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# Technocratic activism: Environmental organisations, carbon markets and European bureaucracy

Véra Ehrenstein

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# DEMOCRATIC SITUATIONS

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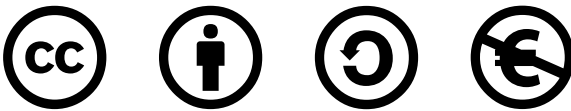
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# TECHNOCRATIC ACTIVISM: ENVIRONMENTAL ORGANISATIONS, CARBON MARKETS AND EUROPEAN BUREAUCRACY

*Véra Ehrenstein*

WHEN READING THE NEWS IN THE AUTUMN OF 2019, ONE COULD NOT ignore how politicised the issue of climate change has become. Throughout the year, pupils and students organised school strikes for the climate in a movement called Fridays for Future, flight shame spread among an ever-larger number of people and civil disobedience took hold in several big cities. At the United Nations climate summit in New York in September 2019, the Swedish activist Greta Thunberg reminded the world's heads of state and government of their political responsibilities vis-à-vis younger generations. A month later, 150 French citizens started auditioning experts to formulate policy propositions on how to reduce the nation's greenhouse gas emissions without jeopardising social justice. Around the same time, on the other side of the Channel, Extinction Rebellion activists were multiplying disruptions, blocking London City Airport and spraying fake blood on the Treasury's building in order to push the British government to declare a climate and ecological emergency.

Whether it is through performances convening a broader public via the media (Barry 1999) or elected governments resorting to *ad hoc* technologies of participation (Laurent 2016), the issue of climate change is, it seems, in need of more democracy. This therefore raises the question of already existing forms of democratisation. To start exploring this question, I propose to look at the making of climate policy in the European Union and foreground the work of environmental non-governmental organisations. I will refer to their lobbying of European institutions, including the democratically elected Parliament, as *technocratic activism*. This is a discreet mode of political action that stands in sharp contrast to the highly visible mobilisations witnessed recently (e.g., Extinction Rebellion and Fridays for Future, see de Moor et al. 2020). In fusing civil society advocacy, technical expertise and a knowledge of bureaucracy, environmental lobbying in Brussels offers, I suggest, a striking example of what the editors of this volume refer to as ‘technodemocracy’.

The cornerstone of European climate policy is a market mechanism called the European Union Emissions Trading System (EUETS). Operational since 2005, the EUETS is an evolving piece of legislation. The research on which this chapter is based was carried out in 2016–2017, when the revision of the EUETS for post-2020 was under discussion. As I was doing fieldwork in Brussels, I was expecting to see industrial lobbyists participating in the legislative process. The European Commission is known for having always encouraged the involvement of business associations in policy-making (Laurens 2018). Lacking the legitimacy of elections and dealing with economic questions related to the single market project, the new bureaucracy has made stakeholder participation a key aspect of EU politics. While I did meet business lobbyists, though, my attention was drawn to the environmental non-governmental organisations that had also been actively involved in the revision of the climate policy. I then decided to conduct a series of interviews with these activists.<sup>1</sup> Our conversations revolved around their experience of lobbying the EUETS and the legislative matters that, at the time, they were most concerned about (the future value of the emissions cap and the problem of the surplus of allowances). But before turning to these technical questions, I will first situate this piece within the STS literature on publics and further introduce the EUETS.

## FROM EMERGENT PUBLICS TO TECHNOCRATIC ACTIVISTS

In STS, there is now a substantial literature on emergent publics. Scholars in the field have been particularly keen to explore processes whereby citizens and consumers become politically active, from the formation of concerned groups triggered by technoscientific issues and their overflows (Callon et al. 2009), through the enrolment of laypeople in participatory initiatives aimed at eliciting collective concerns (Voß and Amelung 2016) to everyday ‘material participation’ in domestic settings (Marres 2012). This interest in emergent publics has been extended to climate change through the study of personal carbon accounting devices (Marres 2012) and deliberative panels on geoengineering (Bellamy and Lezaun 2015), to cite only two examples. Looking for new politics, STS scholars have tended to pay less attention to more conventional forms of political engagement.<sup>2</sup> Like other contributions in this volume, my chapter shifts this focus: the main protagonists of the story are environmentally minded professionals bearing job titles such as ‘policy officer’ and ‘analyst’. We will see them navigating a set of policy-making institutions, which one of them termed the ‘Brussels ecosystem’, and witness their concern about the capacity of the EUETS to be effective as a climate policy. While their advocacy can also be traced online (e.g., Blok 2011), I attend to their work *in situ*.

