

ADVANCING SUSTAINABILITY IN THE CANADIAN FOOD AND AGRICULTURE SYSTEM: NEW SPACES FOR POLICY ADVOCACY

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Many environmental, health and economic dilemmas facing the Canadian food and agriculture system have yet to be resolved, despite, in some cases, years of interventions. This persistent failure to resolve problems and create greater sustainability suggests that traditional Canadian government policy goals, institutional arrangements and instruments are inadequate. Earlier eras of state regulation, revolving around a productivist paradigm, worked well when the state had significant capacity, the issue was targeted, but the policy actors were recalcitrant. But in the neo-liberal era of bilateral and multilateral trade arrangements and international institutions, many of the traditional policy and regulatory orientations have been removed, replaced in some cases by new notions of appropriate government intervention. Governments are now searching for new and effective governance approaches and regulatory instruments that might work without unduly straining apparently limited human and financial resources.

Civil society, including some farm organizations, has been pushing for progressive implementation of new approaches to agricultural development, potentially leading to broad paradigmatic changes in the food and agriculture system, ones that reflect a focus on sustainability and health (and even multi-functionality). But are these efforts having an effect in this environment of changing institutional arrangements and policy tools?

It appears that many CSOs have been slow to realize that shifts are underway within the state and have not necessarily recognized the opportunities and challenges inherent to government efforts to find “next generation” policy and regulatory instruments, and the associated reconfiguring of policy networks. In Canada, the limited response by non-governmental actors, including the organic sector, has been blamed on a weak civil society, lacking strong institutional and organizational capacity.

In this paper, these themes are developed, with examples provided from efforts to create more sustainable pest management regimes in Canada. Development of such regimes is significant for many organic farmers, as it has a direct effect on what can be included on the Permitted Substances List (PSL) and an indirect effect on how conventional farmers perceive the transition to organic farming. Some preliminary observations are offered on new opportunities for CSOs to influence decision makers, and the skills required to be effective.

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Introduction

The traditional approaches to food and agriculture policy making in Canada are in question. Chronic food system problems remain unresolved with many still unaddressed. There have only been modest improvements in some agri-environmental conditions, while others such as greenhouse gas emissions and nutrient contamination of waterways continue to worsen¹. Although 2007-08 provided temporary relief in some areas of the agricultural economy, national farm finances have been poor for years, complicating the challenges of helping the farm sector move towards more sustainable production systems. The food system, it seems, is increasingly implicated in creating the conditions compromising human and environmental health. The nutritional health of Canadians continues to deteriorate, with rising obesity levels serving as one of the most acute indicator of nutrition policy and programme failures. Food bank use is not coming down significantly, and some 10% of the Canadian population remains unable to acquire a nourishing diet at an affordable price². Food safety scares are now regular occurrences and consumers are increasingly disenchanted with the ways in which the Canadian food supply is being managed. These tendencies are exacerbated by the apparent entrenchment of food and agricultural policy making in ineffective and unresponsive institutional networks.

Many blame broad structural forces within the capitalist food economy for the current state of affairs, with the unsuccessful efforts of governments to curb the negative effects of these forces a significant contributing measure. It can be argued that states are responsible for establishing the structure of the global food system, with its incentive to expand a productivist export-oriented agricultural agenda. With increasingly complex problems has come the realization that traditional Canadian government policy goals, institutional arrangements and instruments are insufficient. Earlier eras of state regulation, revolving around a productivist paradigm, worked well when the state had significant capacity, the issue was targeted, but the policy actors were recalcitrant³. But in the neo-liberal era of bilateral and multilateral trade arrangements and international institutions, many of the traditional policy and regulatory tools have been removed, replaced in some cases by new policy orientations that reflect changing trends. More dramatically, it appears as though some states have given up their capacity to determine national priorities in response to their

¹ Lefebvre, A., et al. eds. 2005. *Environmental Sustainability of Canadian Agriculture: agri-environmental indicator report series – Report #2*. Agriculture and Agri-Food Canada, Ottawa.

² Food Banks Canada. 2008. *Hunger Count 2008*. Food Banks Canada, Toronto.

³ Howlett M. 2005. What is a policy instrument? Policy tools, policy mixes and policy styles. In: Eliadis P et al, eds. *Designing Government: from instruments to governance*. McGill Queen's University Press, Montreal and Kingston. Pp. 31-50.

trade commitments. Governments are searching for new and effective regulatory instruments that might work without unduly straining apparently limited human and financial resources⁴.

