracturing nor is it a call for the wholesale end of resource extraction. But it does strongly suggest that the old ways of doing business in New Brunswick, especially with regard to land use and public space, cannot be done without proper consultation.

The problem faced by the commission was that there was no blueprint for how a province conducts proper consultation and engagement to achieve social licence to proceed with policy change. But it is clear from the commission's report that government needs to acknowledge that public attitudes and trust in institutions have shifted. In some respects, the commission's report suggests a metamorphosis in terms of the idea of a Burkean trustee model of representation by elected officials. Publics no longer accept the idea of politicians acting for the greater good or in the provincial interest if these officials do not actively and transparently engage and consult with their publics. But they do not accept a delegate model of representation either. The public wants an element of direct engagement that will have a meaningful impact on public policy decisions. That is a different form of representation altogether.

At the invitation of the editor of the *Journal of New Brunswick Studies/Revue d'études sur le Nouveau-Brunswick*, I sat down with Marc Léger, John McLaughlin, and Cheryl Robertson in June 2016 for an exit interview and debriefing about their experiences as members of the New Brunswick Commission on Hydraulic Fracturing. Not only do the members speak to the concerns about how institutions have engaged the public, they also address why New Brunswick is behind other jurisdictions in shifting to a new paradigm that takes into account new and better ways of transparency and engagement with stakeholders and the public. This interview has been lightly edited and condensed from our discussion; however, syntax, colloquial expressions, and personal turns of phrase have been kept intact as per normal interviewing convention—and also to reflect the voices of the interviewees.

The interview is broken down into three broad sections. The first focuses on the public consultation and engagement process. The second considers the broad underlying theme of trust in institutions in the province. The final section focuses on the way forward in terms of public dialogue and engagement. The commission's final report can be found at [http://www2.gnb.ca/content/gnb/en/departments/erd/energy/content/NBCHF\\_FinalReport.html](http://www2.gnb.ca/content/gnb/en/departments/erd/energy/content/NBCHF_FinalReport.html).

## The Public Consultation and Engagement Process

**Jamie Gillies (JG):** What was the mood and attitude of New Brunswickers to being consulted as part of a public engagement process, and how did the public take to these consultations?

**Marc Léger (ML):** I would start by saying that what we had up to that point was a very traditional way of consulting on a divisive social and economic policy. It was as traditional as it gets. You had two sides that were polarized, they had their speaking points, and they were predictable. It was *act, react, and go back and forth*. It was the epitome of a traditional divisive debate where multiple sides were not listening to each other and were just sticking to their speaking points. That is where we started. It is important to understand our context.

**John McLaughlin (JM):** From my perspective, the province had a series of failed conversations and really important ones, like post-secondary education and more specific ones on aging, so we came into this exercise with quite a lot of history in this province in terms of failing to engage.

**Cheryl Robertson (CR):** From a personal point of view, before I was asked to serve as a commissioner, I would have considered myself a reasonably well-informed citizen and I did not have any bias on this subject. I do not think any of us did to look as we did at those five conditions. So what I brought to the table was a citizen's awareness that this was an issue in the province, and it did seem divisive in terms of a lot of opinions and voices on each side. But there were people like me who did not seem to be giving voice to their questions and concerns, so I felt there was a need for a different approach.

**ML:** Very early on we had to change the question and change the conversation because of how people viewed us and who those people were—those who came initially with an entrenched polarized view: frack or don't frack. We established early on, in our first press release and on our website, that what we talked about is much bigger than fracking. It is about our energy future. What does this mean for climate change or energy policy? It was early on when we started testing those ideas. Our whole process was about testing ideas. Our blogs were about putting things out there and getting reactions that would further inform our discussions. Very early in the process, with our first workshop with Lisa Hrabluk of Wicked Ideas, we worked through the key questions and that is when, I think, we came out of this with an understanding that this was about a bigger way of thinking about things.

**CR:** At that workshop with Lisa Hrabluk and Christine Comeau we were challenged to look at this process as an experience where we might start with a question, yet we were encouraged to keep our minds open because we were going to find the question would likely change as we went through the process. I did not grasp the full meaning of that at the beginning, but now, in hindsight, the question did change. And that is reflected in the report.