In order for us to understand what matters to these environmental advocates, we need to know a little more about the technicalities and the short history of the policy under scrutiny. MacKenzie’s piece (2009a) on the EUETS is a good place to start. It shows that EU policy-makers adopted a somewhat experimental approach when they decided to implement the market mechanism through a phased structure (on carbon markets as sites of experimentation, see Callon, 2009). The policy was launched in 2005 for a pilot phase, followed by a second phase from 2008 to 2012. Phase 3 started in 2013 and ended in 2020, while in December 2017 the rules for a fourth phase (2021–2030) were agreed on. This sequential dynamic has led to quite a few changes in the policy. Mackenzie wrote his account of the EUETS at the beginning of phase 2, when key aspects were still decided nationally. His analysis unpacks disputes about the stringency of the policy in which national governments were opposing the European

Commission. As the EUETS entered its third phase, it was further harmonised. Brussels became the main locus of policy-making and lobbying by business associations and environmental organisations. Discussions were particularly intense in the periods when the legislation, or some aspects of it, were being renegotiated, as was the case in 2016 and 2017 when I carried out this research.

Since 2013 (the start of phase 3), the EUETS has regulated the emissions of more than 11,000 industrial sites in 31 countries,<sup>3</sup> from oil refineries and coal-fired power generators, to cement plants and blast furnaces. The total quantity of CO<sub>2</sub> that these sites are allowed to emit in a year is capped, and for the current phase (2013–2020) the value of this EU-wide emissions cap has been fixed in advance. Each year, an amount of emissions allowances equivalent to the cap (one allowance represents one tonne of CO<sub>2</sub>) is created in an electronic registry. Some allowances – about 40% of the cap – are transferred for free to regulated facilities according to common allocation rules established, again in advance, for the whole phase. The rest is sold in auctions by member states. Companies are responsible for monitoring how much CO<sub>2</sub> is emitted across their sites, and subject themselves to audit. Emissions reports must be submitted annually to national authorities, and allowances must be surrendered electronically, to assess whether they match the reported emissions levels. As the EUETS is a market, companies short of allowances can buy some from those having excess allowances. Overall, allowances are expected to be scarce, creating incentives to invest in cleaner technologies. Given that they can be traded, emissions abatement is expected to take place where it costs the least, and so the cap would be met at the lowest possible aggregated cost. Hence the cost-effectiveness of emissions trading praised by economists and EU policy-makers.

It is commonplace to talk about the European Union as a technocracy, and the EUETS does not deviate from the highly technicised regulatory style that has come to characterise European action (Barry 2001; Laurent 2019). Lobbying the EUETS, therefore, is a matter of technicality. As one interviewee put it, ‘there is no scenery, no visual that captures the very dry, technical policy and data-driven ETS. It’s not something that fires people’s imagination.’ The policy appears unsuitable for the visual approach of environmental campaigning (think of images of orangutans displaced by palm oil plantations) and

disruptive performances. Instead, the ‘policy officers’ and ‘analysts’ I spoke to were engaged in what I call *technocratic activism*. With this term, I insist both on the arcane procedures of European bureaucracy they need to master and the technicalities of the climate policy, which they also have to come to grips with. The EUETS is a highly technical piece of legislation. Models and statistics are used to inform key decisions (on the value of the cap and the allocation of allowances) and various indicators and thresholds are developed, and revised, to implement those decisions. Any attempt to change policies must engage with the numerical artefacts through which the EUETS is given effect. The absence of a ‘European public’ these activists might appeal to provides further reason for adopting a ‘gentler approach’ that embraces technicality but at the cost of ‘downscaling’ radicality (Bomberg 2012: 414). As this chapter suggests, technocratic activists are experts less in the rallying of crowds or the economics of emissions trading – the practices, respectively, of grassroots environmentalists and economists – than in the practical workings of a market-based policy customised to the particularities of EU politics.

