THE BENEFITS OF A CLOSED POLITICAL OPPORTUNITY STRUCTURE: URBAN SOCIAL MOVEMENTS, THE VANCOUVER LOCAL GOVERNMENT AND THE SAFE INJECTION SITE DECISION

by

Jane Thomson
B.A. (Hons.) Political Science, 2001
Carleton University

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APPROVAL

NAME: Jane Thomson

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TITLE OF THESIS: The Benefits of a Closed Political Opportunity
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                               Injection Site Decision

EXAMINING COMMITTEE:

CHAIR: Professor Tsuyoshi Kawasaki
                               Associate Professor

_____

                               Professor Stephen McBride
                               Senior Supervisor

_____

                               Professor Patrick Smith
                               Supervisor

_____

                               Professor Pierre Hamel
                               Université de Montréal
                               Département de Sociologie
                               External Examiner

DATE APPROVED: _____*July 28, 04*_____

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ABSTRACT

The increasingly questionable jurisdictions and expanding autonomy of local governments, induced by the forces of globalization, has inspired the use of municipal governments by urban social movements as vehicles of global change.

A potential instance of this phenomenon is provided by the case of Vancouver, British Columbia between the years of 1999 to 2002. In 2001, after much community debate and media attention, the city's local Council adopted a drug policy of harm reduction that included the controversial plan of a safe injection site for intravenous drug users. This thesis uses political opportunity structure (POS) theory, to determine what role local movements played in the decision of the Vancouver City Council to support the implementation of North America's first safe injection site.

POS theory studies how the level of openness of any given political system to the demands of outside groups, helps predict movement behaviour, movement success and government power. After careful analysis, the POS of Vancouver was determined to be closed to the influences of local movements. Although the system contained certain formal opportunities, the finer details of these opportunities rendered them less useful to groups seeking to influence government policy.

With a closed POS and a local Council dominated by a right-wing business friendly political party, Vancouver's POS did not bode well for groups representing, in some cases, the drug using community of the downtown eastside. However by accessing the system from the inside via the city staff and obtaining the most important of potential elite allies; the city's Mayor, the pro-harm reduction movements of Vancouver were successful in influencing the policies of

their municipal government. These elite allies in turn were able to harness the government power that accompanies a closed POS to accomplish the first of several steps towards the realisation of a safe injection site in the city's downtown eastside.

Through its exploration of the case of Vancouver, this thesis demonstrates the usefulness of POS theory in understanding relationships between urban social movements and their local government as well as the benefits of a closed political opportunity structure.

DEDICATION

For my mother, who said that if this didn't work out, I could always come home.

And for my father, the reason I knew it would work out.

ACKNOWLEDGEMENTS

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LIST OF ACRONYMS

CA — The Community Alliance

COPE — The Coalition of Progressive Electors

DTES — Vancouver's Downtown Eastside

NPA — The Non Partisan Association

NSM — New Social Movement

PHS — The Portland Hotel Society

POS — Political Opportunity Structure

USM — Urban Social Movement

VANDU — Vancouver Area Network of Drug Users

INTRODUCTION

At a time when the sovereignty of nation states has become blurred with the powers of

multinational corporations, many social activists have begun to focus their efforts on local action.

From anti-poverty movements in Lima to anti-nuclear activism in Berkley, grassroots movements

have allied with their City Councils, transforming themselves into local beacons of global change.

In a time where legal jurisdictions and political space have lost much of their meaning, scholars

have studied the relationship between urban social movements and local governments, promoting

the idea that local action may be the way to combat the negative repercussions of globalization by

circumventing certain international trade laws. Political scientist Warren Magnusson once wrote,

> ... it is remarkable how the municipal Council can serve as a centre for connecting movements with one another, legitimizing their concerns, exploring the possibilities for local initiative, and establishing links between movements in one locality and another. In this process, the municipal Council constitutes itself as a site for global politics.[1]

Although an engaging concept, this idea contains many unanswered questions. How do

local governments decide which concerns to "legitimize"? Why do local governments form

relationships with local movements and what determines the dynamics of such a relationship?

This thesis explores the question of how and why alliances form between local

governments and local movements through the lens of political opportunity structure (POS). POS

theory determines the quantity and quality of openings in a political system through which actors

can influence the decision making of their government. By understanding the political

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[1] Warren Magnusson, "The Constitution of Movements *vs.* the Constitution of the State: Rediscovering the Local as a Site for Global Politics" in *Political Arrangements: Power and the City* Ed. Henri Lustiger-Thaler (Montreal: Black Rose Books Ltd., 1992) 89.

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opportunity structure of a city, we are better equipped to comprehend the reasons and the conditions under which alliances between local governments and local movements form.

Municipal Governments in the Global Era

By now almost everyone is familiar with the idea of globalization, regardless of their personal views on the concept. A reordering of political space, the proliferation of access to international markets, and the production and supply of goods on a global scale are all concepts associated with the term.[2] It has been argued that the effects of globalization have resulted in a paradigm shift from a Keynesian welfare state system to the present day neo-liberal ordered existence. This new era of neo-liberalism, beginning in the early 1980's, has meant a shift in priorities of national governments, from full employment of the work force to national debt reduction, price stability, trading efficiency and international competition.[3] These effects of neo-liberalism have trickled down to the municipal level of government worldwide[4] and the sacrifice of social welfare programs for increased global competition has resulted in the emergence of new types of poverty in cities.

Margit Mayer in her studies of urban Germany pegs the population of homeless people in cities such as Berlin and Leipzig at the "tens of thousands".[5] She notes as well, the concentration of other new types of poverty such as "squeegee kids", beggars and other less visible forms of the socially excluded in urban areas.[6] University of Montreal professor, Pierre Hamel, concurs,

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[2] Pierre Hamel, Henri Lustiger-Thaler and Margit Mayer "Urban social movements – local thematics, and global spaces" in *Urban Movements in a Globalizing World* eds. Pierre Hamel, Henri Lustiger-Thaler and Margit Mayer (London: Routledge 2000) 5.

[3] Daniel Drache "The Post-Nationalist State" in *Canadian Politics* 2nd ed. eds. James P. Bickerton and Alain-G. Gagnon (Peterborough: Broadview Press, 1994) 555; Laura McDonald "Turbulence in Global Politics: Beyond Canada's Middle-Power Image" in *Canadian Politics in the 21st Century* eds. Michael Whittington and Glen Williams, (Scarborough: Nelson, 2000) 264.

[4] Bob Jessop "Globalization, cities and the global economy" in *Urban Movements in a Globalizing World* eds. Pierre Hamel, Henri Lustiger-Thaler and Margit Mayer (London: Routledge 2000) 88.

[5] Margit Mayer "Urban Social Movements in an Era of Globalization" in *Urban Movements in a Globalizing World* eds. Pierre Hamel, Henri Lustiger-Thaler and Margit Mayer (London: Routledge 2000) 145.

[6] Mayer "Urban Social Movements in an Era of Globalization" 145.

proposing that cities are the hardest hit by the reordering of urban space that has come from the "flexible capital accumulation dynamics" of globalization, as masses of disenfranchised workers immigrate to large urban areas in hopes of finding employment.[7] As it is cities that feel the immediate effects of globalization and neo-liberalism, it has been cities that have begun to offer up locally-based solutions to the problems of globalization.

Victoria-based political scientist Warren Magnusson has proposed that municipal governments in Canada are in fact the best situated level of government to protect the interests of their citizens from the negative repercussions of globalization. By *not* having their powers entrenched within the constitution, their precise responsibilities are less concrete and therefore lend local Canadian governments an ambiguity in what their mandates are. This in turn would allow city councils to exceed traditional responsibilities such as user fees and sewage treatment services,[8] so that local governments may be used as "vehicles for public action".[9] Mayer's view on the topic harmonizes with Magnusson's as she notes that local governments' jurisdictional boundaries are no longer clear in a world where "the concrete supply-side conditions making for structural competitiveness can neither be provided by multi-national's strategies nor by uniform national policy".[10] In this uncertain era, local governments have begun to make their mark in national and international affairs. Examples in North America range from the refusal of 120 cities in the United States to cooperate with Ronald Regan's civil defence scheme promoting the idea of a survivable nuclear war[11] to the numerous resolutions passed by city councils across Canada in opposition to elements of the General Agreement on Trade and Services.[12]

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[7] Pierre Hamel "The Fragmentation of Social Movements" in *Urban Movements in a Globalizing World* eds. Pierre Hamel, Henri Lustiger-Thaler and Margit Mayer (London: Routledge 2000) 164.

[8] Warren Magnusson "The Constitution of Movements *vs.* the Constitution of the State: Rediscovering the Local as a Site for Global Politics" 86-87.

[9] Warren Magnusson *A Search for Political Space: Globalization, Social Movements and the Urban Political Experience.* (Toronto: University of Toronto Press, 1996) 277. Also see Caroline Andrew on Magnusson in: "Globalization and Local Action" in *The Politics of the City, A Canadian Perspective* ed. Timothy L. Thomas (Scarborough: ITP Nelson, 1997) 140.

[10] Mayer "Urban Social Movements in an Era of Globalization" 148.

[11] Magnusson, "The Constitution of Movements vs. the Constitution of the State: Rediscovering the

To date, a wide array of differing opinions exist on the importance of local governments in generating a response to the "local/urban responses to the economic forces of globalization".[13] Passing resolutions in Council that oppose international law is one matter, but action on the local level that produces tangible results is another. It is this type of municipal action that has attracted a growing area of interest. In addition to this type of local action, social scientists have become interested not only in the actions of municipal governments in response to global forces, but in their interactions and relations with urban social movements possessing a similar agenda.

Urban Social Movements

Urban Social Movements (USMs) like their national counterparts, New Social Movements (NSMs) challenge the logic of societal norms, laws and institutions that are imposed upon the functioning of society, seeking to infuse it with collective choice and normative policy derived from the participation of civil society.[14] One of the most renowned authors on urban social movements, Manuel Castells, outlined a strict set of criteria that a local movement needed to have in order to be considered an USM. This list included: a) the praxis of the movement must encompass the ideas of community culture, collective consumption and political self-management; b) the movement must be "conscious of its role as an urban social movement"; c) it must maintain connections to society through a series of networks including the media, the professionals and political parties in particular; d) it must be autonomous from any political party; e) the first condition must command the others if the movement is to be successful in the attainment of its goals. Otherwise, the movement in question is merely an interest group.[15]

Local as a Site for Global Politics" 85.

[12] Gary Bowden "Municipal governments concerned about GATS" *The Fredericton Daily Gleaner*, sec. A7, Wednesday, February 27, 2002.

[13] Caroline Andrew and Patrick J Smith "World-Class Cities: Can or Should Canada Play?" in *World-Class Cities: Can Canada Play?* (Ottawa: University of Ottawa Press/Conseil International D'etudes Canadiennes, 1999) 16.

[14] Iris Marion Young "Political Theory: An Overview" in *The New Handbook of Political Science*, eds. Robert E. Goodin & Hans-Dieter Klingemann. (Oxford: Oxford University Press, 1998) 494.

[15] Manuel Castells *The City and the Grassroots* (Berkeley: University of California Press, 1983)

Arguably, the roles, forms and actions of USMs are quite different now than they were at the time of Castells' writing. As municipal governments have reinvented themselves in the era of globalization, so too have urban social movements. Seeking to fight the poverty and social malaises exacerbated by globalization and neo-liberalism, USMs have found themselves applying for government funding, establishing multi-tiered levels of organization and entering into partnerships with local governments to effect social change.[16]

Margit Mayer notes the substantial transition undergone by USMs in the last two decades. In her paper "The Career of Urban Social Movements in Germany", Mayer describes the transition of German USMs from their late 1960's and early 1970's modes of "fundamental opposition via societal marginalization" to the 1990's and 21st century role of "modernizing and innovating forms of urban renewal, social policy and forms of governance".[17] In German cities this transition had its beginning in the mid 1980's. The *Arbeitskreis Staatsknete,* an umbrella organization of individual USMs that banded together and came to be recognised by the government as a resource pool for things such as a "voluntary co-production of health services" in exchange for funding from the government to run their individual projects.[18] This trend has continued world wide, resulting in Workfare programs like *Proyecto Esperanza* that helps immigrants find jobs in Los Angeles and Montreal's *Resto-Pop* organization that provides jobs to welfare recipients and low-cost meals to those in need.[19] What has effectively occurred, according to Mayer, is that city governments are increasingly looking to local movements as a form of social welfare that they themselves can not supply to their populations.[20]

322-323.
[16] Gerd Schönwälder Linking Civil Society and the State: Urban Popular Movements, the Left and Local Government in Peru 1980-1992. (University Park, PA: Pennsylvania State University Press, 2002) 143.
[17] Margit Mayer "The Career of Urban Social Movements in West Germany" in *Mobilizing the Community: Local Politics in the Era of the Global City* Eds. Robert Fisher Joseph Kling (Sage Publications New Bury Park, California 1993) 166.
[18] Mayer "The Career of Urban Social Movements in West Germany" 160.
[19] Mayer "Urban Social Movements in an Era of Globalization" 147.
[20] Mayer "Urban Social Movements in an Era of Globalization" 147 and Mayer "The Career of Urban

An Important Relationship

Described as "the prime conduit for the arbitrariness between local action and global accountability",[21] urban social movements, along with local governments, have been called the two predominant actors in a position to "deal with the new issues created by globalization"[22]. Pierre Hamel describes USMs in their dealings with local governments as choosing "the road of social change, by dealing with established institutions or by engaging in institutional innovation, searching for a new legitimacy for collective action, while simultaneously rethinking citizenship and solidarity." Hamel describes the results from this course of action as an "enlarging" of "the democratic tradition" and the promotion of civic culture for the betterment of the city and the building of social capital.[23] Hamel notes that societies are more prosperous where social integration is strong.[24] Such a situation would entail the reduction of social inequality and the promotion of civic culture. Hamel writes that this would require social cooperation in order to help cities adapt to the ever changing social conditions that have accompanied globalization.[25]

Gerd Schönwälder looks at the specific case of the government of Metropolitan Lima between 1983 and 1986 and its partnerships with urban movements in what had been hoped to result in the spread of democratic practices throughout Latin America from the ground up. During this time period, a number of progressive social programs were adopted at the local level under the decentralizing effects of the constitution instituted by President Morales in 1979. Schönwälder examines the electoral success of Izquierda Unida (the United Left) in Peru and its innovative relationships with local NGO's and urban popular movements in attempt to increase the institutional weight of municipalities.[26] With resources often supplied by local NGOs, urban movements acting in partnership with Lima's government were given the task of administering

Social Movements in West Germany" 161.
   [21] Hamel et al. 4.
   [22] Hamel 162.
   [23] Hamel 164.
   [24] Hamel 164.
   [25] Hamel 164.
   [26] Schönwälder 120.

several of the city's social programs. An example of this was the *Vaso de Leche* program, a

three-way arrangement between local movements, NGO's and Lima's municipal government,

which sought to provide every child in the Peruvian capital with a daily glass of powdered milk.[27]

Understanding the Relationship

Caroline Andrew's work on cooperation between local governments and social

movements examines the relationship between the autonomy and the capacity of a municipal

government to act, and how open that government is to the goals of civil society. Andrew

cautions that the goals of a particular civil society range from those of community groups to local

business interests, therefore indicating that local governments can be opponents or proponents of

neo-liberal policy, depending on which groups are the most successful in their lobbying efforts on

the local scale.[28] Mayer reinforces this point in her discussion of the shift in urban politics from

'government' to 'governance' indicating that although cities may be contracting out services to

private industry in the wake of globalization, so too can they be contracting out social programs

to local urban movements.[29] Andrew emphasises the need for further research in this area, stating

"the questions of state capacity and the "porousness" of local government to local civil society

are two crucial dimensions necessary to exploring the likelihood of municipal government being

a sight for progressive politics."[30] Mayer, too, mentions this lack of research on the interactions

between local elites and social movements. In stating the need to relate the findings of urban

research with those of social movement studies to each other, Mayer alludes to the need for

further research into the precise factors that determine the nature of relations between urban

governments and USMs.[31]

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[27] Schönwälder 141.
[28] Caroline Andrew 147-148.
[29] Mayer "Urban Social Movements in an Era of Globalization" 142.
[30] Andrew 142.
[31] Mayer "Urban Social Movements in an Era of Globalization" 141.

It is this aspect of the debate that this paper explores: what kind of relationship exists between local movements and municipalities in a given locale; what are the implications of this relationship; and how is this relationship initially established? In order to study how local governments interact with their urban social movements, or as Caroline Andrew writes, "the teasing out of relations between local social movements, municipally elected representatives and municipal employees"[32], I have decided to approach the issue through the field of social movement theory, using the specific theory of political opportunity structure (POS). Designed to gauge the level of openness of a particular government to the demands of social movements, POS also serves as a predictive tool to determine what methods of mobilization a particular social movement will take within the specific POS of the system in question. This theory has been used to explain social movement behaviour, success and emergence, as well as the degree to which a state maintains the power to adopt the policies of its choosing. This thesis maps the POS of a Canadian local government in order to see how it affects the role that USMs play in the local government's policy and decision-making.

As a case study I have chosen the Vancouver City Council of 1999-2002 and looked at the role of USMs in the government's decision to back the implementation of a pilot safe injection site for heroin addicts in Vancouver's downtown eastside. Globalization of the world's economies has led to easier movement of both money and drugs on an international scale. This fact, coupled with the downsizing trends of neo-liberalism virtually inherent in all levels of Canadian government by the early 1990's, led to decentralization of British Columbia's mental health facilities and the partial closing of the Riverview Hospital, BC's largest mental health hospital, in 1995. Without proper medical attention, many of these mental-health patients migrated towards the poorest area of Vancouver; the downtown eastside (DTES), causing an

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[32] Andrew 147.

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influx of drug users and subsequent street crime that became concentrated within the area.[33] A

report from the Committee on Non-Medicinal Use of Drugs outlines the significance of

Vancouver's drug problem: "During the ten years from 1991 to 2000, there were 2,748 illicit drug

deaths in the province of British Columbia. Most of these deaths occurred within the city of

Vancouver." [34] Statistics such as these are listed at length in the policy paper "A Framework for

Action" written by Vancouver's Drug Policy Coordinator Donald McPherson. The policy paper

notes the contributing factors of the global drug trade, Vancouver's increasing popularity as a

main drug port, and "the de-institutionalization of the mentally ill without adequate support

structures in the lower mainland" as having added to an already destitute situation in the DTES.[35]

The paper signalled the need for local action through a four pillar approach of enforcement,

prevention, treatment, and harm reduction. Of those four pillars, the least conventional is the last.

Harm reduction, according to the policy paper, argues that "abstinence based strategies are often

impractical and ineffective" in dealing with drug related problems and seeks to "minimize the

harm" that drug abuse has on communities and individuals.[36] Of the proposals outlined within the

harm reduction pillar of the framework, the most controversial is the suggestion of a safe

consumption facility for drugs users in Vancouver, more commonly known as a "safe injection

site". The paper argues that the provision of a site where intravenous drug users can safely inject

themselves with clean equipment, under the watch of trained health care professionals, would rid

Vancouver's streets of the open drug scene and significantly reduce the number of deaths by

overdose.[37]

"A Framework for Action" was released to the public in draft form in November of 2000.

By May 15th, 2001 the City Council had unanimously adopted the paper as the city's drug policy.

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[33] Susan Giles and Evanna Brenna "Action Based Care in Vancouver's DTES": http://www.multidx.com/abc/abcWeb.html (Accessed April 12, 2004).
[34] Dr. Mark McLean. Testimony. Special Committee on Non-Medical Use of Drugs Final Report, November 19, 2002. http://www.parl.gc.ca/infocom.committeemain.asp?language=e&committeeid=3291
[35] Donald McPherson A Framework for Action (Vancouver: City of Vancouver, 2000) 5.
[36] Donald McPherson 53.
[37] Donald McPherson 56.

By November 2003, a new city council opened North America's first supervised injection site. During this time period, a battle between two groups of USMs occurred in Vancouver's DTES. On one side stood local movements that favoured an increase in facilities and services for drug users and supported the idea of harm reduction in their community. The other side consisted of groups that called for tougher legislation and enforcement to stem the amount of drug related crime in their area and felt that new facilities would only encourage further drug use in their community. In the end, the harm reduction approach was adopted by the local government of Vancouver; using POS theory, the role these movements played in this decision will be explored.

Of course, the final decision to open a supervised injection site, as it is now called, was not made by the Vancouver city government alone. Rendering such a facility a reality in this country required the cooperation of both federal and provincial levels of government, as running the facility required adjustments to both Canada's Criminal Code and British Columbia's health care regulations. However, it was a municipally initiated policy, inspired by the actions of other cities world wide. Through a series of lobbying efforts with members of the Provincial and Federal legislatures, the City of Vancouver has begun to see elements of its drug policy put into place, most notably the supervised injection site located at East Hastings and Pender St.

By understanding the conditions that govern the interactions between local movements and municipal governments, it is hoped that this study can provide the basis for future comparative studies of other communities in Canada. This thesis represents only a single case study of a city's urban social movements and their role in the realisation of a municipal policy with global implications. However, it is hoped that this thesis will serve as a small contribution to a larger piece of literature that explains the role of urban social movements and local governments in the global era.

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Chapter Outlines

The first chapter of this thesis contains a literary review of the theory of political opportunity structure, its strengths and weaknesses, and details the construction of a POS template for the study of the Vancouver city government. Chapter two outlines the methodology of this paper which includes the analysis of city documents, confidential Council papers, media articles and 25 elite interviews with the former Mayor and City Councillors, City Staff, and key activists involved in the issue. Chapter three maps the political opportunity structure of Vancouver circa 1999-2002, examining each part of the POS template adopted for this study. Chapter four uses the POS of Vancouver as established in chapter three, to understand the relationships between Vancouver's government and the movements for and against harm reduction in the city's downtown eastside. The final chapter of this thesis discusses the implications of understanding Vancouver's political opportunity structure and the conclusions that can be drawn from this study.

CHAPTER 1
POLITICAL OPPORTUNITY STRUCTURE

Political Opportunity Structure: An Introduction

In 1973, Peter Eisinger, after undertaking an extensive study of urban-based protest in the

United States, published an article in the *American Political Science Review* entitled "The

Conditions of Protest Behavior in American Cities". Specifically, Eisinger's interest lay in the

race riots of the 1960's that took place in the major urban centres of the United States. Unsatisfied

with prior correlations of the riots to black population numbers, poverty and the violence

associated with ghetto life, Eisinger believed that protest was instead related to the political

environment of a city. As history demonstrates, deprivation is not enough reason to incite protest;

our world's history contains countless examples of extreme deprivation that are unaccompanied

by protest in any effective form.[38] Prior to 1973, positive correlations had already been made

between "reformed municipal institutions[39] and low voting turnout; reform government and high

spending/tax policies; the centralization of local power and urban renewal success; and, the less

representative 'council-manic' institutions and the incidence of race riots."[40] Helpful though

these correlations were in their contribution to the study of local movements and cities, linkages

among them had yet to be made into a cohesive theoretical framework.[41] Eisinger believed that a

relationship establishing the opportunities for actors to gain access to a given political system

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[38] Sidney Tarrow *Political Opportunities and Constraints* (Cambridge University Press: Cambridge, 1998) 71.

[39] By "reformed municipal government" the author is referring to the City Manager model of local governments that became the trend of many local governments in the 1960's in an effort to extract politics from local governments, making them more bureaucratic in nature. For more information on this please see C. Richard Tindal and Susan Tindal *Local Government in Canada* 4th ed. (Toronto: McGraw-Hill Ryerson Limited, 1995) 325.

[40] Peter K. Eisinger "The Conditions of Protest Behaviour in American Cities" The American Political Science Review, Vol. 67: (March 1973): 11.

[41] Eisinger 11.

could be determined by examining that system's political environment, which he referred to as a city's *political opportunity structure*. In his words, "[b]y measuring these environmental factors, the analyst develops a means to judge the nature of the biases which groups in a political system must confront."[42] Eisinger described a political opportunity as an opening in a political system where actors could influence the policy formation and decision making of their government. He sought to specifically establish the link between the number of openings in a political system and the mobilization of urban social movements.[43] The political opportunity structure of a given system could be relatively open or closed, depending on the level of response from a particular government, displayed to those seeking representation and input into local decision-making.[44]

Today, the idea that social movements are shaped by the political constraints and opportunities specific to the government under which they operate is automatically associated with the theory of political opportunity structure.[45] Since the term was first coined, the theory of political opportunity structure (POS) has been applied at every level of government, from municipal bodies to international organizations. The theory has been used by scholars to explain everything from the emergence of social movements and their mobilization, to their prevailing strategies and the level of their success. Eisinger's original factors of POS have been greatly expanded by other scholars and many new categories have been included to determine the behaviour of protestors. All of this work has led to the frequent use of POS theory by students of social movement theory in their study of political structures and protest movements.

The Theories of Political Process Theory

Political process, or social movement theory, is commonly understood to be a three-pronged approach that includes POS theory, mobilizing structures, and framing processes.

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[42] Eisinger 12.
[43] Eisinger 12.
[44] Eisinger 12.
45 Doug McAdam, John D. McCarthy, Mayer N. Zald Comparative Perspective on Social Movements (New York: Cambridge University Press 1996) 3.

Mobilizing structures addresses the forms of organization and resources available to members of a social movement, while framing processes examine "the collective processes of interpretation, attribution and social construction that mediate between opportunity and action"[46].