Food and agricultural policy themes are acutely affected by this reality, by the complexities of the subject, by larger shifts in the loci of the national state's decision making, and by the new prominence of health concerns related to food. According to Busch⁵:

To be sure the role of the State has changed and perhaps diminished. Nation-states are now far less likely to regulate directly and far more likely to delegate regulatory authority to other organizations. Moreover, the opening of the world economy has restricted the ability of nation-states to intervene in markets without significant and often negative consequences. In response to this devolution of the State, non-governmental organizations (NGOs) have shifted their tactics. Rather than lobbying nation-states to change the rules by which companies may operate, many NGOs now focus on the direct lobbying of large companies in an effort to get them to modify their behaviour.

Although many critics point to governance gaps in the global economy, it has become clear that these gaps have opened up new spaces for political involvement by civil society actors eager to advance a fuller set of policy goals and effect change in the food system. However, these civil society actors, although looking for alternative approaches that might have greater chance of solving problems, have been slow to realize that shifts are underway within the state and have not necessarily recognized the opportunities and challenges inherent to government efforts to find "next generation" policy and regulatory instruments. In Canada, the slow response time by non-governmental actors has been blamed on a weak civil society sector lacking strong institutional and organizational capacity. Nonetheless, there is likely sufficient, if not ideal, capacity to have an influence in the new environment.

With these challenges and regulatory shifts have emerged a broader set of actors touching on a broader set of issues that affect agriculture and food. Beyond traditional preoccupations, such as soil erosion and water contamination, these policy actors are involved in such matters as toxics management, climate change and biofuels, the obesogenic environment and food poverty. This broadening of policy goals and networks is in part a response to these persistent government failures, to the added complexity, and loss of traditional policy instruments. However, the development of such policy networks has not simply been imposed on government, in that Treasury Board edicts and other directives have for some time been pushing civil servants to consult more widely. The effectiveness of the resultant public consultation process is uncertain, however, given a lack of resources and skills within the civil service and, depending on the government of the day, the degree of political commitment to it. Inherent in the structure of the government-driven consultative processes is their legitimacy in light of ideological goals and international commitments. Certainly, the

⁴ Gunningham N. Reconfiguring environmental regulation. 2005 In: Eliadis P et al, eds. *Designing Government: from instruments to governance*. McGill Queen's University Press, Montreal and Kingston. Pp. 333-352.

⁵ Busch, L. 2007. Performing the economy, performing science: from neoclassical to supply chain models in the agrifood sector. *Economy and Society* 36(3): 437-466.

balkanization of organizational participation has been a consistent criticism of the new approach to consultation. In this environment, CSOs are under pressure to form new alliances amongst themselves or with other non-governmental actors, necessary adjustments to become more effective in policy advocacy. These alliances can also be necessary in times of dwindling resources allocated by governments and others to the non-profit sector.

Sustainable Food Systems through Coordinated and Integrated Instrument Choice and New Governance Models?

To their credit, Canadian governments have been making food and agriculture programmatic changes for some time, but not because of paradigmatic shifts coming from the bottom-up; rather they are responding primarily to top-down external and international market-related pressures. If paradigmatic changes occur when sustainable food systems are framed thus

Sustainable food systems use design and management procedures that work with natural processes to conserve all resources, promote agro-ecosystem resilience and self-regulation, minimize waste and environmental impact, while maintaining or improving farm profitability. Such systems improve the condition of the natural resources on which they depend and the health of those consuming its products.⁶

.... then no Canadian governments have embraced such significant changes⁷. The Agricultural Policy Framework, adopted in 2002 and implemented in 2003 reflects an awareness that there are significant environmental issues to be addressed, especially to maintain Canada's international reputation for agri-environmental performance, but the series of programmes implemented to date are only having modest impact⁸. Moreover, new programs, such as investments in biofuels, may actually have more detrimental environmental and economic impacts over the long term.

Civil society organizations (CSOs), including some farm organizations, has been pushing for progressive implementation of new approaches, potentially leading to broad paradigmatic changes in the food and agriculture system, ones that reflect a focus on sustainability and health (and even multi-functionality). But are they having an effect? Although these CSOs may be blunting some of the efforts of neo-liberal agricultural actors to push policy makers to embraced even more significant free trade frames, such forces could equally push the system away from sustainability and more towards further trade liberalization, with its many attendant challenges for sustainability and health. And some CSOs may inadvertently be contributing to the reinforcement of neo-liberal frames, caught in service responses to the

⁶ Adapted from MacRae, R.J. et al. 1990. Policies, programs and regulations to support the transition to sustainable agriculture in Canada. *American J. Alternative Agriculture* 5(2):76-92.

