

Interview with James Beddome[†]

J A M E S B E D D O M E *

BPS: So going back to the primordial beginning, how come you came to law school?

JB: That is an interesting question. I think to a certain extent I was always interested in getting involved in law and politics since high school and even before, for a long time as a young child. It was just kind of a natural progression. I eventually decided to go work for a while at Nesbitt Burns. After a year and a half I realized that although I learned a lot, I was pretty encouraged to go back to law school. My brother actually on a lark registered for the LSAT. He kept saying, "You keep saying you want to go to law school. I have already registered for the LSAT, why don't you register too?" So I did it, I registered and I got into law school and he didn't.

BPS: So does that mean you have to support him now because you owe him big time?

JB: No you know what he's a real estate agent now and he owns a lot of property and rents them out.

BPS: Okay, so he's doing okay.

JB: I think he's not hurting.

BPS: Now when you are going to law school did you have any idea that it would prepare you for politics or figured it would be kind of technical

[†] This interview was conducted by Bryan P Schwartz and Jessica Davenport

* James Beddome completed his J.D. from the University of Manitoba in 2013. James was the leader of the provincial Green Party from 2008 to 2013. James Beddome was re-elected to the Leadership of the Manitoba Greens on November 15, 2014 for a two-year term. In part, his rationale for running again, was so that Bryan Schwartz could continue to brag about how many political leaders in Manitoba took his Legislative Process class.

stuff and there wouldn't be much carry over between what you learned there and your later political career?

JB: When I came in I think I saw it that way although I am not sure. I am not saying law school is not political but actually you think it would be, or at least my impression, was that it would be more political based on my impression of meeting some of my classmates and some of them were more engaged, others less. I think that is true all over.

Lawyers tend to look more to refine the issues to the narrow issues where often in politics you want to look to the broad issue, the broad policies. They kind of come at a slightly different angle but they are complimentary I think.

BPS: In another interview we got a rather surprising answer but in retrospect it kind of made sense, she indicated that law is always animated by some sort of policy. However in law school you talk about the rules, you might talk about the policy behind the rules but you do not get to that higher order discussion of fundamental political philosophy. Law schools do not tend to be a place where you can really discuss the big issues.

JB: Yes because we're so focused on learning the legal test. I am thinking about first year Torts with Prof. Osborne, where the public policy argument is the last one you argue, almost like a throwaway. I mean in it is in the test but it seems to fall to a lower priority. Now that is not always true. Certainly I appreciated Legislative Process that I took with you that is obviously completely different that something like Torts or Contracts that is more standard, what you might consider bread and butter law.

BPS: You talked about what happened in the classroom which apparently is not much. Did you find law school is a place where you could bat around political ideas with people or people weren't much interested in politics?

JB: Yes I definitely had a lot of friends, Rana Bokhari being one of them, in the hallway you have the discussion, and there certainly was a lot of that. That is a very good point, the collegiality of the people you meet and the discussions that you have. Everyone is quite intelligent in law school.

BPS: Now were you Green before you came to law school or is that something that evolved?

JB: Yes before I came to law school. I ended up getting involved in the Green Party after my undergraduate degree. I had always been interested in politics but none of the larger mainstream parties really appealed to me for a variety of reasons. But what I really wanted after my degree was to do the legislative internship program for a year. I was selected seventh out of six candidates which is almost worse than not getting it at all. But in retrospect it was the best thing for me. There were two points which I think maybe threw it for me. The one was a question by one of the NDP committee members regarding public healthcare. I responded by indicating that although I personally fully supported public health care, they were hiring me as a non-partisan researcher, so I would be remiss to not look at countries with other jurisdictions like France which has a very good mixed system that works too. The other area of concern was I hadn't been previously involved in political campaigns.

I took that one to heart, it was a little bit of a hit to the teeth and I got involved first in the mayoral campaign of Kaj Hasselriis. I ended up meeting a couple Greens there. I had already been on the contact list since my last year of undergrad, and I had been meaning to get more involved. From there, I got a little bit more involved first doing some policy. Then they put me on as a member at large on the Council and then basically I ran as a candidate in 2007. Following that I took on a job as a member at large to recruit a new president and ended up becoming the president. Sometimes that happens.

I ended up serving as their president for the year and I was encouraged by a couple people to run for leader and I did feel that there was a need for change. I contested the leadership in 2008 along with another contestant. I ended up being successful and actually the irony of that is I did not know I would get into law school at that time as I was admitted in August. At that time I had just started a small business, just declared my leadership bid, and then I was accepted into Law School. I remember talking to my partner Caitlin, and at the time she said "Well you do not know that you're going to win, so just go forward and see what happens."

