



Report

European Objects: The troubled dreams of harmonisation

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Over the last three years Brexit has been an unavoidable news item in the UK and beyond. As it touches on a seemingly endless myriad of issues, Brexit is also a suitable hook for the discussion of practically any topic. Accordingly, Boris Johnson, the acting UK Prime Minister, soon appeared on the slides projected behind Professor Brice Laurent, MINES ParisTech, during his LTS lecture at BOKU University. Pictured at the 2019 Conservative Party leadership race, Boris Johnson was holding a packaged herring in his right hand – a product referred to as a “kipper” in the UK – using it as an example for EU over-regulation. Johnson’s accusation prompted a strong denial from the European Commission, whose [spokesperson emphasized](#) that while there were in fact various EU provisions applicable to fish products, the regulation referred to in Johnson’s speech was not one of them.

Objects, Politics and Law

Apart from being slightly odd, the “kipper-gate” is remarkable for being a controversy surrounding an object: the kipper is not only a packaged fish in a material sense, but also in a regulatory (i.e. legal) sense. The difficulty of conceiving of objects in this dual – factual as well as regulatory – understanding, points according to Professor Laurent “to the difficulty in considering technical/regulatory objects as political objects that matter”.

Beyond fish, many things matter for EU regulators: chemicals, financial products, food, etc. They matter because the regulation of these objects is deemed important for the proper functioning of the European Single Market, the *raison d’être* of most EU institutions. In regulating these objects, European regulators however also (re-)define them, thus creating what could be called “European objects”.

And, because these “European objects” are not merely factual but in large parts political, they invite closer examination of the ways they are defined by various formal or informal actors and subsequently regulated by EU legislators, as well as of the [imaginaries](#) these objects reveal: “Regulatory actions on European objects are attached to long-term perspectives of desirable European futures”, Professor Laurent stressed.

Dreams of a Disentangled Market

The European Single Market needs to be freed from the entanglements of member state’s national markets to fulfil its potential – at least that is arguably the EU’s view. EU institutions are therefore pursuing what Professor Laurent called the “dream of a disentangled market”. A way to disentangle the market is to disentangle the objects within it, i.e. to harmonise them. Harmonisation is not always unproblematic, however. To illustrate his point, Professor Laurent provided the examples of French Languedoc wine and Cypriot Halloumi cheese that had both gained protected geographical status in the EU. The protections meant that these products needed to be defined, and the definitions chosen by the EU ended up excluding some of the products of Languedoc wine producers and Cypriot cheese makers. The “local” was thus transformed into a “European local”.



Other attempts at disentangling the European market were undertaken in sectors such as energy (e.g. European Union Emission Trading Scheme), finance (e.g. banking union) or tobacco (e.g. health warnings).

Whether these individual attempts were successes or not is a discussion worth having, however the point being made by Professor Laurent went further. According to him, there are indications that harmonisation is a convenient way for EU institutions to extend their power beyond their original mandate: the most poignant example probably being that the EU arguably pursues health policy through harmonised regulation of tobacco products.

The Unique Voice of European Science

Professor Laurent also voiced concerns about similarly problematic tendencies in EU institutions to ground their legitimacy on claims of scientific objectivity. He explained that these tendencies become most evident during or in the aftermath of “crises”: The Fukushima nuclear disaster led to EU-managed nuclear risk and safety assessments (stress tests), while the financial crisis led to an increase in the powers of the European Central Bank (ECB). On both occasions a large-scale political issue was turned into a problem of expertise to be evaluated and managed by a European epistemic authority, be it centralised like the ECB, or not.

From Failures of Harmonisation to Failures of Imagination

The dreams of harmonisation are not troubled because they aim at delegating more and more powers to EU institutions. They are troubled because the politics involved in the delegation seem too often to be side-lined and alternatives are neither publicly discussed nor made explicit. “The dream of a disentangled market and the dream of a unique voice of science are only painfully realised, and their alternatives are not articulated as consistent political projects”, Professor Laurent concluded. What seems crucial is not to prevent harmonisation but rather to find ways of imagining and articulating alternative harmonisation projects that could subsequently be subject to public debate and more transparent decision-making processes.

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