⁷ For details see MacRae, R.J. and the Toronto Food Policy Council. 1999. Not just what, but how: creating agricultural sustainability and food security by changing Canada's agricultural policy making process. *Agriculture and Human Values* 16: 187-201.; MacRae, R.J. 1999. This thing called food: policy failure in the Canadian food and agriculture system. In: M. Koc et al. eds.. *For Hunger-proof Cities: Sustainable Urban Food Systems*. International Development Research Centre and the Ryerson Centre for Studies in Food Security. Ottawa. Pp. 182-194.

⁸ Limited evaluation of impacts has been carried out and because of implementation delays, many programmes have yet to be in place long enough for impacts to be measured. However, it is equally unclear whether structures are in place to permit suitable evaluation of many programmes.

voids created by state contraction of welfare and related functions as in the case of food banks. Nevertheless, it seems that there are missed opportunities for CSOs to translate their concerns about food and agriculture policy, and the ways it is conspiring to damage human and environmental health, into effective state policies.

It is clear that new forms of governance are emerging, but not necessarily for desirable reasons or with effective conception and implementation. Although a variety of these new governance approaches have been described (see, for example, Gunningham⁹), most rely excessively on voluntary and private sector initiatives to be successful. A guiding premise of this inquiry is that a governance regime that embraces a wide range of coordinated and integrated instruments (including some traditional command and control regulations), well matched to the desired effect, and implemented by an equally wide range of state and non-state actors may have the best chance of success in the long run (See Winfield¹⁰ for the lessons from energy policy in California).

But adapting to these new approaches represents a significant challenge for governments and CSOs. CSOs have tended to define their role as primarily an extra-Parliamentary one, trying to influence political actors sufficiently to change legislative development, parliamentary reports and voting patterns. At one point this was a sensible strategy, given that the government is supposed to make policy and Parliament's role is to hold government to account for its activities. But Parliament's capacity to do this has somewhat eroded in the era of neo-liberal restructuring and "governing from the centre"¹¹, challenging the foundation of CSO strategy. Numerous forces have pushed Parliament away from substantive policy critiques and solutions. It would seem government legitimacy is eroding along with its potential to deal with complex policy problems that deserve substantial oversight.

It is now unlikely that a complex, multidimensional and multi-departmental food policy issue would undergo substantive Parliamentary discussion, due to roadblocks at all levels¹². Such policy is unlikely to be a priority of the Prime Minister's Office (PMO). Cabinet participation in policy making has been eroded, so that Agriculture or Health Ministers are not likely to bring forward significant food and agriculture legislation without PMO approval¹³. This has effectively removed many potential levers of action for CSOs directly involved in the issues.

⁹ Gunningham N. Reconfiguring environmental regulation. 2005: In: Eliadis P et al, eds. *Designing Government: from instruments to governance*. McGill Queen's University Press, Montreal and Kingston. Pp. 333-352

¹⁰ Winfield, M. 2007. An Unimaginative People: Instrument Choice in Canadian Environmental Law and Policy. *10th Annual Saskatchewan Law Review Lecture* Delivered October 15, 2007.

¹¹ Savoie D.J. 1999. *Government from the Centre: the concentration of power in Canadian politics*. University of Toronto Press, Toronto; Savoie D.J. 2003. *Breaking the Bargain: public servants, ministers and parliament*. University of Toronto Press, Toronto.

¹² Note that more limited and highly politically charged issues, such as the fate of the Canadian Wheat Board, are still occasionally part of Parliamentary debate.

¹³ Savoie D.J. 1999. *Government from the Centre: the concentration of power in Canadian politics*. University of Toronto Press, Toronto

House of Commons committee capacity to review legislation is compromised by the complexity of most bills and by the limited resources of the committee and individual parliamentarians. MP-bureaucracy relations are generally strained because many elected officials believe public servants now have too much influence over policy development. More specifically, some parliamentarians are dismayed by their limited capacity to provide oversight on legislative implementation, especially pertinent in an era of implementation and enforcement related cutbacks. Some parts of the civil service are now viewed as political liabilities because of their failure to respond to politicized issues in ways that remove pressure from elected officials. In turn, public servants question the competence of many elected officials, viewing them as adversaries, given civil service loyalty to the government of the day¹⁴.