After getting elected in November it became pretty apparent, pretty quick, that it was going to be a struggle. I decided I would just write my first term exams because I was that far along but in January I shifted over to part-time and did the rest of my degree part time the

rest of the way through. I think that is something I appreciated this law school for. This enabled me to be leader of the Green Party of Manitoba, work part-time as an environmental consultant, while also working on my law degree. I do not think could have gotten this broad experience any other way.

Being a part-time student you are kind of an outcast too sometimes. I have talked to other part timers we're kind of a group off to ourselves. Our schedules are unlike other full-time law students. I think maybe in some ways I regret that. I am happy about the experience I received but because you are not always at the law school and when you are here you have to jam all your classes into one day, and the next day you are at work, so you do not spend the same amount of time hanging around the Robson Hall building itself.

BPS: Did you find as you were going through law school that from the point of view of being leader of the Green Party you were getting information that you could immediately put to use understanding environmental law or tax law better that you could actually use?

JB: Yes without a doubt, you get a really good understanding of how the system fit is together. Without a doubt I think especially as you started moving through law school you had a better understanding of stuff like that. I remember being in legislative committee you had handily printed out all of the committee rules for a Legislative Process class, so I would have a copy of them to bring with me. There were a lot of aspects where you could use legal knowledge to your advantage.

One example I remember, we were pointing out that there were a lot of concerns to alfalfa growers as well as organic producers from the Genetically Modified Organisms (GMOs) seeds moving into Manitoba. I know provinces like PEI have looked into making their provinces GMO free zones. So I wrote a submission to the Minister of Agriculture making this suggestion. The Minister's response was "Well that is all done by Canada and constitutionally it is all federal jurisdiction". I said "no it is not, in Canada Agriculture it is a shared jurisdiction" and pointed them towards the dual compliance test outlined in cases such as *Rothmans, Benson & Hedges Inc. v. Saskatchewan*.¹

So I found definitely that what I learned in law school had a lot of applicability.

¹ 2005 SCC 13, [2005] 1 SCR 188.

BPS: Aside from knowledge, did you use skills? Did you find as a politician that the legal research writing exercises, the advocacy programs, was that incremental useful to you? You were obviously quite articulate and an experience debater when you got to law school, did we give any value added in that respect?

JB: Yes I think so. Law schools all about training you. You may have an opinion or perspective but also trying to then put yourself in the other person's shoes and look at it from their perspective. Law school was really good about that. As you build up and you prep for a case, you are thinking what is the other side going to argue and what arguments am I going to stick in my back pocket so I can rebut my opponents arguments.

BPS: Well, undoubtedly that is an extremely important skill not only in legal advocacy, but in political advocacy when it is so difficult to get any attention to get your message out, you have so little press coverage. Being able to distill things in very distinct and memorable ways is a lot of the skills in being an effective politician nowadays.

JB: And all of the using analogies. It is very common in law and I find it very effective in politics. If you can break something down to explain it like the *Environmental Violations Administrative Monetary Policies Act* is like giving people speeding tickets for environmental infractions. If you can give people those types of analogies that law teaches you to use it is often a better way to communicate the message.

BPS: Now you have become a leader of a party now that is a very different position than many people we interview because often we interview politicians where the message is determined by someone else. There's the leader of the party or the central apparatus which basically says this is the message and your job is to go out and sell the message. You may have been consulted on what the message is going to be but it is not like you have to approach each issue and figure out where you're going to stand on it. But you're a small party. Did you find that the Green Party had an ideology or credo which sort of gave you a starting point on everything or were a lot of things you basically had to look at the merit is pro and con, and come to a more pragmatic assessment of where you wanted that just on the basis of good public policy? How much, in other words, were you able to figure out where you stood by a

general philosophy or ideology and how much is determined by case by case?

JB: Actually I think it is a bit of both, and I think that is true probably of all parties. The first thing to know about the Green Party is we work on a one member, one vote. As leader, I am just one vote on council, one vote on the membership and really our policy is passed by our membership directly. The different policies that have been passed over the years are all on our website for those who may be interested. So commentary is based on the policies the membership passed. That said a policy statement is one thing, but they can often be filled in with further research. You pull together some of the research that fills out the overarching statements. One of our stances was that we, in terms of energy policy, we would rename Manitoba Hydro to Manitoba Energy to look for different multiple sources of energy. We would put in place an assessment of impacts on Aboriginal peoples as well as economic costs and environmental impacts before we started building new dams and it would be a broad assessment across the province. Now that said, when I start blogging and stuff fine I have got the 4 or 5 point policy but I am going to build it with research from my other reports. I am going to build it and put together a longer thread. So I think the two kind of fit together.