**JM:** The commission almost failed to launch as there were some tense moments in the early days with the government getting agreement on what the commission was. Two big things occurred: one was what

we really meant by citizen engagement and how we were going to do it. I do not think there was opposition from government in those discussions, but I do not know if they knew or appreciated that the level of public trust was so low, not just in New Brunswick, but everywhere. The second one, which turned out to be a line in the sand, was that you could not just deal with fracking. Fracking has to have context. So we have to have a deeper understanding of how the province's energy and environmental strategies evolved and how they come together and not answer these questions in isolation. That turned out to be a pretty tense conversation with government initially.

**ML:** As we went into the senior echelons of the bureaucracy, they were puzzled we were thinking that way as well. They were not opposing us but there was concern. They were afraid of that uncertainty and of losing control.

**CR:** I would emphasize that there was not any hands-on interference in our work from the government or public servants.

**JG:** In the findings, you write that “while the Commission limited its research and its inquiries to shale gas, it quickly became clear that the root causes of the shale gas impasse are directly related to the process for identifying, evaluating and approving any resource development project.” So did you feel you had to change the questions when you realized what this was really about?

**ML:** We were very disciplined to focus on our mandate and not to speak to all themes. In writing the report, we were confident, though, that people who really read it would see its use beyond shale gas.

**CR:** When we were writing it, we felt like we should bold specific parts of paragraphs, to highlight the nuggets, so that the reader would not miss the essence of the message.

**JM:** We were surprised at how many people were picking up that second level.

**JG:** Did the public that participated in the process that gave you their ideas and feedback believe that their inputs would matter or did they believe that the engagement process was just window dressing, like the paternalism of the past?

**ML:** Let me give you an example. Early on we met with two high profile groups and once we established that we were shifting from a traditional consultation to a dialogue, someone told us, “Either those guys are really good actors or they are really listening.” And once it got out that we were really listening, it evolved into changing the question and the dialogue we created. Some of the significant players in this debate left with the idea that we were listening and discussing and once you start exchanging ideas, you are moving away from a position that you are tied into to more of a dialogue.

**JM:** I think from the beginning there were sort of multiple groups. Two basic things were that there was a deep skepticism. This one has to do with the province and had engendered its own narrative. It became a powerful story in its own right about mistrust on top of a long history. The second part is that the vested interests obviously saw this as one more crowd we have to sell our point of view to. They are tired, wayward people because they have been fighting the debate for a long time. They are going to tolerate us but they are skeptical. But they saw it as one more platform to get their message and plan in. And then behind all of that is the traditional. It is one of the reasons the province has not grown up. There are all these signs of social immaturity to the extent that there is a lateness in this province.

In the early days of the commission, the *Telegraph-Journal* was not supportive of the commission or its mandate, arguing that further studies were not required, the appropriate questions and answers were well understood and so forth, and it was now time to get on with creating jobs. But an interesting thing happened: they failed to take control of the conversation.

**CR:** With most of the stakeholders we met, particularly the ones who asked to meet with us, the public servants, and all who had vested interest in ownership of this issue, there was a general skepticism at the beginning, so it was very important how we as commissioners presented. There was no chair; we rotated, and we decided early not to do town halls and instead conducted the process by inviting people and meeting with every group and individual who asked to meet with us. And we posted, with their permission, all of their submissions on our website so that their stories and views could be online for everybody to read. We were as transparent as we could be. But it was important to show that we were an autonomous, independent commission, separate from government, and a citizens' panel, not an expert panel, and we were there to listen and learn, to seek out the findings related to those five conditions the premier had established. Everybody was respectful and very civilized; however, there were meetings where it took a while, especially in larger groups, to bring about that mutual respect. By the end of those same meetings, it was a different and more respectful, credible tone. And I think people, even though they might have been skeptical in trying to find trust in yet another commission, took solace in the fact that the premier had laid down a moratorium, and that gave everyone a little room to breathe and relay their thoughts respectfully. Some of the people were emotionally and physically exhausted after their previous efforts to have their voices heard and respected.

## **Trust in Institutions in the Province of New Brunswick**

**JG:** You have discussed this shift in the commission from consultation to dialogue, and the deep skepticism of almost all of the publics you faced. I want to trouble this a little more, move away from fracking and toward the underlying points in your report. What do you think some of the roots are of those skepticisms, of the social immaturity, and of vested interests reluctant to consider a new approach to citizen engagement?

**CR:** Some of the lack of trust was well earned by a succession of governments, and this lack of trust has also been well earned by industry and to some extent academia. We found low trust generally with public institutions and private corporations, and the origins of it are broken promises and actual lies told to them by governments, by government representatives, and by some corporations—and if that happens once or twice, some people get skeptical and I think that skepticism has been earned. Bringing back trust does not happen overnight. So one of the underlying goals for us was to lay the foundation for maybe rebuilding trust for governments and corporations that others could build on. We worked hard at that in our individual meetings with groups and to show leadership in this regard by “modelling the way.”