#### CRITICAL SCRUTINY RATHER THAN IN-PRINCIPLE REJECTION

When I conducted this research, three organisations appeared to be most active with regard to the EUETS.<sup>4</sup> The first organisation is a well-established non-governmental network operating as a coordination platform for climate advocacy. Its Brussels-based secretariat is composed of about twenty people closely following EU policy discussions. It is then able to inform constituent organisations of the issues at stake and help build common positions. This network also has the capacity to mobilise its membership to get an idea of how the EUETS is experienced locally, and pressure national politicians. Created a decade ago, the second organisation active on the EUETS has, from the start, scrutinised the use of carbon markets as climate policy. The EUETS being the largest emissions trading system to date, it is a major focus for the advocacy work of the ten people or so in the core team in Brussels. A eurocrat I interviewed at the Directorate General for Climate Action considered it to be the reference

environmental organisation. The third organisation involved in lobbying the EUETS when I conducted this research was based in London. Also set up a decade ago, it started as an online platform providing information about the market mechanism and allowing anybody to buy and cancel allowances. Drawing on a high level of technical skills, this organisation distinguished itself as the ‘number cruncher’, to quote one of its ‘analysts’. At the end of 2019, it shifted its focus from ‘working to reform and improve the EU carbon market’ to accelerate ‘coal phase-out’. While I was not able to inquire into what motivated such a shift, it seems reasonable to posit that the UK leaving the EU could be one of the reasons.<sup>5</sup>

My interlocutors within these organisations were European citizens – German, Dutch, British, Lithuanian – with varying experience in environmental advocacy, from enthusiastic university graduates in their mid-twenties to knowledgeable longstanding climate activists. Some had previously worked for Members of the European Parliament (MEPs) and consultancy firms, while others were initiating a reverse move, leaving the world of non-governmental activism to become parliamentary assistants and consultants. The youngest ones were educated in anthropology, physical geography and economics, with one having a PhD and another willing to finish the doctoral research they started in parallel to their environmental lobbying. Positioned at the interface between politics and expertise, my interviewees insisted on qualifying their advocacy as ‘evidence-based’.

For these technocratic activists, the everyday was that of a lobbyist: following the EU agenda, conducting online research, writing reports, releasing statements, tweeting, organising and participating in policy events in Brussels. Most importantly, their efforts were attuned to the legislative process, trying to ‘influence’ the European Commission when it produces its proposals, before turning to MEPs and their assistants once the legislation is in their hands. Obtaining face to face meetings was said to be essential. As one interviewee put it, ‘if somebody agreed to commit 15 minutes of their Brussels schedule to listen to what you have to say, they are unlikely to ignore what you are saying’. Although all three organisations were also active online, physical co-presence is essential to the practice of technocratic activism.



If some differences could be identified in the content of their advocacy – for example, whether carbon capture and storage should be supported by EU climate policy – the activists I met nevertheless agreed on what was wrong with the EUETS. The bottom line was that the policy is not stringent enough to bring down CO<sub>2</sub> emissions. Without being market enthusiasts, my interlocutors advocated a system ‘that does what it says it should’ and considered that ‘carbon markets in theory can work, if there is a political will’. To support this claim, references were made to academic research in economics showing ‘how [emissions trading] could be made to work’. There was a general understanding that the EUETS could be designed in a way that ensures that its economic logic delivers the promised transformative changes.

The activists I interviewed aimed to exert what they call a form of ‘democratic control’, which they equated to bringing in ‘a different perspective [to that of] industrial lobbyists’. Indeed, the EUETS is a piece of legislation to which business associations devote plenty of time and money, often to limit its stringency. But my interlocutors also felt that their own difficulties in creating interest ‘from the civil society side’, as ‘other NGOs doubt that their engagement can make a difference’, meant that their voice might be lacking sufficient legitimacy. A few years ago, I was told, there was more activism. Large environmental organisations, such as Greenpeace’s and WWF’s European offices, used to be involved ‘in trying to improve the ETS’. Out of disappointment with its lack of ambition, they gradually diverted their attention away from climate policy. The three organisations mentioned above were left alone in their efforts to stimulate the political will they thought was missing to make carbon markets work.