There are always of course from time to time you are going to run into a place where you do not have a policy. Contrary to perception the Green Party has a lot of policies that are not environmentally focused. I think philosophically anyone or I shouldn't say anyone but most people, myself included, joined the Green Party because we were concerned about the planetary crisis we're heading towards. We needed to do something and really it is been apparent since the Club of Rome report *The Limits to Growth* in 1972² but action has been the challenging aspect of it. People know what the problems are, and in many cases even know what the potential solutions are, it is the implementation and finding the political will to implement the policies where the greatest need is. That is certainly why I got involved in the Green Party. That said, a lot of our fundamental principles on democracy and social justice broaden out to a variety of other issues that are not purely in the ecological sphere so to speak. We'd like to think of everything as in the ecological sphere. You cannot really say

² Donella H. Meadows, Dennis L. Meadows, Jorgen Randers and William W. Behrens III, (1972) *Limits to Growth*, New York: New American Library.

you have got the environment over here and the economy over here because really there part of the same problem. Environmental issues about resource use, are fundamentally economic problems.

BPS: If you asked me what a Green Party would stand for, as a general proposition, I wouldn't know. Because I could see different approaches to being Green, one would be basically a value system in which there is preeminent value placed on the environment. Another one might be a more sustainable development approach. We've got an economic growth is good, environment is good so how do we carry out sustainable development that model will involve a lot of cost benefit analysis. Which one do you think is closer to the characterization of the Green philosophy?

JB: We like to see it as a broad tent. That is actually what drew me to the Greens that the Greens do not come at things with orange or blue tinted glasses and looking at things from a very broad ideological frame. You know "Government intervention in the economy always good" "Government intervention in the economy always bad." And these simplistic axiomatic statements are not found with the Green Party because there is a variety of people. There are the more sort of pro-business sustainable develop type Greens who wear blue business suits, and those that, to make the joke, "eat granola and wear Birkenstocks and ty-dye." That is what I really think is really interesting about the Greens, why we're able to come up with innovative and interesting policy. I think we often get pigeonholed into the Birkenstock and granola type Greens. And while I know many of those and like them and respect them, I do not think I fit into that camp. There is actually a broad variety of opinions and what we really focus on is democracy, hashing out the ideas, working them forward, coming up with a platform statement democratically.

I think sometimes with the other more established parties they've fallen a little bit away from that. I think the real aspect about the Greens and why we come up with really innovative policy that do not always fit is with the broader public perception. That is always a challenge you are trying to get that much detail of the message out and people are only taking snippets, so if they think that we're only the hippy radical party then that is how we are perceived, but I do not think it is actually a fair label. I mean it may be fair for some individuals inside the party, and they may own it quite proudly, but there is a wide diversity of people.

BPS: Let's take a couple specific issues, let's say biofuels. You could take an ideological position which is using up renewable resources bad, biofuels good. It seems to me a more rational cost benefit analysis is you do not spend more energy producing biofuel than they actually produce. Many of these subsidies were actually bad for the environment and also bad for people in Third World countries because the use of corn for biofuels raises its price for those who need corn for substance. Now it seems to me James the stereotypical response would be a knee-jerk reaction, but I bet you would have actually done that sort of analysis about are we actually saving.

JB: We did actually. Two points to make. The first is, at least at the federal level, there was a more pro-biofuels stance in the earlier days of biofuels but I think as more research and information came out that shifted in the federal party; it goes back first to the democratic policy making process. Ideas do change, I mean none of us are fixed in stone. I know as leader I pushed on it quite a bit that the way that they account for biofuels is incredibly problematic.

BPS: Let's explore it a bit because my sense is that environmental issues tend to be dealt with in the political form is too superficial and too ideological. There is a tendency among a lot of ordinary folks but also the political parties to adopt let's call it a knee jerk reaction rather than doing the hard analysis.

JB: Yes, they want to have a slogan not an actual policy.

BPS: Yes

JB: And a slogan is much easier to campaign on. I know that that is something that myself personally as leader I always try to go the opposite way and to actually breakdown the nuance and have what I consider to be a balanced perspective. Maybe that could be part of my law training. I think it is partly my nature as a person.