When looking at mobilizing structures, scholars have focused on the internal organization of social movements, including networking, organization, and the attainment of resources. Its own topic of controversy containing competing factions of theory, the study of mobilizing structures attempts to explain factors such as the relationship between the type of movement and its organizational form.[47] Framing processes on the other hand seek to explain how issues are viewed by both those in power and those who protest. Focusing on the shared and contested meaning and definition of people's daily lives, the study of framing processes reminds students of political process theory that unless opportunities are perceived by protestors, movements are unlikely to mobilize.[48]

The effects of each of these factors are interactive. For example, certain political opportunities will do little to incite response from movements unless they are framed as viable opportunities, whereas the organization of mobilization influences a movement's framing of an issue. In turn, the organization and mobilization of the movement are often provoked by perceived political opportunities.[49]

The Critiques of POS Theory

The fact that POS theory is incapable of explaining all aspects of social movement behaviour touches on the first of four major critiques of POS theory[50]; that the number of variables contained in the concept of POS has rapidly expanded since the 1980's rendering the

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[46] McAdam et al. 2
[47] McAdam et al. 4.
[48] Donatella della Porta and Mario Diani *Social Movements: An Introduction* (Malden: Blackwell Publishers, 1999) 224.
[49] McAdam et al. 8.
[50] della Porta and Diani 223-224.

theory at risk of becoming a catch-all category of explanation. The second major critique of POS

charges that the distance between variables of the POS and their effects on social movements is

so great that it is sometimes difficult to demonstrate a clear correlation between the two. POS's

third critique is the belief that not enough research has been done to explain which precise

variables in POS account for which aspects of social movement behaviour and success. Fourth,

POS is accused of being unable to distinguish between 'objective' reality and its social

construction. Activists' *perception* of what is a political opportunity is just as important as the

actual political opportunities. If they expect the state to react to protest through repressive means,

activists may overlook the option of negotiation. In addition to these four common critiques, the

entire three pronged approach to understanding social movements has been questioned for its lack

of cultural factors and an over-emphasis on structure and adherence to set templates of theory.[51]

In response to these critiques, I begin with the first that suggests that POS theory, in its

attempt to explain too much, "may ultimately explain nothing at all".[52] POS theory cannot explain

everything about social movement behaviour, nor is the theory meant to.[53] The simple model

applied in this study is not intended to be an invariant, all encompassing template. Rather the

model serves as a "general framework" that can, and should be used to create a POS template

germane to the conditions of the POS being studied.[54] If the elements left out of template are

acknowledged, the results of the study may be understood and useful within the scope that the

template was designed to investigate. As social movement scholar, Charles Tilly, once said, I

"[r]ecognize that at best, such a search will not yield total accounts of complex events, processes

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[51] Jeff Goodwin and James M. Jasper *Rethinking Social Movement Theory* (Maryland: Rowman & Littlefield Publishers, Inc., 2004) 6.

[52] Gamson and Meyer "Framing Political Opportunity" in *Comparative Perspective on Social Movements*. Edited by Doug McAdam, John D. McCarthy, Mayer N. Zald. (New York: Cambridge University Press 1996) 275.

[53] Ruud Koopmans "Political. Opportunity. Structure." In "Tending the Vineyard: Cultivating Political Process Research" in *Rethinking Social Movement Theory,* eds. Jeff Goodwin and James M. Jasper (Maryland: Rowman & Littlefield Publishers, Inc., 2004) 68.

[54] David S Meyer. "Tending the Vineyard" in *Rethinking Social Movement Theory* eds. Jeff Goodwin and James M. Jasper. (Maryland: Rowman & Littlefield Publishers, Inc., 2004) 51.

or structure – social movements or otherwise – but reliable, transferable explanations of significant elements within complex events, processes or structures."[55]

The second critique, pertaining to the distance between elements of POS and the actions of the movements themselves can be answered in conjunction with the third critique that notes the lack of research to date connecting specific variables of POS with the behaviour of movements. This thesis studies the POS of a municipality, the lowest and least complex level of government in Canada. The fact that local governments in Canada are the most accessible out of the three by virtue of their size, level of complexity, and location will help in closing the distance between the variables of POS theory for the purpose of this study. As for third critique that cites the lack of research to date on connecting these variables, this study intends to contribute to this research.

In addressing the fourth critique that pertains to the framing of issues by movements, this thesis, through personal interviews with activists, has attempted to understand the activists' framing of the issue and what opportunities they saw within the local government of Vancouver at the time. By cross referencing the views of activists with politicians and staff members, I was able to understand how each side perceived the opportunities available to movements and how this corresponded with the city's POS. In the case of this thesis, these perceptions were relatively uniform from all sides. However, this may have simply been a fortunate coincidence, and should not be taken as grounds to ignore the significant challenges that framing can present in the study of social movements.

Finally there is the broader claim that POS theory fails to acknowledge the cultural and emotional aspects of social movements in its analysis of movement behaviour and relationships with the target of their mobilization. Secondary critiques follow that POS has been unable to account for the actions and success of non state-oriented movements, and possesses a poor record

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[55] Charles Tilly "Wise Quacks" in *Rethinking Social Movement Theory* eds. Jeff Goodwin and James M. Jasper. (Maryland: Rowman & Littlefield Publishers, Inc., 2004) 37.

of accounting for the emergence of social movements.[56] These critiques stem from the

constructionist school of social movement theory, claiming that culture, so permeating in all

aspects of society, forges the structures upon which POS theory is based.[57]

There are reasons as to why, despite constructionist critiques, the popularity of the

structured approach has held fast with a new generation of theorists.[58] I chose to work with this

theory because this study is based on structures and institutions - namely local governments - and

their relationships with social movements. The media, the underlying culture of the community

and its belief system are factors in the success and behaviour of social movements. However I

leave the study of what role these aspects played in the safe injection site decision to another

student interested in this case study.

Secondly, it is true that POS does an insufficient job of helping us understand non state-

centred movements. Sub-cultural or non state-centred movements are less effected by a system's

POS due to the fact that they have a predominantly internal orientation and are therefore less

susceptible to changes within a system's POS.[59] This thesis however, does not study sub-cultural

movements, but rather, state-centred movements whose demands were indeed aimed at the

government. These types of movements are heavily influenced by a system's POS.[60]

Finally, a great deal of the critiques surrounding the broader three pronged framework of

political process theory point to its inability to predict the emergence of social movements. This

critique demonstrates a clear misunderstanding of POS theory, as its purpose in the last 30 years

has moved beyond the aim of predicting movement incidence.[61] In accordance with this fact, this

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[56] Goodwin and Jasper 6.

[57] Goodwin and Jasper viii.

[58] Goodwin and Jasper 3.

[59] Kriesi "Institutional Structures and Prevailing Strategies" in *New Social Movements in Western Europe: A Comparative Analysis* Eds. Hanspeter Kriesi, Ruud Koopmans, Jan Willem Duyvendak, Marco G. Giugni. (Minneapolis: University of Minnesota, 1995) 192.

[60] Kriesi 192.

[61] Please see Meyer's comments regarding Goodwin and Jasper's misunderstanding of the purpose behind political process theory in "Tending the Vineyard: Cultivating Political Process Research".

study does not seek to use the theory of POS to predict or understand the emergence of movements.

Having dealt with the major critiques of POS theory while demonstrating its relevance to this study, this chapter will now proceed to explore and explain the concept of political opportunity structure and the construction of a theoretical template used to determine the POS of Vancouver.

The Mapping of POS

When working with the theory of political opportunity structure, a student must make two important decisions. First, she must determine what factors influence a system's level of openness to the demands of social movements and secondly, she must determine what aspect of social movement behaviour will be influenced by the POS in question. In my exploration of these two questions, I draw initially from the work of Eisinger and then turn to the works of later theorists. Once I have reviewed what has been done in the past with POS theory, I turn to my own template that I will use in the mapping of Vancouver's political opportunity structure.

The Categories of POS

In his mapping of POS for the individual cities of his case studies, Eisinger used three main variables: whether or not the head of the local government was an elected mayor or an appointed City Manager; whether the electoral system was warded or elected at-large; and whether or not the system contained political parties. By the mid 1970's studies had shown that mayoral-council governments were more accountable to the electorate than manager-council governments, as elected mayors needed to cater to their electorate if they hoped for re-election. Similar findings had shown that warded systems provided better representation to minority-

concentrated and poorer neighbourhoods than did at-large systems and that political parties, in their reliance upon stable blocks of voters, gave those voters a greater voice in government.[62]

From this modest beginning of three factors applied at the municipal level, the categories of POS have been developed over the last thirty years into sophisticated models designed for application, not only at the local level, but also at the regional and national level.[63] Working from the idea that the political environment sets the context within which protest takes place, a number of categories have emerged in an attempt, by theorists, to classify the various elements of political opportunity structure. Before identifying these different categories, it is important to note that different scholars assign different labels to the same variables. For example, elite allies and elite alignments,[64] the configuration of power,[65] and a state's political culture[66] all pertain to the same category of short-term opportunities for movements. Indeed, a thorough analysis of these writings shows that POS remains comprised of just a few overarching categories:[67] The formal institutional structure of the state[68]; the elite alignments that "under gird" the political organization in power; and a presence or absence of elite allies for social movements[69].[70]

Not included in this list are additional categories such as protest cycles, a state's cultural opportunities, and the capacity of a state to implement policy. Although important factors in

[62] Eisinger 17.
[63] McAdam et al. 18.
[64] McAdam "Conceptual origins, problems, future directions" in *Comparative Perspective on Social Movements,* eds. Doug McAdam, John D. McCarthy, Mayer N. Zald (New York: Cambridge University Press 1996) 26.
[65] Kriesi 180.
[66] della Porta and Diani 199.
[67] McAdam 26.
[68] Kriesi 170.
[69] Gary Marks and Doug McAdam "Political Opportunities and Collective Action: The Case of the European Union" in *Social Movements in a Globalizing World* eds. Donatella della Porta, Hanspeter Kriesi, Dieter Rucht (Great Britain: Macmillan Press Ltd. 1999) 99.
[70] Certain authors have placed the issue of repressive state policies in its own separate category of POS, claiming that it ultimately determines the success or failure of movements. I fail to appreciate how this category would determine movement success, and contend that it is better suited as a subcategory of a system's formal institution structure, a belief echoed by prominent POS theorists. Please see: Donatella della Porta "Social Movements, Political Violence and the State" (Cambridge: Cambridge University Press, 1995).

determining movement activity, they are not part of the realm of institutions or elite political actors. Therefore it remains more useful to keep them as a separate point of analysis so as not to convolute the theory with unrealted variables.[71]

The formal institution structure of the state looks at the more permanent fixtures of a political environment.[72] A comprehensive list of these factors includes: the degree of centralization of the state; its electoral system; the functional separation of powers between the branches of government; the sophistication of a state's bureaucracy; the degree of institutionalization of direct-democratic procedures; and the type of enforcement tactics utilized by the state in dealing with protestors.[73] The second category, elite alignments, examines the political party or parties in power and any long standing alliances that these parties may have with movements or other organizations.[74] Elite allies, the third category, studies the presence or absence of allies for social movements among the individual governing elites.

Within these broad categories, depending on the political environment of a given system, certain elements of POS will be more relevant than others. For example, in a military dictatorship, the variable of "repressive tactics" would be more significant than the type of electoral system present in the country. Due to the richness of variety in what POS can explain, a student needs to determine the subject of her case study. It then becomes easier to establish "which dimensions of POS theory are germane to that explanation".[75]

Once the categories of POS have been selected, the second component of the theory needs to be addressed, namely what the POS in question is meant to determine.

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[71] McAdam 24-29.
[72] Gamson and Meyer 278.
[73] Kriesi 171.
[74] McAdam 27.
[75] McAdam 30.

The Dependent Variables of POS

The dependent variable of POS has evolved over the last thirty years. Eisinger proposed that the political opportunity structure of a local government could predict the incidence of protest. His findings indicated a "curvilinear model" of protest occurrence, which predicted that a system would have to be a mix of both open and closed opportunities, in order for protest to occur. Eisinger concluded that protest occurred most frequently as the system began to open up - resulting in a curvilinear relationship between the political environment and the levels of protest, as "the pace of change [did] not keep up with expectations".[76]

Throughout the 1970's and 80's, American scholars explored the potential of POS as a determining factor in the emergence of social movements, not simply on the urban level but at the nation state level as well. However as the theory evolved, the idea that the POS of a state predict the emergence of social movement activity came to be increasingly questioned. In his later work, Sydney Tarrow openly contested the ability of POS to predict the emergence of social movements in his critique of Alexandre de Toqueville's analysis of France and the United States. In this work, Tarrow demonstrated that social movements emerged in each country, regardless of their respective opportunity structures.[77] After an analysis of the various approaches to POS theory over the past three decades, it has been suggested that POS' role of predicting the emergence of protest has been "exaggerated"[78] and the use of POS' dependent variable has shifted towards other pursuits. By the late 1980's and early 1990's, European scholars and those trained in Europe began to explore the possibility that the dependent variable of POS could be protest strategy and movement success, rather than the emergence of movements. In their application of cross-sectional comparisons of new social movements in different nation-states, these scholars

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[76] Eisinger 15.
77 Tarrow "States and opportunities: The political structuring of social movements" " in Comparative Perspective on Social Movements, eds. Doug McAdam, John D. McCarthy, Mayer N. Zald (New York: Cambridge University Press 1996) 48-49.
[78] McAdam 33.

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proposed a new role for POS.[79] Most recently, a growing interest has developed in using POS to

determine what *form* a movement will take in its attempt to push its demands on governing

powers.[80] There has also been a call for more studies on using POS as the dependent variable

itself, in an attempt to discern how the POS of a political system is affected by movement

strategy.[81]

To date, the debate continues as to what exactly POS is meant to determine. Often a point

of confusion to critics of POS theory, a system's POS contains longer-term structural categories

and its more fluid, short-term elements.[82] By distinguishing between these different elements, we

are able to see that POS theory contains three dependant variables: 1) movement behaviour, 2)

movement success and 3) government power.

Movement Behaviour

The individual elements that POS can determine become clearer if we separate the more

structural from the more fluid components of POS. The formal institution structure has been

classified as the most "stable" of POS' factors in determining movement behaviour.[83] Institutional

channels for direct democracy, the electoral system, and the sophistication of a system's

bureaucracy are all relatively constant factors that almost always outlast governments. Barring a

long term change such as the permanent establishment of a third party like the Greens in Europe

or in extreme cases, a social revolution, the formal institutional structure of a system remains

unaltered from election to election.[84] With the stability of this section of POS comes the

prediction of the methods and strategies that movements will adopt in their mobilization.[85] If

there are channels of direct democracy in place, movements will access these. If the legitimate

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[79] For an example of this scholarship, please see Hanspeter Kriesi et al.

[80] McAdam 29.

[81] McAdam 35-37.

[82] Koopmans 69.

[83] Gamson and Meyer 281.

[84] Kriesi 173.

[85] della Porta and Diani 202.

option exists to run as a political party in order to access the system, protesting groups will be more likely to choose this route than that of social revolution.

Movement Success

The institutional openness of a system cannot, however, offer much in terms of predicting the success of movements. To say that a system is open means that it is open to everyone. Whether they are corporate lobby groups, special interest organizations, urban social movements or powerful individuals, each group has a chance to infiltrate the system through the structural channels provided to them.[86] The dispersal and decentralization of power do not necessarily lend themselves to the success of social movements either, for similar reasons.[87]

Particularly in instances where opportunities in the formal sphere are limited or non existent, it is a system's configuration of power - a term used to describe the inner workings of party politics and the behaviour of elites[88] – that ultimately determines which movements will have their demands acted upon by the government. Whether or not movements have a particular ally in the elite decision making circles of their government, or whether the reigning political party has traditional ties to their cause, are two factors that usually determine the ultimate success or marginalization of social movements.[89] Although elite allies are always important to the success of social movements, they are crucial in instances where few opportunities exist for movements to influence government decision making.

The third dependent variable of POS has less to do with movements and more to do with the system that they seek to challenge.

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[86] della Porta and Diani 199.
[87] della Porta and Diani 200.
[88] Kriesi 180.
[89] della Porta and Diani 214.

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Government Power

One of the most important aspects of POS theory is the correlation that has been drawn between a government's capacity to pass policies in an efficient and rapid manner, and the level of opportunities presented to social movements in both informal and formal spheres. This point is illustrated through the example of "weak" versus "strong" states. Weak states have been credited with providing many opportunities to outside groups to shape public policy, however they are frequently unable to pass their policies in an expedient manner. Strong states, although lacking in these same opportunities, are more capable of passing policies of their choosing.[90] This element of POS can also be understood via the "the pluralist concept" of social movements. Although many points of access to the decision making process of a system indicate an open system, this access in turn weakens the executive decision making powers of a government and reduces its capacity to implement policies quickly without broad consultation and compromise on all sides.[91]

Constructing the Template

In deciding on an appropriate POS template, I have followed the example of other POS scholars by adapting the three broad categories outlined above to the particular circumstances of my case study. However, as these categories tend to be lacking in specific variables – for good reason as these categories are not meant to represent an invariant template but rather a set of theoretical sign posts for students of POS- I draw on categories designed for use at the municipal level as well as additional factors that have been introduced over the years that are applicable to the POS of local governments.

Elements Left Out

When working with political opportunity structure, it needs to be acknowledged that the theory cannot account for every reason behind movement behaviour and success, nor is it the sole determinant of government power. Therefore it is important to acknowledge several factors that

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[90] Kriesi 172.
[91] della Porta and Diani 197.

were not accounted for in this study but potentially played a role in the decision of the 1999-2002

Vancouver City Council to adopt a policy that favoured supervised injection sites. The following

factors were not included in the study due to the fact that POS theory is meant to focus on state-

centred variables: the media[92]; the culture of the city of Vancouver; and the actions of the

provincial and federal branches of government.[93]

The Template

A. The Formal Institution Structure	B. The Configuration of Power
1. Territorial Decentralization	1. Elite Alignments
2. Separation of Powers	2. Elite Allies
3. Electoral System	
4. Sophistication of Bureaucracy	
5. Direct Democracy	

Formal Institution Structure

Territorial Decentralization

Evidently the more decentralized a system's government, the more levels of government

there are available for challengers to access. Federal states "process the most challenging

elements out of popular politics"[94] due to the many alternative pockets of institutional

participation they provide at their various levels. The fact that municipalities form the lowest tier

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[92] Several of my interview subjects noted the impact that the coverage of the Vancouver Sun had on the general public; as well there were many references to the movie/documentary "Fix", by the mayor, former Councillors, staff members and activists on both sides of the debate. Directed by Netti Wild, the film follows the mayor and key activists in favour of supervised injection sites during the two years while the "harm reduction" oriented movements and counter movements were at their height of protest. Please see: *Fix: Story of an Addicted City*, dir. Nettie Wild prod. Nettie Wild, Besty Carson and Gary Marcuse, 92 min. Canada Wild Productions. 2002.
[93] It is fair to assume that the interactions between the different levels of government played a role in the adoption of the policy by Vancouver's City Council, such as when the Minister of Health, Alan Rock, gave vocal support to the Mayor's advocacy of harm reduction strategies for Vancouver. Please see: David Carrigg "Church Previewing Safe Injection Site" The Vancouver Courier On-Line Monday, April 08, 2002). http://www.vancourier.com/042102/news/042102nn3.html
[94] Tarrow "Political Opportunities and Constraints" 81.

of government in Canada plays a significant role in predicting the type of interactions between urban social movements and their local governments.

Separation of Powers

The separation of power between the judicial, executive and legislative branches of government provides more points of access for protestors, as seen in Canada where, although our executive and legislative branches are fused, activists have often used the courts of an independent judiciary to overturn laws passed by Parliament. Municipally, this section examines the separation of powers between the branches of local government. In Vancouver's case, this includes the composition of City Council, the role of the Park Board and the School Board, as well as the channels of appeal at the municipal level, such as the Board of Variance.

The Electoral System

The electoral system of a state is a key component to understanding its political opportunity structure. Variables such as the difference between warded and at-large systems and the absence or presence of political parties often determine whether certain movements have a voice in government. Also noteworthy is the significance of systems of proportional representation vs. representation by population. Proportional representation provides an additional avenue for movements who chose to run as political parties themselves, as it enables smaller parties to win seats in the legislature via the popular vote, rather than being restricted to trying to win seats based on individual constituencies.[95]

The Sophistication of the Bureaucracy

Several POS scholars have linked a high degree of internal coordination and sophistication of a government's bureaucracy with a lack of reliance on external resources, such as those provided by social movements. The variable of the bureaucracy is a key element of a

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[95] Kriesi et al 29.

system's POS in cases where the local government relies on its civil service for both policy advice and the administration of those policies.

Direct Democracy

The number of direct democratic initiatives in place in a particular system speaks to the level of direct access citizens possess in terms of state decision-making. Examples of direct democracy include referendums, and "citizens' initiatives".[96] The direct democratic procedure element of a municipality is easily determined through its city by-laws. However, additional clauses added by municipal or other levels of government, often indicate whether or not the results of a referendum are binding and therefore whether or not they are true measures of direct democracy or merely lip service to the idea.

Capacity and Willingness to Use Repressive Tactics

It has been demonstrated that tolerant, selective and softer forms of law enforcement promote peaceful public protest. On the other hand, repressive and hard policing tactics encourage more radical fringe-like movements and the use of violent tactics.[97] This element of a city's formal institution structure is determined by looking at the amount of control a city's government has over its police force and the city's policing culture. The city's policing culture can be determined by looking at the provisions in place to regulate policing in Vancouver and in Canada. This culture can be verified by examining interactions between police and activists, and what impact those interactions have on the protest strategies chosen by groups.

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[96] Kriesi 171.

[97] Donatella della Porta "Social movements and the state: Thoughts on the policing of protest" in Doug McAdam, John D. McCarthy, Mayer N. Zald *Comparative Perspective on Social Movements* (New York: Cambridge University Press 1996) 90.

The Configuration of Power

The Elite Alignments of the Political Organization in Power

This category looks at the ties that between political parties and outside groups and organizations. Elite alignments can result in longer-term opportunities for certain groups.[98] Examples of elite alignments can be found in the traditional alliances of Labour with the Democratic Party in the United States, or with the Social Democratic parties of Europe.[99] This category of POS can be determined at the municipal level through the use of elite interviews, and a review of the traditional alignments of Vancouver's municipal parties.

A Presence or Absence of Elite Allies for Social Movements

As noted above, the presence or absence of elite allies can spell success or failure for the goals of a social movement. The relationship between elites and movements holds benefits for both sides. Often elites can seize opportunities created by protestors, in efforts to become the voice of contemporary society.[100] Likewise, if a division occurs between ruling elites, movements can strategically back one of those elites, in exchange for the advancement of their interests in government decision-making.[101]

It has been noted that "protestors on their own seldom have the power to affect the policy priorities of the elite".[102] There is always significant variation between an elite's treatment of different individuals or movements. Therefore, even if a system's POS is relatively open to all actors, in reality, the system is more open to certain individuals who are aligned with its political elites.[103] In systems that have a closed POS, it is *vital* for movements to have contacts and allies "on the inside" if they wish to influence the decision making of their government.

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[98] McAdam "Conceptual Origins, problems, future directions" 27.
[99] Kriesi 181-182.
[100] Tarrow "Political Opportunities and Constraints" 88.
[101] Tarrow "States and opportunities: The political structuring of social movements" 56.
[102] Tarrow "States and opportunities: The political structuring of social movements" 51.
[103] Tarrow "States and opportunities: The political structuring of social movements" 51.

Like elite alignments, whether or not certain social movements had allies in the decision making circles of the Vancouver City Government during the time period of study can be determined through the elite interviews. However, the theory of framing processes teaches us that perception is a powerful element of social movement theory. Although certain movements may believe they have an ally in city hall, that belief alone does not substantiate such a claim. Therefore the claims of activists must be cross-referenced with those elites with whom the activists claim an alliance.

The Typologies of POS

Over the last three decades depending on their number and type of political opportunities, political systems have been classified under different typologies, ranging from the simple to the complex. To classify Vancouver's POS, I have used the original three categories of POS set out by Eisinger; Open, Partially Open and Closed, accompanied by a detailed description of the system's opportunities or lack thereof. Over the years, several scholars have attempted to create more complex typologies of POS such Hanspeter Kriesi's four category system based on the formal and informal opportunities of a country's POS.[104] However, as Eisinger's typologies were modeled after the less complex system of a local government, they have been adopted for the purposes of clarity and simplicity, qualified by a detailed description of the system's specific political opportunities.

Open Systems

In open systems movement behaviour is likely to result in groups accessing the formal and informal channels of opportunity available to them without having to resort to extra-parliamentary forms of protest. Under an open POS, the success of movements would not depend solely on elite allies and elite alliances but also on the use of opportunities such as referendums and participation in public policy formation. Finally, in open systems the power of governments

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[104] Kriesi 175-177.

is reduced as elites can be forced to take into consideration a plethora of public opinion before passing a policy by virtue of the opportunities available to challengers.

Closed Systems

In systems of closed POS there are little-to-no formal or informal opportunities for protestors to access government decision-making. This inevitably leads to groups voicing their demands by means of public demonstrations such as marches, picket lines and rallies, as no other channels of opportunity exist for groups to access. In closed systems success hinges on whether or not groups possess elite allies within the system. Likewise, in systems of closed POS governments retain the power to pass the policies of their choosing.

Partially Open Systems

Predictably, the POS of most systems will fall somewhere between the categories of open and closed. Eisinger, working with three variables, classified cities as partially open when they exhibited only one or two variables. As my template contains more variables than Eisinger's, it becomes more difficult to determine what constitutes a POS as being partially open and in turn, what a partially open POS entails. By virtue of the fact that it contains a modest set of variables compared to those needed to analyse the POS of a regional or national government, if the POS of a city is found to be evenly mixed, movement behaviour, movement success and government power can be determined by looking at the individual categories of the POS template.

All Systems

It is important to recognise that the POS of a system alters slightly for each movement that attempts to access it. The most open system can still remain closed to certain movements such as those that seek to overthrow the system or threaten the rights of others, while closed systems can contain more openings for certain movements depending on who is in power. Therefore when assessing the effect of a city's POS on its urban social movements, it is important to take into account the specific goals and make-up of the movements in question.

Vancouver

The decision to back the implementation of a safe injection site in Vancouver was made by the city's government in the spring of 2002. Leading up to this decision, there had been a large grassroots initiative aimed at providing more services for the drug-using population of Vancouver's downtown eastside. At first glance, the POS of Vancouver appeared to be fairly open. A series of public hearings and community workshops were held on the topic of a drug policy for the city of Vancouver, which were followed by the eventual adoption of a harm reduction based drug policy. However, as chapter three of this thesis will demonstrate, upon closer examination the opposite was found to be true. When applied to the POS template, it became evident that Vancouver possessed a closed system of political opportunity, leading to the surprising conclusion that Vancouver's City Council ratified the implementation of a safe injection site because its system was closed, not open, to the demands of outside groups.

CHAPTER 2
METHODOLOGY

Research Objectives

The intent of my research was to map the political opportunity structure of Vancouver

between 1999 to 2002, in order to understand the relationship between the city's local

government and its urban social movements. Chapter one reviews the theory of political

opportunity structure, examines its evolution over the last thirty years, and addresses the critiques

of POS theory, including its short-comings and a more general constructivist-based critique.