One should not rush to conclude that this reformist attitude is naïvely optimistic. The challenges facing technocratic activists in their dealings with EU climate policy are similar to those faced by transnational climate activists vis-à-vis the United Nations’ climate talks: an ‘efficacy dilemma’ (de Moor 2018) seems to come with the territory. ‘Should I stay or should I go’ provides a good summary. A long-time activist explained:

We always have this discussion: at what point does it make more sense to spend your effort elsewhere? At what point do you lose your credibility if

you support a tool that, basically, you already know, with the revisions [the rules for phase 4 and other regulatory adjustments that will be discussed below] that are proposed, it's not going to work until at least 2030? [...] On the other hand, if you say, 'scrap it', you don't influence anything. So I have been saying 'this is a policy that is not going away, if you like it or not, so we better engage with it to some extent'.

The 'scrap it' refers to the slogan 'scrap the ETS' of a campaign led in 2013 by a coalition of environmental organisations. The campaign was launched as the European Commission was preparing a reform to address a major problem in the EUETS, namely the accumulation of a surplus of allowances (more on this in the next section). The advocacy message was simple: the market mechanism cannot be 'fixed' and should just 'be abolished no later than 2020 to make room for climate measures that work' (letter, no date). While the 'scrap the ETS' campaign mobilised a coalition of organisations known to be against the principle of market-based policy, it created controversy among less radical activists about the meaning and usefulness of their own engagement with the policy.

One advocacy success, however, was mentioned to me several times: the ban in phase 3 (from 2013 onwards) of CO<sub>2</sub> offsets from projects destroying industrial gases. When the EUETS was established, it was linked to another carbon market, the Clean Development Mechanism (CDM), set up by the United Nations' climate talks (MacKenzie 2009b). The CDM was an international project-based offsetting system, through which emissions reduction activities implemented in so-called developing countries could yield offsets that EU policy-makers decided to render fungible with allowances. Companies were thus authorised to import these reductions into the EUETS and use them to cover a limited share of their emissions. The linkage was justified as further decreasing the cost of compliance. A few projects hosted by chemical plants in China and India turned out to provide the majority of offsets bought in Europe, attracting the scrutiny of environmental activists. Online research, data gathering and calculations revealed that the plant owners seemed to be increasing their production solely for the purpose of reducing the pollutants and selling offsets.<sup>6</sup> Reports and press releases were published in what became

## DEMOCRATIC SITUATIONS

a victorious campaign that succeeded in outlawing the controversial offsets. As an interviewee summarised:

I think there was just too much publicity around it and it was so, I mean it was so extreme! They really manipulated these projects, manipulated their emissions to maximise credit generation. That was something that could be sold to the press very easily. So there was an outcry about this, that's why it was then changed, because there was enough pressure.

Yet despite the pressure and the publicity, 'some made sure that those changes didn't come too fast'. Large companies, in particular the French and Italian electricity producers EDF and Enel, actively resisted the move as their trading desks had large financial stakes in the sale of the now infamous offsets (Bryant 2016). Their lobbying might have delayed the ban. A massive influx of cheap reductions was brought in the EUETS and used for compliance before the decision entered into force. For the activists I talked to, though the ban was a victory, it left a bad taste.

The three main environmental organisations active on the EUETS that I introduced earlier in this section were all committed to critical scrutiny. Unlike more radical anti-market activists, they rejected in-principle rejection of the EUETS, because the policy was considered to be 'here to stay'. The efficacy of their lobbying was, nevertheless, a source of debate. Campaigning against the problematic offsets had been successful but the circumstances were particular: 'it was so extreme' that it almost amounted to fraud. Among my interlocutors, at least when we spoke in 2016 and 2017, the general feeling was weariness more than irritation, as the latest revisions of the EUETS, which I will turn to now, had not produced the hoped-for changes.

## TIMING AND POLITICAL SCENES

A major concern for the activists I spoke to was how many allowances were in circulation in the market and how many more would be added in the coming years. This decision would directly affect the environmental impact

of the EUETS given that, in such a system, emissions levels ought to be constrained by the total quantity of allowances made available. All my interviewees argued that the policy had not been ambitious enough for quite some time. Two issues needed to be better addressed: the surplus and the value of the emissions cap.