Biofuels, the one big problem is they use a tank-to-wheels formula in Manitoba, which means for every litre of gasoline sold they figure that it gives you so much reduction and I think it is 2.2 grams. I did do a freedom of information request to get the entire formula, but I do not have it off the top of my head. But at the end of the day if Manitobans buy more fuel in Manitoba, if the consumption of fuel goes up in

Manitoba, then the government brags because their reported GHG reductions also go up. So this is how the Government has claimed its ethanol related GHG emission have increased from 330,000 tonnes, then it was 350,000 tonnes, and now it is 400,000 tonnes. When you look at the provincial environmental plans it is supposedly one of the biggest emission reduction points in governmental “Green Plans,” and it is also one of the largest chunks of money committed to “environmental initiatives.” It gives the NDP something that they can push out and say look at what we’re doing for the environment “biofuels good” and not really giving it the underlying analysis that it needs. What they do not look at is fertilizer or transportation. The Koch fertilizer plant in Brandon is the provinces largest emitter, and if fertilizer is applied and it rains shortly after, further GHG emissions are released. They also do not take into account that the second largest emitter in Manitoba when you look at the Environment Canada Greenhouse gas reports is the Husky ethanol plant, it is about a 120,000 tonnes a year. Then there is the transportation of all the materials.

BPS: Well this is fascinating in a number of ways. I mean it is admirable we got someone in politics actually trying to do the hard analysis. But on the other hand you have got two problems with actually making any use of this as a party. One is the general problem of being a fourth party and the other one is how do you actually get a message out if your message is not as stark as biofuels bad or biofuels good but you have a much more nuanced position. Let’s begin with the general problem of being a fourth party. Do you get any kind of support under the funding formulas for political parties in Manitoba.

JB: We do, much less than the major parties. We felt what our political opponents have referred to as the “vote tax”, or per vote subsidy, was actually the most fair and democratic way to subsidize parties because it leaves the decision with the voter. That said since they decided to amend it and utilize an appointed commissioner process, with the formula still loosely based on a per vote subsidy, with some further nuances. The amount of funding that the party received when I started as Leader was I think around \$7,000 per year, now I think it is around maybe \$15,000 to \$17,000 per year. It is not a grand sum of money.

Quite frankly, Greens know how to run a campaign efficiently. I have always said you want to see someone who knows how to run things cost effectively look to the Greens. We’ve got to make it stretch.

We print black and white. We find ways to reuse our election signs 3 or 4 times. I have always wanted to do an analysis to determine the money spent per vote. When we went into the last provincial election we wanted to be very fiscally responsible. We didn't go into debt or spend the entire \$15,000 we had in the bank, we kept \$5,000 for afterwards. We literally ran that campaign, with further donations on less than \$20,000, compared to over \$1 million by the two major parties.

BPS: And what percentage of the vote did you end up with?

JB: Overall provincially?

BPS: Yes

JB: I need to double check that because we ran about 55-60% of the ridings. I think it comes in around 2% but if you average across only the ridings we ran in it was actually closer to 4 or 5%. I myself had about 20%, with the strongest showing of our candidates.

BPS: So 2% in a pure proportional system you would have gotten a seat. Obviously the problem for third and fourth parties on down in Manitoba is if you have got a few support across the province it doesn't translate into any seats. And it is the nature of being Green it is very hard to get a concentrated regional vote right?

JB: Yes, Wolseley is probably our closest thing and Wolseley is still a fairly safe seat. One thing that is always really sad about politics in Manitoba is probably about two thirds of the seats are largely contested in the nomination meeting. In many ridings the NDP or PCs win with well over 60% support. This becomes problematic for our democratic system because if you are not an NDP supporter and you live in Wolseley or you are not a Conservative supporter and you live in Provencher why even go out and vote. I think for many people that is how they feel.

BPS: What is your objective during a campaign? Is it we want to getting closer to having representation in the Legislature? Is it influence public policy by the process of debate and contributing and being visible?

JB: I think it is both getting elected and influencing public policy. I think all of our candidates run, and I was always very adamant about this, when you're running, when you put your name on that ticket, you're running to win, you want the job. I know I wanted the job. Now that said, we're not naïve. We know that we're to put it simply we're the long shots in the best case of scenarios, but also I do feel we do affect policy. We do have a real impact. There are a number of different issues we've been campaigning on and by pushing on those issues I think we get response from the Government that would not have been taken otherwise.

BPS: Is that because you're potentially draining vote off the governing party or because of the logical force of your position?

JB: Probably a bit of both. It is the logical force of your position and that goes to your other question. Our means of reaching out has to be slightly different. Although we do not have the slogan messages and do not get picked up by the media as much I have had a number of people tell me they changed their vote because they found that we had actual substance in our platform.

BPS: But how do you, just on the purely technical level, how do you actually get your message out at all. Even as the opposition party in this province it is difficult to get any kind of purchase in the media.

JB: You just fight. You send out your releases. I mean, we did get media hits from time to time, you're right not to the same extent as the other parties. There were times when that would bug me.