**JM:** I do not want to discount the civility that we encountered. The image of fracking is cars being burned near Rexton, and in the context of populist rallies around the world you see a lot of nasty stuff these days. There is a reservoir of civility in this province—but do not associate that with trust. Somehow folks have retained a level of civility that I find deeply impressive even though they have lots of great reasons to be angry. That turned out to be very important.

**ML:** We had many groups that came and with met us. They were all civil. But to really illustrate the point, we had a full day in Kent County. For the most part we met with people who were present when

cars were burned, people who were jailed, and people who still had injuries. Those people were deeply impacted by this. They had reason to not trust, or to be angry. We also had several days in the Penobsquis area where we met people pleased with the industry, and people with different perspectives. In those meetings, we always came out thinking how respectful people were in spite of their anger. Those were meetings with high emotion coming from the personal experiences people talked about.

**CR:** At that first meeting in the Sussex area last summer, there were people invited by the corporation who was doing business there, and then later in December, we went back and met with citizens who might have different viewpoints. Those meetings were pretty impressive in terms of our achieving a better understanding of the depth of people's pain and where their distrust comes from. It is important to note that we also made concerted efforts to meet with our Indigenous peoples as they are key players in all of this as rights holders, and we did our best to hear from them.

**JM:** The civility side is very important. In terms of this culture of mistrust, it has taken us a long time to get to where we are and it is hard to identify the villains. But we have been in this period of transition for twenty years where the shared narrative does not make sense any more, the economy is not working, and social realities are getting quite troubling. It has taken us a long time to get to a level of awareness of what we are dealing with and there is unbelievable frustration in trying to break out of this mode. It does not help that there is no longer a shared public sense. On the one hand in Fredericton, there is an attitude that we are in the pockets of business and this lingering sense that we are not masters of our own destiny, and then on the other hand there is a stereotype that we have rural New Brunswickers living off of employment insurance and do not believe in creating wealth. And one of the reasons is that they are not talking to each other, and that there is no mass media in this province. There is something that pretends to be but it is not real. So the overall context is that for at least the last twenty years, we have not been talking to each other, and then there are a series of public institutions that have been in gradual decline and losing trust over time. Not overnight, but a thousand small things over time. It is government, it is the media, it is universities. We have had to import our experts because the local research community has not been stepping up. The idea of citizenship in the academic community is not very strong. So a lot of things have created this environment of arrested development. The world is changing, but we are unable to have an adult conversation.

**ML:** If civility is a common thread, the other is a deep desire for information that people can trust and rely upon. This runs throughout the spectrum. Industry was not always getting what they needed from government. The public felt it could not get information from either industry *or* government. We kept getting examples from the public that the information they needed to make up their minds, credible non-biased information, was unavailable. And that really came through when we met with citizens in groups. They want to be informed.

**CR:** Not only do they want credible information, some of them emphasized to us that we should only put trust in peer-reviewed, top-notch research and information on the subject. Before I was a commissioner, the media pieces and many of the comments I heard about the vocal opponents to hydraulic fracturing left one with the impression that they were ignorant and misinformed and did not know what they were talking about. Once a commissioner, and when we met with these citizens, most with very scarce resources, my impression was quite different from the one promoted by the media. I was very impressed with the amount of time and energy most people put into finding their own information. Whether it was peer-reviewed, or top-notch scientific evidence, or not, they had information and seemed, for the most part, well informed.

**ML:** When we talk about the need for an independent regulator in the report, we touch on trust in government and government institutions. We need an independent body that can have real dialogue with citizens on the particular topic, and can provide unbiased information people can trust.

**JG:** Let me trouble this notion of mistrust and finding credible information from government and industry. One of the narratives I observed in the initial debate as the Conservative government of David Alward was stepping up shale gas extraction as a policy option and subsequently as it became the most important issue in the last provincial election, was that those in favour of fracking more broadly saw the anti-fracking coalitions coalescing around ideas seen in a documentary like *Gasland*, which as a polemic does not present a complete picture. Alternatively, the government website on explanations of shale gas at the time literally presented information from Chesapeake Energy, a private American energy company, as fact and what the public information should be. So there seems to be a mistrust even among political and academic and government elites in using homegrown talent to actually solve problems or create new opportunities. So in terms of academics and experts not being utilized in the region, how do we then rectify that, because there are lots of experts in New Brunswick who perhaps understand more about fracturing than the consultants the government could call in?