The surplus refers to unused allowances that have accumulated in the accounts of regulated industrial sites and companies in the last decade. In 2013, its value exceeded two billion tons of CO<sub>2</sub>, the equivalent to two years of emissions of all the facilities covered by the policy. The problem was that from 2008 onwards the quantity of allowances created each year has exceeded by far what was being released into the atmosphere. The substantial size of the surplus, and the very low price at which allowances were traded in the early and mid-2010s, resulted from generous national allocation during the second phase of the policy, a decline in industrial activities and in demand for energy due to the economic recession, and a move towards cleaner energy sources encouraged through policy incentives. Environmental activists explained to me that the difficulties in dealing with this issue are a matter of temporal rigidity. This rigidity was created by the phased structure of the EUETS and the pace of decision-making in the EU. When the recession happened, the EUETS just entered its second phase (2008–2012). By then member states had established their own caps, based on growth projections made at a time of high levels of industrial activity in Europe. This temporal mismatch between expected and actual emissions was reinforced when the cap for phase 3 was agreed on. Its linearly declining value from 2013 to 2020 was derived from a policy target set by the European Council in 2007, just before the crisis (a 20% cut in CO<sub>2</sub> emissions in 2020 compared to 1990, as part of a broader climate and energy policy package). I was told that changing what has been endorsed by all heads of state and government is hard. The European Commission tends to *de facto* endorse the European Council's policy directions when it develops its policy proposals. To launch the revision of the EUETS for phase 3, the Commission took the 20% emissions cut target for granted. The legislative process ended in 2009 with a directive whereby the amount of allowances to be distributed more than ten years

into the future was fixed in place, based on a policy objective that might have appeared ambitious in 2007 but was clearly not constraining enough a couple of years later. Thus, even as the recession continued to bite, a growing surplus had been committed to.

As the imbalance between supply (issue allowances) and demand (reported emissions) became obvious, around 2010, environmental organisations started being vocal. They argued for the cancellation of excess allowances to be distributed in the future, as anticipated by the already known value of the cap. The measures eventually introduced were less radical. A first emergency measure, called backloading, was passed that consisted in delaying the issuance of allowances meant to be auctioned between 2014 and 2016 to later in phase 3. After lengthy negotiations, a more structural adjustment, the Market Stability Reserve, was adopted. The Reserve would keep a percentage of allowances out of the market every year so that companies looking for allowances could buy them from companies owning the surplus. Once the value of the surplus would be reduced to a reasonable amount, set in advance, allowances kept in the Reserve could be made available again. When it was first envisioned, the idea of a Reserve had found some support among environmental activists. But the actual measure proved disappointing. In 2016, as the rules of the Reserve were finalised, my interlocutors still attempted, with moderate optimism, to influence the outcome. As explained below, their position was consistent with their initial advocacy message in favour of cancellation:

Now, one of our proposals around that was to say, either limit the size of the MSR [Market Stability Reserve] and cancel anything that enters it that's over, we suggested a limit of 1 billion, because that would give you 10 years of return back to the market at 100 million a year. Another way of limiting the size of the MSR would be to say that allowances expire after they've been in there for 10 years.

In order to be heard in Brussels, arguments for a more constraining climate policy must be articulated in numbers and thresholds. This is technocratic activism. The regulatory measures eventually adopted did include the possibility

of cancellation, but according to conditions that environmental organisations considered too limiting. The fight about the surplus was not over, however, as the functioning of the Reserve was expected to be renegotiated in 2021.

When I was conducting this research, advocacy for a tougher EUETS also focused on the value of the cap in phase 4. The revision of the policy for the 2021–2030 period relied on policy targets decided, once again, by the European Council far in advance (in 2014). The Commission used this target in its Impact Assessment to calculate potential values for the future cap. What could not have been foreseen was the global momentum taking over the United Nations' climate talks in December 2015. The Paris Agreement endorsed by almost all the countries of the world, including European member states, provided technocratic activists with a new argument: according to climate models and emissions scenarios, to meet the ambition announced in the treaty, the European Union would need stronger commitments, including a lower 2030 cap for the EUETS. This was not just an environmentalists' crusade: the European power association articulated the same message. While their motivations no doubt differed, environmental organisations and business lobbyists were momentarily speaking in unison to support a tougher climate policy. The Commission's proposal for phase 4 was finalised in the summer 2015 when it was handed to a small group of parliamentarians, the European Parliament's Committee on Environment, Public Health and Food Safety. A tighter cap for 2030 gained traction within this committee of 50 or so MEPs. It was included in its report to the parliament. But at the plenary, amendments were introduced, and, in February 2017, a majority voted to come back to the initial value of the cap, in accordance with the target set in 2014.<sup>7</sup> An activist made sense of the U-turn as follows:

Just before the vote we heard that the conservatives wanted to move away from the compromise. We tried to persuade the socialists to stick to their commitment, but the socialist group split, and 20% voted against the most ambitious elements. [...] We heard from a German NGO that a very influential MEP from Saarland had a lot of pressure from the steel lobby that sent out a letter five days before the vote. We tried to write a response and meet with the MEP and their assistants; we were also in touch with the socialist

shadow rapporteur, but the pressure from the steel industry spread out, and it created an alliance with trade unions in Saarland.

For technocratic activists, closely monitoring MEPs' twists and turns in order to tune their advocacy in real time is essential, although in this case it did not work. The vote in Strasbourg was shaped by what was going on in Saarland, Germany, where public demonstrations against a too stringent EUETS took place. Environmental technocratic activism was overtaken by old school representative democracy and trade union politics.

A local workers' movement, national electoral reasons and coalition dynamics in the Parliament led to a vote against what my interviewees described as the 'most ambitious elements' of the legislation, namely a lower emissions cap and revised rules for the allocation of allowances to industrial sectors, such as steel plants. In phase 3, the latter were receiving large supplies of (surplus) allowances for free.<sup>8</sup> The Commission had suggested restricting access to free allowances after 2021, but the Parliament amended the proposition. Voicing their disappointment with the revised Directive, environmental organisations found only limited interest in the media (on the lack of EU-wide media coverage of the EUETS, see Bomberg 2012).<sup>9</sup>

The three organisations active on the EU ETS did not, however, abandon further intervention. Whereas they considered they had so far mostly 'tried to act through technical details' (e.g., the value of the cap and the rules of the Market Stability Reserve), their pressure could also target international politics in order to 'make sure there is a discussion about the adequacy of the ETS for the Paris objectives'. My interlocutors saw a 'policy window' to strengthen the market mechanism in a series of forthcoming events. The first was the release in 2018 of an IPCC report about what should be done to ensure that the average temperature at the Earth's surface stays below a 1.5-degree increase compared to pre-industrial times, a target mentioned in the Paris Agreement. United Nations' meetings, during which national commitments taken as part of the new global agreement would be assessed, were another potential arena for triggering changes in EU climate policy. These meetings tend to attract media attention and are also places where diplomatic reputations are at stake, which is why climate activists

keep attending them (de Moor 2018). Under international pressure, European heads of state and governments might modify what, as the European Council, they or their predecessors had decided back in 2014. Bringing the EUETS in line with the Paris Agreement was a simple message that technocratic activists hoped would be effective, even though some had already been told by MEPs that ‘the ambition’ they called for was ‘unrealistic’.

To practice technocratic activism, one needs to understand the technicality of an increasingly complicated mechanism and navigate the temporal rigidity of EU policy-making. ‘Things are updated infrequently’, complained an activist as we were talking about how long it took for the problem of the surplus to be addressed through a technical fix, the Market Stability Reserve, they found unsatisfactory. And yet, this procedural slowness is what allows EU policy to be negotiated among a wide range of parties, members states, hundreds of elected politicians and a bureaucracy committed to the participation of stakeholders, including environmental organisations. Given the disappointing results of their lobbying on the fourth phase of the EUETS, some were planning to shift focus from EU technocracy to climate diplomacy. Advocacy requires a certain art of timing, and here this meant knowing when to switch to another political scene.

### **STIRRING PUBLIC OUTRAGE?**

In addition to intervening in the slow-paced policy-making process on the EUETS to strengthen the cap and reduce the surplus, some activists also concerned themselves with the fate of these excess allowances. As we shall now see, asking ‘who owns the surplus?’ leads to more confrontational advocacy, the purpose of which appears to be stirring public outrage.