There was one time, following the big huge kerfuffle over the 2003 elections, the alleged illegal spending that resulted in Manitoba's Chief Electoral Officer stepping down, and the Government and the Opposition could not come to agreement to appoint a new CEO. At that time I went to the legislative committee and put in a written presentation. The presentation argued that rather than trying to play politics with the past, let's a) be honest, we shouldn't just leave a deputy CEO in place indefinitely because the reason you have a deputy to a CEO is heaven forbid they get hit by a bus to use the proverbial expression; b) let's look at this as an opportunity to consider other legislation across the country regarding term limits for Chief Electoral Officers and other mechanisms that have been put in place for better accountability. Let's look at this as an opportunity to improve rather

than squabble amongst ourselves and kind of make political hay out of this thing. So after I put in that presentation I handed a copy to all the newspaper reporters. Kelvin Goertzen sent me a nice email saying I thought you did a real good thoughtful representation I really liked it. About a week or two later he puts out a private member's bill that copies some of the Alberta legislation on term limits that I referenced in my presentation. I am sitting there looking at the newspaper report thinking can't I at least get a one liner saying that this bill was sort of similar to the presentation put in by Green Party Leader in committee a week or two prior, but such is life.

BPS: A shout out.

JB: Yes just a shout out at the end of the story but working in politics, I had one person say this to me once, and I have always kept it in mind: "it is really hard in the moment because you are often working for change that is 10 or 15 years in the future. When you are in that single day or that single week it is hard to see that broad perspective but you just have to step back and realize that you are making a difference over the long term". I can look back now and be confident if it wasn't for our pressure, we probably would not have legislation coming into effect prohibiting the non-essential usage of cosmetic pesticides. If we hadn't been in the televised Leaders' debate the issue of poverty may have never been brought up. So I think that there is a lot of issues that we are able to bring up and raise the profile of. To be fair other organizations and individuals were involved too, but the Greens had a role in inching things forward. It is always hard as a fourth party, there is always the adoption syndrome. You come out there and you put out really good ideas and then the ruling party picks up half the idea, but they do not really implement the policy right but instead implement it only enough to give themselves cover to say that they've taken action.

BPS: Yes, Ron Reagan's motto was there's no limit to what you could accomplish as long as you are not worried about getting credit. I would guess as a fourth party that the governing party is less abashed about being worrying about this adoption syndrome because as a fourth party they figure that no one will even know or remember the source.

JB: Yes, there's probably some truth to that. I mean I'd be lying to saying it is not a challenge to be a fourth party to be running with next to no resources. I didn't ever take a salary as leader. I felt that what

little money we had should go to volunteers and the little paid administrative support we have. There is a lot of sacrifices for our candidates, I mean you talked about the funding right. Larger political parties if they get 10% they get half of their expenses back. So what happens in a lot of cases if you're a more established politician, even if you do not know that you are going to win, but you're one of the two major parties most ridings you feel pretty confident you'd likely break 10%. I'd have to check the numbers but most ridings across the province the PCs and the NDP broke 10% so if you're the candidate for the party what you do is you take out a loan for half of the amount that you're going to spend on the campaign, so you're actually able to double leverage those dollars. They even triple leverage those dollars when you consider that some of the big donors of other political parties are often the spouses of political leaders, political leaders, and political staffers. I am not saying those people haven't earned their salary but their salary is government funded and they also get further government funded tax credits for making donations.

BPS: So it is kind of recycled?

JB: It is recycled many times over. I know the federal party did some analysis of that at the federal level and I cannot remember exactly, but I think they had some crazy number like a seven to one ratio by the time you fully recycle the many subsidies to more established political parties. Consider, if I got elected me and my spouse could each contribute the \$3,000 the maximum per year, my executive assistant is going to do the same, and we will all get a partial credit back on our taxes in return. So I can have raised \$9,000 per year or \$36,000 over four years, which I can then put up to the bank for a matching loan during an election campaign. Now I have doubled the amount of money I have to spend to \$72,000 and provided I break 10% the campaign will get a further \$36,000 in government funded campaign expense reimbursements to pay off the loan.

BPS: There is no question, and it is certainly something I have documented in my writings is that it is good to be the incumbent.

JB: Even without the additional funding you are the known entity.

BPS: It is very easy to get your message out. I have criticized for years the extent to which governing parties get to use taxpayers' funds to put up government message but are partisan messages.

JB: Do you recall in Legislative process I was talking about the Conservatives federally, the Canadian Government Action Plan which is half talking about government policy but much more about promoting their own brand and their own party.

BPS: I see it happening at the federal level by whoever is in power. At the provincial level it is seen with the Steady Growth slogan. Every time there's a construction project with provincial money they've got the slogan on it. That is not a government message, in my view that is a partisan message.