It is also important to recognize that many governmental bureaucracies tend to support the status quo, rather than tackling complex files in a substantive way. These change-resistant tendencies typically include: avoidance of contentious “out-of-the-box” initiatives; emphasis on crisis prevention; reluctance to allocate sufficient resources to programs; secrecy and confidentiality; and avoidance of public and parliamentary scrutiny.

It is also true that increasingly states must coordinate policy efforts with international and supranational bodies, altering both the capacity of governments to respond effectively in specific areas and the strategic focus of CSO actions. Hence the changing policymaking context demands innovative approaches and a greater role for national and sub-national actors in the process.

At this stage of evolution, different government units can be seen to be dabbling with new instrument choices, attempting to determine which ones will produce the best results. It is not currently obvious that governments or CSOs have the knowledge, structures, will or capacity to work in either formal or loose networks of collaboration. Equally, the imbalance in resources and authority between the state and CSOs suggests such collaborations will be difficult to manage. Each sector has stories of attempting unsuccessfully to engage the other, with each accusing the other of not having the competencies or will to properly implement new policies, approaches and tools. There may be ideological commitments that preclude an open policy process and issues of trust and legitimacy that go to the heart of what permits a democracy to function.

One Case: Advocacy for Sustainable Pest Management in Canada

This case examines the evolution of reduced risk pesticide regulation and programming through the lens of two critical parts of the new federal pesticide regulation and management apparatus put in place since 2002: the new Pest Control Products Act (PCPA) and the Pesticide Risk Reduction and Minor Use Program (PRRMUP) of Agriculture and Agri-food Canada (AAFC), in collaboration with the Pest Management Regulatory Agency (PMRA)..Although there has been progress in reducing use of many of the most problematic pesticides, for a variety of reasons, improvements have been much slower than many

¹⁴ Savoie D.J. 2003. *Breaking the Bargain: public servants, ministers and parliament*. University of Toronto Press, Toronto.

advocates, and indeed many farmers, would have hoped. Pesticide use was on a steep upward trajectory from the 1960s¹⁵, but has recently levelled off, according to some measures. Still, Canada has for some time lagged behind many other jurisdictions in reducing farm reliance on agricultural pesticides (OECD 2000).

Development of sustainable pest management regimes is significant for many organic farmers, as it has a direct effect on what pesticides can be included on the Permitted Substances List (PSL) and an indirect effect on how conventional farmers perceive the transition to organic farming. Organic farmers and associations have been advocating for access to very low risk pesticides, and though progress has been made¹⁶, the materials available in Canada remain restricted relative to other jurisdictions. Perhaps even more important for the long term, conventional farmers interested in converting to organic production often hesitate over fears about managing pests in organic systems, particularly weeds¹⁷. This fear is likely a product of: a) an over-reliance on chemical tools for weed management, a situation provoked in part by the dominant conventional pest management regime; and b) a worry that there are insufficient tools in the organic tool box for pest management.

Some of the factors contributing to the situation included:

- The regulatory framework has not been designed to encourage pesticide reduction, focusing instead largely on the conditions to be met for the registration – or pre-market clearance - of pesticides¹⁸. This situation exists because food safety legislation in Canada has been built on an anti-adulteration platform¹⁹ that is not designed to encouraging changes in production practices. Some analysts trace the problem to the absence of provisions in the Canadian constitution (the British North America Act of 1867) that expressly authorize the regulation of poisons. Complicating this problem is the evolved division of authority between the federal and provincial governments, where the federal government has authority for registration, classification and labelling, and the provinces for regulating use²⁰.
- The real or perceived conflict of interest carried for years by Agriculture Canada, as registrar for pesticides, promoter of their use among farmers, and investigator of use

¹⁵ AAFC. 2006. *An Overview of the Canadian Agriculture and Agri-food System*. AAFC, Ottawa.

¹⁶ The PMRA released *Regulatory Proposal: Guidelines for the Registration of Low-Risk Biochemicals and Other Non-Conventional Pesticides* in October 2007, a document based in part on an assessment of the existing organic PSL. Should this proposal become a directive, it would enhance registration of materials that could be added to the organic PSL.