As early as 2010, an environmental organisation decided to make public the large quantities of unused allowances owned by a handful of ‘carbon fat cats’. It singled out two industries, steel and cement, where companies had received large quantities of allowances in excess of their needs. This was a consequence of the recession having a lasting negative impact on the construction sector in the second phase of the EUETS, while free allowances kept been distributed to cement and steel plants based on their emissions levels measured in



2005–2007 – that is, before the crisis. When I say the issue was made public, I do not mean that confidential information was revealed. Calculating a company's surplus allowances can be done using two datasets: the annual emissions levels reported for all the industrial sites owned by a company and the quantity of allowances these sites received for free. Both datasets are available online, but in a format that does not make easily visible who owns how much. Technocratic activism here took the form of collating the data to present them in a readable manner with a catchy narrative that was picked up in the British media: 'fat cats' are making 'windfall profits' from an unequal distribution of unneeded allowances.<sup>10</sup>

When I was doing fieldwork, the same organisation went on to investigate the cement industry in more depth. Its analysts were taking inspiration from papers published by academic economists to conduct more elaborate calculations using trade statistics. The aim was 'to emphasise how the ETS was creating the wrong kind of incentives.' A 2016 report showed that cement plants were exploiting a regulatory loophole to maximise the amount of free allowances they were entitled to, keeping production artificially high in countries with low demand and exporting excess products within the European Union and beyond. The purpose of the report was not just to shame the industry. It discussed the technical difficulties of trying to reduce the CO<sub>2</sub> emissions released by the manufacturing of a material essential to infrastructures and urbanisation. While environmental activists had wanted to initiate a dialogue with the industry, the European cement association did not appreciate the gesture. It circulated a press release 'trying to trash the report' and phoned the organisation to tell them they were 'being juvenile'. Such a 'high level of mistrust' came as a surprise for one of my interviewees.

Let's imagine I had written that the cement sector is able to reduce its emissions by 90% easily, that would have been a nightmare for them, and for us! Because they would have spent months to go and tell MEPs that what [the organisation] has written is rubbish, and that would have been bad for [our] reputation.

Even if their capacity to shape the EUETS had been limited, activists rightly believed that their word could durably damage reputations. They had therefore expected a more cooperative attitude from the cement industry and its business association, which they thought had ‘missed an opportunity to educate [them]’:

Several of my interlocutors agreed that asking who unashamedly benefits from the surplus is a topic that ‘could be sold to the press’. One can see why: it is a story of a public good (allowances that, if auctioned, would provide revenues to governments) being appropriated by private interests (industries lobbying to get them for free). The issue featured, for example, in a French TV programme about ‘multinationals’ climate bluff’ broadcasted in May 2016.<sup>11</sup> One of the investigated multinationals was the cement producer Lafarge. Lafarge appeared on the ‘carbon fat cats’ list and its surplus of allowances was the topic the journalists decided to inquire into. The programme was clearly sympathetic to environmental organisations, who blamed the multinationals. The programme featured an interview with an activist taking apart the rhetoric of a leaflet of the cement association, involving printed spreadsheets full of numbers and the views of Brussels’ European quarter: these were the visuals of technocratic activism. It may all have been slightly underwhelming if not for the outraged tone of the commentator arguing that the EUETS had shifted from the ‘polluter pays’ principle to a ‘polluters are paid’ policy.

We see here that environmental organisations have been looking to exert pressure beyond the EU bureaucracy and MEPs, and to take aim directly at regulated industries. While attempts to initiate a dialogue with the cement association failed, the classic strategy of shaming well-known companies for owning surplus allowances found some echo in the media. Windfall profits derived from the EUETS are more prone to stir popular outrage than the rules of the Market Stability Reserve or the mismatch between the cap in phase 4 and the Paris Agreement. But one can doubt whether headline grabbing advocacy has a lasting, productive effect and should supersede technocratic activism. For technocratic activists, the aim ultimately remains to shape the dry and technical policy that is the EUETS.