JB: It is a real issue. It is always a challenge. Just having your face on the bus benches as a local MLA is a huge advantage. One of the most jarring points to me is that sometimes it feels like in politics today good substantive policy is not what gets you votes. It actually loses you votes. And the dominant party or the dominant two parties very much play a game of rhetoric and slogans without much substance. Sadly most voters are not informed, so they go to vote and they recognize a name because they're on the bus benches which is why incumbency is so important. And why when there is no incumbent, utilizing celebrity candidates is becoming more and more popular.

BPS: Yes I had a conversation on an airplane a couple years ago with a very senior federal politician and I was saying well it is really hard to change things because people tend to vote habitually. And he said people do not really have very strong ideological views; if you can just get out there and get your face presence.

JB: It is showing up to every community event for your free hot dog. It is unfortunate when that is what it means to be a good politician now. I recall you said in Legislative Process in the 1960s or 1970s retail politicians started to outnumber in very substantial way policy or ideas politicians. You need both, but when it is a herd of sheep without any shepherds then it is really problematic and you do not get much in the way of good policy.

But as Greens we were a little bit more insulated from that. I guess it cuts both ways when you are the major party you have a lot more to

lose your downside is a more significant. When you are a smaller party your downside is a lot less significant and also because you are relying more on the wonks and the readers you can say more. You try to use mass media, and mailing campaigns, but there is obviously a reality that as much as we might like to mail out 5 pamphlets through everyone's door, the cost of that is prohibitive.

BPS: But in terms of getting message out there's a couple forums of potentially more available in Manitoba for someone interested in your issues. The first ones is through public hearings and committee hearings. To what extent did you as leader did you ever appear in a public hearing?

JB: Yes, we intervened in the Bipole 3 hearings. I cannot say that I felt it was very useful but we did because we felt that there were some broader issues. Unfortunately, we did not intervene in the subsequent NFAT (Needs For and Alternatives To) reviews and I wish that we had, it was just finding the bodies and the people.

BPS: They can be a very long and grinding process, right? I mean they can be many, many days of hearings and it is hard to participate if you are not there the whole time.

JB: Yes and I think the splitting up of issues into several hearings, is probably done somewhat intentionally. They utilize hearing fatigue as a way of wearing participants down. We tried to push unsuccessfully to open up the broader questions during the Bipole 3 hearings, but the Clean Environment Commission (CEC) refused to even hear our motion. But anyway we were trying to argue the if terms of reference were going to read in the *Sustainable Development Act*, then you have to look at both the environment and the economic together, but the CEC was pretty adamant that they were only going to only look at it from one perspective. It was a letdown for us because really our entire reason to get into those proceedings was to ask about the broader development plans. I always felt that simply looking at Bipole 3 was not a fair analysis because Bipole 3 is just a conduit for further hydro developments in the north, so you have to look at it in the context of the entire development plan. We saw that in the NFAT hearings too. The terms of reference, which is drafted by the Minister, said something to the extent of you weren't allowed to utilize any past Manitoba Hydro reports in terms of whether their past assumptions

have held true or not, and you weren't allowed to refer to outside information except for what Hydro put into the NFAT hearing. Well that is not really a review hearing.

But that is often the way, the same thing will happen in the Lake Winnipeg hearing with the elections coming up. It is going to be all about whether they complied with keeping lake levels between 711 and 715 feet above sea level. That is not the real question people are asking. People want to know the impact of the water level and its effect on marsh lands and in turn on the algal pollution in the lake. There's a lot of First Nations people who still feel that the Churchill River Diversion (CRD), a massive project to literally divert 80% of the flow of one river into another river is an unresolved issue, and the CRD is tied with the Lake Winnipeg Regulation project, as it serves as one of the control mechanisms. Cottagers along the Lake want to know if Lake Winnipeg Regulation has contributed to shoreline erosion. You have to look at the whole broad overall impact and I think just saying did you stay between 711 and 715 feet, as the terms of reference do, is kind of an exercise in futility. The joke we had by the end of the Bipole 3 hearings was that a draft license had already been written somewhere in the ministry.

BPS: There has been talk about enacting an up to date environment act in the province of Manitoba. The federal act is much more structured and has the standards and procedures that are set out in many cases I think in much more detail than you would find here. So someone taps you on the shoulder and says James you're an expert on this you have gone to hearings you're very much interested in the environment. Not going into a detailed redraft of the whole thing but what are some of the points you would like to see in the new Manitoba environment act?