**JM:** Do not blame all of this on the external consultants. Everything about this is also about us. There is an arrested development and immaturity in this province and it is not just in terms of fracking but other policy files as well and about the future of the province. So there is a mistrust in trying to engage the public because each side sees engagement as unhelpful to its brand. On one hand, you have the boogeymen, supposedly the power brokers, and they are nervous about engaging in a public conversation. You have a political process that is very much caught up in a zero-sum game and the tribalism of politics. I think the politicians are now reacting to a period that has come and gone. So they do not want to put real issues on the table and there is a sociology there that is complicated. And then you have, on the other side, an environmental community that has not been listened to at all. They have been patronized but not really engaged in a consultation process for some time. What I find remarkable on that side is that you have some organizations that engage in protests as performance art, while mainstream environmental groups, like the Conservation Council of New Brunswick, do not. What impresses me is that despite the lack of effective engagement and despite being patronized, they have stayed in the conversation. They are actually one of my heroes in all of this. I think there are heroes on the industry side as well. Brunswick News may be a throwback to the old days, but JD Irving, in our interaction with them, were sophisticated, thoughtful, and while some of that may be performance as well, they backed it up with a lot of solid information. They were impressive.

**CR:** In a stakeholder session with a number of senior executives of a large provincial corporation, I impulsively posed this question: “What is your view on social licence and how do you think that can be obtained?” as we learned there is an impression with some that SWN swaggered into New Brunswick with their cowboy boots and Stetsons and that people did not appreciate that. I guess I was surprised and disappointed that such seasoned and respected senior business leaders in our province would respond with the answer they did, an answer that, to me, indicated they would welcome anytime such a business into the province, no question, and that they seemed to me to woefully lack a clear understanding of both the importance of social licence and how to go about obtaining it. I left feeling quite disappointed and thought that here is one more piece of evidence that underscores the wide gulf of differing values and perspectives between some New Brunswick residents and some New Brunswick businesses.

**JM:** I have a different take. There was an important subtheme of the whole conversation from the industry side. This was a very powerful industry narrative that JDI helped to tease out that going into this exercise, and going back to the Alward Conservative government, they were presenting this as one of the panaceas for creating wealth for our export market and of course the whole natural gas economy was in the meantime collapsing and they were willfully ignoring all of that. But that was not what JDI was about. They were about a conversation on the domestic front about heavy industry and manufacturing, and this province had been moving off heavy oil and to natural gas and we had become very dependent on this sector. And their narrative was a very important part of this conversation.

**ML:** When we spoke to people with a one-dimensional perspective, either frack or do not frack, we would say okay, we are going to use what you tell us, so let's talk about the narrative you want to come out from your comments. That completely changed the dynamics.

**CR:** This is where the question started to change! People thought about whether we should have this fossil fuel or not, then through the dialogue, they came to appreciate that we in New Brunswick already have a dependence on it, and we got a better understanding of how we are dependent already, so then the question became where are we going to get it. Not *Do we need it*. But *Are we going to have our own supply or pipe it in from the U.S.?*

**ML:** Each of us has favourite parts to our report. For me, it is in Volume 2, pages 27–8, on royalties. What it says there is that if you put in the standard variables that can impact on royalties, you have an almost 50% variation on what natural gas would mean for New Brunswick. There are some complex problems that can be teased down to a single problem. But on shale gas, a lot of people were trying to narrow the debate down to a couple of speaking points. Fracking was a symptom of not having a full public debate on the issue in its entirety and all of its complexities, and the section on royalties illustrates that.

**CR:** On the idea of arrested development, we do have a lot of expertise in New Brunswick; we were exposed to quite a bit of that and much of it resides in the public service. We have expert, competent, well-educated professionals working in our public service. My impression was that government does not use them as much as they could, and I would argue it should. I expect that in the public service perhaps, depending on the government of the day maybe, this lack of consultation must contribute to low morale. You have all this knowledge and no one asks to share it. There is a lot of expertise there.

**JG:** How do we as a province break some of these habits or tendencies that all of you have touched on? How do we shift or break this stereotype of New Brunswick as a “company province” with a know-your-place mistrust, albeit civil, and a feeling of gloom? You discuss corporate boardrooms that reinforce that stereotype, but then you talk about another side of this. How do you shift that as a province?