Working with POS theory, I was able to construct a theoretical template which established the

guidelines and parameters of my research. As no one has attempted to map the POS of Vancouver

during the time period of my study, it was necessary to obtain a great deal of my data through

primary sources.

Data Collection

The means of collecting data for this project were twofold. The first was through the

analysis of city documents, unpublished papers and reports, and the Vancouver Charter,

combined with a brief literature review on relevant and empirical material related to my case

study. Augmenting these sources was a large number of personal documents provided to me by a

member of the 1999-2002 Vancouver City Council. This documentation consisted of confidential

Council meeting minutes and internal memorandums exchanged between Councillors, the Mayor

and City Staff. The information provided by these confidential documents helped corroborate the

statements of a number of my interview participants regarding the conflict between members of

Council and the Mayor. As Bruce L. Berg notes, the use of personal documentation such as

memorandums and unpublished reports are frequently underestimated in their literal value due to

their subjective nature.[105] However, the subjectivity of these documents gives the reader a unique view into the dynamics of Council that the public does not see, showcasing elements such as the division of elites and the degree of influence the city's staff had on the policy passed by Council.

The second way data has been collected for this thesis was by conducting a series of elite interviews with local politicians; city employees and the leaders of past and present local urban social movements. This component of my research included recording and transcribing 25 interviews over a two month period.

Elite Interviews

Selection of Interview Participants

I restricted my interview participants to the three categories: city politicians; the city's staff; and members of urban social movements on both sides of the safe injection site issue. As these interviews were elite based, I interviewed only elected officials, senior staff or staff that had had direct involvement with the downtown east side and the city's adoption of harm reduction policies, and leaders or key organisers of USMs. Although elites are generally defined as experts on the subject area who "regard academic investigations as fruitful and valuable to society as a whole,"[106] as Emmanuèle Cladie Sabot explains, elites can also be defensive and unwilling to be frank or candid with the interviewer.[107] Thankfully, I encountered this problem with a relatively small number of my 25 participants. Some of the politicians with whom I spoke tended to skirt around the issue of divisiveness in the former city council, even though it was well publicized in the media and acknowledged by other Councillors and the former Mayor. It is at these times when the researcher wishes she could "corroborate what can be read between the lines with

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[105] Bruce L. Berg "Qualitative Research Methods for the Social Sciences" 5th ed. (Long Beach: Pearson Education Inc., 2004) 255.
[106] G. Moyser, and Wagstaff, M., *Research Methods for Elite Studies*, (London: Unwin Hyman, 1987).
[107] Emmanuèle Cladie Sabot *Dr Jekyl, Mr H(i)de: the contrasting face of elites at interview*. Available online 5 October 1999. http://www.sciencedirect.com/bib12#bib12

spoken discourse".[108] However, for the most part the interviewees appeared open and honest, and divulged information that usually exceeded my expectations and provided a tremendous amount of insight into the issue. I believe that this honesty stemmed in part from their assured anonymity, their desire to tell their story, and their appreciation of the scholastic nature of my research.

The Politicians

The selection of interview participants was based entirely on non-probability sampling; however, the three subject groups were selected in three different ways. In terms of political figures, I was extremely fortunate to obtain interviews with all ten Councillors and the Mayor of the 1999-2002 Vancouver City Council. Initially, I had not counted on obtaining interviews with the entire Council; indeed, I had hoped to speak with four or five former Councillors at the most. However, after many phone calls, emails, circular conversations with assistants and answering machines, all of the former Councillors and the Mayor consented to be interviewed. I am grateful to these former and current politicians who welcomed me into their homes or who, as in the case of the former Mayor, walked over to my office to be interviewed.

The Staff

When deciding on the selection of City Staff for my interview, I only knew that I needed to interview Donald McPherson, the city's Drug Policy Coordinator. McPherson is the author of "A Framework for Action," the policy paper advocating a harm reduction approach to Vancouver's drug problems that was eventually adopted by Council as the City's drug policy. However, I was unsure of who to interview beyond McPherson. I decided to use the "snowball sample" technique to select my participants from this group. This type of sampling involves

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[108] Cladie Sabot *Dr Jekyl, Mr H(i)de: the contrasting face of elites at interview*. Available online 5 October 1999. http://www.sciencedirect.com/bib12#bib12

identifying a few individuals who are known as relevant research subjects, and then asking them to identify others who are germane to the issue of study.[109]

As McPherson proved difficult to contact, my first interview was with a staff member who had worked as a Community Organizer in Vancouver's downtown eastside during the height of the safe injection site controversy. This participant provided the names of the senior staff members involved with the various aspects of the City's drug policy. I succeeded in obtaining interviews with all the Staff members the participant had identified. These participants in turn identified several more staff members with whom they thought I should speak, however I was less successful in obtaining interviews with these individuals. Some staff did not return my repeated phone calls while others informed me they were too busy for an interview. In total I interviewed six members of Vancouver's staff, including Donald McPherson and Dr. Ann MacAfee who is currently the co-head of Planning for the City of Vancouver. Of all staff members named, Dr. MacAfee was the only one *not* involved in the issue of the downtown eastside or harm reduction policies. However, as she has worked for the city of Vancouver for the last 28 years and holds one of the Planning Department's most senior positions, her interview was useful in obtaining information on the organization and sophistication of Vancouver's bureaucracy.

Urban Social Movements

In choosing which urban social movements to include in my study, I relied upon a triangulation approach.[110] This involved asking City Staff and the elected officials the following question: "Are there any local movements/groups in particular with which you associate the demand for the implementation of safe injection sites in Vancouver... Or in opposition to them?"

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[109] Berg 36.

[110] One exception to this was the first activist interview I conducted in December of 2003. Ann Livingston, the project coordinator for VANDU was well known as being at forefront of the call for safe injection sites and had been slated from the beginning as one of my interview participants.

This method was used, as Berg notes, as "a means of mutual confirmation of measures and validation of findings" and is derived by employing multiple lines of sight.[111]

After coding the results of the interviews, I came up with a ranking in descending order of the frequency in which the movements were mentioned. Beginning with City Staff, they named the following organizations as being in favour of harm reduction and safe injection sites: The Vancouver Area Network of Drug Users (VANDU); the Portland Hotel Society (PHS); the Carnegie Action Project (CAP); and From Grief to Action. Those opposed were: the Community Alliance (CA); The Gastown Business Improvement Association (BIA); The China Town BIA.; and "People from Strathcona."

The mayor and former City Councillors' list of those groups in favour included: VANDU; From Grief to Action; the Downtown Eastside Residents' Association (DERA); the PHS and CAP (tied for last place). For the groups opposed to harm reduction, the former politicians named: the CA; the Chinese Merchants Association; and "various groups within the Chinese Community".

I started to contact the organizations named in order to obtain interviews. Every organization agreed to talk to me except for DERA. I spoke with two separate people at DERA who were unsure of what role their organization played in any facet of the push for safe injection sites. They had recently come under new management and indicated that they would contact me if they felt they could help me. After attempting to contact them several times after that, I never heard from them again. Therefore, I settled on the other four groups that were most frequently named by both City Staff and Council: The Vancouver Area Network of Drug Users (VANDU); the Portland Hotel Society (PHS); the Carnegie Action Project (CAP); and From Grief to Action.

The groups opposed to safe injection sites were not as easy to select. There was no clear indication of whom to interview apart from the Community Alliance. In considering the USMs

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[111] Berg 5.

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that Staff and Council members had named, I wondered how one would go about interviewing "groups from the Chinese Community" and "people from Strathcona". I decided to begin with the Community Alliance. After contacting one of its former leaders, 1 obtained an interview and queried about leaders of other organizations that had shared views similar to the CA. This individual provided me a list of individuals and associations to contact. In the end, three of these people consented to be interviewed; they included representatives from the Chinese Benevolent Association; the Chinese Merchants Association; and Hastings East Neighbourhood action Group, located in Strathcona.

Finally, in order to determine if the activists themselves agreed with their designation by City Staff and Council, I asked movement leaders to name the groups, apart from their own organization, that they associated with the push for or against safe injection sites in Vancouver. 1 was delighted to discover that the results of this question, posed to activists on both sides of the debate, resulted in findings very similar to the responses of the City Staff and Councillors. Groups identified as in favour of safe injection sites and harm reduction included: VANDU; CAP; PHS; and From Grief to Action. Groups who were identified as being opposed included: the C.A.; "groups in Strathcona"; the Chinese Merchants Association; and "groups within the Chinese community".

The Criteria of USMs

As illustrated in the introduction of this thesis, the definition of an urban social movement varies from scholar to scholar. Manuel Castells prescribes a large and ambitious set of criteria for USMs, including that the movement's praxis must include the primary concerns of community culture, collective consumption and political self-management.[112] Warren Magnusson describes local movements as "rebels, revolutionaries, resisters and protestors"[113] while Margit

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[112] Manuel Castells 322-323.
[113] Magnusson "Globalization, Movements and the Decentred State" 98.

Mayer has written extensively on movements that choose to carry out their work through municipally sponsored programs.[114]

The groups named by my participants as organizations involved in the safe injection site debate, ranged tremendously in their composition. Groups named by the city's staff, former Councillors and local activists varied from local business associations to a support group for families of drug addicts. However, what each of these organizations had in common was their engagement in the debate, placing themselves on one side of the harm reduction issue or the other, in a public manner. As individual organizations it could be argued that some groups do not qualify as an urban social movement. However, in their networking and coalescing during periods of mobilization, two larger urban movements emerged in Vancouver; one for, and one against new facilities and services for drug users.

In their interviews activists frequently mentioned working with other groups in their mobilization strategies. For example, the participant from the China Town Merchants' Association was also a member of the Community Alliance, and VANDU itself is shepherded by the Portland Hotel Society. Frequently participants mentioned working in coordination with members from other organizations towards the realisation of one ultimate goal. Both sides targeted the government in their demands and protests, and both sides engaged in institutional and extra-institutional means of protest. Therefore, these groups will be studied not as individual urban social movements, but as members of a larger USM that was either for or against facilities for drug users in Vancouver.

Constructing and Conducting the Interviews

Before undertaking my elite interviews, I constructed three unique sets of interview questions for each of the three participant groups. It was necessary to have three separate sets of interviews in order to obtain different information from each group. Although similar themes

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[114] Mayer "The Career of Urban Social Movements in West Germany" 166.

were present in all three of the sets of interview questions, it was more practical and less time

consuming to ask those questions that pertained directly to the interview subject.[115] Working

from a deductive perspective based on the theory of political opportunity structure, I based a large

number of my interview questions on the short-term opportunities of POS; the elite alignments

and most especially, the elite alliances. Although the portion of my POS template that refers to

the formal institution structure can be completed through document analysis and a survey of the

city's policies and past experience with direct democratic initiatives, I included as much of the

longer-term opportunities as I could in my interviews. I was interested in obtaining the opinions

of the politicians, City Staff and occasionally, the activists on subjects such as the sophistication

of the city's bureaucracy and the relationship between Council and Staff.

As the interviews progressed, I found it more useful to allow the flow of conversation to

move beyond the set questions of my interviews, so that my subjects could articulate themselves

in a manner that they felt was necessary. Although I always returned to my original list of

questions, I encouraged my participants to elaborate on other topics that I felt were important.

This use of unscheduled probing[116] led to information that enriched this study and usually pointed

to new sources of information.

Confidentiality and Ethics

Because my interviews were recorded, I worked on the basis of implied consent. As

Bruce L. Berg notes, this type of consent is consistent with informed consent slips in areas where

subjects may be hesitant to take part in a study as the form requires both their signature and their

name.[117] Each interview began with an outline of the goals of the interview, requesting

permission to record the interview, and offering confidentiality to the subject in accordance with

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[115] See appendix 1-3 for lists of the interview questions.
[116] Berg 81.
[117] Berg 65.

the Ethics Review Board of Simon Fraser University.[118] Requests for confidentiality were made

by only half of my participants; a situation that presented the minor obstacle of concealing the

identities of certain participants. I can reveal the names of individuals such as Donald McPherson

and Philip Owen as the disclosure of their identities would not expose other subjects who wished

to remain anonymous. However, problems persisted with protecting the identity of certain City

Councillors. Because there were only ten Councillors, it would be possible to guess their

identities as only half of them chose the option of anonymity. Therefore, in order to safeguard the

identities of those who requested anonymity, I was forced to conceal the identity of all

Councillors. Likewise, since only one of the activists opposed to harm reduction measures

consented to the use of his/her name, none of the activists in this group will be named either.

Data Analysis

As noted I conducted 25 elite interviews, which amounted to roughly 90 hours of

transcription and close to 400 pages of transcribed material. Due to the large amount of raw data

obtained, I used the software program NVivo as a qualitative coding device. As Berg explains,

content analysis of qualitative data, such as interview transcriptions, serves to "identify, organize,

index and retrieve data."[119] Although there have been concerns raised with computer programs

used to do qualitative analysis, most notably a distancing of the researcher from the data and an

encouragement to abandon the detailed case study for one of less depth and larger scope,[120] I

experienced neither of these problems. Instead, I found that using a computer program merely

sped up the coding process as I was able to categorize my data in an efficient and expedient way.

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[118] Please see appendix 5.
[119] Berg 269.
[120] Nigel. Fielding and Raymond M. Lee *Computer Analysis and Qualitative Research* (London: Sage Publications Ltd., 1998)73-79.

A Single Case Study

It needs to be acknowledged that the work of this thesis constitutes only a single case study based on the arguments of a prominent social movement theory. Although I have addressed the constructivist critiques regarding a structured theoretical approach at length in the preceding chapter, the fact that my work and conclusions are based on a single case study must also be addressed.

As Barbara Geddes writes, single case studies, despite the numerous caveats attached to them by their authors, often gain greater academic weight than they deserve.[121] The problems with single case studies are widely known. Generally they are criticized for drawing conclusions that the relationships between the selected set of variables reflect the relationships within the entire population of cases,[122] as well as causing the researcher to modifying her arguments to fit the circumstances of the case study.[123] In other words, the potential problem of causal inference in single-case studies remains impossible to ignore.[124] King, Keohan and Verba conclude in their research that single case studies are not useful techniques for testing theories or hypotheses due to the possibility of alternative explanations; the occurrence of random and unpredictable events due to the indeterminist nature of our world; and the possibility of measurement error.[125] The authors instead place the importance of single case studies in their role as part of a larger "research program"[126] and argue that if single-case studies are conducted by two or more researchers, the gathering of data in a "systematic and comparable manner" may result in a valid causal inference.[127]

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[121] Barbara Geddes *Paradigms and Sand Castles* (Michigan: University of Michigan, 2003) 90.
[122] Geddes 92.
[123] Geddes 95.
[124] Gary King, Robert O. Keohane and Sidney Verba *Designing Social Inquiry* (Princeton: Princeton University Press, 1994) 208.
[125] King, Keohane and Verba 210-211.
[126] King, Keohane and Verba 211.
[127] King, Keohane and Verba 211.

This study is based on the City of Vancouver, specifically during the time period between 1999 and 2002. It was selected as the object of study both for its proximity and subsequent access to city officials and local activists, but primarily for the fact that it represented an example of a local government initiating a policy with global ramifications. Perhaps because of the particular nature of the issue I have chosen to study, there may be alternative explanations to the nature of the relationship between Vancouver's local government and the city's USMs regarding the safe injection site decision. Perhaps when local governments adopt policy that requires stretching and exceeding their traditional jurisdictions, the general rules dictated by their political opportunity structure do not hold sway. Apart from this possibility, there are indeed explanations for why the Council of 1999 adopted a drug policy complete with harm reduction measures outside of the institutional framework and the elite alliances of the city government and its activists. These factors, acknowledged in the previous chapter of this thesis, are recognized as important and merit further study in their own right. The focus of this study, however, remains on the interactions of local movements and the municipal government of Vancouver.

Addressing the authors' second concern, the fact that a radical policy passed from a government known for its centre-right alignments does suggest a certain level of randomness. However, I will attempt to apply my theory to the scenario nonetheless in order to see if indeed the actions of the government correspond to the POS of Vancouver. If they do not, then perhaps the scenario does represent a fluke, or more likely the theory is not applicable. Either way this will be determined by matching the empirical evidence of the case study to the categories of my POS template.

Finally, measurement error is a probable factor in any study and this paper is no exception. However King et al's solution to this problem is through aggregation after multiple case studies.[128] It is hoped that this case study can contribute to such an aggregation.

The conclusions of this paper will be drawn from the facts obtained through my research, recognising the limitations of the sample's size and the possible flaws within the research. As outlined in my introduction, it is hoped that this study can contribute to a body of literature, seeking to compare the interactions between Canada's cities and their respective urban social movements, as my template was devised to measure the POS of any Canadian local government. It is hoped that such studies will take place in the future, and that this thesis may be a useful contribution in that regard.

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[128] King, Keohane and Verba 210.

CHAPTER 3
VANCOUVER'S
POLITICAL OPPORTUNITY STRUCTURE

Vancouver's Formal Institution Structure

The theory of political opportunity structure contains two distinct yet interlinked

elements. The formal institution structure examines the formalized, long term opportunities for

movements, whereas the configuration of power looks at the informal opportunities for

movements that span a shorter time frame. The purpose of determining a system's POS is: a) to

enable the prediction of certain types of movement behaviour; b) to understand the likelihood of

success for any specific urban social movement in having its demands addressed by the system's

politicians and its policy makers; and c) to see how much power the government retains in order

to pass the policies and laws of its choosing. Through the use of public documents, interviews and

relevant literature, the following is a detailed look at the opportunity structure of the City of

Vancouver during the period of 1999-2002.

Territorial Decentralization

Federal systems with their multiple layers of government, bureaucracies, and courts,

provide numerous channels of formal opportunity to protestors, helping eliminate a great deal of

extra-institutional means of protest. The Canadian federal system is no exception to this rule,

providing three levels of government, two with constitutionally entrenched powers.[129] POS

theorists have noted that the closer a decision making body is to its citizenry the easier it will be

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[129] Only federal and provincial governments are recognized as having constitutional powers in Canada. Local governments in Canada remain under the legal jurisdiction of the provincial governments. Please see: William R. Young Municipalities, The Constitution, and the Canadian Federal System (Ottawa: Library of Parliament, 1991) 2-3.

for movements to gain access to this body.[130] The two aspects of this statement speak to both the type of movement behaviour expected at the municipal level, and the reason the local government of Vancouver would have been a main target for USMs.

In terms of proximity, the opportunities at the local level of government in Canada are the greatest, providing a high level of accessibility to local politicians. K.A. Graham and S.D. Phillips note that average citizens can make presentations at city council meetings, and that under most circumstances these meetings are open to the public. They add that, in Canada, angry citizens will seldom hesitate to call their local Councillors to ask them a question or raise a concern.[131]

Whether or not local governments are recognized as a legitimate decision-making body remains the subject of an on going debate. As noted in the introduction to this thesis, an increasing number of local governments continue to step outside of their traditional roles in order to affect social change. This changing role of local governments promotes the idea that activists will recognize their local government as a legitimate decision-making body and as a suitable target of protest.

Subsequent Opportunities and Movement Behaviour
The combination of accessibility and perception of power at the local level made the city of Vancouver a useful target for protest, even to those groups whose demands required the City to take actions that exceeded its formal powers as a municipality. Examples of subsequent behaviour of USMs in relation to the decentralization of power in Canada would have been the petitioning and lobbying of elected officials through personal meetings between Councillors and activists as well as presentations at Council meetings.

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[130] della Porta and Diani 197.

[131] Katherine A. Graham and Susan D. "Issues for Local Government" in *Lessons in Participation from Local Government* eds. Katherine A. Graham and Susan D. Phillips (Toronto: IPAC, 1998) 5.

Separation of Powers

A genuine separation of power within a government translates into an increased number of opportunities for movements. The greater "division of tasks" that exist between the executive, legislative and judicial branches of government, the more channels of opportunity there are into a political system.[132] Incorporated in 1886, the Vancouver local government is currently comprised of 27 elected local representatives. These officials include: 1 mayor; 10 City Councillors; 7 Park Board Commissioners; and 9 School Board Trustees. All of these positions represented divisions of power within the 1999 Vancouver City Government.

The Park Board and the School Board

The Park Board's powers are outlined in section 489 of the Vancouver Charter, which describes how the Board is responsible for decisions regarding the city's parks. Technically speaking, the Board receives this power from City Council, which also sets its global budget.[133] Vancouver's School Board is a provincially managed, municipally elected body that is in charge of policies related solely to public education.[134]

In response to interview questions directed at understanding the relationship between these two entities and the City Council, every Councillor including the Mayor replied that apart from initial funding relayed to the Park Board from the City's coffers, the two boards were autonomous in their decision-making. As the former Mayor noted:

> Park Board is an elected Parks Board. I'm told people say it's the only elected Parks Board in North America. There probably are some similar, but most of them are appointed by Council - Council appointed, and so they're separately elected. Council basically just gives them a budget, you know, 80 million bucks a year and they go run their operation and School Board is separately elected and they answer to the Minister of Education in Victoria, so Council has no influence over the School Board whatsoever and very little over the Park Board.[135]

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[132] Della Porta and Diani 198.
[133] The Vancouver Charter. Sec. 498 http://www.qp.gov.bc.ca/statreg/stat/V/vanch_23.htm#section498
[134] Vancouver School Board "Board Info" www.vsb.bc.ca/board/default.htm (accessed April 12, 2003).
[135] Philip Owen (Former Mayor of Vancouver) interview by author, January 8th 2004.

The autonomy of these boards indicates a genuine separation of powers and suggests that activists would have targeted these separate branches of the municipal government - if their concerns related to the city's parks or its schools.

The Vancouver Charter outlines the powers of Council in section 145, which states that the city has full reign in terms of any commercial, industrial or business endeavour.[136] Apart from policies dealing specifically with Vancouver's parks or education matters, the City's elected Council does the bulk of policy making in Vancouver.

Powers of the Mayor

Within the Council there exists a partial division of powers. As referred to by several Councillors that I interviewed, Vancouver has a "weak mayor system", alluding to the fact that the Mayor possesses only one vote among 11 in Council. Therefore, in terms of voting on policy, something that is only done when Council sits as a Committee of the Whole, no formal separation of powers exists between the Mayor and City Councillors. However, upon closer examination, additional powers of the Mayor that lie outside of voting greatly distinguish his role from those of the City's 10 Councillors.

The Mayor is responsible for selecting the heads of the various standing committees in Council. The Mayor also makes the discretionary appointments among his Councillors as to who will represent Vancouver on the Greater Vancouver Region District's (GVRD) Board of Directors. As one Councillor described it:

> [In] some other cities the Council decides through a vote who will sit on committees and who the committee chairs will be. Vancouver was quite different because the Mayor had the ability to pick who would be the Directors of GVRD ... Richmond Council voted on their delegate to send to GVRD, in Vancouver we didn't do that, [Vancouver's] Mayor had a lot of power ...[137]

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[136] Vancouver Charter. Sec. 145. http://www.qp.gov.bc.ca/statreg/stat/V/vanch_23.htm#section145
[137] City Councillor, interview by author, January 9th 2004.

Elected into his position on a separate ballot than the Council, the Mayor automatically

gains more media attention and a general public perception of having more power than individual

Council members. The Mayor has his own personal support staff and budget whereas City

Councillors do not, and the Mayor maintains a closer relationship with the City Manager - the

staff person in charge of supervising the entire civic civil service- than any individual

Councillor.[138] As well, the Mayor is head of the Police Board[139] and is therefore privy to more

information regarding the actions of the city's police than Council. Finally, the Mayor is paid

more than twice the amount of money as the city's Councillors, allowing him more time and

resources to dedicate to his job, as compared to Councillors who receive remuneration for a

theoretically part-time position.[140] All of these facts demonstrate an informal separation of power

between the Mayor and Council in terms of resources, power and knowledge.

Powers of Council

Although Vancouver's City Councillors are at a distinct disadvantage in comparison to

the Mayor in terms of staff support[141], remuneration and connectedness to other departments of

City Hall, they do possess one advantage over the Mayor: sheer numbers. Provided that

Councillors choose to act in solidarity, they can outvote the Mayor on policy decisions in

Council. As one veteran Councillor explained:

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[138] City of Vancouver. http://www.city.vancouver.bc.ca/citymanager Thursday December 11, (accessed May 13, 2004).

[139] The Vancouver Police Board is the governing body for the Vancouver Police Department. It is composed of seven members. The *Police Act, Part 5, s.23(1)*, requires that the board consist of the Mayor, who is designated as chair, one person appointed by the municipal council and not more than 5 persons appointed by the Lieutenant Governor in Council. (LG in C). The LG in C appoints board members based on recommendations put forward by the Attorney General, after consultation with the Director of Police Services Division. The local Board, municipal government and community can submit names of candidates. Board members are chosen to reflect the demographics of the community and are persons who have demonstrated that they can act in the best interest of the community. The Police Services Division commenced a revised selection and appointment process in 2000. Board members are appointed to a term not to exceed four years, although they may be re-appointed. They cannot hold office for more than six consecutive years. For more information on the members of the Vancouver Police Board between 1999-2002, please see appendix 6.

[140] "Mayor and Council" http://www.city.vancouver.bc.ca

[141] Patrick J Smith and Kennedy Stewart "Unaided Politicians in Unaided City Councils: Explaining Policy Advice in Canadian Cities" (Vancouver: British Columbia Political Studies Association Conference, 2004) 11,14.

...each of the Councillors including the Mayor only has 1 vote. So there were 11 of us and the Mayor has equal votes with the aldermen or Councillors so ah, I think that your influence is partly due to your ability to sway the other members ...it's a matter of rapport with the other Councillors.[142]

In instances of informal divisions of power, as in the case of Vancouver, the chance of outside groups finding an ally within Vancouver's city hall would have increased if disagreement among the government's elites occurred. As Charles Tilly writes, dividing elites can have two effects: first, elites can divide over a conflict of power and seize the opportunity to become the voice of the people; secondly they can widen their circle of conflict to outside groups which can then take advantage of these decisions by agreeing to back one of the elites.[143]

Although an informal division of power between Vancouver's Mayor and Council was clear, the importance of this separation is diminished in instances when the Mayor is of the same political party as the majority of Council. A mayor from the same political party as the majority of Council is more likely to side with Council on matters of policy and voting, therefore greatly reducing opportunities for groups to play one power against the other. In 1999, the Mayor of Vancouver and eight of the City's 10 Councillors came from the same political party, thus greatly reducing the possibility of an informal separation of powers between the Mayor and Council.

