

A socio-legal analysis of an actor-world: the case of carbon trading and the Clean Development Mechanism

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Introduction

- One way to look at the problem of climate change is study the shape and dynamics of how societies are organised
- Michel Callon's interrelated concepts of 'actor-worlds' and 'engineer-sociologists' is potentially an insightful way to explore conflicts, resistance, and revisions generated around climate change legislation
- Various practitioners involved in bringing climate legislation into being are found to propose and deploy contrasting social visions

The Clean Development Mechanism of the Kyoto Protocol

- Developed states to obtain some carbon credits by setting up greenhouse-gases emission savings in developing states.
- UNFCCC Executive Board approve all the methodologies by which the emissions reductions are to be monitored
- UN regulates those organisations trusted to validate and verify the methods proposed to generate reductions as stated in project design documents

A live issue in the some parts of the media

- Green wash
- Failure of global politics
- Capture of the agenda by MNCs
- Etc.

The need for a social study of law and science?

- Foucauldian concepts
- Related studies
 - Cloatre (2008) on the role of education on prescribing patterns patents in Djibouti
 - Miller (2004) on computer modelling and climate change
 - ...

The social study of law and science

- The study of mundane processes and apparent technical failures allows us to better understand assumptions about society
- Failures offer an opportunity for insight into how organisations operate & assumed realities
- Which approach?

A sociology of sociology

- Study by Michel Callon
 - 1989

- Calls for the 'The study of Technology as a Tool for Sociological Analysis'
- Shows that engineers working on electric cars 'constantly construct hypotheses and forms of argument' which is sociological analysis
- Terms them 'engineer-sociologists'



The CDM

- Actors in the CDM have capacity to act as sociologists (or lawyers, historians or economists)
- Illustrated with ref to certain aspects of the workings of carbon markets
- Discussed with those with projects registered in UK (14 Telephone interviews)

Bureaucrat-sociologists

- Defined certain histories where industry faced by new social movements
- Defined certain companies as being more important than others. i.e. auditors
- Defined shift from government to governance by depicting a new economy where all countries are geared up to work with globalised forms of knowledge and organisations

Some processes more compliant than others

- Favours end of pipe technologies over projects to change consumer behaviour
- The degree to which processes are auditable varies

-when the UN approved the methodology they wanted the methodology to be more widely applicable so that it could be used by projects in other countries. So without really looking at the reason for why the methodology was very specific they changed very slightly some of the terms in the methodology...(Environmental consultant)

Some governments more compliant than others

- There is competition for funds release through the CDM

This project design document has to be produced to the local .. But they really don't...don't go into the real details of how many people were being employed or what is the other social community benefits from these projects, they really don't go into the details. Of course they have to mention them but they really, they really are only interested in the mandatory clearances yeah.
(Environmental consultant)

- ...we rely on them [the DNA of a host country] as makers of policy and implementers of policy, environmental policy in that country to make that statement and stand behind us... [but]...I mean the phrase sustainable development really means nothing... As a concept you know it's almost impossible to prove it to be honest.

(Project developer)

- In South Africa they have a form to fill in but other countries have a less formal approach to assessing the sustainable development criteria...

(Environmental consultant)

Bureaucrat-sociologists

- Determined that entities would take part for reasons other than to maximise profit
 - Companies which validate projects are paid for and employed by project developers - several environmental consultants commented on the conflict of interest created
 - Plus, projects have funded the closure of processes which arguably should have been phased out anyway i.e. HFCs

- Rif you look at financial audit you're the auditor, if you overstate the numbers someone will sue you
...carbon audit if you overstate the numbers the project developer is happy, our buyer is happy, so everyone is happy. The people that aren't happy are the people from the next generation and the trees and animals, right. Well they're not going to sue you because they can't speak English, or they're not born or they have four legs....

Bureaucrat-sociologists

- Also determined that crime and crime prevention would be at the same level around the world
 - But, registries located locally in each European country
 - Criminals took advantage of lax procedures in Eastern Europe to steal millions of pounds of carbon credits
 - ETS spot market suspended

Are there any competing sociological analyses?

- Yes, there are development-sociologists
- Face problems of
 - Land tenure
 - Local bureaucracy
 - Companies acting solely to maximise profit
 - Weak community institutions
 - Mis-matches in skills, knowledge and capital

Can global regulation accommodate diverse knowledge systems and radical sustainable development?

- Know of only 1 pilot project funded by UK government drawing on expertise drawn from development studies
 - Limited funding available –projects likely to be favoured under the new government which show the greatest return for UK plc
- 'Social entrepreneurs' / some NGOs now offer their own off-setting schemes
 - Shortage of private finance