**JM:** One is renewing our social capital. We have built a web of organizations and relationships from business councils, organizations like 21 Inc., to a variety of research institutions. Some of it is taking hold, some of it is just beginning, and we have a cadre of young people, just below the surface, who are up for shifting the narrative. It is slow and it is taking a long time, but building that infrastructure for social discourse and public engagement is good. We are in a transition in terms of public communication and public media. The traditional print media is fading away. We do not have a shared successor to that and we live in lots of echo chambers, but there are some very creative efforts underway right now to deal with that. Two is that we lead by example, and one of the reasons we wanted to talk about this is a



celebration of this discussion, and you build up confidence by having a few successes. Now this one can fail as well. But you have got to have examples of how to attack the public agenda.

**CR:** I think education at all levels plays an extremely important role in helping to develop engaged citizens. I remember a time when New Brunswick was looked to in the 1990s as a leader in citizen engagement. Don Lenihan and others created documents and strategies and it felt good to be a New Brunswicker in the public service and to think that other provinces were looking to us as a leader. But we have trouble sustaining momentum, and I think government has a big role to play in this. As distrusted as they are, government has a major role to play and it is all about leadership at every level. Government needs to keep trying to engage with the public in meaningful ways, and after a while, it will take with some who want it and they will have a place at the table, eventually feeling listened to and respected even if what they want is not the final outcome.

**ML:** I am going to be very granular in my answer and bring this back to the commission. We were open, we put our minutes out, we blogged, we got feedback. None of that is revolutionary, yet it was. People would come to us and say, "This is not normal. This is not how commissions operate." And all it took was a website and public minutes and that started moving things a little bit. It was a different way of doing things.

**CR:** And we know because we received feedback at the end of meetings when people would say that they felt listened to and engaged.

**ML:** We told people, "Whatever you tell us, this is your opportunity to have your story for everyone to see." So if you are used to being in closed boardrooms and saying confidential things, the dialogue changes when you know it is going to be out there for public consumption. I think it elevated the quality of the discussion.

**CR:** What contributed kind of unexpectedly to a lack of trust again with government, and that got reflected on our commission, was the firing of Dr. Eilish Cleary. When that broke in the media, we were in a meeting with stakeholders, and one of the representatives said, "If this does not get fixed, even though this has nothing to do with you, this will reflect badly on you." And sure enough, our secretariat got negative e-mails calling us contemptuous.

**ML:** Our blog post on this is very good.

**CR:** It would have been better for the commission for Dr. Cleary's firing not to have happened in the middle of our work. The point is, though, that Dr. Cleary was widely trusted and respected in the province. For some, her dismissal provoked further suspicion, skepticism, cynicism, and lack of trust.

**JM:** There were a few episodes like that, which could have discredited us. The Progressive Conservatives, for example, initially did not want to participate, and their initial strategy was to discredit the commission. Eventually they came around, and we had a good thoughtful session. But there are old playbooks and folks try to use them. Their playbooks are "this is just one more roadblock, and we'll take this one down just like we have taken the other ones down."

**ML:** Some playbooks call for personal attacks, but there was a time when it was not as much about personal attacks. There are different ways to make your point.

**JM:** But they got no traction. We just did not respond to the editorials or the comments.

**JG:** Vested interests exist in every jurisdiction, and public servants understand that they have to work with these groups and you cannot change everyone's mind. Is that the case in New Brunswick as well?

**JM:** There are three groups in New Brunswick. There are the technical experts, the mid-level public servants, and we have very strong, capable, mid-level public service expertise—and we got all the help we asked for from them. Then you have the ecosystem around the regulatory environment, and every jurisdiction is concerned about being co-opted by whoever is being regulated. We are in the middle of the pack on that front. Where we really fall down is that we do not have any policy shops or a policy capacity.

**CR:** In the context of moving forward, if I were in charge, I would work hard to wipe the slate clean and support an independent commission in any way possible. But you try to learn along with them.

## **A Way Forward in Public Dialogue and Engagement**

**JG:** What about the role of the public service in terms of a policy capacity in future citizen engagement initiatives? How do you change and improve that?

**CR:** It is about leadership at all levels and understanding not only the importance of citizen engagement but learning how to solicit and ensure it occurs.

**ML:** The government of New Brunswick, like other jurisdictions, has eroded its policy capacity over the years. My experience with the commission is that we did not see a lot of innovative policy capacity on the file at hand or on the bigger questions we were posing.

**JM:** We are in a period of deep change and there are huge structural changes coming; we simply do not have the internal capacity to confront these challenges. However, I would not be in favour of building this capacity just in-house. This has to be a network, and include relationships and different points of view. Building policy capacity strength in this province is one of those dimensions.