JB: I think first would be limiting ministerial power by having some sort of independent body that actually drafts the terms of reference rather than having the references come well really coming from the deputy minister with a political slant. In some ways the current act has good aspects in terms of public involvement.

Some things as someone who had dug through the environmental registry files, there's some small things that are not even legislative changes that would make a big difference. Back in the Glen Cummings days they would always just send a standard form letter saying thank you for your comments. They do not do that anymore. That sounds strange that something like that would make a big difference but I

actually do think it would make a huge difference. Another amendment could be waiting until the Technical Advisory Committee (TAC) comments are publically available before accepting public comments. TAC is their technical advisory committee under the Act and they are a number of different experts. They are all government employed experts. Their comments are due at the same time the public comments are due so the public doesn't have the benefit of seeing the TAC comments first. It is knowledge that taxpayers are paying for, the public should have access to this knowledge at the most appropriate times.

I think they need more procedural regulations, procedures need to be more clearly delineated. I would like to see them get to a completely electronic registry. I know they only have so much space on their website so they just pop up what they think is relevant but then pull it down. In comparison, Ontario has the whole system where it is all electronic. Another thing you might want to look at is rather than pre-approving preset technology processes by regulation, set the desired outcome rather than the desired process. I know Saskatchewan has put forward a new act, which admittedly I haven't thoroughly reviewed, but the focus is much more on the outcome of targets rather than on the specific technology used to achieve that outcome. I think that is something that needs further investigation. So there is a number of things that could be done.

BPS: Now what about the legislative process in this province is unique in Canada because there is a requirement that there be public hearings down at the Legislature. Is that an avenue that a fourth party takes advantage of?

JB: Yes, we did. I think it is really important and was certainly an avenue that we used as a way to get ourselves on legislative record. It is often very interesting when you go back and read Hansard because to talk about being a fourth party, well why are you doing this. I think putting those comments on record is really important I think it is a very special process in Manitoba and one I hope that we do not get rid of and one that again I think could be done better. The tendency has often been to call committees with 2-3 days' notice. I get the sense that from my participation, very rarely do they make substantial changes at Committee. Sometimes they do but it is less often than more.

I'll get give you one example on the *Save Lake Winnipeg Act*. I was trying to push hard for a simple amendment and I was told by then

Minister Blakie that what I was doing was not the appropriate avenue. He said “oh you should have joined some stakeholder committee beforehand.” But the government controls and picks those people and I know they weren’t going to pick me, as leader of a fourth party and nor would I expect them to. The amendment I was seeking was very reasonable in my opinion. The act require protection of wetlands around large Manitoba lakes, but at what point does a lake become a large lake? They had no definition. I was simply suggesting a definition for clarity. I thought I was being very reasonable. And they didn’t change it. In my opinion they have therefore opened themselves up for a challenge of the interpretation of the act under Manitoba *Queen’s Bench Rules* rule 14.05(2)(c)(iv).

BPS: I cannot believe they did not define it. I would just take it for granted if I saw the statute that said large lake I’d be looking in the definition section and I’d be looking to see squared meters or schedule just like you said.

JB: Same thing as myself right. I figured there would be something in there. So what happens if they decide to dredge the wetlands around Killarney or Dauphin Lake?

BPS: Well at least you’ll be in an “I told you so” position and what’s better than getting vindication?

JB: Actually getting something done.

BPS: Naw, getting vindication’s better. We’re not talking about utilitarian improvement of the word I am talking about self-gratification.

JB: And that is precisely what is wrong with politics these days. It is got to be about the larger utilitarian value.

BPS: Just a few more questions James. Now I think your reviews were that you did extremely well in the leader’s debates?

JB: Yes, it seems to be what the large majority of reviews seemed to be

BPS: Now I am just wondering how you go into that because you do not have a whole lot of staff people to tell you what about if they ask

about that Disraeli bridge or what about the community center in Flin Flon. Other leaders will have people to tell them about stuff that is not central concern but if it comes up. Did you have questions any questions that were peripheral issues?

JB: No I mean nothing like that came up in the debate. I mean that is always an issue any time you're in a debate. I think the real advantage is because I am a wonk that works to my advantage. I think the same thing has helped federal leader Elizabeth May with her performance in the debates. We tend to attract a lot of wonks so it puts us at an upper hand because we always try to read and analyze whereas the glad handers want to rely on the cliff notes and just read the preset statement. So I think that helped. One of the pieces of advice I got from one of the advisors and volunteers we had, and they had political experience as an assistant to a city councilor previously, you have to have your closing nailed down. So the closing was well prepared which I think that helped.

BPS: Yes, they said that about screenplays; as long as the endings good if the previous 90 minutes were dubious it doesn't matter people just remember the ending.