Branches of Appeal

Generally the term "appeal" is accompanied by the image of courts of law. There is, of course, no municipal branch of Canada's judiciary as Canadian courts of law operate only at the provincial and federal levels. Therefore, if citizens wish to challenge the decisions of Vancouver's local government they must do so in a provincial court. Aside from this step, there exists the Board of Variance, a municipal board that deals with appeals related to land-use planning and certain parking by-laws in Vancouver, as well as the Building Board of Appeal that

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[142] City Councillor, interview by author, January 14th 2004.
[143] Tarrow "States and opportunities: The political structuring of social movements" 56.

hears appeals of any decision of the City Building Inspector.[144] The decisions of both boards are final and binding. It follows then that activists will use these bodies to appeal the decisions of City Council and its bureaucracy if they can connect these protests to land-use planning, parking by-laws or the decisions of Vancouver's building inspector.

It is important to note however, that the make-up of these boards casts their impartiality from the City's government into doubt. The Building Board of Appeal consists of members appointed by the Council, who can in turn be removed at the Council's discretion. The Board of Variance, although partially appointed by the province, still has half of its appointed members named by City Council, while its chair is appointed by the Board's other members.[145] This detail reduces the opportunity provided by these boards of appeal to protestors seeking to challenge the decisions of the local government.

Subsequent Opportunities and Movement Behaviour

In 1999 the power of the Vancouver City Government was divided between its Mayor, its elected Council, its School and Park Boards, and its municipal boards of appeal. All of these appeared to provide opportunities for USMs to influence the policies of Vancouver's local government, until examined more closely. Although the Park and School Boards were virtually autonomous from the City Council, the majority of power in City Hall was vested in Council. Only groups with demands restricted to the spheres of Parks and Education would have found opportunities in the separation of power that the two boards provided. The Council, containing the lion's share of decision-making regarding local policies, contained only an informal separation of power that in itself was diminished due to the fact that the Mayor and the majority of Council belonged to the same municipal party. In order for movements to take advantage of this separation of powers, a serious division between the Mayor and Council had to occur for a

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[144] "Civic Agencies" City Clerks Department
www.city.vancouver.bc.ca/ctyclerk/civicagencies/civicindex.htm
[145] "Civic Agencies" City Clerks Department.
www.city.vancouver.bc.ca/ctyclerk/civicagencies/civicindex.htm

true separation of power to take place within the Council. In Vancouver, if movements saw a division between the Mayor and the Council, they would have sought to ally themselves with whichever side they felt best represented their interest.

Direct Democracy

Graham and Phillips attribute the high degree of openness in municipalities in comparison to other levels of government in Canada to several factors, including the provision of direct democracy. The authors write that it is often commonplace that local governments in Canada provide their citizens with the power to call for a referendum on an issue that they feel is integral to the community.[146] André Carrel defines this process as a group of citizens submitting a petition signed by a significant portion of the population (in Carrel's case 20%) which forces the City to call a referendum on a particular by-law. The outcome of this referendum is subsequently binding on Council, thus giving the citizenry direct control over the decision making of the Council.[147]

In Vancouver no such power was allotted to the citizens. This was left to the sole discretion of the Council as described in section 184 of the Vancouver Charter that states that Council may submit any question for "the opinion of the voters".[148]

It needs to be acknowledged that by 1999, Vancouver contained a strong tradition of holding plebiscites; particularly over the issue of reinstating a ward-based electoral system. However, these plebiscites had been initiated by Council and not citizens. Furthermore, the benign nature of these plebiscites was illustrated in the fact that although Vancouver had held

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[146] Graham and Phillips 5.
[147] André Carrel *Citizens' Hall: Making Local Democracy Work* (Toronto: Between the Lines, 2001) 146-148.
[148] Vancouver Charter section 184. http://www.qp.gov.bc.ca/statreg/stat/V/vanch_03.htm#section184

three plebiscites producing majorities in favour of the reinstatement of the ward system, each

time the finer details of these plebiscites derailed a change of electoral system in Vancouver.[149]

Subsequent Behaviour and Movement Behaviour

Although the city could and had called referendums on subjects such as the reinstatement

of the ward system, there were no opportunities for movements to initiate the route of direct

democracy in Vancouver, as no such measures were in place in the city's Charter.

The Electoral System

It has often been said by scholars of POS theory, that elections often afford as many

opportunities as they constrain[150], a situation that is certainly the case when looking at

Vancouver's electoral system. Although the city had a history of political parties, the city also

contained an at-large electoral system.

The presence of parties at the local level indicates opportunities for movements. If those

movements support the platform of the party in power, their demands are more likely to be

considered than if local candidates have run on a non-partisan basis, representing no set platform

other than their own personal beliefs.[151] At-large systems constrict opportunities for protestors.

Warded systems provide better representation to minority-concentrated and poorer

neighbourhoods than do at-large systems. Groups oriented towards certain neighbourhoods and

populations have better chances in finding an ally with the Councillor representing their area than

in an at-large system where each Councillor holds no formal allegiances to any neighbourhood or

community. Besides decreasing the chance that neighbourhood-oriented movements will find a

particular ally in local politicians, at-large systems can also make things difficult for groups in at

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[149] The circumstances of why each plebiscite was rejected were different. One produced a small majority which the local NPA government refused to acknowledge as a significant majority, another was thwarted when the Province set a threshold of 60% for the results to be considered binding, while the ballot of another contained awkward wording that left the results of the plebiscite open to interpretation. Please see: Kennedy Stewart "Measuring Local Democracy: The Case of Vancouver" *Canadian Journal of Urban Research* 6:2. (December 1997) 175.

[150] Gamson and Meyer 282.

[151] Eisinger 17.

least two other ways: they may impede a party that groups support from ever attaining office, and they may hamper the success of groups that choose to run for office themselves, as political parties or as individuals. Although eligibility for political office at the municipal level is open to the majority of Vancouver's population over the age of 18[152], electoral success is not so easily attained. Effectively, what occurs in an at-large electoral system is the electoral success of the political party[153] or organization with the most cohesive voting group, regardless of whether or not this group comprises the majority of the population.[154] Therefore, a party that continuously runs on a slate that a USM supports will fail to win even one seat if it does not possess a cohesive group of voters. Furthermore, unless they have access to substantial funds, not to mention the additional resources necessary to run a political campaign, organizations seeking to form political parties find their campaign efforts spread overly thin, with the impact of their message diffused.[155] This situation is particularly exacerbated in systems where no limits on campaign expenditure exist, clearing the way for parties and individuals with large amounts of money to outspend their opponents in advertising and promotion; staff support and office supplies.[156]

By looking at the history of Vancouver, an at-large system with no limits on election expenses, we can examine concrete examples of the opportunity structure created by its electoral system. Previously warded, the switch to an at-large system in Vancouver occurred as a result of a provincially forced plebiscite in 1935.[157] The at-large system of Vancouver, combined with the absence of a spending cap on elections, resulted in one party dominating the majority of Vancouver's elections for almost 70 years. By 1999 the Non Partisan Association (NPA) had maintained the most cohesive group of voters throughout the 20th century in Vancouver, with the

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[152] Vancouver Charter Division 5, no. 38.
[153] Not all political organizations in Vancouver consider themselves a party, for example the NPA refers to itself as an organization.
[154] Paul Tennant "Vancouver Politics 1929-1980" *BC Studies*, no. 46, (Summer 1980): 6.
[155] Stewart 171, 160-182.
[156] Stewart 176.
[157] Tennant 5-6.

highest electoral spending of any municipal party in Vancouver.[158] The NPA had held 73 percent of elected positions in the municipality of Vancouver, and endorsed 43 percent of Vancouver's elected mayors.[159]

The only party besides the NPA that had managed to win a majority of Council seats had been The Electors Action Movement (TEAM), a group that had formed its own political party in opposition to the NPA government's policies. Although they claimed to be different in their principles from the NPA, TEAM consisted of upper and middle class citizens with similar core values to those of the NPA's candidates.[160] Evidence of the similarity between TEAM and the NPA can be seen through the party's electoral victory in the 1970's, via the hijacking of the middle to upper-class based, cohesive voting group of the NPA for several terms.[161]

Subsequent Opportunities and Movement Behaviour

Vancouver's electoral system provided few opportunities for movements seeking representation in the municipal government. Although the presence of political parties allowed groups to support the party that best represented their interests, by 1999, Vancouver's electoral system had enabled the almost exclusive reign of a single party in the city for over 60 years. Furthermore, as Vancouver's electoral system lacked wards they also lacked the subsequent opportunities that a warded electoral system would have provided to neighbourhood and community-oriented movements.

Although groups could have formed their own political parties or run independent candidates, as seen with TEAM in the 1970's, the at-large system diminished the electoral chances of all those seeking office except for highly sophisticated, coordinated and well-financed groups. At-large electoral systems require a significant amount of resources in order to reach large populations. Because the municipality of Vancouver contained a population of almost 600

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[158] Stewart 175.
[159] Stewart 170.
[160] Tennant 15-16.
[161] Tennant 18.

000 and no cap on the election expenses of its local parties, opportunities for smaller urban movements seeking political office were severely limited.

The Sophistication of the Bureaucracy

The sophistication of a bureaucracy is linked to the levels of education, professionalism and training of its staff. This degree of sophistication largely determines an administration's relationship with outside groups in the community, and the government for which it works. The more internally coordinated and professional an administrative body, the less points of access to government decision making are available to movements.[162] The logic behind this rule is that a sophisticated and educated civil service does not need to rely upon outside expertise or advice. It also follows that if a system's bureaucracy consists of individuals with higher levels of education and expertise on policy matters than its elected politicians, staff will have a significant amount of influence over the decision making of their government.

Because there is no universal gauge for measuring the sophistication of municipal administrations, this section seeks to demonstrate the general level of sophistication of Vancouver's bureaucracy through a comparison with an unsophisticated administration. Using this comparison, and reviewing the history of Vancouver's administration as well as the comments of senior staff members, it will become clear which opportunities existed for movements during the time period of this case study.

Lima

Hanspeter Kriesi explains how a city's administration needs to rely on outside groups if it does not contain the resources or professionals necessary to run the affairs of the local government on its own. A clear example of such a bureaucracy was that of Lima, Peru in the early 1980's.

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[162] Kriesi 171.

Gerd Schönwälder describes the situation of the 1983 Lima government as desperate. Under the decentralizing themes of a new constitution in 1979, the central government of Peru transferred significant responsibilities such as public health and transportation to its municipalities, without the necessary, corresponding resources.[163] A year after the initial transfer of responsibilities, when some resources were allocated to the municipalities, the funding level was in Schönwälder's words, "barely enough to cover operational expenses as well as the most basic public services". The majority of municipalities in Peru remained unable to hire qualified staff members to operate their administrations. [164] Furthermore, the bureaucracy had been mismanaged for decades. Corrupt and incompetent, the city civil service had been based on clientelism containing only traces of meritocracy.

With the majority of the local population too poor to pay their taxes, and transfer payments all but eliminated, the new municipal government of Lima had few financial resources at its disposal.

Reliance on Outside Groups

Such a shortage of resources Schönwälder notes, "can actually be a blessing in disguise" to outside groups seeking to influence the bureaucracy.[165] In the case of Lima, its local government saw the allocation of certain responsibilities to outside groups as a way of financial survival. However, although an unsophisticated bureaucracy is more vulnerable to the influence of outside groups, whether these groups are social movements, counter-movements or interest groups depends on the senior members of a city's staff and its government. A weak bureaucracy can be influenced by interest groups and private companies as easily as it can by urban social movements.[166] Furthermore certain interest groups can monopolize the relations between the

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[163] Schönwälder 114, 128.
[164] Schönwälder 130.
[165] Schönwälder 131.
[166] della Porta and Diani 200.

bureaucracy and outside groups, providing a blockage themselves to outside access by other groups.[167]

In the case of the Peruvian capital, the 1983 government was left leaning and under the leadership of Mayor Alfonso Barrantes, elected on a mandate to increase popular participation in the local government.[168] Therefore, the Barrantes government chose urban movements as its partners in administration, instead of private corporations. Barrantes sought to take advantage of these groups' organizational structures in order to facilitate the emergency public health program that his administration planned to implement. Barrantes saw these movements, many of them having initially formed as a response to the dire poverty of inner city Lima, as a ready-made social infrastructure – an area where his civic administration was sorely lacking.[169]

Influence Over City Council

The second major component of a bureaucracy's sophistication is the degree of influence it holds over the policy making powers of its local government. It is one thing to have a bureaucracy that is dependant on and open to the advice of outside groups, but equally important is the level of influence that an administration holds over its government. In Lima's case, Peru's 1979 Constitution severely limited the autonomy of its local governments, placing City Staff in subservient positions to the Mayor.[170] According to Schönwälder, it was tradition that upon the election of a new mayor and Council, the heads of the municipal administration tendered their resignations, thus demonstrating the strong political control of Lima's mayor over his public servants.[171] Under the control of a mayor not seeking greater public input into municipal policy, the power of the bureaucracy along with its resources would have been severely limited. In an effort to foster his goal of increased popular participation however, Barrantes made a particular

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[167] Kriesi et al 31.
[168] Schönwälder 121.
[169] Schönwälder 131.
[170] Schönwälder 106.
[171] Schönwälder 119.

effort to delegate some of his own powers to his administration through seven municipal secretariats. As well, he created an administrative subunit designed to promote the participation of USMs in the management of the city's administration. Schönwälder insists that the government, despite its power to micromanage the affairs of its bureaucracy, respected the autonomy of the movements involved in its exercises of popular participation and transferred, at times, almost the entire management of key government policies to its administration and its partner USMs.[172] In the end however, the administration remained at the mercy of the city's elected officials, in particular its mayor, in terms of how much power it had over the running of Lima.

An Unsophisticated Bureaucracy

Although it was assigned a great deal of power by the local government at the time, Lima's bureaucracy was both short of resources and controlled by its politicians, revealing it to have a low level of sophistication and to be dependant on outside influences. This example allows for a comparison between an unsophisticated bureaucracy like Peru and a more sophisticated administration like the City of Vancouver.

Vancouver

Naturally, Vancouver and Lima are difficult to compare: culturally, historically, and politically. Vancouver is a city often ranked the most liveable in the world, in a nation that frequently receives a similar ranking.[173] In 1999 the City of Vancouver employed approximately 9000 workers, 6500 of those were regular, full time staff.[174] The City provides additional training and further formal education opportunities to all city employees who are eligible to participate in a program called CityLearn. This program offers free additional skills training in eight different

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[172] Schönwälder 148.
[173] Rankings according the United Nations' Human Development Index :
http://hrd.org/reports/global/2000/en
[174] Mitch Romanchook (Manager of Staff and Organizational Development for the city of Vancouver) personal communication, May 11th 2004.

areas such as Information Technology training, "Advanced Intensive-Based Problem Solving", and "Effective Report Writing".[175] Furthermore if city employees feel there is no training within the dozens of courses offered through CityLearn, they may informally apply for external training. This external training can range from individual courses to the pursuit of a post-secondary or graduate level degree, all with possibilities of full to partial compensation from the City.[176]

This highly trained and professional body of staff is headed by a team of managers, one for each of seven city departments[177], who as a collective unit are commonly referred to by City Staff and politicians as "the corporate management team." Upon contacting these "team" members who held their positions during the time period of my case study, I discovered that the majority held graduate or law degrees, and all of them had more than one undergraduate diploma. The corporate management team in turn, reports to the City Manager, who herself holds three degrees, two undergraduate and one at the graduate level.

In interviews with the two most senior staff with whom I was able to meet, I asked them repeatedly to describe the level of sophistication of Vancouver's bureaucracy in comparison to other cities in Canada and the world. Although there is an obvious potential for bias, their answers rank Vancouver very high in terms of sophistication. Ann MacAfee, co-director of planning for the City of Vancouver, responded to my question of how sophisticated Vancouver's staff was in this way:

> Very. And probably because we've got quite a professional staff, many have been here for a long time. I think maybe you need to break your Canadian cities into various groups. The city of Toronto has equally a competent and professional staff, Montreal's always a bit of a side bar - it's quite a different planning process there, we're never sure of who's doing what or how they're doing it. Then you get another level of cities, which are your "Calgarys", your "Winnipegs" your "Halifaxes", tending usually not to be quite as well

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[175] Human Resources Services Staff and Organizational Development *CityLearn 2004: Training calendar for City of Vancouver employees* (Vancouver: City of Vancouver, 2004) 3-5.

[176] Romanchook, personal communication.

[177] This number does not include departments such as the Park Board, Police Board and Mayor and Council. For definition of distinctions please visit the city's website at: http://www.city.vancouver.bc.ca/ctyclerk/orgcharts/

experienced and diversified in their areas of experience. And then you get all the smaller communities with the "Coquitlams" and that, where most cases they can only afford to have a very small number of staff and most of those staff are engaged in permanent processing of various kinds... with the large staff we're able to have specialists in Urban design, specialists in finance, specialists in various kinds of neighbourhood involvement - all of this means we can get to a somewhat more detailed level of work. Plus, the city of Vancouver actually is one of the two cities in the country that has its own charter and because we have our own charter we have the authority to do a whole lot of experimental and different things.

Another senior staff member's reply to the question was as follows:

...I think Vancouver has probably some of the strongest policy development work in the country... our staff are looked to as leaders across the country ... we're head and shoulders in the context of planning development.[178]

Influence Over Council

Certainly the amount of power the city's bureaucracy held over its elected politicians in

the earlier years of Vancouver's government was more easily determined as it was more socially

acceptable at that point in history. Stemming from the non-partisan reform movement of local

governments in the earlier half of the 20th century, as late as the 1960's municipal decision

making was left up to City Staff.[179] Paul Tennant describes how during this time period the civic

civil service held a "commanding position" within Vancouver's local government and saw the

standing committees of Council as a hindrance to the administration of the city.[180] By the 1960's,

the Council had abolished its standing committees and adopted a virtual City Manager system,

run by governments of the "hands-off" variety, placing a large amount of the civic decision-

making in the hands of one senior staff member.[181]

The 1970's, however, saw a comeback of Council-based decision making with the

introduction of additional political parties to Vancouver's local elections. The Electors' Action

Movement (TEAM) in particular reintroduced the city's bureaucracy to the idea of citizen

[178] City Staff, interview by author, March 1st 2004.
[179] C. Richard Tindal and Susan Tindal. *Local Government in Canada* 4th ed. (Toronto: McGraw-Hill Ryerson Limited, 1995) 325.
[180] Tennant 11.
[181] Tennant 12.

participation. The TEAM Council dismissed the man who had assumed a position akin to a City

Manager of the administration-controlled Councils of the 1960's, deciding him incapable of

adapting to a Council-controlled administration.[182] This left the city with only one senior

administrative manager whose title was subsequently changed to City Manager, though without

the typical powers that the title evoked during the 1960's.[183] Since this move in 1973, Tennant

writes, Vancouver had been governed by a strong- mayor, City Manager and Council - committee

form of civic executive.[184] Tennant, however wrote these words over 20 years ago, illustrating the

need for more current data.

When conducting my interviews I attempted to understand the relationship between

Vancouver's staff and its elected politicians in 1999, by asking a series of probing questions

surrounding the topic.[185] By looking at the responses of the city's Councillors and the Staff

members that I interviewed, the level of control exercised by the bureaucracy became clearer.

Among the 10 City Councillors interviewed, only two replied that the Staff held an

objective, subservient role to the city's politicians. Every other Councillor including the Mayor

had something additional to say about the relationship between elected officials and the city's

staff.

Certain Councillors were blunt in their description of the staff's influence on the

Council; one addressed the topic with this statement: "Well in Vancouver the staff is ... very in

power - very much - our city probably more than any as far as I can tell, is run by the Staff...[186].

Another Councillor went on at length about the power of the Staff during his or her years as a

Councillor:

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[182] Tennant 17, 20.
[183] Tennant 20.
[184] Tennant 20.
[185] See Appendix 1 and 2.
[186] City Councillor, interview by author, January 15 5pm 2004.

I never could figure it out. I couldn't write a report and put it forward and have it accepted. Every report that came before Council had to be a staff report....I know it's a difficult thing for you to understand, how reports get done and how we did things but it was pretty much staff driven. So when you say, "how powerful are the staff?" ... they drive it all. ...the City Manager is the most powerful person and the corporate management team -all the heads of the departments. ...if I had an idea and Staff didn't want to do it, boy could they block it.[187]

Other Councillors spoke of how they were not permitted to "micro-manage" the staff. Senior members of Staff and not the city's politicians headed all staff departments. Councillors were not allowed to approach staff members with specific directions as this practice was generally frowned upon:

Well the way we work it in Vancouver is no Councillor can really go to a staff member and say "do this"... they report to Council as a whole ... in other words if I said, "ok I want you to take a look at the re-zoning of this piece of land." Well nothing would happen because it would be considered very inappropriate even to suggest it.[188]

One interesting comment that came from several Councillors was a comparison of previous councils and the current COPE-dominated Council's relationship with Staff to the relationship that the city's staff had with the former NPA Council. Of those Councillors that commented on the relationship, all of them indicated that the Staff held more influence over the former NPA Council than the current Council:

I would say that the previous uh, 99-2002 was less initiating than the current regime. ... I think the Council of 1999 to 2002 was certainly more responsive [to staff's proposals], less initiating than now.[189]

Under Gordon Campbell, Campbell really initiated things, he was really an initiator and he was a doer. Under Philip Owen, the Staff did most of the initiating.[190]

[laughs] really I've been impressed with this new Council I love the way they operate, you know, and I think perhaps we were too complacent as NPA...[191]

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[187] City Councillor, interview by author, January 9th 2004.
[188] City Councillor, interview by author, December 9th 2003.
[189] City Councillor, interview by author, February 19th 2004.
[190] City Councillor, interview by author, January 14th 2004.

Others still, mentioned the lack of staff support allocated to individual Councillors:

> ... there's no staff associated with any Council members, I mean we shared a third of a secretary and an administrative assistant, any real policy development is going to have to come from a staff...[192]

Other Councillors, including the former Mayor, noted how the Council relied on Staff for their expertise and knowledge of the sentiment of the community in general:

> Most of the City Councillors and the Mayor - we are not actually experts in various fields say in transportation and community services and engineering work and that kind of thing, so the expertise is actually coming from our City Staff.[193]

Finally, one Councillor assured me that the Staff were objective and served their "political masters" well... except when it came to the specific topic of my case study:

> ...in specific reference to the issue of- that you're getting at the drug issue ... there was apparently a decision that was made by senior City Staff, to inform Owen of the de- to keep Owen in the loop of the development of a drug policy "[A] Framework for Action", etcetera, in the early going there in 2000 and to keep the rest of Council out of it.[194]

Of the Staff members that I interviewed, many of them claimed a role of objectivity in their positions, insisting that the decision-making power rested with the city's politicians and not its administration. As the idea of Staff having control over the policy decisions made by the politicians is not a popular one among civic voters, this response was not surprising. However, some of their additional comments indicated that they recognized the amount of power they held over the city's politicians. The access of senior staff to Council was noted by Dr. MacAfee who, in describing her relationship with the Mayor, explained that if she had something she thought the

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[191] City Councillor, interview by author, January 9th 2004.
[192] City Councillor, interview by author, December 9th 2003.
[193] City Councillor, interview by author, December 8th 2003.
[194] City Councillor, interview by author, January 21st 2004.

"mayor should know" she stated, "I mean I'd just phone up his office, pass it on to one of his staff or say, 'can I drop in for a few minutes?'"[195]

Dr. MacAfee coupled this close relationship with the considerable amount of power delegated to the city's staff by the Council:

> Where we are different from many other cities is that because the Councils have um, tended to delegate the actual implementation [of policies] to Staff in Vancouver, and this hasn't changed between the old Council and new Council in Vancouver ... many other cities, particularly smaller ones, the politicians were getting really engaged ... really start mixing policy and implementation up, we don't get as much of a mix here.[196]

Dr. MacAfee explained that the Council was able to delegate a substantial amount of power to its staff because of the Vancouver Charter. Passed as a private act of the provincial legislature, the Vancouver Charter was drafted and subsequently amended for the most part at the municipal level.[197] The Charter represents the autonomy of the local government, as Tennant notes, in the "formal aspects and decision-making and distribution of power".[198] Dr. MacAfee pointed to section 161. of the Charter that allows this delegation of power to occur[199]:

> Council sets the broad policy and then they have the authority under the charter to delegate to City Staff the actual negotiations. ...so when new developments happen, our City Council doesn't get usually involved in the details of the negotiation, they give the broad policy directions and then our Charter allows Council to delegate to Staff the eventual site by site negotiations.[200]

The tendency of Councils in the past to allow old policies to remain in place and to be administered by the city's staff was also mentioned by several staff members, including the city's Drug Policy Coordinator, Donald McPherson, who explained:

> [Staff] take a lot of direction from the current Council - the Council of the day, I mean they're the boss in terms of setting our work programs. Mind you, most of

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[195] Dr. Anne MacAfee, interview by author, December 17th 2004.
[196] Ann MacAfee, interview.
[197] Formally, all changes to the Charter must be made at the Provincial level.
[198] Tennant 4-5.
[199] Please see appendix 4.
[200] Ann MacAfee, interview.

our work programs is just ongoing stuff that emanates from previous City policy that has been adopted year after year after year...[201]

This fact, coupled with the stability and high level of education of the staff compared to the transient nature of Vancouver's elected politicians - as noted by two other participants[202] - gave the staff a clear advantage over Vancouver's politicians in terms of their knowledge of municipal policy and workings of City Hall. Patrick J. Smith and Kennedy Stewart note that Vancouver's 10 City Councillors share three secretaries and an administrative assistant as their sole support staff, while representing an at-large population of close to 600,000[203] and are expected to set guidelines for a staff of over 9000 employees.[204] The authors argue that this reality coupled with the fact that Vancouver's politicians are hired for part-time positions and paid part-time salaries, inevitably results in an over-dependence on bureaucratic advice.[205] As illustrated by the candid responses of Councillors and the explanations of staff, evidence of such dependence appeared to exist in Vancouver – particularly for the City Council of 1999-2002, noted as more complacent regarding the influence of staff, than other Councils in Vancouver's history, by several of its Councillors.

