

## **VU Research Portal**

## **Between Rights and Market:**

Lawrence, J.C.

2015

## document version

Publisher's PDF, also known as Version of record

Link to publication in VU Research Portal

citation for published version (APA)

Lawrence, J. C. (2015). Between Rights and Market: Governmentality in EU External Trade and Environment Policy. [PhD-Thesis - Research and graduation internal, Vrije Universiteit Amsterdam].

**General rights**Copyright and moral rights for the publications made accessible in the public portal are retained by the authors and/or other copyright owners and it is a condition of accessing publications that users recognise and abide by the legal requirements associated with these rights.

- Users may download and print one copy of any publication from the public portal for the purpose of private study or research.
- You may not further distribute the material or use it for any profit-making activity or commercial gain
   You may freely distribute the URL identifying the publication in the public portal

Take down policy

If you believe that this document breaches copyright please contact us providing details, and we will remove access to the work immediately and investigate your claim.

E-mail address:

vuresearchportal.ub@vu.nl

Download date: 13. Mar. 2024

## Table of Contents

1 Introduction: The Evangelical EU and Environmental Norm Export	1
1 The Evangelical EU: Trade, Environment, and Environmental Norm	
Export	1
2 The Scholarly Landscape and its Missing Pieces	9
3 A Brief Note on Methodology	20
4 Outline of the Dissertation	22
2 Setting the Stage: Foucault, Governmentality, and EU Environmental	
Norm Export	<b>25</b>
1 Introduction	25
2 Governmentality	28
2.1 What is Governmentality?	28
2.2 Three Forms of Governmentality: Raison d'État, Liberalism,	
Neoliberalism	34
2.2.1 Raison d'État	36
2.2.2 The Physiocrats and the Transition to Liberalism	41
2.2.3 Liberalism	43
2.2.4 Neoliberalism	48
2.3 Governmentality and the International: Critiques	53
3 Conceptual Framework: Rationalities, Technologies, and Subjectivities	
3.1 Conceptual Framework	57
3.2 Truth and Rationalities of Government	57
3.3 Technologies of Government	61
3.4 Subjectivities and Self-Government	62
3 Rights and Market: The Rationalities of EU Environmental Norm Exp	ort
	<b>67</b>
1 Introduction	67
1.1 What are Rationalities of Government?	67
1.2 'Rights' Rationalities	69
1.3 'Market' Rationalities	71