After reading these pages, one might ask why environmental organisations should continue to lobby the European Union Emissions Trading System. Certainly, this chapter has shown that these organisations often do question the efficacy of the effort invested, sometimes wasted, in technocratic activism. And yet, these activists simultaneously defended the need for a reformist attitude, especially in contrast to the more radical position of organisations in favour of rejecting market-based policy and scrapping the EUETS altogether. Engaging with the technicalities of emissions trading produces a more nuanced critique: it reveals how hard it is to make such a market mechanism deliver on its promises.<sup>12</sup> The environmental activists featured in the chapter considered that emissions trading was ‘here to stay’, in the European Union, and in other jurisdictions where similar policies are being implemented. By providing evidence of the failed promises of the EUETS, the activists hoped to prevent emissions trading from being seen as a simple, unproblematic policy model, which is how economists have tended to advertise it. It seems that, so far, environmental organisations have had limited success in countering industrial lobbying and electoral manoeuvres. Taking to the streets to march for the climate, and boycotting polluting companies might give more political leverage. It would be interesting to further tease out the characteristics of technocratic activism in the EUETS and contrast it with environmental justice movements in California, for example, where activists lobby the state’s cap and trade policy, linking climate change to more tangible problems, such as air pollution, that affect poorer social groups (Mendez 2020). Yet, in both cases, it is hard to see how policy-making can be completely bypassed. Demands on policy-makers must be made in a specific manner, fit into a potentially complex regulatory architecture and be adjusted to the pace of bureaucracy. In Europe, a middle ground seems needed between popular movements and the EU’s technocratic machinery, and this is how we can conceive of what the techno-democratic practice of technocratic activism, as sketched out in this chapter, is trying to achieve.

## ENDNOTES

1 I met with two members of each of the three environmental organisations most active on the EUETS in 2016 and 2017. Fieldwork also included extensive documentary research, interviews with staff members of the European Commission, parliamentary assistants, national civil servants, academic economists and industrial representatives, and participation at policy events in Brussels. This research was supported by the European Research Council (grant no: 313173) and I would like to thank Daniel Neyland.

2 This is not entirely correct (cf. Barry 2001); see also the recent special section on parliaments in *Social Studies of Science* (Dányi 2020). On the EU turning to non-governmental organisations to stimulate forms of European citizenship in domains such as the environment and consumer rights, see Warleigh (2000). On the involvement of environmental activists in the United Nations' negotiations on climate change, see Betsill and Corell (2001) and de Moor (2018). On environmental justice movements and the Californian cap and trade policy, see Mendez (2020) and for a comparison between climate activism in the United States and the European Union, see Bomberg (2012).

3 The 31 participants are the 28 member states of the EU (before Brexit) plus Iceland, Lichtenstein and Norway.

4 In order to guarantee the anonymity of my interlocutors I decided not to give the names of these organisations.

5 Both the second and third organisations belong to the European non-governmental network. Although their structure and political capacities differ from one another, all three organisations rely on donations.

6 These projects aimed to reduce hydrofluorocarbon-23 emissions released by the production of refrigerant gases and nitrous oxide emissions released by the production of adipic acid (for nylon manufacturing). The two gases were associated with (very) high Global Warming Potential. Reducing one tonne of hydrofluorocarbon-23 could yield more than 11000 tonnes of offsets (MacKenzie 2009b).

7 In parallel to being amended by parliamentarians, the legislative draft was discussed by ministers, who also approved the cap initially proposed.

8 In phase 2, most allowances were handed out for free. This changed in phase 3, as electricity producers were required to buy their allowances in auctions. Free allocation was maintained for 'industrial' sites. The justification was that these produced goods traded internationally and might be exposed to 'carbon leakage due to loss of competitiveness' as foreign competitors would gain a higher market share through cheaper imports (Ehrenstein and Neyland 2021).

9 One of the most environmentally minded newspapers in the UK just mentioned in passing that 'environmental campaigners claim that the reformed ETS does still

not do enough' <https://www.theguardian.com/environment/2017/feb/28/reform-of-eu-carbon-trading-scheme-agreed> (accessed 10 April 2020).

10 <https://www.theguardian.com/environment/2011/jun/19/emissions-trading-manufacturing-industry>; <https://www.theguardian.com/environment/damian-carrington-blog/2013/feb/14/carbon-emissions-carbon-tax> (accessed 10 April 2020).

11 The TV programme is available at: [https://www.youtube.com/watch?v=N\\_DUArvLO-U](https://www.youtube.com/watch?v=N_DUArvLO-U) (accessed 10 April 2020).

12 As mentioned by a reviewer, this approach resonates with the work of STS scholars committed to unpacking the nitty-gritty aspects of markets and public policy, which requires, to some extent, suspending the urge to criticise. But while the latter pause and step back, trying to re-problematise what it is all about, technocratic activists follow a different tempo (that of the EUETS), gathering only actionable knowledge that quickly becomes out-of-date.

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