**JG:** What about citizen focus on engagement in terms of rural and urban divides, or English and French and Indigenous divides, or northern and southern divides, or different age and gender publics? How did these publics feel about this process and did those divides play out?

**JM:** The question is how do reasonably intelligent citizens come to grips with pretty deep technical issues—and we were tested up front by these publics. We worked through that in terms of what we represented.

**CR:** My sense was that there are different views in terms of rural and urban perspectives because most of this planned or hoped for shale gas exploration and seismic testing or test wells were occurring in rural areas. Urban municipal councils that support fracking were not supporting this in their backyard. They might not be so in favour of this occurring close to home. For example, at a meeting in Richibucto, a woman said to me, "I heard you say you were from Rothesay; how do you think this would go down in Rothesay?" She kind of answered her own question. So those people whose properties and lives are nearer to where shale gas extraction was likely to occur or had occurred had a different mindset and were more cautious in their approach and were more fearful.

**ML:** I am not sure I would divide it along French/English, urban/rural lines, but along risks and benefits lines. We tried to focus objectively on the risks and the benefits. And there are both. But some feel the risks disproportionately. If something is in the provincial interest, and the risks are at the local level, you need a dialogue on how those benefits are going to be shared with those who bear the risks.

**JM:** In terms of the zero-sum game and tribalism in politics in New Brunswick, that is always there. And there were attempts to divide and conquer and even the promises for work and infrastructure from a shale gas industry that had little impact. Far more important for us were the beneficiaries in the broader community. If you are taking the risk that your property and way of life can be eliminated, I think that helped give this commission a different life.

**CR:** In terms of Indigenous groups, we were presented with the concept of the cumulative effects of industry. These groups have a long-term idea and memory of what cumulative effects mean. It was not about well drilling and how it was done. It was about what else was in the region and on traditional land. They were looking at a broader picture because they are dependent on a day-to-day basis on the use of the land.

**JM:** In Pennsylvania, there is a clear divide because private landowners own all of the rights. We asked about community infrastructure and legacies that these energy companies would leave behind, and there was no shared or communal legacy. So the economic and social geography of our province was a little bit different than other jurisdictions.

**JG:** We need public engagement on aging, on natural resources, on the future of health-care delivery in this province, and on any number of issues. How does this province do public consultation in the future? Is the commission a model or a blueprint for how to do this? Are New Brunswickers ready for this and is the government prepared to go down this engagement process road each time we come to decisions to be made on complicated and divisive issues?

**JM:** I think this was a step toward good engagement. We are not ready for the big conversations we need to have, but hopefully we are getting closer. But, look, we really need to do a lot better job on this. Regardless of the issue, they are all interrelated. We are long overdue for a major public conversation on the future of the province and a new sense of priorities. Are we ready for that today? No. Can we get to the point in the next few years? I think we can. Did this commission in some modest fashion contribute to figuring out how to do that? I hope so.

**CR:** I think the idea of town hall meetings in 2012 with Louis LaPierre and the natural gas group were not as effective as hoped. We got so much negative feedback on that—from the public servants involved and the various groups that attended. Those town hall meetings were not productive. Sometimes it is easier to say what does not work. I am eager to read the outcome of St. Thomas University professor Kelly Bronson's experiments about citizen engagement and shale gas. And Professor Tom Beckley's research and experiments on engagement at UNB. This research is very interesting. What we are indirectly proposing in our report, among the subtle recommendations, is that this kind of engagement is very much needed and that governments should create a space for it—and, importantly, not be a cheerleader on one side or the other, but allow people to come to the table and participate in the learning and the debate.

**JG:** Based on these conversations and dialogues you have had, what do citizens of New Brunswick want in terms of engagement? And how do you get a provincial government to get to the point where this kind of engagement is what the government wants? Not window dressing citizen engagement. How do you get government, when they set up a citizen engagement commission, to accept the findings and go in expecting this is how it is going to be?

**JM:** We are a little bit behind the curve but I think we are moving from a process where government's only objective is to do pro forma consulting with the public, to something more legitimate where nobody owns the agenda. Government has distinctive knowable platforms for those kinds of conversations, but the narrative that is going to come out of all of this is going to be shaped by all of us. Deep change will be led by civil society and, in a small way, we were an example of this. This is perhaps not what the government wanted or expected. The conversation changed.