¹⁷ See MacRae, R. et al. 2004. *How Governments in Other Jurisdictions Successfully Support the Development of Organic Food and Farming*. Organic Agriculture Centre of Canada, Truro, NS.
http://www.oacc.info/DOCs/Paper_Supports_Version2_rm.pdf

¹⁸ See Castrelli, J.F. and Vigod, T. 1987. *Pesticides in Canada: an examination of federal law and policy*. Law Reform Commission of Canada, Ottawa.

¹⁹ Ostry, A. 2006. *Nutrition Policy in Canada, 1870-1939*. UBC Press, Vancouver; Blay-Palmer, A. 2008. *Food Fears: from industrial to sustainable food systems*. Ashgate, Burlington, VT.

²⁰ Hill, M.M. 1994. The choice of mode for regulation: a case study of the federal pesticide registration review, 1988-92. *PhD Dissertation*, Carleton University, Ottawa.

violations. This conflict was in part the rationale for shifting pesticide registration in the mid-90s to a new agency, the Pest Management Regulatory Agency (PMRA), as a unit within Health Canada.

- Major pesticide firms have often been reluctant to register products in Canada, particularly those with a new and more compatible chemistry for pesticide reduction efforts, because in their view the country is too small a market to make the additional testing requirements (specific to Canadian conditions) worthwhile. Canadian pesticide production has always been a relative small percentage of global production, typically only a few percentage points, and largely focused on formulation, rather than research and development (R&D) and manufacturing of active ingredients.
- Many pest problems are a result of farm design issues (rotation, location, canopy, timing, borders, etc), and there has been a reluctance on the part of government regulators and extension staff to propose significant changes to farm design, that being considered the purview of the individual property owner.
- Many new products are likely to have resistance / effectiveness problems unless managed in an Integrated Pest Management (IPM) context, but this requires a multidimensional tool box to address different situations; the interplay between product registration and programme design to support pesticide reduction was, until recently, quite weak in Canada.
- Pesticide costs are low relative to reliance (5.5% of farm operating expenses 2003 according to Statistics Canada) and many externalized costs are unpaid by pesticide users²¹. This has discouraged farmer willingness to invest in new approaches and created an accentuated aura of importance for pesticides as the primary pest control method.

Environmental NGOs (ENGOS) had been pressing for changes to the PCPA through the 80s and 90s, participating in several rounds of consultations and actively participating in the Pesticide Registration Review of 1988-1992. It was during this period that the first serious proposal to create a sustainable pest management regime appeared, and from which flowed a series of events that culminating in authority for pesticide registration shifting to the new PMRA of Health Canada. Farmers had been calling for expedited access to better pesticides, as they felt they were suffering unfair competition from other countries with more, and more environmentally friendly, materials to choose from. The pesticide industry had long complained about pesticide registration, that the slow pace of approvals was driving up costs and limiting markets. Some politicians, as a result, had been taking political heat from industry and the farm sector, and to deflect attention from the absence of Parliamentary action, were publicly criticizing civil servants (e.g., PMRA) for their failure to address farm and industry concerns.

In this environment a new bill, C-53 (later C-8) was introduced in 2002. The introduced bill was a far cry from what advocates had hoped for. At Commons Health Committee hearings it became apparent that significant changes to the Bill would not be entertained, and that

²¹ Tegtmeier, E.M. and Duffy, M.D. 2004. External costs of agricultural production in the United States. *International Journal of Agricultural Sustainability* 2:1-20.

PMRA staff (taking direction from the Prime Minister's Office (PMO) and the Privy Council Office (PCO)), and not elected officials from the governing party, would play the central role in blocking opposition attempts to improve the Bill. Civil society organizations played a key role in supplying opposition members with detailed amendments, most of which were rejected, including amendments related to establishing a reduced risk pesticide regulation and scheme. Yet, succumbing to the political heat brought down upon them by numerous parliamentarians with farm constituencies, PMRA posted a new regulatory directive on reduced risk products on their web site just at the end of committee hearings on the new Bill, despite having claimed for years that they didn't have the legislated authority to do so without new legislation. After several other machinations, and the proroguing of Parliament in mid-2002, the new PCPA finally received third reading as Bill C-8 with royal assent in Dec. 2002. Due to the length of time spent writing key regulations, however, it was not brought into force until June 2006.