JB: So we worked out the ending. We felt it was important to reach out to Wolseley and to kind of come up with a really good closing statement that told people that by voting for us your voting for new ideas. I think that helped.

BPS: Did you have a sense that the Leaders' Debates got all that much coverage or a whole lot of folks were watching it.

JB: I think they definitely did. We noticed some momentum after that. I do not know how many people watched it but certainly I heard from enough people who told me they watched the debate. It is hard to say nowadays, because like many people I do not own a TV anymore. Like many people, I watch everything on the internet now that we are in the era of Netflix and YouTube. But it did seem to make a difference. People did seem to watch it and I think a lot of on the fence people that were looking for something, came over to the Greens following the debate.

BPS: Now what is your sense were there a large number of people watching it or is that there is a group of fans of politics who were watching it and then there is word of mouth?

JB: Maybe, that is an interesting point. Maybe some of it was word of mouth. It probably was a little bit of both. But I do think we definitely were able to get some publicity from it. I mean it helped a lot in Wolseley. If there is one regret I have it is that as leader, it was that I was not able to just dedicate my time to Wolseley as I would have liked. My strategy always was a broader slate. When I ran as a first candidate I was isolated in a rural riding with no one around me and there were people were being like we want to vote Green to but there is no a candidate in my riding? For me, and that was even before the financial incentives of a per vote subsidy were in place, I thought we needed to focus on putting forward as many candidates as possible. But I guess the one thing looking back is it would be it would have also been nice to also focus on a single campaign, but I do not think we could have accomplished both. I would not have been able to run around to different debates in Brandon and help out rural candidates and then come back. There are limitations obviously, particularly when you are the poor party.

BPS: How did other leaders respond to you in the debate? I would think their handlers would say do not acknowledge Beddome, if we engage with him we're giving him more weight.

JB: I do not think so. We joked after the debate, when we were having our celebratory beers after the debate, and I wish we had made these t-shirts. In numerous times during the debate the phrase "James was right" was said. And so we were joking we need to make t-shirts that say "James is right."

Certainly Greg Selinger wasn't very happy. He stormed out right after shaking hands and finishing the debate. I got congratulations from Hugh McFadden. While I do not agree with his policies, I must admit, as the campaign went on, on a slight personal level I have to give him some credit. At the CJOB debate in Brandon he didn't have to, and I know he was primarily looking out for his own interests, but he stated he was in favour of having the Green Party represented in debates. He didn't have to take that position, and he did comment to me with sincerity that he felt I put out some clearly cogent positions that he didn't necessarily agree with, but which he though I laid my

arguments out well. Regarding the Liberal team, both John Gerrard and his staffers congratulated me on my performance as well.

BPS: I am just curious as a normal advocacy exercise, did you do some mock debates beforehand?

JB: Yup. It's much the same way as you do before you prepare for a trial. You ask someone to serve as the meanest opposing lawyer to cross-examine your witness the day before. It was the same type of thing, I had a volunteer who helped me prepare. He would interrupt me, be rude, throw comments at me so that I was better able to respond. We certainly spent time preparing once we knew we were going to get in the debates. We determined what issues we would raise, what issues we would have to respond to, and yes luckily I didn't get a stumped.

BPS: So now you're taking a hiatus from electoral politics. I assume because it is a time of your life where you want to develop your career?

JB: Yes, that was really the decision. I miss it. I do.

BPS: You're thinking maybe once you have got your practice established and so on you might go back into it?

JB: I'd be lying, even if I said now as the leadership race is coming up was not thinking about it. But as you say I got to focus on the career. But I think my passion still is there. My gut feels that there is real opportunity for third and fourth parties in this next provincial election. But I still plan on helping the party and really want to focus on seeing things grow and develop. My objective as leader, I wanted a full slate. I didn't get there. I got about 60% of the way there. I also wanted us to have a full time staffer when we left. Well we now at least have a part time bookkeeper and a part time administrative director. I mean I didn't achieve everything I wanted to in my term but I achieved a lot.

BPS: Well I regret it too because not only are you contributing in a positive way to the political way in Manitoba, but I used to be able to say most of the leaders in Manitoba have taken my Legislative Process class and now it is down to around 50% and Kelvin Goertzen. At one point I had a clear 75%. I had an over two thirds majority.

BPS: What's your prognosis for the next election?

JB: Green Party government in 2015.

BPS: Do you think there will be a change in power?

JB: Possibly, but really elections in Manitoba are determined by Kirkfeld Park, Gimli, St. Norbert, and I'm missing a couple others but basically by the peripheral suburban ridings. But the provincial election is going to be tough to call because of that because it is going to come down to those few swing ridings.