**CR:** A lot of New Brunswickers felt and still do feel that we were mandated to give recommendations. That was not our mandate, but the perception was and is still out there. I am not even sure when this commission was struck (and we got only a one-page mandate) that it even mentioned citizen engagement. It was the commission that decided to seek information from the public to help us find the answers or information relevant to those five mandated conditions. They did not give us any direction on the how.

**ML:** The press release said we had to consult, but no one told us how.

**JM:** When we talk about how government has to change, the real change has to come from the community. So, for example, we are in this silly period today when governments talk about creating jobs, but we go through this charade (and the election promise of job creation) and they fail to do that so we get angry with them. The breaking out of that vicious cycle is not going to come from government. It is more likely to come from a more demanding electorate. Partly this will come from the evidence that they can make a difference and the process can change. So I think it is going to have to be the community pushing rather than government pulling.

**ML:** I would not suggest that town halls do not have a role. We had the right approach for the questions at hand. For the deep societal questions we might have a useful model. But there are town halls happening as we speak and those may be the right forum for the right question. But I think the trap we fall into is that government and civil servants always recommend the traditional approach. It is one size fits all. Look at the budget consultations as an example. It has been the same formula for a long time: a minister goes to town halls across the province. The same groups come out, and then when it is all over they all pat themselves on the back. So how you get input, I think, has to be designed based on the issue, and there are different ways, as we have shown, to do a better job of getting input from the public.

**CR:** A little success and positive reinforcement keeps you motivated.

**ML:** When our report came out, industry and those against shale gas both saw things they wanted. In terms of people feeling they have been heard, it is not necessarily zero-sum or win-lose if they see some of their goals in the outcome.

**CR:** We worked hard in writing the report so that people could see themselves in the report and feel that they were truly heard.

**ML:** An example is the section on community stories. It was important because that story had not been told, and it is part of the larger narrative on hydraulic fracturing.

**JG:** To change gears slightly, what did you learn about what New Brunswickers think of their province? Did they say we are a paternalistic province, especially on large public policy issues? If so, which your earlier comments indicated, how do we balance that paternalism and how do we shift this to a comfortable balance?

**CR:** We need more maternalism.

**JM:** There is always paternalism, but New Brunswick does stand out, so it is more of a challenge here. It is real and it is complicated but that reality is slowly changing. There are social and economic forces at play that are marshalling us to a new place. The rural sociology of New Brunswick has defeated building an urban culture. We have the least urban community in Canada, and not only because we do not have “the city,” but because, even in our urban communities, social density is very low and that is becoming a huge issue as we move beyond a traditional resource-based economy. But to defeat that naturally over time is a huge challenge. Add in a demographic shift and different sets of values, in terms of aging, and these are huge challenges. Leadership may not come from within government here. If we want to expedite this process, we need some *shared* leadership. But even in terms of the commission’s exercise, there are traditional institutions, like Brunswick News, that reinforce the old culture—and those have been failing for some time and they are not resonating with the public. Our level of paternalism is high even by Atlantic Canadian standards. It is on its way down, and there are forces at play in which the traditional commodity-based economy day is coming to an end. There are social forces in which modernity has simply won. Can we focus these forces, get behind [them], marshal [them]? The answer is yes...but. St. Stephen provides an example of a citizen group trying to revitalize that community where leadership is not coming from government. It is new coalitions, and it is picking up on demographic waves. There *is* lots we can do. Another factor is that the social economic geography of the province is changing very quickly along a number of different dimensions. If we can channel these phenomena, we can tackle paternalism and other factors that were in our recent past.

**CR:** What comes to mind is the last forestry agreement struck by the Alward Conservative government. In spite of the fact that people objected during the information stage of that process, in spite of the fact that academics with specialties in forestry and conservation spoke out against it, and even with politicians disagreeing, the outcome failed to meet the inclusivity threshold promised. If ever we saw government make a decision seem like there was something in it for everyone, we would jump leap years ahead in terms of trust and losing that paternalistic sense that we are being looked after by Big Brother in a company town and a company province.

**JM:** That last forestry agreement provides an awfully good marker, because that will not happen again. And the role of the traditional print media in that exercise was received with significant skepticism. It really marked the end of an era.

**JG:** This commission perhaps has come up with a good model for future public consultation in this province on important public policy issues. What jurisdictions outside of New Brunswick have been doing this well? Not that we can emulate perfectly, apples to apples, but are there other places that in your process through the commission you have noticed are doing this, and what would you recommend?