1.4 Chapter Outline	74
2 Market and Rights Rationalities in EU Environmental Norm Export	74
2.1 The EU through the Market and Rights Lenses	74
2.1.1 EU History	74
2.1.2 Contemporary EU Trade & Environment Policy	82
2.2 Environmental Norm Export through the Market and Rights Lens	ses88
2.2.1 Introduction	88
2.2.2 EU Environmental Norm Export in 'Market' Rationality	89
2.2.3 EU Environmental Norm Export in 'Rights' Rationality	93
2.2.4 Conclusion	96
3 The EU Emissions Trading Scheme for the Airline Industry	98
3.1 The EU ETS for Air Transport and its Discontents	98
3.2 Market Rationality in the EU ETS Debates	103
3.3 Rights Rationality in the EU ETS Debates	108
3.4 Rationalities and their Effects in the EU ETS Debates	111
4 Conclusion	113
4 Government and Governance: The Technologies of EU Environmen	tal
Norm Export	115
1. Introduction	115
	113
1.1 What Are Technologies of Government?	115
<ul><li>1.1 What Are Technologies of Government?</li><li>1.2 Rights Technologies</li></ul>	
	115
1.2 Rights Technologies	115 117
1.2 Rights Technologies 1.3 Market Technologies	115 117 119
<ul><li>1.2 Rights Technologies</li><li>1.3 Market Technologies</li><li>1.4 Chapter Outline</li></ul>	115 117 119 128
<ul><li>1.2 Rights Technologies</li><li>1.3 Market Technologies</li><li>1.4 Chapter Outline</li><li>2. The EU's Trade and Environment Toolbox</li></ul>	115 117 119 128 130
<ul> <li>1.2 Rights Technologies</li> <li>1.3 Market Technologies</li> <li>1.4 Chapter Outline</li> <li>2. The EU's Trade and Environment Toolbox</li> <li>2.1 Multilateral Agreements</li> </ul>	115 117 119 128 130 130
<ul> <li>1.2 Rights Technologies</li> <li>1.3 Market Technologies</li> <li>1.4 Chapter Outline</li> <li>2. The EU's Trade and Environment Toolbox</li> <li>2.1 Multilateral Agreements</li> <li>2.2 Unilateral Import Restrictions</li> </ul>	115 117 119 128 130 130
<ul> <li>1.2 Rights Technologies</li> <li>1.3 Market Technologies</li> <li>1.4 Chapter Outline</li> <li>2. The EU's Trade and Environment Toolbox</li> <li>2.1 Multilateral Agreements</li> <li>2.2 Unilateral Import Restrictions</li> <li>2.3 Environmental Conditionality</li> </ul>	115 117 119 128 130 130 134 137
<ul> <li>1.2 Rights Technologies</li> <li>1.3 Market Technologies</li> <li>1.4 Chapter Outline</li> <li>2. The EU's Trade and Environment Toolbox</li> <li>2.1 Multilateral Agreements</li> <li>2.2 Unilateral Import Restrictions</li> <li>2.3 Environmental Conditionality</li> <li>2.4 Sustainability Impact Assessments</li> </ul>	115 117 119 128 130 130 134 137 141
<ol> <li>1.2 Rights Technologies</li> <li>1.3 Market Technologies</li> <li>1.4 Chapter Outline</li> <li>2. The EU's Trade and Environment Toolbox</li> <li>2.1 Multilateral Agreements</li> <li>2.2 Unilateral Import Restrictions</li> <li>2.3 Environmental Conditionality</li> <li>2.4 Sustainability Impact Assessments</li> <li>2.5 Horizontal and Voluntary Partnerships</li> </ol>	115 117 119 128 130 130 134 137 141
<ol> <li>1.2 Rights Technologies</li> <li>1.3 Market Technologies</li> <li>1.4 Chapter Outline</li> <li>2. The EU's Trade and Environment Toolbox</li> <li>2.1 Multilateral Agreements</li> <li>2.2 Unilateral Import Restrictions</li> <li>2.3 Environmental Conditionality</li> <li>2.4 Sustainability Impact Assessments</li> <li>2.5 Horizontal and Voluntary Partnerships</li> <li>2.6 Market and Rights Technologies in Action</li> </ol>	115 117 119 128 130 130 134 137 141 143
<ol> <li>1.2 Rights Technologies</li> <li>1.3 Market Technologies</li> <li>1.4 Chapter Outline</li> <li>2. The EU's Trade and Environment Toolbox</li> <li>2.1 Multilateral Agreements</li> <li>2.2 Unilateral Import Restrictions</li> <li>2.3 Environmental Conditionality</li> <li>2.4 Sustainability Impact Assessments</li> <li>2.5 Horizontal and Voluntary Partnerships</li> <li>2.6 Market and Rights Technologies in Action</li> <li>3. Environmental Norm Export in the EU—Colombia Peru FTA</li> </ol>	115 117 119 128 130 130 134 137 141 143 146 148

3.2 Market and Rights Technologies in the EU—Colombia Peru FTA	157
3.2.1 Rights Technologies in the EU—Colombia Peru FTA	157
3.2.2 Market Technologies in the EU—Colombia Peru FTA	159
3.3 Technologies and their Effects in the EU—Colombia Peru FTA	160
4. Conclusion	164
5 Citizens and Stakeholders: The Subjectivities of EU Environmental	
Norm Export	167
1 Introduction	167
1.1 What are Subjectivities?	167
1.2 The Subject of Rights: the Citizen	171
1.3 The Market Subject: the Stakeholder	174
1.4 Chapter Outline	177
2 Citizens and Stakeholders in EU policy	180
2.1 Subjectivity as Multiple and Multi-Level	180
2.2 Subjectivity as Relational: the Production of 'Others'	189
2.3 Construction and Contestation	195
3 The EU Ban on Trade in Seal Products: Subjectivities in Context	198
3.1 Morals, Traditions, and Science: the EU Ban on Trade in Seal	
Products	198
3.3 Citizens and Stakeholders in the Seal Products Ban	213
3.3.1 The EU as Democratic Representative of European Citizens	213
3.3.2 The EU as a Leader of Global Citizens	214
3.3.3 The EU as Setting the Rules of the Game for Global Stakeholders	216
3.3.4 The EU as Ensuring Free Competition among Stakeholders	217
3.4 Power, Strategy, and Resistance: Subjectivities and EU	0.46
Environmental Norm Export	218
4 Conclusion	223
6 Conclusion: Governmentality and EU Environmental Norm Export	225
List of Abbreviations	235
Bibliography	239
1 Legislation	239
1.1 International Treaties	239
1.2 EU Treaties	240

1.3 EU Agreements	240
1.4 EU Legislation	241
1.4.1 Decisions	241
1.4.2 Directives	242
1.4.3 Regulations	243
1.4.4 Other Documents	244
1.5 WTO documents	248
1.6 Other legislation & documents	249
2 Cases	250
2.1 ECJ	250
2.2 GATT/WTO	250
2.3 ICJ	250
2.4 Other Courts	251
3 Books, Chapters, Journal Articles & Reports	251
4 News Articles, Press Releases & Internet Sources	272
Samenvatting	277