Reliance on Outside Groups

With such a tangible amount of power over the elected Council and the Mayor, and possession of a highly sophisticated and educated membership, it is evident that Vancouver's bureaucracy did not need to rely on outside groups for its decision making. The following dialogue illustrates this point:

Jane Thomson (JT)[206]: Does Staff rely on outside groups for policy formation?

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[201] Donald McPherson, interview by author, January 6th, 2004.
[202] City Staff, interview by author, January 5th 2pm 2004; City Staff, interview by author, December 10th, 2003.
[203] The Greater Vancouver Regional District Web Page. www.gvrd.bc.ca
[204] Smith and Stewart 11,14.
[205] Smith and Stewart 2.
[206] Author's name, hereafter referred to as JT.

> **Staff Member:** No... we have some of the brightest and best in the ranks who know how to do research, know how to talk and to find out from people where they're at and bring forward the best recommendations they can to Council, but they don't go looking for somebody to do that work for us.

The above statement made by a senior staff member, indicates that Vancouver's civic civil service does not depend on outside groups for advice or assistance, as it possesses the means, the resources and the personnel to manage the city on its own. This is not to say, however that Staff do not consult the community on matters of policy, but that the various branches of the city's administration can be selective in the frequency and manner of this consultation. As one city staff member remarked:

> I think the city does a fair bit of consultation on a regular basis, some on a more formal basis, some more informally but we do have a very close relationship with most of the people in the community.[207]

In the 1970's, municipal administrations in Canada began to open up their previously highly secretive planning processes to the public. According to Graham and Phillips, the reasons for this were twofold. The first was a direct result of increased public activism. The second was to ameliorate the municipal land-use planning process. City governments discovered the benefits of social capital along with the money saving costs of involving activists at the planning stages of development, so as not to have highly developed plans derailed by mass protest.[208]

In the specific case of Vancouver, there have been numerous projects initiated by City Staff that have boasted of substantial public participation, such as the City's participation in the GVRD's Liveable Region Strategy Plan which included extensive public meetings and the input into the drafting of the policy by groups such as "The Bike People", "Society Promoting Environmental Conservation" and local contingents of Greenpeace and the Sierra Club of Canada.[209] Apart from numerous literary mentions, Vancouver's "CityPlan" has also been

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[207] City Staff, interview by author, January 5th 4pm.
[208] Graham and Phillips 5
[209] Patrick J. Smith "Public Participation and Policy-making in the Vancouver Region" in *Lessons in*

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mentioned by Staff as another way the city engages the public in its decision making. As

described by one staff member, some of the planners working under this division of planning for

the city of Vancouver go about public consultation in a fairly open manner:

> ...areas that had no planning, so we just go in there and we ask everybody we
> can find who will talk to us - totally non discriminate - what they want to keep,
> what they want to preserve in their community and there's a big survey that goes
> out to every household and they decide and they come up with the contents and
> we don't do that much of it. We're sort of the people who facilitate the process.
> So they have quite a lot of input...

However this staff member was quick to note the following:

> ... that's what happens in CityPlan, I can't speak so much for City Central Area
> ... they have a different principle - principles of running things. Their director is
> totally different... the directors [of the city's three planning departments] all have
> different philosophies so it's run according to how - the managers'
> philosophies.[210]

This suggestion that public input is still largely up to the discretion of Vancouver's

bureaucracy and not entrenched into its practices or its laws is illustrated in the specific case of

the public's involvement in policy making and capacity building by the residents of Vancouver's

downtown eastside (DTES). The Downtown Eastside Community Development Project was

established as a local initiative funded federally by the then newly established National Crime

Prevention Council in 1999.[211] Initially called *Building a Sustainable Future Together*, the project

was intended to be "a demonstration project focusing on the role of mediation and conflict

resolution among various conflicting sectors of the Downtown Eastside Strathcona community as

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Participation from Local Government eds. Katherine A. Graham and Susan D. Phillips (Toronto: IPAC, 1998) 56-63.

[210] City Staff, interview by author, December 10th 2003.

[211] The DTES Revitalization Project was coordinated by the City of Vancouver and funded through the Federal Department of Justice National Crime Prevention Centre's Crime Prevention Investment Fund, in partnership with other Federal and Provincial departments. The project was part of the City of Vancouver's Downtown Eastside Revitalization Program, which includes the Vancouver Coalition on Crime Prevention and Drug Treatment, the Vancouver Agreement, and other community infrastructure and service initiatives of the City. Please see K. Coyne. Fostering Change from Within: A Community Capacity Building Approach to Crime Prevention in Vancouver's Downtown Eastside (Vancouver: Downtown Eastside Community Development Project Evaluation, Interim Report 1999 – 2001 February 2002) 1.

a prerequisite for community development and revitalization".[212] The aim of the project changed

somewhat when a group made up of DTES residents and agencies formed a coalition that called

itself Community Directions (CD) and demanded to be part of this process. City Staff entered into

negotiations with these groups and a new model was developed, under which CD's participation

in the project was identified as a capacity-building exercise among the lower income residents of

Vancouver's DTES, in hopes that this would lead to the establishment of policies directed at a

healthier community.[213] In acceding to the initial demands of Community Directions and giving it

a substantial budget and shared power with the project, the administration of Vancouver appeared

to demonstrate a genuine attempt at public input into its policy, contrasting with the idea that a

sophisticated bureaucracy is usually closed to the demands and influence of outside groups. As

one staff member told me:

> [W]e, the City also took a risk in giving them a lot of autonomy in deciding how
> they want to do it... and what they want to do. In the past when government give
> out grants money to any particular group to do some community development
> you almost have to identify what you want to do, what are the outcomes, what
> you want to achieve before you get the money. But this time we were, we all took
> a leap of faith to say "we all want to do something different in the DTES and we
> really want to give people a voice and then some capacity and we don't want to
> be telling them what to do and how to do that...[214]

However, although the theory of the initiative appeared to reflect an open and accessible

bureaucracy, its execution and outcome were somewhat different. While Community Directions

did attempt to build capacity among the low-income residents of the DTES through the creation

of policies such as its own Drug and Alcohol plan, the power and influence it actually had is

debatable.

A rough assessment of the impact of Community Directions on municipal policy can be

seen through the responses of the community participants, the Staff involved, and the former City

Councillors. Beginning with the Councillors, almost none of them, including the Mayor, knew or

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[212] Coyne 21.
[213] Coyne 28-29.
[214] City Staff, interview by author, January 5th 2pm, 2004.

remembered what Community Directions was. A typical response to my line of questioning

concerning Community Directions went as follows:

JT: Ok. Are you familiar with the DTES community development project?

Councillor (C): No

JT: No. Are you familiar with the group Community Directions?

C: Vaguely.

JT: Vaguely. Um, what can you tell me about Community Directions?

C: Nothing.[215]

Only two Councillors had knowledge of the group and neither of them thought that it had

had any influence over government policy.[216] One of the main reasons why the majority of the

City Councillors and the Mayor had no recollection of Community Directions was that it never

appeared before Council. In a follow up interview, a staff member relayed to me that one of the

Staff members largely responsible for Community Directions would never have allowed that to

happen as he/she couldn't have taken representatives of CD to Council without them

"embarrassing" him/her.[217]

The response from staff members regarding the impact of the group on their planning was

mixed. While one staff member pointed to the establishment of working groups within

Community Directions as making significant headway into building the capacity of typically

marginalized groups, none mentioned any impact on actual city policy made by the project. Some

were even more frank in their assessment of CD:

JT: So what sort of impact did CD have over all on policy made by City Staff?

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[215] City Councillor, interview by author, January 15 2pm, 2004.
[216] City Councillors, interview by author, January 9th 2004 and January 21st 2004.
[217] City Staff Member, personal communication with author, May 5, 2004.

Staff Member: It had very little.[218]

Several activists and one City Staff member indicated that they felt the entire process was impotent from the beginning, due to the fact that the city's staff had a different vision from that of CD's participants with respect to the purpose of the project:

> Well it was really a big control freak trip, but I didn't know how much it was. The money was taken from another source and given to the city, the city supervised Community Directions and they made Community Directions so wimpy... I was on the steering committee. Steering committee kept saying they couldn't do, they had to go to the membership meeting they wouldn't do it there. They'd say, we'll take that upon advice. And I'd think, "the steering committee is going to take advice? No!" every time, you know- so they did not lay the true democracy of Community Directions and it poisoned it - the original terms of reference for CD - and I think that's when the city interfered and said 'there's no fucking way we're going to let a bunch of poor people control anything'.[219]

> CD always felt the government was ... trying to control and contain and ah, they were. And CD was trying to respond to the community - you know what the community wanted.[220]

Ann Livingston, a local movement leader as well as a member of CD noted, "we made a good alcohol and drug plan - not that anything happened with it. I don't think anything did happen." This document, "An Alcohol and Drug Action Plan for the Downtown Eastside/ Strathcona", was drafted by the members of CD through a collaborative effort of representatives of different organizations within Vancouver, as well as other "interest community members" while the specific recommendations of the report were drafted through a series of workshops.[221] The plan is strikingly similar to "A Framework for Action". CD's alcohol and drug plan was based on a four pillar approach like the City's drug policy. The main difference between the two documents was the order in which the four pillars were presented. Harm reduction was the first of CD's four pillars, whereas in the City's policy, it was placed last. I asked Donald McPherson, the

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[218] City Staff, interview by author, January 5 4pm 2004.

[219] Ann Livingston, interview by author, December 21st 2003.

[220] Muggs Sigurgeirson, interview by author, February 9th, 2004.

[221] Community Directions "An Alcohol and Drug Action Plan for the Downtown Eastside/ Strathcona: Draft Plan" March 1, 2001. iv.

author of "A Framework for Action" to comment on the drug and alcohol plan of Community

Directions, and if it had had an impact on the document that he wrote.

> **Donald McPherson (DM):** I know I was working with them loosely and knew they were developing a 4 pillar strategy too so we made a conscious effort to try and understand where each other were coming from...

> **JT:** [referring to previous comments by participant] But they didn't have much influence on your 4 pillars?

> **DM:** No and I'm trying to remember their timing. I don't know if you know their timing?[222]

One City Staff member explained that the failure of CD to influence policies of Council

and the decisions of staff had to do with two factors. The first was that the group was not given

enough time to build the capacity of its members. Community Directions ran for a total of five

years, however the City moved forward with its own drug policy – an area where a significant

portion of the group's energies were channelled – only one year into the group's formation.

Therefore, perhaps unintentionally, the City initiated a sort of pre-empting of CD's

recommendations. Intentional or not, this action indicates that a genuine effort to engage the

population most affected by such a sweeping policy, in a policy formation process, was not

attempted by the City. Secondly, this staff member imparted to me his/her belief that the city's

staff involved with CD sought to contain the group's actions, as they did not correspond with the

administration's plans:

> The city intended for CD to be a liaising group that they- city could work through to do its work in the DTES, so the city, instead of having to go to the community and run these horrible public meetings and these things where they would scream and yell, they thought they could just have CD figure all that out and work nicely with staff to accomplish things, but CD didn't want to do that. CD wanted it as a genuine chance to plan itself - like to plan the community itself - to figure out what was - the priorities in the community and try to come up with its own directions... So really, the two mandates of the groups never meshed. Really.[223]

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[222] Donald McPherson, interview by author, January 6th 2004.
[223] City Staff, interview by author, December 10th 2003.

The example of CD demonstrates that public consultation regarding city planning

occurred in Vancouver in certain cases, at the discretion of the city's staff.

Subsequent Opportunities and Movement Behaviour

This selective openness to public input combined with the sophistication of Vancouver's

bureaucracy and the high amount of influence it holds over City Council suggests that the city's

civil service provided a limited set of opportunities for local movements. Groups petitioning the

bureaucracy may have been successful if the Staff decided to engage in a public participation

process, however if the Staff decided that a set of plans did not require public input, they were

more than capable of "going it alone".

Considering the power and sophistication of Vancouver's bureaucracy and the

complacency of the NPA Council regarding the suggestions of its staff, members of groups

seeking to influence Vancouver's local government would have been wise to seek employment as

a city staff member themselves. As one staff member I interviewed confessed, she had sought a

job with the City after working as a community organizer, because she felt she could make a

bigger difference "on the inside".[224]

Capacity and Willingness to use Repressive Tactics

The capacity and willingness of the local government to use repressive tactics was not a

significant element of Vancouver's political opportunity structure. As of 2002, Vancouver's local

government did not possess the means to use overly repressive tactics on protestors. The contact

of Council with the City's Police Force consisted of setting its global budget and having the

Mayor as the head of the Police Board. I asked the City Councillors about the relationship

between Council and the city's Police Force;[225] their answers reflected the fact that none of them

felt the City Council had had any sort of control over the actions of the city's police even though

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[224] City Staff, personal communication, May 6th, 2004.
[225] See Appendix 1.

the Council was responsible for setting the Force's budget. The majority of them indicated that

the relationship between the two bodies was ambiguous and at times, strained, for this very

reason:

> ...it's made very clear to you I can remember that when you sit on Council when you are first elected and they have a briefing session with the police and they do inform you that you're not there as a Council member to deal with the operations of the police department.[226]

> ...there was a sense that they weren't always completely straight up with us, it took a lot of effort for us to delve into what was really going on, so um yeah I don't think..., [the relationship was] a little bit- a little bit uncomfortable sometimes you know.[227]

Most Councillors added that the power to set the broad policy of the Police Force lay

with the Police Board. Philip Owen, who sat as the Board's Chairperson for the duration of his

time as Mayor of Vancouver, explained the powers of the Police Board in this manner:

> ...the Police Board is made up of civilian oversight and there are seven people in total, there's the Mayor automatically on, the City appoints one person and five people are appointed by the Province and they're citizens so they are a private citizens oversight group and ... they've got to operate within the police act. Of course there's an act laid down by the province and these responsibilities and not in violation of the Police Act...[228]

The implications of provincially appointed officials are particularly relevant when the

Board votes, as explained by another Councillor:

> **JT:** ...the composition of the Board though - who makes the final decisions on the Board?

> **C:** The Mayor is always on - he's the Mayor and the chair and the City appoints one person, and then the Province appoints the other five.

> **JT:** And how does voting work on the Board?

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[226] City Councillor, interview by author, December 9th 2003.
[227] City Councillor, interview by author, January 15th 5pm, 2004.
[228] Philip Owen, interview by author, January 8th 2004.

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C: Oh just simple majority.[229]

The fact that the Police Board was governed by a provincially appointed majority and acted according to a Provincial Act lends little strength to the idea that the city maintained a tight control over its Police Force. Philip Owen explained the detachment of the City from its Police Force in this manner:

> I dealt with five different chiefs and you know they'd always want to keep the Mayor informed, some different than the others. And I kept telling the Chief, I'd say, "Look Chief, I'm Chair of the Police Board. We set policy. You tell us what you need and we get the money from the city government" ... so the board accepts the police's recommendation: "Here's the budget" and it's the board's responsibility to go to Council and get that money. You give it to the Chief. The Chief deploys the force. The Chief stands or falls on his decisions ...deployment of the force is his call. So when he would call me, and I would say, "If you've got some undercover operation going on don't tell me about it because I don't want it to be out and you to say, 'Well I told the Mayor [it] must have been the Mayor who said-' don't give me your undercover stuff. I don't want to know about secret stuff. You understand my role. You're - if you make a lot of mistakes, I'm going to point that at you because you're in charge of that, not me,"...[230]

This lack of power to control the actions of the police indicates that if groups chose to protest against the City Council's policies or to criticize its elected officials, they would not have received any midnight visits from brute squads or have been illegally arrested.[231] Indeed these types of practices are not common place in Canada due to our long tradition of civilian government, and our Charter of Rights adopted in 1982 that lists, among its fundamental freedoms: the right to peaceful assembly; freedom of thought and expression; and the freedom of association.[232] Also included under a citizen's legal rights are examples such as: the protection of

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[229] City Councillor, interview by author, January 9th, 2004.

[230] Philip Owen, interview by author, January 8th 2004.

[231] For an example of the detachment of the City's Mayor and Council from the actions of the Police Force, please see the recent ruling on accusations of police brutality at a Guns and Roses concert in Vancouver. Chief Constable Jamie Graham, "Response to the Guns and Roses Decision". Vancouver Police Department Media Liaison Section.
http://www.city.vancouver.bc.ca/police/media/Summaries/2004jun23.htm

[232] The Canadian Charter of Rights and Freedoms, Part 1, No. 1. Department of Justice
http://laws.justice.gc.ca/en/charter/index.html May 13th 2004.

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individuals from cruel and usual treatment; arbitrarily detainment or imprisonment; and unreasonable search or seizure.[233]

In Canada the duty of the police is to uphold the laws passed by a democratically elected body. When police stray from this role and use overly forceful tactics with protestors or other citizens, they are usually called to task for it, either through public enquiries or negative media coverage. In addition to this, police boards, complaints commissions, and the courts serve as additional checks on the behaviour of Canada's police.[234]

Subsequent Opportunities and Movement Behaviour

The local government of Vancouver did not possess the authority to order the police to use overly repressive tactics against protestors. Besides this, policing in Vancouver was provincially and federally regulated by government legislation and the Canadian Charter of Rights and Freedoms, therefore heavily discouraging police from using excessively repressive tactics. In correspondence with the POS theory that tolerant, selective and softer policing practices promote peaceful public protest,[235] protests in Vancouver would have been, for the most part, of a non-violent nature.

Vancouver's Configuration of Power

The configuration of power examines the shorter term opportunities within a system's POS. Sidney Tarrow argues that the success of a state's social movements cannot be explained only through a system's formal institution structure, but also through short term openings in a state's political opportunity structure.[236] This section examines the elite alignments of Vancouver's governing and opposition parties in the 1999-2002 political term and what these alignments entailed regarding possible elite allies for local movements.

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[233] The Canadian Charter of Rights and Freedoms. Part 1. No's. 8, 9 and 12.
[234] For further information on the Office of the Police Complaint Commissioner of British Columbia visit: http://www.opcc.bc.ca/OPCC%20Home%20Page.htm
[235] Donatella della Porta "Social movements and the state: Thoughts on the policing of protest" 90.
[236] Tarrow "States and opportunities: The political structuring of social movements" 58.

Elite Alignments

Elite Alignments can create opportunities for groups by virtue of long standing affiliations of political parties to certain types of movements. The two political parties/organizations that held positions on the Vancouver City Council in 1999 were the NPA and COPE. Two helpful articles that were written on the subject of Vancouver municipal politics provide the background for the elite alignments of both civic parties[237]. However, as both articles were written before the time of my case study, I included questions that pertained to elite alignments in my interviews with members of Council, the Mayor and USM leaders.[238]

The NPA

In 1937, the Non Partisan Association was founded by a group of individuals who did not regard themselves as a party at all. Rather, their initial purpose was "to keep parties out of city hall".[239] The NPA Board, currently comprised of 16 people, is described by NPA publications as "a diverse group of individuals that work together to manage association activities, liaise with the community, and communicate with members and the public."[240] The NPA Councillors to whom I spoke described the Board as responsible for the selection of, and fundraising for, NPA candidates running for positions in Vancouver's municipal elections.

The perception of all eight NPA Councillors and the NPA mayor was consistent with the organization's claims of non-partisanship. A number of them sought to distinguish the views of the organization's Board from those of its elected officials, claiming that the Board was only operative immediately before and during municipal elections in its facilitation of the nomination process, fundraising and campaigning for candidates. These views are encapsulated in the response of one Councillor:

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[237] These articles were written by Paul Tennant and Kennedy Stewart will be referred to throughout this section.
[238] Please see appendix 1 and 3.
[239] Tennant 7.
[240] NPA Vancouver Board of Directors http://www.npavancouver.ca/about-board.shtml (May 4th 2004).

The NPA has had nothing to do with elected officials once they were elected and that historically is how they have operated for 65 years and during the [omitted][241] years I served with them that was indeed the case, you know the NPA really takes a hands-off position to decision making and there is no set policy of the organization... The policies are determined by the elected officials at all three levels: city, park and school ... and there's no interference at all from the NPA or direction from the NPA as to which way we should go.[242]

Regardless as to whether or not the NPA's Board of Directors has any formal say in the action of its elected members, those that are chosen to run under the party's banner must adhere to a similar set of values to obtain the initial support of the Board.[243] On the current web page of the Non Partisan Association, the philosophy of the "party" is laid out clearly in a list of principles. Among them are strict adherence to non-partisanship; upholding the law; the right of each citizen to own property; and the statement that "individual enterprise is preferable to government intervention."[244]

Paul Tennant notes that although the organization refused to call itself a party, it qualified as one by virtue of being a permanent organization that existed for the sole purpose of contesting and winning elections. As well, he demonstrates that the group, even at its onset, held a centre-right ideological platform that was geared, as later acknowledge by NPA leaders themselves, in opposition to socialist policies.[245]

Through an analysis of voter turn-out in Vancouver over a twenty year period, Kennedy Stewart has demonstrated that whatever the NPA may claim, their traditional pillar of support has rested with the wealthy and upper-middle class citizens of Vancouver. In 1999 the NPA had dominated the Vancouver Council since the party's inception and the highest voter turnout in Vancouver had consistently occurred in the middle-class and wealthy neighbourhoods of

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[241] Omitted for reasons of confidentiality.

[242] City Councillor, interview by author December 10th, 2004.

[243] As an example of the NPA's party discipline, two incumbent Councillors were dropped as candidates prior to the 1999 municipal election.

[244] NPA Philosophy http://www.npavancouver.ca/about-philosophy.shtml

[245] Tennant 7.

Vancouver. The facts draw a clear correlation between the NPA and an upper to middle socio-economic class of voters.[246]

As to why the NPA attracts the votes of this segment of society, prior to the 1970's the NPA's elite alignments were clearly illustrated through their business and development-friendly policies, not to mention the fact that the Councils during these years were dominated by wealthy business people.[247] Stewart explains it is this community, because of its economic comfort, that can afford to vote and does so more consistently and frequently than those of a lower socio-economic class.[248] The NPA was the party whose platform and ideals most closely resembled those of Vancouver's upper and business class with its main competition being a municipal branch of the Cooperative Commonwealth Federation (CCF), known for its left leaning, poor and working class oriented policies. Later, when the CCF faded out of Vancouver politics, the NPA faced only independents and short-lived parties, and came to benefit largely from Vancouver's at-large system. This resulted, at least for the years before the 1970's, in the specific alignment of the NPA with Vancouver's Board of Trade, an organization concerned with the economic and business development of the Vancouver region, denoting its basic conservative, small government principals with the signature line: "the market system is the only system that works"[249]. As Tennant writes "...the Board of Trade was clearly regarded not as a mere interest group, but as something approaching the legitimate voice of the city."[250]

The 1970's saw the alignments of the NPA change, slightly, with the introduction of TEAM, the party that appealed to the interests of the same group of voters via a slightly different platform. Tennant writes that TEAM, by encroaching on the NPA's supporters, forced the latter to appeal not only to the business community of Vancouver, but to the concerns of its middle

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[246] Stewart 173.

[247] Tennant 9-10.

[248] Stewart 173-74.

[249] The Vancouver Board of Trade http://www.boardoftrade.com/vbot_page.asp?pageid=30 (accessed May 13th 2004).

[250] Tennant 8.

class as well, which included the gentrification and preservation of Vancouver's downtown middle to upper-class neighbourhoods. Evidence of this shift of policy was seen in the opening of the NPA's nomination proceedings to a wider variety of candidates, which in turn led to the decreasing number of business people nominated to run by the party.[251] Evidence that the main core of support for the NPA has remained composed of middle and upper class voters, was substantiated by its electoral dominance after the fading out of TEAM and those affiliated with it in the mid 1980's.[252]

COPE

The Coalition of Progressive Electors[253] was formed in 1968. The elite alignments of this municipal party are more easily defined than those of the NPA, as COPE has always had very public affiliations with organized labour and socialist oriented political parties. As noted on their web page, COPE was founded in part by the Labour Council, which has subsequently supported COPE financially during municipal elections.[254] Harry Rankin, COPE's first elected candidate, ran on a platform that included the advocacy of a ward system and low-cost housing that differed significantly with the NPA's principles of small government and property owners' rights.

Indeed, several of the NPA Councillors whom I interviewed were quick to point out, after espousing the non-partisanship of their own organization, the linkages between COPE and the labour unions of Vancouver. This view is illustrated in the following passage:

> I'm sure there are many groups and organizations and companies that have supported the NPA but no more than any other party...In fact I'd argue that probably the relationship ... between COPE and Labour is stronger than any institutional relationship between the NPA [and business organizations].[255]

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[251] Tennant 25-26.

[252] Stewart 182.

[253] Although currently called the Coalition of Progressive Electors, COPE was also known as the Committee of Progressive Electors.

[254] About COPE accessed: May 4, 2004 http://www.cope.bc.ca.

[255] City Councillor, interview by author, December 9th 2003.

The COPE Councillors whom I interviewed pointed to this fact as readily as their NPA counterparts:

> **C:** During election time of course, we will rely to a fairly large degree, on the trade union movement for donations.

> **JT:** And do these influence policy making when your party is in government?

> **C:** Not as a result of their donations but certainly I would be very proud to say that I am very interested always in the position of labour. Labour deserves a seat at the table.[256]

Subsequent Opportunities and Movement Behaviour

When looking at the elite alignments of the parties that held seats in the Vancouver Council of 1999-2002, we are able to see what sort of opportunities were available to what type of movements. Certainly, the fact that COPE held only two seats on the Council did not bode particularly well for movements with left-leaning demands. According to the elite alignments present, movements that were able to appeal to the NPA's conservative dogma of "intelligent planning" and "individual enterprise"[257] were presented with more opportunities than those advocating for radical change.