**ML:** We did not look at this as a commission exercise, so we don't know.

**CR:** When Nova Scotia released its report on this same topic in 2014, that panel was hopeful that the government and citizens would have the conversation about the future of this area. Instead, they put a moratorium in place. We are saying this too because it is time for people to come to the table and have the conversation. It is okay if we do not agree, but let's come together and come to some reasonable conclusions about guidelines and monitoring.

**JM:** We got a lot from Newfoundland in terms of technical expertise, and Newfoundland changed their direction based upon our example of public engagement. We learned from each other. If you look at their final report, they will acknowledge New Brunswick. Both of us went to Pennsylvania and we did not find very many examples down there that were credible in terms of public engagement. We were making a lot of this up on the fly, and some people started turning to us.

**ML:** I think what is interesting is what could happen with our report. People who were not speaking to each other are now focusing on a really complicated topic—and are now saying that there is something in there that could help. There is now the opportunity to carry on the discussion with players who before our work did not think they had anything in common and saw each other as opponents. So because of the markets and the general natural gas supply and demand, the moratorium has been extended. But I think by changing the conversation and bringing people to the table, we presented an opportunity to carry on that deep conversation.

**CR:** It has been six months, not a long time, but it is a long time in the life of a four-year government. I do not know of any initiatives that they are undertaking to address these issues apart from extending indefinitely the moratorium. Minister Donald Arsenault and Premier Gallant have not publicly addressed any follow-up, to my knowledge. One group that has done good things is Chief Justice Murray Sinclair and the [Indian Residential Schools] Truth and Reconciliation Commission of Canada. There is follow-up to that significant work.

**JM:** There was some social capital. We were able to further the conversation but so far no one has seized the opportunity.

**ML:** But the example of how to do it is on the table.

**CR:** Another thing we were told in the process of meeting with various stakeholders, especially around Kent County, Westmorland County, and parts of Albert County, was that Anglophones, Francophones, and Indigenous people came together and worked very well together. That is not going to go away, especially in the context of resource development. They will come together again, for good or for ill.

**ML:** That will be the same pattern as before; it will be the people that should be at the table taking a traditional position versus a broader dialogue. The same groups could line up in the same camps and you would arrive at the same place.

**CR:** But if there are spaces where people are allowed to exchange views, that process will improve the dialogue.

**JM:** The whole traditional model of engagement, as a farmer told us in Kent County, does not make sense. That farmer's ideas, this dialogue, is going to be part of the solution.

**JG:** As a debriefing or as an exit interview focusing on public engagement, is there anything we have not discussed that you would like to comment on?

**ML:** Part of why we succeeded is that we led with independence and by stating that this was a bigger discussion than fracking. Despite what government spin-doctors may have wanted, we did it *our* way. That is natural of central government; they like to be in control. But they did allow us to take risks. I had an opportunity to debrief with individuals from the premier's office, and one of my messages is that if you do this again, choose the people carefully and then let them go, let them do what they need to do. We did not know each other well when we started. We knew *of* each other. We started off with not knowing what process to follow. We decided that we needed to be open and transparent. When we went to Kent County, we took a risk there. They invited the media, it became a public show, it was very tense, and it could have gone either way. But it showed we were willing to take risks. When government decides to do these types of exercises, our experience shows that the commissioners have got to be allowed to run with it.

**CR:** After the Kent County group discussions, we spent some time with the Regional Services Commission and I asked whether they had talked to people in Penobscot about fracking. They said no, so at the last meeting with the Penobscot people, I asked whether they were in discussions with Kent County. And one of them said that they had been in contact but the Kent County people have not lived the experience we have. They had seismic testing but not actual fracking. So my question to these groups probably should have been, As such a small province, why are we not talking to each other about our experiences rather than trying to look after everything by ourselves? We do not always reach out and learn from each other.

**ML:** On these big questions, that reaching out is a must now.

**CR:** Ultimately, it was a very rich experience to be a member of a citizens' panel, and I learned a lot about my province and the people in it. I now have a much deeper understanding, especially of Indigenous concerns. What needs to be underscored is how respectful and civil everyone was even though they were passionate about their views, and I was impressed with the efforts they made with their scarce resources to find the information about what was relevant and to share that information. So I am hopeful we can learn from all of these individual experiences. As we talk about moving the conversation forward, we need to allow people to feel they have a voice even if what they want is not what happens in the end.

**JM:** I did not want to serve on this commission initially. When I was called, I said no a few times. I am really glad I did this now.

**CR:** I am really proud of this report.

**JG:** Thank you all for your insights.

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