With a directive in place, and on-going pressure to implement more effective risk reduction programmes to complement the directive (on the heels of the recommendations of the Pesticide Registration Review Team report of 1992 and the semi-effective PMRA Alternatives Office programmes of the 1990s), the Pesticide Risk Reduction and Minor Use Programme (PRRMUP) was created in 2003 by Agriculture and Agrifood Canada (AAFC) and the Pest Management Regulatory Agency (PMRA).

The design was partly influenced by significant consultation with industry and a few ENGOs, including WWF-Canada. It was set up to support sectoral pesticide risk reduction strategies (expanding on the earlier initiatives of the PMRA Alternatives Office), and to facilitate approvals for reduced risk materials.

To implement this new agenda, the programme:

- set up extensive mechanisms for identifying pesticide registration priorities, particularly among minor use crops, involving representations from industry, farm organizations, and the provinces/territories
- established mechanisms based in the IR-4 programme in the US to conduct pesticide testing that would speed up the registration process
- commissioned numerous "state of IPM" commodity reports
- worked collaboratively with commodity sectors on risk reduction programmes and attempted to find innovative ways to support their implementation
- created linkages with the AAFC and provincial research communities to advance understanding of IPM and related issues
- commissioned a study and workshop on establishing a national coordinated programme to advance IPM adoption

Civil society actors had access to the staff of the initiative through their participation on several advisory committees related to the PRRMUP, and received regular briefings on implementation. Several organizations also played substantial roles between meetings,

including the WWF. Several pieces of work carried out by WWF had a significant impact on programme design, several of them done under contract for the PRRMUP.

Lessons learned

Although new entrants to the wider pesticide policy community have had some influence over the past 20 years, most of them have not achieved what was hoped for – a sustainable and efficient pest management regime in Canada. Although some parts of such a regime are in place, it would appear that many opportunities for CSOs to be more influential were missed, in part because they didn't realize how federal decision making was shifting and what new kinds of opportunities that presented for having influence.

Overestimating What the Political Level Could Accomplish

Most CSOs were likely wedded to the idea, to be expected in a parliamentary democracy, that political level interventions could help create a better pest management system in Canada. They were successful at getting a shift in the locus of pesticide registration from Agriculture and Agrifood Canada to Health Canada, largely because of their use of traditional electoral lobbying that managed to overcome the more entrenched clientele politics practiced by the pesticide industry and the farm sector²², but the change was not really of the type they wanted and it did not significantly improve the registration system. Health reviews probably improved, but environmental ones were still weak and appear to remain so to this day. In hindsight, many improvements would appear to be dependent on sub-regulatory adjustments, the domain of the civil service²³.

CSOs also successfully convinced the Health Minister and his officials that a new PCPA was required (having failed to get their Pest Management Act recommendation adopted during the Pesticide Registration Review Team process of 1990-92), but the bill he introduced also did not take the desired form. Opposition politicians on the Commons Health Committee, initially counted on to influence the shape of the draft bill, did not have the knowledge, resources and skills to significantly improve the legislation and counter the messages of PMRA staff. Where the political level may have had the most significant impact was the pressure it applied on the bureaucratic level. Their public criticisms of the PMRA may have been a deciding factor in the decision to create a Risk Reduction Regulatory Directive, outside the legislative process. The CSOs did not fully understand this dynamic and its power to influence outcomes. Their focus remained largely on the legislative process and they did not really attempt to mobilize political forces with the objective of creating a civil service nightmare – cast as a political liability, incompetent and out of touch with real needs. That this happened, however, is consistent with some of themes presented by Savoie²⁴. He

²² Hill, M.M. 1994. The choice of mode for regulation: a case study of the federal pesticide registration review, 1988-92. *PhD Dissertation*, Carleton University, Ottawa.

²³ An extensive weakness in Canada's system appears to be that parliamentarians have very limited capacity to determine if sub-regulatory initiatives are consistent with legislation. If they are able to properly assess the relationships between these instruments and find them wanting, what recourse is available? It would appear that the only one is to convince a committee chair to hold hearings on the matter, an unlikely proposition given the lack of political interest in that level of detail.

²⁴ Savoie D.J. 2003. *Breaking the Bargain: public servants, ministers and parliament*. University of Toronto Press, Toronto.

argues that the traditional relationship between the political and bureaucratic levels has been fractured and more adversarial conditions now exist, ones that CSOs could potentially exploit to advance their agendas.