Elite Allies

Elite allies are important in any system, open or closed. There is always significant variance between an elite's treatment of different social actors and movements, no matter the degree of openness of a system.[258] It is important to stress the support of elites for social movements, as "protestors on their own seldom have the power to affect the policy priorities of the elite". Tarrow writes that elites rarely act other than in their own interest and are more likely to respond to the demands of movements when it advances the policies or careers of elites.[259] When alliances between movements and elites form, Tarrow writes, it is because elites have

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[256] City Councillor, interview by author, January 15th 2pm, 2004.
[257] NPA Philosophy http://www.npavancouver.ca/about-philosophy.shtml May 4th 2004.
[258] Tarrow "States and opportunities: The political structuring of social movements" 51.
[259] Tarrow "Political Opportunities and Constraints" 88.

seized the opportunity to become the champion of the people, creating a co-dependence of sorts

between themselves and social movements, with each group needing the other to succeed.[260]

As noted in the previous chapter, elite alliances are the main determinant for movement

success. Arguably the importance of these allies is inversely proportionate to the degree of

openness of a system's POS. If the system is very open and there exists ample opportunities for

groups to access the decision making power of the system's elites, then allies among those elites

lose some of their importance. However, if the system is effectively closed, allies among the

state's elites are essential for groups seeking to influence the government agenda. In looking at

the limited opportunities offered to movements by the previous POS categories, it can be

concluded that elite allies in the 1999 Vancouver local government were crucial to the success of

USMs.

Subsequent Opportunities and Movement Behaviour

Judging from the elite alignments of the two parties that held seats on Vancouver's

Municipal Council, allies within the NPA Council would have been found by groups with

business related or middle to upper class concerns, such as the gentrification of neighbourhoods

or other Not In My Back Yard (NIMBY) related demands. Those groups seeking allies whose

concerns did not mesh with the NPA governments most likely would not have found many allies

among those elected under the party's banner. Instead the most likely place these groups would

have found an ally is with the city's two COPE Councillors. Finally, an equally if not more

important place for allies would be in the city's staff itself. As noted above, the influence and

power of the city's bureaucracy was substantial enough to merit a heavy dependence by local

Council in terms of planning and policy recommendations.

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[260] Tarrow "Political Opportunities and Constraints" 88.

The Political Opportunity Structure of Vancouver 1999-2002

At first glance, Vancouver appeared to have had a fairly open POS, with both formal and informal routes of opportunity available to outside groups. However, a closer examination reveals a severe limitation of these opportunities, leading to the conclusion that the political opportunity structure of Vancouver between the years of 1999-2002 was effectively closed.

The political opportunities in Vancouver were quite limited in the amount of decision-making and influence they provided to outside groups. Although Vancouver had a history of holding plebiscites, citizens could not initiate referendums themselves. Furthermore in the case of three separate plebiscites initiated by the City, these plebiscites were manipulated by the governing elites at the time.

Vancouver's electoral system provided certain formal opportunities such as a vote in the municipal elections and the opportunity to run for local office as a party or an individual. However, these opportunities were curbed by the type of electoral system in place. Besides providing little opportunities for neighbourhood-oriented groups to find an elected ally, the at-large electoral system discouraged individuals and smaller, less resourced parties in Vancouver from running for office.

Although no formal separation of powers existed between the Mayor and the City Council, there appeared at least an informal separation between the two offices. However in 1999 the Mayor and the majority of the City Council came from the same political party, therefore diminishing the importance of this informal separation of powers within Council. If groups wished to access the opportunities provided by this informal separation of power, a severe disagreement between the Mayor and Council needed to occur.

Groups could challenge the decisions of Council through the city's boards of appeal, yet the make up of these boards cast significant doubt on their independence from the City's Staff and its elected officials. Citizens could occasionally participate in public planning processes run

by the City, however, with a large, highly trained, and well educated staff, the Vancouver bureaucracy was not reliant on outside skills, nor was it obligated to include the public in its planning. Although public input into the actions of local government had gained in popularity since the 1970's in Canada, such occurrences continued to vary among the departments of Vancouver's city hall.

The proximity and accessibility of the local government did offer USMs access to the city's politicians, either through personal meetings or informal conversations at public functions. However, unless the concerns of groups meshed with the ideologies and beliefs of their local politicians, neither Council nor the Mayor were under any obligation to act on the requests of outside groups. As the 1999 – 2002 Council was dominated by a conservative party, groups with demands outside the sphere of middle class concerns would have found themselves largely shut out from even this opportunity.

Indeed the only real opportunity presented to challengers of all stripes in Vancouver was the right to peaceful assembly by virtue of Canada's relatively tolerant policing culture and its Charter of Rights and Freedoms. This was the sole exception to an otherwise closed political opportunity structure; however, if groups did not possess numbers enough to worry Council members about re-election, this opportunity would present little power to groups seeking to influence government policy.

Movement Behaviour

Although groups would most likely have attempted to access certain formal opportunities such as boards of appeal and running for electoral office, movements seeking change would have invariably turned to the informal channels of opportunity in Vancouver such as accosting local officials and obtaining private audiences with City Councillors.

If these types of encounters failed to influence government policy, groups would have resorted to extra-institutional forms of protest such as marches, demonstrations, or disruptions of

formal proceedings in attempts to draw attention to their cause. The incapacity of the city government to use overly repressive tactics coupled with Canada's political culture of tolerance and respect for civil rights, indicated that extra-parliamentary protest would most likely have taken the form of peaceful mass protest, rather than sporadic violent acts.

Movement Success

As Vancouver had a closed political opportunity structure, the configuration of power would have played a very important role in determining the success of movements. Based on the elite alignments of the party in power, groups that found allies in the 1999 NPA Councillors and Mayor were likely to have had upper and middle class oriented concerns. Groups from other social strata could have sought allies in the COPE members of the 1999 Council, although the usefulness of these alliances was diminished by virtue of the fact that the COPE Councillors numbered only two on a Council of eleven.

A third set of elites that determined the success or failure of movements would have been the senior members of Vancouver's City Staff. Due to the heavy influence of the bureaucracy on the city's Council, allies among the city's staff would have been highly advantageous to USMs seeking to influence the Council. However due to the sophistication and lack of reliance on outside resources, groups had little to offer the non-elected civic bureaucracy in exchange for taking up their causes when recommending policy to Council. Alliances made with members of the City Staff would therefore have transpired through the personal choices and ideologies of Vancouver's civil servants and not due to a reliance of the bureaucracy on outside groups.

Government Power

Finally, the fact that the POS of Vancouver remained relatively closed meant that the local government retained a considerable amount of power to pass the policies of its choosing. With little opportunity for groups to block its decisions, apart from waiting for the next municipal

election to vote in a new government, the government possessed the power to pass its policies in

an expedient manner.

Setting the Stage

This was the setting for the mobilization that took place around the issue of drug facilities

for addicts in Vancouver's DTES and the adoption of a harm reduction drug policy by the city's

Council. As we will see in the next chapter, the presence of elite allies did assure that the

demands of certain groups were met, while those of others were largely ignored. However the

particular circumstances of these alliances, though in accordance to the POS outlined in this

chapter, were different than many would have predicted.

CHAPTER 4
POS THEORY AND VANCOUVER'S
FOUR PILLAR APPROACH

> 30 years ago you might have had the planner going into the back room and write a draft plan and then bring it out into the community and say "what do you think of our plan?" and the public process then was just people criticizing the plan. Now what it tends to be is engaging the community in creating a draft plan which then is further discussed in the broad community and out of that come the recommendations which then go to Council.[261]

> Dr. Ann MacAfee, Senior Planner

> How do you quickly respond as a municipality or as an authority of any kind or as a government and involve everyone? Well it's almost an oxymoron there - it's really hard to respond really quickly ... sometimes you just have to respond and do the process later.[262]

> Donald McPherson, Drug Policy Coordinator for the City of Vancouver

Apart from voting at election time and sporadic participation in public planning processes, the political opportunity structure of Vancouver in 1999 offered few avenues of formal access to local movements seeking to influence the municipal government's decision making process. The informal opportunities in accessing the political decision making of Vancouver elites were equally as limited. A single right- of-centre party had dominated City Council for nearly 60 years, limiting informal opportunities to groups within a certain category of interests.

Although it was the political opportunity structure of Vancouver during the years of 1999-2002 that facilitated the adoption of its drug policy, "A Framework for Action", the story of

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[261] Dr. Anne MacAfee, interview by author, December 17th 2003.
[262] Donald McPherson, interview by author, January 6th 2004.

Vancouver's safe injection site begins several years before the last NPA Council took office in the fall of 1999. Therefore, although the focus of this chapter will be on the years of 1999 – 2002, events occurring before this time period will also be touched on so as to better understand how the decision occurred to adopt "A Framework for Action" as the City's drug policy. For purposes of clarity, the story will be told in narrative form, in terms of what happened both within City Hall and at the community level. At the end of this narrative, this story will be revisited and explained in relation to the political opportunity structure of Vancouver.

Vancouver's Downtown Eastside 1999

With its core known as the poorest postal code in all of Canada, Vancouver's DTES had faced continuously escalating levels of poverty, drug use, prostitution, and crime since the 1970's. The main location of activity for drug trafficking was at the corner of Main and East Hastings in front of the Carnegie building, a city-run community centre for DTES residents. Muggs Sigurgeirson, a pro-harm reduction community activist and member of Carnegie's Board of Directors, gave her description of the situation in the early 90's:

> I remember one morning in 1992 I believe, going to work, catching the bus in front of Carnegie at quarter after eight and the police were out there busting people and they busted, before lunch, 110 people and when I came back after work at four o'clock I went into Carnegie more than half of those people were back on the street in front of Carnegie.[263]

In 1995, after the partial closure of B.C.'s central mental health hospital, Riverview, mental patients without adequate facilities or medication drifted to Vancouver's downtown eastside, exacerbating the problems of a community that already possessed its share of alcohol and drug related problems.[264] Even though the problems of the DTES were known to all levels of government in Canada, and large amounts of federal and provincial funds had been appropriated to deal with these issues, the conditions of the DTES continued to worsen. As a senior City Staff

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[263] Muggs Sigurgeirson, interview by author, February 9th 2004.
[264] Susan Giles and Evanna Brenna "Action Based Care in Vancouver's DTES" 2001. http://www.multidx.com/abc/abcWeb.html

member explained, the problem had been shuffled from department to department at the senior levels of government, resulting in an overall weak management plan.[265] A number of local community based movements had been highly vocal in their demands for the government at all levels to take a leadership role and to implement a plan of action to deal with the serious problems of the DTES; however, there had been little response from the government at any level. It was not until a member of the community that sought a new approach to the drug problems of Vancouver obtained a position as a city planner, that the idea of harm reduction became a possibility.

Inside City Hall

In 1997 Donald McPherson was hired as a social planner for the city of Vancouver. McPherson came to the social planning department as someone who had worked with local groups of the DTES for over a decade, having previously worked as the director of the Carnegie Centre since 1987, and served as a member of the Portland Hotel Society's Board of Directors. McPherson's familiarity with the issues of the DTES and his personal connection to that community were apparent by the comments of several interview participants, illustrated by the remarks of a City Staff member:

> ...with Donald it's a little bit different because he worked in the community for many years before he was a social planner ... he actually worked in Carnegie, he organized lots of funerals for people he knew.[266]

Armed with an extensive knowledge and an intimate understanding of the problems of Vancouver's DTES community, McPherson began to work on the newly formed Vancouver Coalition for Crime Prevention and Drug Treatment, with Mayor Philip Owen. Gradually the two formed a working relationship, which McPherson described as "very close".[267] As early as 1995, Philip Owen had begun to question the conventional methods of dealing with drug addiction in

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[265] City Staff, interview by author, January 5th 2pm, 2004.
[266] City Staff, interview by author, December 10th 2003.
[267] Donald McPherson, interview by author, January 6th 2004.

North America. After having served in office for less than one term, the NPA Mayor realised he was in charge of a city that was at risk of reaching an epidemic level of crime and HIV infection. Ann Livingston, a community activist who worked closely with Philip Owen during his last term of office, explained her understanding as to why the Mayor began to rethink his government's traditional stance on drugs:

> ...there's no way he wanted to be mayor of a city that had this high of an overdose rate and he went to conferences ... where he was influenced I think not by us, but ah - and I don't know who told him to go but he went to Stanford University and there's a very impressive group called the Law Enforcement Against Prohibition...[268]

Philip Owen explained his attendance at the Stanford conference as an attempt to look for new solutions to the growing problem of drug abuse and crime in his city:

> Well when we had this problem, 1995 when cocaine showed up in Vancouver - it's a real bad drug and we were told years before that it was going to get here ... And I realised there was a real bad one I made contact with some people around the world ... Joe McNamara who is the former chief of police of San Jose and Philadelphia, runs a think tank in the Hoover Institute that's at Stanford University and he invited me down to this seminar and that's when I first met Milton Friedman in 1995 ... and George Shultz and Ed Meese and Chief Parks of Los Angeles and ... started hearing what was going on and they were just dumping all over the war on drugs.[269]

According to the former mayor, the experience of attending a conference where conservative thinkers criticized their own government's war on drugs began to change the way that Philip Owen saw Vancouver's drug related problems. In October of 1997, Philip Owen announced the creation of the Vancouver Coalition for Crime Prevention and Drug Treatment. The City-funded coalition made up of 20 partner organizations[270] aimed its efforts at promoting drug education, stricter enforcement policies on drug offenders, and the establishment of a drug

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[268] Ann Livingston, interview by author, December 21st 2003.

[269] Phillip Owen, interview by author, January 8th 2004.

[270] This list has now grown to 60 including organizations from the private, public and non-profit sector. For a full list of these organizations please see The Four Pillars Coalition Website at: http://www.city.vancouver.bc.ca/fourpillars/coalition.htm#members

treatment centre in Vancouver.[271] Although the Mayor had begun to view the drug problems of

his city from a different perspective, harm reduction was still not included in the platform of this

coalition. As one city Councillor explained:

> ...because you know he comes from a very conservative background and he
> struggled with it ... when he first got into this the name of his group right, the
> coalition on drug - crime and drug addiction... it's sort of like a right wing name
> and sort of gives you an idea of where he was coming from originally... [272]

Nonetheless, McPherson saw a curious ally in Philip Owen, a man who, despite his

conservative background, had grown sceptical of the American approach to the War on Drugs,

and was looking for new solutions to his community's problems. Although not yet an advocate of

harm reduction, Owen was the closest person McPherson had to a powerful ally in the city

Council.

In 1998, "An International Symposium on Crime Prevention and Drug Treatment" was

hosted by the Mayor under the auspices of the Vancouver Coalition for Crime Prevention and

Drug Treatment. Delegates to the conference included European experts on harm reduction. It

was through meeting individuals such as these at the City-sponsored conference and a similar

conference hosted by local movements in Vancouver that convinced McPherson to travel to

Europe in order to investigate safe injection sites first hand.[273] In the spring of 1999, McPherson

attended the International Harm Reduction Conference in Geneva where he became convinced of

the direction in which Vancouver had to go with respect to its drug related problems.

> ...that's when I really became sold of this brand name drug strategy. I came
> home and wrote a paper on that experience called "Comprehensive Systems of
> Care for Drug Users in Switzerland and Frankfurt"... It was my way of
> informing the system, our staff, our politicians, our mayor ... and I sent it forth
> into the system and talked about it and I was so struck by the logic of it that I
> became very passionate about it. So we as a staff team, the Staff just embraced
> it...

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[271] "Vancouver's Coalition for Crime Prevention and Drug Treatment" News Release, City of
Vancouver, 1997. http://www.city.vancouver.bc.ca/ctyclerk/newsreleases1997/NRcoalitioncrimedrug.htm
[272] City Councillor, interview by author, January 15th, 5pm, 2004.
[273] Donald McPherson, interview by author, January 6th 2004.

Members of the city's staff were not the only ones to embrace the idea of safe injection

sites and harm reduction, as McPherson explained the Mayor's reaction to the paper:

> He loved the paper. He really thought that this was, you know, very interesting
> and ... it affected his thinking a fair bit. He was already on a good trajectory in
> terms of wanting to do something significant and do something different and he
> was very critical. He'd been to Stanford University in the think tank down there
> with some folks who were very critical of the US War on Drugs. So he was very
> critical of the War on Drugs already...

In June, McPherson presented the points of his paper to the Vancouver City

Council. The presentation, though it mentioned the idea of a four pillar approach to issues

of drug abuse,[274] focused on the idea of harm reduction as the key step in containing a

city's drug problems. The report itself outlined how the creation of a Drug Policy

Coordinator had been a "key decision" that had allowed cities like Frankfurt and Zurich

to take leadership roles in reducing their drug problems.[275]

In November of 1999, the NPA won eight of the ten Council seats in Vancouver's

municipal election, and Philip Owen was re-elected for his third term as Vancouver's

Mayor. In his inaugural speech in December of 1999, Owen spoke of a four pillar

approach to the city's drug related problems, including the pillar of harm reduction that

had been researched "by our own social planning department".[276] In January of 2000

McPherson and staff within the Mayor's office, arranged for meetings between the

Mayor and visiting officials from European cities that had used safe injection sites over

the last decade. According to McPherson:

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[274] The others being prevention, treatment and enforcement.

[275] Donald McPherson "Comprehensive Systems of Care for Drug Users in Switzerland and Frankfurt, Germany" A Report from the 10th International Conference on the Reduction of Drug Related Harm and a Tour of Harm reduction Services in Frankfurt, Germany (Vancouver: Social Planning Department, June 1999) 16.

[276] Philip Owen "Inaugural Address by Philip W. Owen, Mayor of Vancouver" (Vancouver: Office of the Mayor, December 6th, 1999) 5.

...we need to educate people about what's happening in other parts of the world and if you have the head of the drugs department for Amsterdam who's been on the job for 30 years and seen Amsterdam go through a whole history of drug use and response to drug use, let's meet him [laughs] especially if he's in the vicinity. So I brought him and a doctor from Bern, Switzerland and a Drug Policy Coordinator from Frankfurt to Vancouver, as a side trip because it didn't cost us much just to bring them in from Seattle... [it] definitely um, moved things forward more quickly by talking to real people than one city staff person in the wilderness flogging an idea.

Shortly after this meeting, McPherson and the City Manager, Judy Rogers, put forward the proposal in Council to establish the position of Vancouver's Drug Policy Coordinator. The proposal was approved and McPherson was hired for the position.[277]

Just prior to McPherson's appointment as the City's Drug Policy Coordinator, in March of 2000, Philip Owen, along with one Provincial and two Federal Ministers[278], signed the Vancouver Agreement, a tripartite non-funded[279] agreement that focused primarily on the revitalization of Vancouver's downtown eastside. A section of the agreement called for the implementation of health facilities and services in the DTES in order to address the problems of substance misuse, suggesting a leaning of the agreement towards the principles of harm reduction that advocated the treatment of drug misuse as a health and not a criminal problem.[280] The municipally driven Vancouver Agreement that hinted at implementing harm reduction-based measures, was one of the first solid indicators that the Mayor of Vancouver had joined McPherson's and the senior staff's commitment to a radical new approach to Vancouver's drug related problems. Through what McPherson described as a process of informal meetings in the

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[277] City of Vancouver, Administrative Report. SUBJECT: Drug Policy Coordinator, Author: Donald McPherson, April 4 2000 http://www.city.vancouver.bc.ca/ctyclerk/cclerk/000404/a4.htm

[278] The Federal Ministers were Liberal Members of Parliament Dr. Ronald Duhamel, Secretary of State for Western Economic Diversification and Dr. Hedy Fry, Minister of Multiculturalism and the Status of Woman. The Provincial Minister was Jenny W.C. Kwan from the Vancouver New Democratic Party, Minister of Community Development, Cooperatives and Volunteers. For a full copy of the Agreement please see: http://www.vancouveragreement.ca/Attached%20Documents/Final%20VA%20formatted.pdf

[279] Although no set funding was allotted to the project, the Federal and Provincial Governments agreed to match any funding put forth by the City for projects under the Agreement. For more information please see: The Vancouver Agreement.
http://www.vancouveragreement.ca/Attached%20Documents/Final%20VA%20formatted.pdf

[280] The Vancouver Agreement 11.

Mayor's office with Staff and foreign visitors, coupled with numerous presentations and papers on the subject, the Mayor had become convinced that harm reduction was "the way to go".[281] This conviction, however, was not shared by the majority of Council.

According to a confidential City Council workshop summary report, provided by a former City Councillor, the idea of harm reduction, particularly safe injection sites, was viewed apprehensively by many members of the NPA-dominated Council. In the summary report under the section listing the priorities of the Council for the next three to twelve months, is a paragraph noting the agreement of Council not to support the development of specific services for drug users in Vancouver unless the other three elements of the four pillars approach are included in a "comprehensive service plan".[282] This suggests that the Council feared that the Mayor was too focused on the idea of harm reduction. Further evidence of the Council's discomfort with the Mayor's approach was demonstrated by their own efforts to explore alternative approaches to drug related problems besides the safe injection site option. In the summer of 2000, Council members made trips to Toronto, Liverpool, Amsterdam, and later to Portland in the winter of 2000, in order to examine the drug facilities currently used in those cities. These members delivered their reports, which discussed the importance of enforcement in areas such as drug courts and public policing, as well as the merits of treatment such as methadone clinics and heroine prescription.[283] Councillor Jennifer Clarke's report on drug programs in cities that used safe injection sites, focused largely on the fact that Vancouver possessed neither the finances nor the constitutional jurisdiction to copy the drug policies of its European counterparts. The report

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[281] Donald McPherson, interview by author, January 6th 2004.
[282] City Council Workshop 2000 Summary Report July 21st, 2000.
[283] *Drug Related Strategies in Portland*, Councillor Don Lee. Made to Vancouver City Council March 6th 2001; *Toronto's Drug Treatment Court*, Councillor Lynne Kennedy. Memorandum to: Mayor and Council July 18th 2000; *City of Liverpool's Drug Treatment Facilities* File: 4113, Councillor Lynne Kennedy. Power Point Presentation to Council, December 5 2000. For copies of these reports please see the City of Vancouver's website at www.city.vancouver.bc.ca

also concluded that methadone treatment was a more cost effective and proven way of reducing drug related crimes than were "safe consumption rooms".[284]

Outside City Hall

There were two main camps of resistance to the policy of harm reduction implementation in Vancouver. One group was the majority of City Council, the other was a coalition of outside groups in the community. This group, made up of organizations from the surrounding neighbourhoods of Gastown, Strathcona, and China Town, called itself the Community Alliance (CA). Concerned with the escalating levels of crime, prostitution and open drug use in their neighbourhoods, the CA and other groups representing communities from the surrounding area such as the China Town Merchants Association; the Chinese Benevolent Society; and the Hastings East Neighbourhood action Group, voiced their concerns that the Mayor's plans to increase the level of health facilities for addicts was not the proper solution to the drug and crime problems of the DTES.

Among the leaders of the CA, several were card carrying members of the NPA. A delegation from the CA met with Philip Owen privately to express their concerns.

> ...it was by face to face meeting with the Mayor and City Councillors - although not many attended - and the City Manager... it was to say ... it's getting to be too much - it's too intense down here you need to do something about it, pay attention to what's happening and the people who are running businesses and living and so on are really staring to drown, we need you to pay attention to this. And so many of us thought that the best thing to say is "look, put a moratorium on it or do a review or something, or just something like that."[285]

After this meeting, in the first week of August 2000, the Mayor called a 90 day moratorium on the granting of permits for resource centres or any other facilities for drug addicts. Owen stated his reasons for the moratorium as being an attempt to cool the tempers of advocates

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284 Jennifer Clarke "Report on Visit to Drug Programs in Amsterdam, Netherlands and Frankfurt Germany" Presented to Council September 2000 1, 14. For a copy of this report please see the City of Vancouver's website at www.city.vancouver.bc.ca

285 Community Activist, interview by author, February 2nd 2004.

and opponents of new facilities for drug users.[286] It appeared that the members of Community

Alliance, influential in Owen's own municipal party, had succeeded in influencing him to call the

moratorium. However, according to one former Councillor, in mid-September the Mayor showed

a confidential document labelled "Vancouver's Drug Strategy: A Discussion Paper" to several

NPA members of Council. The 19 page document discussed the drug-related problems of

Vancouver, and spoke of "harnessing the energy" of community groups and former advisory

boards who were already committed to realising an effective drug strategy in Vancouver. The

paper then went on to list the policies of cities with safe injection sites as examples for Vancouver

to follow when forming its own drug policy.[287]

What followed between this time and the announcement of the City's official drug policy

was a deterioration of relations not only between the Mayor and the Community Alliance, but

also between the Mayor and the NPA members of Council. The perception among these

Councillors was that they were being shut out of a secret policy process involving the Mayor and

certain key City Staff. One Councillor related that Councillors who were close friends of the

Mayor had urged him to "come clean" with the rest of the Council in what he was planning with

Staff.[288] Others described this time period and Owen's attitude towards the harm reduction

approach in the following way:

> Mayor Owen was a fanatic about it. He was out of his mind, that's all he talked
> about. You couldn't- and I usually met with him everyday, he and I were close
> friends and I'd be in his office everyday and the conversation always came to
> this. Everything else was forgotten... when I say he was paranoid about it, I
> could be understating the case.[289]

> ...there was so much going on in the back that I didn't know about...
> discussions between community groups, staff, the politics of the DTES... you
> know you could just feel it and you would get occasional words. People would

[286] "Drug debate heats up", CBC.ca August 14, 2000.
http://vancouver.cbc.ca/regional/servlet/View?filename=bc_coroner000814
[287] "Facing up to Drugs: Real solutions for a safe, healthier community" author not listed, confidential
document. Vancouver's Drug Strategy: A Discussion Paper. Working Draft September 5th 2000. 14
[288] City Councillor, interview by author, January 21st 2004.
[289] City Councillor, interview by author, January 14th 2004.

talk about it... my position was I'm not going to get involved in that level. When it gets to Council and public decisions have to be made we'll make 'em. That turned out to be a terrible mistake [laughs].[290]

Approximately 60 days into the 90 day moratorium, the second phase of the Vancouver Agreement was announced, and with it, specific plans for new facilities that would serve as contact points, health and resource centres for drug addicts.[291] According to one Councillor, the Council had expressed its alarm when the Mayor and City Manager had announced the next stage of the agreement to Council without first having asked for the Council's opinion. A workshop at the Council's request was scheduled to look at the details of the announcement. This workshop was subsequently cancelled due to a strike of city's employees in the last week of September. The announcement of the Vancouver Agreement's next stage went ahead regardless.[292]

While the divisions between the Mayor and his caucus continued to widen behind closed doors, so did the division in the community regarding facilities for drug users. On the day following the Vancouver Agreement announcement, September 30th 2000, the Community Alliance staged a march of approximately one thousand citizens through downtown Vancouver to Canada Place in protest against the City's plans to erect new health facilities for drug users. Having failed to affect the policies of City Hall through informal meetings, they had turned to extra-institutional forms of protest. As one of the activists involved with the CA explained:

> Initially... city government, the politicians agreed to meet with us and met with us and discussed things and had a moratorium and then as we went further along, there seemed to be a bit more distancing and we had as a group, felt ...more resistance from the politicians.[293]

The purpose of this march was to deliver a petition to Council stating the group's two demands of equal enforcement of the Criminal Code of Canada in all areas of Vancouver, and

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[290] City Councillor, interview by author, December 9th 2003.
[291] CBC Online Staff. "$$$ for Downtown Eastside" Posted September 29, 2000 http://vancouver.cbc.ca/regional/servlet/View?filename=bc_downtowneastside000929
[292] City Councillor, interview by author, January 21st 2004.
[293] Community Activist, interview by author, February 2nd 2004.

that no level of government was to direct funds to "assist, facilitate or maintain the use and dealing of illegal drugs"[294] in their neighbourhoods. This petition contained approximately 37,000 signatures and was presented to the Council by NPA Councillor Don Lee who had attended the march as "an observer".[295] Despite the clashes in the streets between CA activists and groups in favour of facilities for drug users, inside City Hall, Donald McPherson had completed the first draft of what would become the city's drug policy.

On Friday October 13th, Council was presented with a document entitled "A Framework for Action" by the Mayor and the City Manager. According to one Councillor, the Council was told that there would be a workshop on the document held on the following Monday or Tuesday[296]. Another Councillor described the meeting as follows:

> **JT):** How much involvement did you have in terms of drafting this framework?
>
> **C:** None
>
> **JT:** None?
>
> **C:** [laughs] Well, not none but I mean they brought it to us and we sat around a table-
>
> **JT:** Who's they?
>
> **C:** Staff, Donald [McPherson] and Judy Rogers the City Manager and Judy Kirk[297] who was a hired consultant. I mean I'm sure you've heard about her - they brought it to us and we'd sit around the table but it wasn't really a formal meeting... Donald McPherson wrote it. I assume he wrote it, I don't know- I mean he was responsible for it. He must have told you that he wrote it.

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[294] Community Activist, interview by author, February 2nd 2004.

[295] Office of the City Clerk, Ulli S. Watkiss. Personal memorandum to all City Councillors, November 1, 2000. Excerpt from Council minutes of October 3, 2000.

[296] Different dates were given by different Councillors and as the workshop was an informal meeting, no records were publicly accessible.

[297] Judy Kirk was hired under the auspices of the Coalition for Drug Treatment and Crime Prevention as a communications consultant. She was referred to by several different Councillors and McPherson as having worked closely with McPherson and Owen on the public relations aspect of "A Framework for Action". For further information on her salary and hiring dates please see: Administrative Report CC File No. 3701 City of Vancouver at: http://www.city.vancouver.bc.ca/ctyclerk/cclerk/001212/A9.htm

Another Councillor gave the impression that the Council was upset with the Mayor for having given them so little warning about such an important initiative.[298] Yet another Councillor put it a bit more bluntly:

> Things broke down when we were just given a - I mean literally this much paper and told this is going to Council next Tuesday. We were given it on Friday as I recall and it was quite clear, certainly to me, that we're being fucked over. Good. After telling staff that we didn't *ever* want to have this happen to us. And I use those words strongly because I saw it very much as a deliberate manoeuvre...[299]

A confrontation took place when the Council met to discuss the document presented to them on the 13th, and several of the NPA Councillors voiced their opinion that the policy was not ready to be released to the public. This was not the reaction that Philip Owen had been hoping for, especially as he and the City Manager had booked a press conference to launch the release of the document as a draft of the city's new drug policy.[300] What followed then has been described by several Councillors as a total breakdown in relations between the NPA members of Council and the Mayor.

> ...the Mayor was just stunned when we rebelled and at that point things just broke down completely. But I have no doubt in my mind, looking back on it, that we were being manipulated.[301]

Due to the refusal of Council to endorse the document, the launch of "A Framework for Action" was delayed and a series of Council workshops were scheduled in order to amend a document that they found too focussed on harm reduction and too light in the other three pillars of the policy. Although the Council added to the other three areas of the document and changed the order of the pillars in the paper so that the harm reduction pillar read last, the section of harm reduction remained unaltered by the Council. Donald McPherson described the workshops in this manner:

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[298] City Councillor, interview by author, January 21st 2004.
[299] City Councillor, interview by author, December 9th 2003.
[300] City Councillor, interview by author, January 21st 2004.
[301] City Councillor, interview by author, December 9th 2003.

Yeah, we had ah three - I wrote a draft paper and then we "workshopped" it - went through three workshops with City Council where they got to, you know add. To their credit they didn't delete, they added. ... they felt the prevention section was weak, they felt the enforcement section was weak, they wanted me to do more work on that, they felt it was unbalanced it was too "harm-reductiony" it wasn't a balanced four pillars it was too heavy on the health side and not for the criminal justice side, which definitely reflected my biases...

A City Councillor had the following to say about the type of input Council had into the document:

C: I do know that the Council twice edited every single word in the 4 pillars documents. We went through it word for word. And we changed some things, we added some things, and we deleted some things. So the document you have, the four pillars approach was word for word the words of the Council, the NPA Council of the day.

JT: ...how substantial were the changes that you made?

C: Very minor. Very minor. Uh, I think it was the 4 pillar approach prevention, enforcement, ... harm reduction, education ... we changed the words, we changed the placing of the words you know, so there was no change. It was like "let's put that word first" so they made enforcement first, you know...[302]

After this series of workshops, the document was announced to the public on November 21st, 2000 in a press release sent out by Vancouver's Coalition for Crime Prevention and Drug Treatment. The press release announced that after two years of consultation with the community, the City of Vancouver had drafted a drug policy discussion paper.[303] As the Vancouver Agreement had included openness and transparency in government decision making as one of its key goals, a series of forums were announced to the public to be held at six different locations over a two week period.

While these discussions took place, however, the urban movements for and against harm reduction moved into a new phase of mobilization. By January of 2001, the Community Alliance

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[302] City Councillor, interview by author, January 15th 5pm 2004.

[303] Vancouver's Coalition for Crime Prevention and Drug Treatment "A Framework for Action: A Four-Pillar Approach to Drug Problems in Vancouver (a draft discussion paper) " Press Release November 21, 2000.

and its associates had decided to challenge the City's plans concerning the treatment facilities

announced in the second stage of the Vancouver Agreement, by speaking against the permit

allocations of the proposed sites at Vancouver's Development Permit Board.

A Need for Allies

Although McPherson had succeeded in getting the harm reduction measures through the

first stage of Council's approval, the significant obstacle of the City Council agreeing to pass the

policy still presented itself to the City's Drug Policy Coordinator and his allies. The CA's

continuing battle with the City over its planned health facilities and resource centre for drug users

demonstrated that a significant portion of the community was against the idea of new facilities for

drug users. This portion of the population was particularly significant as its members had long

represented the NPA's cohesive group of voters. One Councillor recalled a point that certain

Chinese members of the CA made:

> ... some people from the Chinese community made us aware of the power of the
> Chinese vote and by a few thousand votes here and there compared to the last
> election we could be wiped out if the Chinese abandoned us. So that was a little
> bit of intimidation or one might just say, education that they did for us you
> know?[304]

Philip Owen himself knew the idea of safe injection sites was not popular with many of

the traditional NPA supporters. The draft discussion paper that had been sent into the community

outlined the need for a trial safe injection site in Vancouver.[305] However, the actions that the

paper recommended be taken, mentioned only the *consideration* of safe injection sites by a panel

with representatives from all levels of government[306], something the Mayor continuously parroted

whenever the press, the NPA, or concerned members of the public asked if he supported the

implementation of safe injection sites in Vancouver. As one Councillor noted:

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[304] City Councillor, interview by author, January 15th 5pm 2004.
[305] Donald McPherson *A Framework for Action: Draft Discussion Paper* (Vancouver: City of Vancouver, November 2000)56.
[306] McPherson A Framework for Action: Draft Discussion Paper, 57.

I mean one year before the election Philip made a speech at the NPA [annual fundraising dinner] distancing himself from SIS's. One year before. Philip had a hard time. He struggled with it for many years. And even one year before the election was distancing himself from SIS's.[307]

Both the City's staff and the Mayor needed support if they were going to succeed in convincing the Council to adopt the policy. They needed to silence the opposition in the community, and make certain that the majority of the public supported them. As explained by one community activist:

> I would say at that time that Council ... basically the only thing that really had any effect with them are numbers of people - they are afraid of voters. So it's a mass mobilization and it can't be the same old yahoos. You know like they know what my position is, I was a very strong spokesperson for representing Carnegie so they- you know, "oh here she comes again" so it was important that we had people who were residents, voters of Vancouver. So we tried to mobilize city wide.[308]

Having once been the target of their pleas and protests for attention to the needs of drug users, the Mayor and his staff now turned to these groups to help *them* educate the public of Vancouver on the merits of harm reduction. Since his initial interest in tackling the drug and crime problems of Vancouver, Philip Owen had met with a number of groups throughout the community. As a former director of the Carnegie Centre, Donald McPherson had come from a community that supported facilities and services for drug addicts. The contacts of both men resulted in an elite alliance between the pro-harm reduction movements of Vancouver, the Mayor and his staff. All four interview participants who were leaders in the pro-harm reduction movement described how they perceived McPherson and Philip Owen as allies within City Hall, and more importantly, how some felt McPherson and the Mayor perceived *them* as an ally within the community:

> With Donald McPherson ...there were numerous and regular interactions between us and him. I mean um, you know part of his interest in becoming Drug Policy Coordinator was I think out of his work on the Portland Hotel Society

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[307] City Councillor, interview by author, January 15th 5pm 2004.
[308] Muggs Sigurgeirson, interview by author, February 9th 2004.

Board and he also used to run Carnegie, right? ... I mean he did a lot of "check ins" in terms of how we thought it was going on the ground, how people were doing, you know, things like that.[309]

These activists also commented on the roles that they played in helping garner public support for the Mayor's drug policy. One of the ways they claimed to have supported the Mayor and McPherson was by signing up to speak at the municipal hearings surrounding the fight over establishing the five facilities outlined in the Vancouver Agreement. In February of 2001, the Community Alliance and other groups opposed to new facilities for drug users signed up to speak at the Development Permit Board hearing that concerned the allocation of permits for the five facilities that the city planned to build in the DTES. In response, groups in support of the Mayor's policy signed up to defend the proposals. As activist Ann Livingston explained, these groups had worked hard in mobilizing their supporters to speak at the hearings:

> We had meetings with the Strathcona Residents' Association... When the big hearing for the permits was on, they were getting up and reading poems and starting to cry and there was person after person who was affected by doing a clean up day, and the VANDU guys all showed up to do the clean up day and they worked really, really hard in the alleys and ... they just won these people over.[310]

In total, over 250 people spoke with the vast majority in favour of building the facilities, as most of those who had signed up to speak against the developments did not appear at the hearing.[311] Although the Development Permit Board approved each permit, the battle was not over. Groups still opposed to the facilities took the matter to the Board of Variance in order to appeal the decision of the city.

Again activists on both sides mobilized. While the CA prepared to speak at the new set of hearings, the City Staff mobilized their allies in the community to defend the facilities at the

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[309] Community Activist, interview by author, February 4th 2004. Vancouver, minidisk recording, activist's office, Vancouver.

[310] Ann Livingston, interview by author, December 21st 2003.

[311] City of Vancouver. Development Permit Board and Advisory Panel Minutes For: Monday, February 19, 21 & 27, 2001 available at:
http://www.city.vancouver.bc.ca/commsvcs/planning/dpboard/2001/D01mfeb19.htm

Board of Variance hearings.[312] Nichola Hall, a leader from the group From Grief to Action, had

this to say about the alliance between Staff, the Mayor and pro-harm reduction activists:

> Don[ald McPherson] probably felt the exact same way that Philip did...I think he
> thought we were an ally rather than the other way around ... he kept us informed,
> he told us when all the important things were happening like the Board of
> Variance he - when those were coming up he told us that he needed us to be
> there...[313]

The Board of Variance hearings were over more quickly than most had expected. The

Development Permit Board was directed by City Staff and was hardly an impartial body.

Although supporters of the policy turned out in great numbers to speak at the Board of Variance,

those against it claimed that the location of the hearings – a Japanese language school in

Strathcona close to Vancouver's DTES – was not a neutral enough venue to hold a fair hearing.

The CA felt as if City Staff had chosen it deliberately to intimidate them. Apart from the CA's

claims of partiality, there also existed doubt on both sides of the debate as to what appealing to

either of these boards would accomplish. Pro-harm reduction activist Muggs Sigurgeirson

recognized that both proceedings served a purpose other than debating the merits of the proposed

facilities:

> ...well there was these really wicked battles and huge organizing campaigns
> because there was a series of public hearings ... for the contact centre to get the
> permit... it wasn't people weren't changing anybody's mind it was just like a
> complete lobbying numbers game. And in my opinion it was really stupid of the
> City to do that and the City in my opinion was doing that because Council was so
> badly split.[314]

The Community Alliance and its affiliates pulled out of the proceedings and instead

aimed their efforts at suing the City in the Provincial Supreme Court. Again, however, the USMs

of the downtown eastside pursued the matter. VANDU, represented by the Pivot Legal Society

demanded and was granted recognition as a unique representative of the drug using community

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[312] City Staff, interview by author, personal communication, May 14th 2004. Original interview dated
Jan 5th 2pm.
[313] Nichola Hall, interview by author, February 16th 2004.
[314] Muggs Sigurgeirson, interview by author, February 9th 2004.

who could therefore defend the actions of the City in court. This eventually forced the

Community Alliance to drop the lawsuit due to the impending costs that would have resulted

from a lengthy debate in court.[315] With this last failed effort, the movement against facilities for

drug users began to dissipate. As one of the CA's leaders commented:

> I - you know, my memory may be hazy here, I'm not sure if we formally protested against the drug injection site, we did protest against five we called them the five facilities and that was a joint initiative of Vancouver and the Vancouver Richmond Health Board to have the contact centre which was the most um, the most significant of them, plus five other initiatives that included the redesign of Carnegie Centre and ah, there was also I think a methadone clinic near the Chinese cultural centre and so those -we did put together a presentation to the Development Permit Board and then again to the Board of Variance against those. But, I think by the time the actually specifics of the drug injection site came up we were basically spent in terms of our activities.[316]

Although City Staff had effectively silenced the Community Alliance and its allies, there

was still work to be done in convincing the City Council that public opinion was in favour of the

new drug policy. City Staff, the Mayor, certain members of the Vancouver Police Force and

other professionals acted as panellists for "A Framework for Action" during the series of forums

held to discuss the document with the public. Three of the four pro-harm reduction organizations

included in this study, CAP, the Portland Hotel Society and From Grief to Action, each hosted

one of these forums.

As one member of staff explained to me:

> ... certain community groups were actually essential ... they helped organize some of the early forums, they participated in forums that the city and other groups organized... - groups went around with the Mayor, ... to provide public education and to spread the ideas and they took a very key role in and without their support - it really shifted city policy...[317]

[315] Cheryl Rossi and Katrina Pacey "Business Group Drops Opposition to Drug User's Health Centre" Canadian HIV/AIDS Legal Network – Canadian HIV/AIDS Policy and Law Review available at: http://www.aidslaw.ca/maincontent/otherdocs/newsletter/vol7no12002/canadiannews.htm
[316] Community Activist, interview by author, February 2nd 2004.
[317] Staff Member, interview by author, January 5th 4pm.

According to Donald McPherson the purpose of these hearings was to "see what people thought of it. You know, were we close to the mark? Were there things that we'd missed?"[318] However after these forums, and approximately 50 meetings with "other groups, organizations and people"[319] the only revision to the harm reduction section of the document was to include the actual word "safe injection site" in the action that proposed a panel to examine the feasibility of establishing safe consumption facilities.[320]

In reality these forums turned into a public education program of sorts, with the panellists and the vast majority of the audiences in favour of the City's drug policy document. This impression of the hearings was shared by City Councillors, senior staff, and activists on both sides of the debate. One Councillor commented on the hearings as being "somewhat farcical because quite honestly the same people spoke at the forums..."[321] One activist in favour of the Four Pillars approach referred to the series of meetings as a "dog and pony show"[322] put on by the City as a formality in its steps to adopting the document as its drug policy. An activist on the opposite side of the debate agreed:

> It was a failure. Half the time it was staged. If you go up there and voice opposite opinion, you risk hostility within the crowd, some of them would follow you outside. It's just unfortunate, a lot of people don't feel comfortable speaking their mind because the opposing group would use video tape to tape who ever is doing the talking and ah, it was just a very ugly scene.[323]

A senior staff member concurred that the hearings were particularly one sided:

> My impression of those hearings... I thought information was presented to the public, I thought those who were more pro the four pillar - harm reduction, were

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[318] Donald McPherson, interview by author, January 6th 2004.
[319] Donald McPherson, interview by author, January 6th 2004.
[320] Donald McPherson *A Framework for Action: Revised* (Vancouver: City of Vancouver, April 24th 2001) 71.
[321] City Councillor, interview by author, January 9th 2004.
[322] Ann Livingston, interview by author, December 21st 2003.
[323] Community Activist, interview by author, February 13th 2004.

in attendance. I think that those who were sort of not supporting ... wouldn't have felt as comfortable ah presenting their point of view.[324]

A summary of comments from these forums, e-mails sent to the City, returns from Vancouver Sun inserts that sought the opinion of Vancouverites on the issue of safe injection sites, and other feedback forms distributed by the City were compiled into a document that described the support for all pillars of the proposal as ranging from 82 to 100 percent.[325] Donald McPherson and Joan McIntyre presented this document to the Vancouver City Council on the 17th of April, 2001. McIntyre had been hired as a private consultant to analyse the feedback from the public consultation process surrounding the four pillars document. In January of the same year, her polling firm, Joan McIntyre Market and Opinion Research, released a poll of the general public, boasting figures that ranged from 66 to 90 percent approval for different aspects of the framework with a general approval rating of 77%.[326] When questioned about the nature of the earlier poll, Donald McPherson alluded to the fact that it too was part of the public relations exercise run by the Mayor and supporting staff aimed at influencing the vote in Council.

JT: There was a poll released prior to their voting on it, was there not?

Donald McPherson (DM): Yes there was.

JT: Was that orchestrated by you?

DM: No [laughing] I had nothing to do with it... it was orchestrated by- someone else. [laughing]

JT: Right. Ok.

DM: Someone more involved in the communications world.

JT: But it helped convince Councillors.

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[324] City Staff, interview by author, March 1st 2004.

[325] "Summary of Public Consultation Feedback Regarding A Framework for Action, A Four-Pillar Approach to Drug Problems in Vancouver. Parts A and B. November 2000- March 2001" Available at: www.city.vancouver.bc.ca/ctyclerk/01024/RR1-appA.htm

[326] "Survey Shows Strong Public Support for Four-Pillar Approach" City of Vancouver News Release. January 30th, 2001.

DM: Yeah, that's just smart. That's just smart stuff when you have an issue like that and you're trying to move it forward in the political realm and we knew there was public support but it's really good to have a poll.

By the time the public forums on "A Framework for Action" were being held, the relationship between Philip Owen and the other NPA Councillors had deteriorated to the point where, one Councillor claimed, the Mayor threatened to resign. As evidence of the poor relations between the Mayor and his caucus, this Councillor produced a confidential memorandum that outlined the minutes of a facilitated meeting between the NPA Councillors and Philip Owen, geared towards repairing their strained relationship.[327]

On May 15th, 2001 the Vancouver City Council adopted "A Framework for Action" as its drug policy. When asked how the document passed after so much internal controversy amidst the City Council, the most common answers were party solidarity and public opinion:

> ...because the response was overwhelmingly supportive at the community meetings that we held ... knowing that by and large the vast majority of people were supportive of going in this direction...[328]

> Well [breath of resignation] I think just to show that there was, you know there was some unanimity.[329]

> ...by that time things had broken down so much, I mean we were, you know, it was quite clear that the politics of this was far more significant than whatever was being passed. And I think the hope was that um showing support for him would try and deal with his alienation. But I would still argue that I don't think anyone knew - well, everyone knew that it was not a decision of Council.[330]

However, these attempts to support Owen did not work according to plan. The Mayor, having alienated himself from his traditional circle of supporters in the Council and the NPA, continued to isolate himself from caucus. One NPA Councillor described this time period as the following:

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[327] City Councillor, interview by author, January 21st, 2004.
[328] City Councillor, interview by author, December 10th 2003.
[329] City Councillor, interview by author, January 14th 2004.
[330] City Councillor, interview by author, December 9th 2003.

Philip kind of ... you know sort of diverged from the rest of Council for what ever reason he basically spent all of his time with staff and didn't spend any time with his caucus.[331]

During this time period, the Mayor also grew bolder with the specific idea of establishing a safe injection site in Vancouver. No longer spouting rhetoric about a panel considering the feasibility of the sites, instead Owen submitted a motion at the Federation of Canadian Municipalities' Big City Mayor's Caucus recommending that three or four willing cities be identified by the FCM to participate with Health Canada in scientific trials of supervised consumption sites.[332] One Councillor explained the change in the former mayor in the following way:

> ...he struggled with it and he was very affected by the opposing view points and um he wanted somebody else to take the lead on it ... But eventually he did and the rest was history. You know once he did decide somewhere between that year he decided to jump on board and really be supportive.[333]

By March of 2002 Philip Owen had left the NPA and was sitting as an independent, claiming that he had been dumped by his former party because of his drug policy.[334]

Days after Owen's departure from the NPA, COPE Councillor Tim Louis submitted a motion to Council proposing that the Council support the Mayor and other members of the Big City Mayor's caucus in their efforts to initiate a multi-city safe injection site pilot program.[335] The motion passed unanimously.

When asked why this second, more specific resolution passed, the responses of Councillors were mixed. Several, particularly the two COPE Councillors, and Philip Owen

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[331] City Councillor, interview by author, January 9th 2004.
[332] Coalition of Progressive Electors "Vancouver's Drug Strategy Way Forward Says COPE" March 12, 2002 available at: http://www.cope.bc.ca/index.cfm/fuseaction/news.article/article_ID/96001964-BFC8-4100-878D6C8F195B9689/index.cfm May 20, 2004.
[333] City Councillor, interview by author, January 15th 5pm 2004.
[334] Francis Bula and Doug Ward "Jennifer Clarke's 'coup d'etat'" *Vancouver Sun* A1 Friday March 8th 2002.
[335] Motion of Notice "Vancouver City Council Support for National Harm reduction Pilot Project" (File 4113). Filed by Council Tim Louis. March 12, 2002. Available at: http://www.city.vancouver.bc.ca/ctyclerk/cclerk/020326/motionb5.htm

expressed a sense of urgency and a need to act in order to address the drug problems of

Vancouver. Others spoke of the amendments made to the motion at the last minute ensuring that

all four pillars of the city's drug policy would be enforced equally[336], and made statements to the

effect that they felt confident that the City could have pulled out of the pilot project if they felt it

was not working.[337] Finally, with a municipal election quickly approaching, several Councillors

related the need to put a cap on the feuding and infighting going on within the NPA by

demonstrating solidarity with the Mayor, even if he had left their party.

> Fred and Tim wanted to uh see if there was - they thought that somebody was
> going to vote against it and so we looked around when we did the motion and we
> had delegations come, we discussed it, we debated it. When the vote came it was
> a unanimous decision to support SIS's and I thought maybe there would be one
> or two Councillors who would go against it but I was quite delighted to find
> everybody officially in favour[338]

> ... the relationship was getting pretty rocky by then between [Phillip Owen] and
> Jennifer [Clarke] you know what was happening politically in a way, I think that
> Council thought we needed to - we had to act on - we had to do something...[339]

Regardless of their individual reasons, the Vancouver City Council unanimously

endorsed the Mayor's efforts to have a pilot safe injection site implemented in Vancouver under

the supervision of Health Canada.

Naturally the story continues. After Council had agreed to back the specific idea of safe

injection sites negotiations continued between the City Government and the Provincial and

Federal Governments, towards making a safe injection site a reality in Vancouver. The subject of

injection sites and drug policy eventually became a focal point of the 2002 municipal election that

saw the decimation of the NPA under their new Mayoral candidate Jennifer Clarke, and the first

COPE government elected in the history of Vancouver. It was under this government that North

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[336] Report to Council Standing Committee of Council on Planning and Environment May 2nd 2002 available at: http://www.city.vancouver.bc.ca/ctyclerk/cclerk/020502/pemins.htm
[337] City Councillor, interview by author, December 8th 2003.
[338] City Councillor, interview by author, January 15th 5pm 2004.
[339] City Councillor, interview by author, January 9th 2004.

America's first supervised injection site for intravenous drug users was opened in Vancouver. However, for the sake of brevity the story must end here as we look at it now from the view point of Vancouver's political opportunity structure.

The Adoption of a Framework for Action: A POS Perspective

The story of how the Vancouver City Council came to ratify North America's first drug policy that contained programs such as heroin maintenance and safe injection sites could have been told from many different perspectives. It was described in the above fashion for the purposes of brevity and clarity, and also to demonstrate how closed the entire process was.

The POS of Vancouver in 1999 was one of limited formal and informal opportunities. The behaviour of movements involved in mobilization against or in favour of services for drug users corresponded with these opportunities.

Movements accessed whatever channels of formal opportunity they could such as appearing at the Board of Variance hearings, launching a lawsuit against the city, making presentations before Council, and attending all public forum meetings. All of these exercises were discredited by both sides of the debate as farcical attempts by the City Staff and the Mayor to appear as if opinions expressed by groups would change or affect their decision making. As well, at least two activists, one from each side of the debate, had run for City Council as a way of influencing the decision making of their local government. Neither won a seat in Council.[340]

Due to the limited nature of Vancouver's formal routes of opportunity, less formal routes were accessed. One of these means included protests and public demonstrations. Because of our cultural of tolerance and policing practices in Canada, these protests were peaceful. None of the eight activist leaders interviewed felt that the actions of the police had any significant effect on their decision to protest or the type of demonstrations that they staged. Personal, informal

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[340] Community Activist, interview by author, February 13th 2004 and Ann Livingston, interview by author, December 21st 2003.

meetings with politicians were also used by activists, and although the opposing groups felt that these encounters had been the most important in influencing the decisions of Vancouver's City Councillors, in the end it came down to which group had more powerful and influential allies within City Hall.