What should have been major components of the new PCPA or associated government policy development, in theory developed at a political level, emerged instead as sub-regulatory instruments such as directives and programme designs, without need of new legislative authority.

Underestimating the Role of the Bureaucracy

According to Hill²⁵, it has long been legitimate to ask whether a government intervention and its control are a product of the professional qualifications of the staff as opposed to structures and legislation. Such an argument has merit in this case.

Bureaucratic influence over the PCPA had expanded post 1969. That version of the PCPA gave some authority to the bureaucracy that some in parliament contested. This growing authority may have contributed to the bureaucratic view in the mid-80s that significant changes to the pesticide registration system were not required, just additional resources.

The Pesticide Registration Review Team of 90-92, in which CSOs played a significant role, likely failed to fully appreciate the capacity of the bureaucracy to subvert or circumvent their core recommendations. They did not have any champions within the bureaucracy, and their recommendations were part of internal horse trading among government departments. Many of their proposals were considered by bureaucrats part of their domain, not to be decided by the political level or wide policy networks.

Equally important, though, may be the question of competence and innovation. Senior civil servants displayed either a lack of knowledge on key elements of numerous amendments in the hearings on the new PCPA, or a disingenuous approach to committee discussion to hide their ideological views and to appear compliant with the traditional view that civil servants worked for and at the behest of the political level.

Maturation of Skills in the Emerging Network

The wider pesticide policy community had only started gelling in the 80s and was still immature through the Review Team (RT) period. A more mature community might have been able to counter the bureaucrats' efforts to block some of their recommendations. The RT also didn't have the skills to obtain timely resource information from departments. The RT was either ignorant of or chose not to respect many of the rules that the bureaucracy felt ruled organizational design and mode of regulation.

It did mature however during the PCPA debates. There was some continuity amongst involved CSOs and even some staff who were employed by the same or related CSOs. The creation of unusual alliances amongst CSO sub-groups (e.g., ENGOs and farm and

²⁵ Hill, M.M. 1994. The choice of mode for regulation: a case study of the federal pesticide registration review, 1988-92. *PhD Dissertation*, Carleton University, Ottawa.

commodity groups) reflected their collective ability to establish functional and cordial relationships that permitted different kinds of discussions to take place. The focus had shifted from criticisms of the pesticide system to a more sophisticated understanding of legislation, regulation and structures, skills that were weaker in the Pesticide Registration Review phase. At some level, the CSOs were more skilled in the details of the proposed PCPA than were the civil service. That they were able to write detailed amendments, and identify extensive gaps in the knowledge (or misleading statements) of PMRA staff speaks to this. This also addresses the opportunities presented when one knows the file as well as the opposition. But, to be successful, that knowledge had to extend down to the sub-regulatory level.

The work with the officials running the PRRMUP also reflected a more sophisticated ability to participate in bureaucratic processes. Relationships were built by providing information and analysis that the new division did not have and recognized they needed. That the PRRMUP had difficulties finding suitable staff to fill new kinds of roles for the new division helped create opportunities for ENGOs to participate in a wider set of discussions. The outcomes demonstrated that ENGO work can be adopted, almost unedited, if properly framed and presented, and no credit demanded, but that this requires different skill sets of advocates than most parliamentary-level work.

Some Direct Implications of this Analysis for the Organic Sector

As with many CSOs, the organic sector, in its earlier advocacy work, was likely too focused on the parliamentary level. Unlike the US, the development of the national organic standard, has been largely sub-regulatory, as has been many of the environmental programmes that can affect organic farming development²⁶. However, as the sector's work on the national organic standards has evolved, it has developed more sophisticated working relations with those parts of government responsible for facilitating standards development. Equally important, participation in the Organic Value Chain Round Table is showing organic sector participants where the opportunities lie to influence federal programme designs and implementation so they better favour organic sector needs. The lessons of these processes, and hopefully those from the cases scrutinized in this research project, will allow the organic sector to be more effective across a wider range of challenging policy issues affecting organic development in Canada. In particular, more sophisticated working relations will likely be needed with the pesticide and genetic engineering regulatory machinery, and programme designers working on environmental programmes, market development and farm safety nets.

For this research project, the team hopes to produce an edited volume addressing the themes report here in 2010, with a fuller and wider set of lessons on effective policy development in the food and agriculture system.

²⁶ The development of the APF has been largely sub-parliamentary, with most programme design formulated with provincial and federal bureaucracies.