In closed political opportunity systems, the importance of elite allies is paramount. This certainly seemed to be the case in Vancouver, where the main way for movements to affect changes in public policy came from having one of their own inside City Hall. The following is an example of this view prevalent in all of the activists that supported harm reduction:

> **JT:** Did you feel that you or your movement had a particular ally in any of the City Staff?
>
> **Muggs Sigurgeirson (MS):** Nope. Oh, Donald of course - once Donald was elected. 1 mean Donald came from this stuff, from the neighbourhood…and went to city hall with the explicit job of bringing harm reduction - so Donald McPherson, of course, but nobody else up there.
>
> **JT:** …He went to city hall?
>
> **MS:** He got hired up there as the Drug Coordinator.
>
> **JT:** And he did that because he was trying to push-
>
> **MS:** Harm reduction. Yeah, that was his whole platform - was to make this stuff work. And to make it work meant that he had to find a way to deal with all this dissidence right? … [to] solve the political contradictions for the pol- for Phil[lip Owen] basically.[341]

Having an elite ally in the senior staff of Vancouver's City Hall proved to be more advantageous than having an ally among the members of City Council. Even though the Community Alliance had its allies within the Council, they were not powerful enough to stop the policy from being adopted. One CA member demonstrated his/her ties to certain Councillors

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[341] Muggs Sigurgeirson, interview by author, February 9th 2004.

during the passage of the motion in May of 2002 to support the specific idea of a safe injection

site in Vancouver:

> ... I helped draft the counter motion, or the motion or the additional addendums
> to that motion the day of the Council meeting, the day before and the day of the
> Council meeting to send to each of the Council members to say you know, you're
> going to go through with it so make sure that there's complete transparency,
> make sure there's a vetting mechanism so that we can see whether it's working or
> not working, make sure you're getting the proper statistics for that ...[342]

As demonstrated in the preceding chapter, the bureaucracy of Vancouver was highly

sophisticated and held a tremendous amount of power over the decisions of the City Councillors.

A belief that the move towards harm reduction by the Vancouver City Council was initiated by

Staff, was expressed by activists on both sides of the debate, as seen in this example:

> **JT:** ... can you recall any of the groups [for safe injection sites]?

> **Activist:** Well I think at that time the groups would be just, I would say, the
> Staff.[343]

The influence of McPherson was cemented by allying himself with the only elected

official with a support staff of his own, the Mayor. Together they harnessed the energies of local

movements to help them access the only real weapon against a closed system of political

opportunity: the voting population. By hiring consultants such as Joan McIntyre and Judy Kirk to

manage the public relations and communications side of the drug policy's release to the public,

McPherson and Owen were able to ensure that the document gained the press and exposure it

needed in order to "educate" the public about the policy and gather sufficient public support. As

one Councillor explained his/her views on the city's Drug Policy Coordinator's role in

Vancouver's policy on safe injection sites:

> **C:** I would say it's [Donald McPherson's] baby. Now [Phillip Owen] would
> never admit - because a politician always takes credit for something they think
> they've done. But I would say it's [Donald McPherson].

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[342] Community Activist, interview by author, February 2nd 2004.
[343] Community Activist, interview by author, February 21st 2004.

JT: So, not Philip Owen?

C: You'll have to ask him. [laughing] Philip Owen will say it's him. I think it was McPherson ... but the Mayor enhanced it by, in fact, approving a study and money out of the Mayor's fund I think and hired I think, Judy Kirk to help out in this regard and they sort of, in a way circumvented Council...

JT: How do you circumvent Council if the Mayor only has one vote?

C: Well they would do these things, we weren't even aware I think, and you have to talk to Jennifer [Clarke] she's more familiar with this than I am, but I don't think that we were even aware that he had, ah, financed, ah Judy Kirk and a group to bring this to pull it all together.

JT: Pull the documentation - ?

C: This whole, the whole plan.

Finally, as the system remained closed to the demands of movements, the government of Vancouver retained a significant amount of power to ensure the expedient passage of its policies. Perhaps if local movements had had more access to the system, the policy process would have been slowed to the point where it was halted indefinitely. Perhaps a referendum on the topic in the initial stages of the debate might have resulted in the majority of the population rejecting a harm reduction drug policy for Vancouver. In just two years, the percentage of Vancouverites in favour of safe injection sites went from 44% to 77%.[344] Although it took some significant "massaging"[345] as one Councillor put it, to sway hesitant members of Council, once convinced, the policies were passed. In less than three years the local Council of Vancouver had accomplished a feat neither the provincial nor the federal levels of government, in their shuffling of responsibilities and adherence to the American style War on Drugs, had been able to do in the previous ten; it had initiated a radical new drug policy that was the first of its kind in North America. All of it due to the Mayor, Vancouver's Drug Policy Coordinator and other key Staff

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[344] Ian Mulgrew, "Most are opposed to safe-injection sites for addicts, poll says" the Vancouver Sun November 14th 1998, B5

[345] City Councillor, interview by author, January 14th 2004.

through their alliance with USMs and the advantage provided by the closed nature of

Vancouver's political opportunity structure.

CONCLUSION

It has been suggested by several scholars that local governments are an ideal ally for urban social movements seeking to solve global problems through local action. Although the intention of the Vancouver local government and its staff was most likely not to affect global change, but rather to solve a serious local problem, global change was a by-product of the City's harm reduction-based drug policy. The supervised injection site implemented in 2003 was the first of its kind in North America, and part of a radical new policy to combat the drug problem of Vancouver, exacerbated by the negative effects of globalization. The adoption of a harm reduction drug policy was influenced by European cities whose local governments had adopted a similar approach to their own drug related problems. In turn, Vancouver has continued with this pattern, urging other Canadian cities to engage in pilot projects of safe injection sites and heroine maintenance.

This thesis has explored the circumstances under which alliances between urban social movements and local governments take place through a case study of Vancouver. Initially it seemed logical to assume that governments with an open political opportunity structure would hold more potential for movements seeking to use their government as a tool for progressive social change. Indeed, at first glance the safe injection site decision suggested that the city of Vancouver had an open POS, as certain movements within Vancouver's community had been calling for harm reduction policies for over a decade. The decision to adopt the policy appeared to have been a concession to the demands of these groups. However, after further investigation the POS of Vancouver was determined to more closed than open. Furthermore it was because of this closed nature that the safe injection site decision was passed by Vancouver's local Council.

A Closed Political Opportunity Structure

Upon closer inspection, nearly all areas of political opportunity during the years of 1999-2002 in Vancouver were severely limited. With elements such as an at-large electoral system, no citizen initiated procedures of direct democracy, and a highly sophisticated bureaucracy that did not require assistance from outside groups, Vancouver's POS remained effectively closed.

Because Vancouver possessed such a closed system the presence of elite allies was paramount to groups seeking to influence government decision making. As the local centre-right government was not likely to share the opinions of left wing activists, the most important elite ally that the pro-harm reduction groups found in City Hall was in its powerful civic bureaucracy. Donald McPherson, having worked in a community that sought a new approach to Vancouver's problems of drug addiction, gained employment at City Hall, and eventually was appointed to the position of Drug Policy Coordinator. Once inside, McPherson was able to form alliances with the city's mayor and other staff members in order to push forward a drug policy based on the principals of harm reduction.

The idea of safe injection sites and harm reduction was met with opposition by the majority of the City Council and certain business oriented groups within the community. However, the alliance of certain senior staff, the Mayor, private consultants and the pro-harm reduction movement, executed a public relations campaign in Vancouver that served to silence opposition to their plan, inside and outside of Vancouver's City Hall. How this feat was accomplished can be understood through the dependent variable of political opportunity structure of government power. The more closed the POS of a system is, the easier it is for the system's government to pass the policies of its choosing. Because neither the government nor the bureaucracy was obligated to ask for public approval of its policies between civic elections, "A Framework for Action" was adopted as the City's drug policy within the time span of a City Council term.

The Benefits of a Closed Political Opportunity Structure

By determining the POS of any given system, we are able to predict not only movement behaviour, but also the power retained by the government of the system in question, as well as the steps movements must take in order to harness that power.

Although the idea of a closed political opportunity structure may appear as a roadblock to local movements seeking to influence the decision making of municipal governments, this thesis has demonstrated that a closed POS does not necessarily preclude the idea. The "benefits" of a closed political opportunity structure alludes to the idea that if activists can harness the power of a closed system, as they did in Vancouver, they can ensure the rapid and easy passage of progressive policies.

Future Research

The conclusions drawn from this single case study, point to several areas of potential future research. The first involves an exploration of other major policies enacted by the Vancouver City Council of 1999-2002. As the government and its staff retained the power to seek public input at their discretion, it would be beneficial to determine which policies were open to public participation, and which were not. Was the exclusionary process of adopting "A Framework for Action" as the city's drug policy due to the radical nature of the policy and the need to pass it quickly? Or was this a common practise of that government? Determining whether or not the safe injection site decision was an exception to the way that City Hall operated in 1999 will serve to further test the usefulness of POS theory in this case study.

A second area of future research lies with mapping the POS of current day Vancouver. Due to the stability of the formal institution structure of a system's POS, the long term opportunities of Vancouver determined in this thesis can be applied to the current local government of Vancouver. The only element of Vancouver's POS that has changed, thus far, is the city's configuration of power. In 2002, COPE won the majority of seats and the Mayorship of

Vancouver. COPE, since taking office, established an electoral commission to make recommendations on how the Council should go about reinstating the city's ward system.[346] Recently an NPA Councillor accused the local government of skirting its promise to hold a referendum on the potential reinstatement of the ward system. Certain COPE Councillors maintained that the last civil election served in place of such a referendum as the electorate "knew [COPE] favoured a move to wards".[347] Although the City has recently opted to hold a referendum on the reinstatement of the ward system, for a period of time we were presented with the ironic scenario of a government, using the closed nature of its POS, to implement policies that would effectively render its POS more open.

Third, the POS of other Canadian cities and their subsequent relationships with USMs is a more distant but important area of study to which this thesis could contribute. The study of cities that have passed policies exceeding their traditional boundaries would be of particular interest. As the POS template used in this thesis was constructed for the purpose of studying local government in Canada, it remains useful for the study of other cities in Canada.

Finally, by placing demands on their Provincial Legislatures and Ottawa, municipal councils have, in essence, assumed a role similar to the USMs of their cities. It would be useful to look at the POS of the other two levels of government in Canada from the perspective of local governments. This exercise would serve not only to understand the specific circumstances of the adoption of a safe injection site in Vancouver, but it would also outline the leadership roles of municipalities in guiding their Provincial and Federal counterparts to innovative local policies of social change with national and global ramifications.

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[346] For further information on the Commission's recommendations please see:
Thomas R. Berger. *A City of Neighbourhoods: Report of the 2004 Vancouver Electoral Reform Commission* http://www.city.vancouver.bc.ca/erc/
[347] "Ward System Gets Council Approval" CBC online news service. September 10th 2003
http://vancouver.Cbc.ca/regional/servlet/View?filename=bc_wards20030910

APPENDICES

Appendix 1 Interview Questions for City Councillors

Statement of Informed Consent: This interview is for the purpose of determining the level of input local social movements in Vancouver have had in the Council's decision to implement a safe injection site in Vancouver's downtown eastside. The intent of this project is to publish the results with the names and opinions of those persons interviewed. However, if you wish to remain anonymous please say so now and I will identify your comments as those of a person who has been involved in the development and implementation of the policies discussed, without using your name.

Finally, you do not have to answer all of my questions, if there are any you do not wish to answer feel free to say "I don't know" or "no comment". I will be recording these interviews with your consent, do I have your consent? But for your information, the recorded interview will be transcribed and erased within three months of this interview.

Do you have any questions before we begin?

1. Whether or not you chose to remain anonymous, can you state your name, when you were a City Councillor and for how long you served in this position?

2. Did you run under the banner of a local political party/organization? If yes, what was the name of this party/organization?

Formal Institution Structure

3. Can you describe your role as a City Councillor to me
4. What are the decision making powers of City Councillors vs. the mayor's powers?
5. How does Council function in terms of voting?
6. How are committee memberships decided upon?
7. How independent are the decision making powers of the Park Board and the School Board from the City Council?

Policing Practises

8. How would you describe the relationship between the Vancouver City Council and the City's Police Force?

9. How much control would you say that the local government of Vancouver has over the policies and actions of Vancouver's Police Force?

The relationship between City Staff and Council

10. Can you describe the role the City Staff plays in the local government?
11. How would you describe the nature of the relationship between City Staff and the city's elected Council?
12. How much control would you say the city's staff has over the decisions of Councillors in regards to policy formation?

Elite Alignments

13. Are there any groups or associations that have been or are traditionally affiliated with the NPA/COPE?
14. Which groups or organizations do you think, was your party most likely to deal with, based on past experience?
15. Did these groups have influence on the policy making of your party when it was in government?

Elite Allies and Safe Injection Site Questions

I'd like to now ask you some questions regarding urban social movements in Vancouver, specifically the ones involved with issues related to drug policy and the downtown east side.

16. Are there any local movements/groups in particular with which you associate the demand for the implementation of safe injection sites in Vancouver? Or in opposition to them?
17. Do you recall the methods that these groups used in to convey their demands to Council during the above time period?
18. How did these actions, if at all, affect your decision making regarding their demands?
19. Were some strategies more effective than others in convincing you to act on their demands?

Community Directions

20. Are you familiar with the Downtown Eastside Community Development Project?
21. Are you familiar with the group "Community Directions"?
22. Did you or Council as a whole, to the best of your recollection, have any interaction with the group Community Directions?
23. How would you describe the relationship, if any, between Community Directions and the local government of Vancouver?

24. Can you describe what impact Community Directions had on policy formation regarding issues to do with drug policy in Vancouver, particularly the safe injection site decision?

Other

25. Out of all demands placed on Council regarding safe sites...What was Council's capacity to act on these demands?
26. Why did Council decide to take on such a responsibility that was legally out of their jurisdiction?
27. How much input did you as City Councillor have in the drafting of "A Framework for Action?"
28. How much input did you as a City Councillor have in the drafting of the resolution to support safe injection sites specifically?
29. Why do you think the policy passed?

Appendix 2 Interview Questions for City Staff.

Statement of Informed Consent: This interview is for the purpose of determining the level of input local social movements in Vancouver have had in the Council's decision to implement a safe injection site in Vancouver's downtown eastside. The intent of this project is to publish the results with the names and opinions of those persons interviewed. However, if you wish to remain anonymous please say so now and I will identify your comments as those of a person who has been involved in the development and implementation of the policies discussed, without using your name.

Finally, you do not have to answer all of my questions, if there are any you do not wish to answer feel free to say "I don't know" or "no comment". I will be recording these interviews with your consent, do I have your consent? But for your information, the recorded interview will be transcribed and erased within three months of this interview.

Do you have any questions before we begin?

1. Whether or not you chose to remain anonymous, can you please state your name, position and how long you have worked in that position?
2. Have you worked for the City in any previous positions? If so please name them.
3. Can you briefly describe the tasks and responsibilities of your position?

Formal Institution Structure

4. Can you describe the role City Staff plays in the functioning of the local government?
5. How would you describe the nature of the relationship between City Staff and the city's elected Council?
6. Can you describe the nature of the staff's input into local government policy formation?
7. How sophisticated would you say the city staff of Vancouver is compared to those of other Canadian cities?
8. What about the relationship between staff and outside groups in Vancouver – particularly urban social movements, how would you define this relationship?
9. How involved would you say, outside groups in the community are in determining the policies and actions of the city's staff?
10. Would say that the staff relies on outside groups for ideas or direction?
11. Do you think your relationship with the government changed since the elections of 2002?

Elite Alignments

12. In speaking about outside groups such as urban social movements, neighbourhood organizations or other local business associations, are there certain groups with which the City usually does business based on past experience?
13. Are there certain types of groups that the City is more likely to work with, or contract out to, than others?

Elite Allies

14. What can you tell me about City Staff's role in the safe injection site decision/ the four pillars policy? If you like you can begin with your role.
15. I'd now like to ask you some questions regarding the movements for and against the implementation of safe injection sites in Vancouver. Are there any local movements/groups in particular with which you associate the demand for or against the implementation of safe injection sites in Vancouver?
16. Do you recall if these groups attempted to petition the city's staff to aid their cause?
17. What sort of strategies did they employ in this exercise?
18. How did these actions, if at all, affect your decision making regarding their demands?
19. Were some strategies more effective than others in influencing you or your department?
20. What was City Staff's capacity to act on these demands?
21. How much input did these groups have into the policy that was eventually adopted regarding safe injection sites and harm reduction?
22. How much input to this policy do you feel that the Staff had?
23. Why do you think this issue was pursued by the local government in the first place?

Community Directions

24. Are you familiar with the Downtown Eastside Development Project?
25. Are you familiar with the group "Community Directions"?
26. Did you or your department, to the best of your recollection, have any interaction with the group Community Directions?
27. If yes, what was your involvement with it?
28. What was the purpose of Community Directions? Why was it formed?
29. How would you describe the relationship, if any, between Community Directions and the city's staff? ... with the local government of Vancouver?
30. Can you describe what impact Community Directions had on policy formation of Vancouver's local government?
31. What about issues to do with Drug policy in Vancouver, particularly the safe injection site decision?
32. Can you comment on the current status of CD today?

Appendix 3 Interview Questions for Activists

Statement of Informed Consent: This interview is for the purpose of determining the level of input local social movements in Vancouver have had in the Council's decision to implement a safe injection site in Vancouver's Down Town East Side. The intent of this project is to publish the results with the names and opinions of those persons interviewed. However, if you wish to remain anonymous please say so now and I will identify your comments as those of a person who has been involved in the development and implementation of the policies discussed, without using your name.

Finally, you do not have to answer all of my questions, if there are any you do not wish to answer feel free to say "I don't know" or "no comment". I will be recording these interviews with your consent, do I have your consent? But for your information, the recorded interview will be transcribed and erased within three months of this interview.

Do you have any questions before we begin?

I'd like to talk to you about the time period of 1999-2002, in Vancouver. I would like to find out about the nature of your social movement, its aims, and its relationship with the local government of Vancouver at that time.

1. To begin with, whether you have chosen to remain anonymous or not, can you state your name, and the name of the urban social movement, or organization with which you are/were involved?
2. What was your involvement/role within your movement?

Elite Alignments

3. Does your organization have a history of association with any Vancouver municipal party?
4. If yes, can you describe the nature of this relationship?
5. Does your organization provide financial assistance to any Vancouver municipal party?
6. What were your goals/demands that you directed at the local government of Vancouver?
7. Why did you target the local government?
8. Was the local government the only target of your protests?
9. From your recollection, what were some of the other organizations involved in this issue, for and against?

Formal Institution Structure

10. Can you describe the types of protest/strategies that you used to convey your demands to the local government?
11. Which of these strategies did you find the most effective? Why?
12. Can you recall when the highest incidence of protest was in relation to this issue?
13. Why do you think protest was most frequent during this time period?

Policing Practises

14. Did any of your protest strategies involve encounters with law enforcement officials?
15. If yes, can you describe your organization's interaction with these officials?
16. Did this interaction in turn affect future protests or protest strategies?
17. If so, how?
18. How do you perceive the relationship between the city government of 1999-2001 and the city's police force of the same time period?
19. How much did you associate the City's actions with those of the police?
20. How much control did you feel the city government had over the actions of the police?

Elite Allies

I would now like to ask you questions about the Vancouver city Council of 1999-2002.

In Council:

21. Did you feel that there were certain members of the city council who displayed a greater level of interest in your movement's cause than others?
22. Was there a particular City Council member with whom you or your movement had direct dealings?
23. Please describe why or why not.
24. Who facilitated these dealings/meetings?

In City Staff

25. Did you feel that there were certain members of the city's staff who displayed a greater level of interest in your movement's cause than others?
26. Were there any members of staff with which you or your movement had direct dealings?
27. Did you feel that you or your movement had a particular ally in any of City Staff?
28. Please describe why or why not.

Government's Response

29. What was your perception of the government's response to your demands?
30. Did you feel that the government had the capacity to fulfil your demands?
31. If not, why not?
32. Why do you think the four pillars/ safe injection site decision passed in Council, unanimously?
33. How influential do you think your group was in influencing the local government regarding this decision?
34. Were you involved with the process of Community Directions?
35. If not, why were you not involved?

Under Community Directions

36. Why did you become involved with Community Directions?
37. What was your involvement with Community Directions?
38. What was your perception of the government's response to your demands as a part of Community Directions?
39. How would you describe the relationship between Community Directions and the government of Vancouver?
40. Do you think that being involved with CD increased/lessened your chances of government concession to your demands?
41. Can you describe what impact Community Directions had on policy formation regarding issues to do with drug policy in Vancouver, particularly the safe injection site decision?

Appendix 4 Delegation of powers of Vancouver's City Council.

VANCOUVER CHARTER

Delegation of powers

161. By a vote of not less than two-thirds of its members, the Council may delegate, with or without restrictions or conditions, to any committee comprised

(a) of members of the Council; or

(b) of employees of the city; or

(c) of members of the Council and employees of the city,

any of the executive or administrative powers exercisable by the Council.

1953-55-161.

Appendix 5 Ethics Approval

SIMON FRASER UNIVERSITY

OFFICE OF RESEARCH ETHICS

BURNABY, BRITISH COLUMBIA
CANADA V5A 1S6
Telephone: 604-291-3447
FAX: 604-268-6785

June 23, 2004

Ms. Jane Thomson
Graduate Student
Department of Political Science
Simon Fraser University

Dear Ms. Thomson:

**Re: The benefits of a closed political opportunity structure:
urban social movements, the Vancouver local government
and the safe injection site decision**

The above-titled ethics application has been granted approval by the
Simon Fraser Research Ethics Board, in accordance with Policy R 20.01,
"Ethics Review of Research Involving Human Subjects".

Sincerely,

Dr. Hal Weinberg, Director
Office of Research Ethics

Appendix 6 Members of the Vancouver Police Board 1999-2002

The following are the publicly released profiles of the members of the Vancouver Police Board between the years of 1999-2002:

LYNN, John D.

John D. Lynn was appointed to the Vancouver Police Board on October 26, 2000. Mr. Lynn is President of John Lynn Communications and is Senior Communications Counsel with OroAlliance, which provides consulting services to the pharmaceutical and biotechnical industries across Canada. Mr. Lynn is a Block Watch co-captain in the Burrardview area, where he is also active with the neighbourhood association. He has served on the Board of the Vancouver Public Library, the Fire and Rescue Services Advisory Committee, and most recently, as a public representative on the Council of the College of Physicians and Surgeons of B.C. My Lynn and his wife Kathy have two adult children, (2000).

BLACK, Allan E (Q.C.)

Allan E. Black, Q.C., was appointed to the Vancouver Police Board on October 26, 2000. Mr. Black has been practicing as a lawyer in British Columbia since 1970, almost exclusively in the area of Industrial Relations Law. He is a graduate of the University of British Columbia. Mr. Black was appointed Queen's Counsel in 1999. Mr. Black has an extensive background both as an arbitrator and representing clients in labour disputes in the Provincial sector. He has worked with public and private sector trade unions. In the early 1980's, he was a Vice-Chair of the Labour Relations Board.

In the 1980's, Mr. Black was on the Board of Directors for the United Way and the Jewish Family Services Agency. For the past five years, he has been on the Bard of Directors for the Congregation Beth Israel. Mr. Black lives and works in the city (2000).

BAGSHAW, Kenneth M. (Q.C.)

Kenneth Bagshaw is was appointed to the Vancouver Police Board on February 22, 2001. Mr. Bagshaw has been practicing as a lawyer in British Columbia since 1965, in corporate and business law. He is a graduate of the University of British Columbia and he was appointed Queen's Counsel in 1986. Currently, he is the regional managing partner of the firm Borden, Ladner Gervais. Mr. Bagshaw has had extensive community service experience. In the past, he has been involved as Chair and/or a Director with the following organizations: University of British Columbia Board of Governors, The Hamber Foundation, University of British Columbia Foundation, The Heritage Trust of BC, Minister's Advisory Committee – BC Festival of Arts, World Conference on the Arts, Business and Government Society, BC Arts Board, Anna Wyman Dance Theatre Foundation, Vancouver Art Gallery Association, West Vancouver School Board – Citizens' Finance Committee and West Vancouver Electors Association. Mr. Bagshaw works and lives in the downtown area.

BAUMAN, Sue

Appointed to the Vancouver Police Board January 1998. Executive Director of Family Services of the North Shore Foundations and previous Director of Community Programs. She is a resident of Gastown. Her background includes: Domestic Violence Coordinator – North Vancouver Family Court and Youth Justice Committee and Court Watch Coordinator of North Vancouver Provincial Court. Previously active in a number of community organizations (2002).

MAXWELL, Gillian

Appointed to the Vancouver Police Board – April 2000. Consultant / Owner of Strategies for Solutions. Current Board member of Strathcona Health Society. A past President and member of Strathcona Residents Association. Past Member of Vancouver / Richmond Health Board – Community Health Committee 2 which covers the Downtown Eastside, Strathcona, and Grandview Woodlands. Trained in facilitation, mediation, and negotiation and has been an entrepreneur for seventeen years (2002).

WONG, Florence

Appointed to the Vancouver Police Board – April 1998. She has been a lawyer since 1981. Current Board Member and Past Chair of the Justice Institute of British Columbia. Past Board Member of SUCCESS. Past adjunct instructor for Kwantlen College and Vancouver Community College on business law. Vice-President of the Canadian Association of Police Boards (2002).

ADAM, Ian M.

Appointed to the Vancouver Police Board – February 1995. Retired Partner Ernst & Young Chartered Accountants. Now practising as a business consultant. Previous President and Current Director of Boys and Girls Clubs of B.C. and Greater Vancouver, of B.C. Cancer Foundation, and of B.C. Sports Hall of Fame and Museum (2000).

POZER, Jim

Appointed to the Vancouver Police Board – January 1996. He has been a lawyer since 1980. Executive Director and staff lawyer of Community Legal Assistance Society which works actively with poverty, disability and human rights groups in Vancouver (2000).

MOTTUS, Kinder

Appointed to the Vancouver Police Board – June 1995. Staff Representative for the BCGEU. Resident of Riley Park Area. Co-captain and member of Block Watch and

member of local community policing centre. Board Liaison to Chief Constable's
Diversity Advisory Committee.

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