



Ivey

PLEASE LEAVE THE ELEPHANT OUTSIDE!

Compartmentalization of
Discourse

Julian Barg & Mark Zbaracki



Introduction

Puzzle

- From afar
- Looks like a discursive climate victory
- From up close
- In critical moments, discourse *not* about about climate change
- Key actors furiously contest that they want to cancel the pipeline
- Is discourse is a game of lies?

In plain language:

- Nobody *says* they want to destroy the planet.
- Everybody declares themselves sustainable.
- Yet, the topics climate science and oil sand pollution are widely a taboo.
- Based on the outcome we might think the debate is resolved.
- But climate science is not being listened to. Why?

Motivation

- Discourse theory suggests that we should see a war of ideas
- Change how people think and change the world
- Things get more complicated when abstract ideas meet tangible projects
- Meaning is created in specific institutional fields (Leibel, Hallett, and Bechky, 2018)!
- Let's go to the prime example of success in climate discourse and shed light on that end of the spectrum
- Project: Keystone XL pipeline mega project
- Contexts:
 - US climate discourse
 - Pipeline route through US Midwest
 - Roadblock Nebraska
- Outcome: “[O]ne of this generation’s most monumental environmental victories” (NRDC 2017)
- It is the only pipeline of its kind defeated through discourse
- Defining the best cash end of the spectrum

Research question

- Yes, everybody is talking about climate change
- Yes, the Keystone XL pipeline was rejected
- Institutional theory suggests we would see more sweeping changes now
- Why is that not happening?

Discourse and Institutional Fields

Sustainability well accepted in macro discourse

Translation metaphor of institutional change:

Well-established four-step model:

1. Taken-for-grantedness of the institution (e.g., Zucker, 1977)
 - Institution is stable
2. Problematization of the institution (Maguire and Hardy, 2009; Suddaby, Bitektine, and Haack, 2017)
 - An actor raises an issue
3. Translation (Lawrence, 2017; Hardy and Maguire, 2020)
 - Other actors act on the problematization
 - Changes to practice
4. Institutional change or deinstitutionalization (Harmon, Green, and Goodnight, 2015)

But there is an alternative story

Local instantiations of sustainability discourse diverge widely

- Discourse is situated in social settings (Leibel et al., 2018):
- Agency, as expressed in framing and rhetoric
- There may be structural constraints
- Institutional interactions that occur in specific (sub)fields with their own rules
 - Usually favor insiders
 - Those insiders control discursive dynamics

Studying social processes through an 'object of concern' (Latour, 2005)

- To understand social processes, tune into specific objects and track where people assemble, how discourse evolves
- “Each object may also offer new ways of achieving closure without having to agree on much else” (Latour, 2005: 15)
- Agreements on objects emerge differently than agreements on ideas
- By focusing on more abstract policy regimes, risk disconnect from real world outcomes
- Real world examples: Space Shuttle Columbia, Deepwater Horizon, climate change

Why discourse is often silent on abstract ideas

- Stable institutions rest on implicitly held assumptions (Harmon, 2019).
- No explicit backing required.
- What happens when actors use a rhetoric that violates these assumptions (Steele, 2021):
- Assumptions are foregrounded
- Potential for breakdown of mutual intelligibility when participants hold diverging assumptions
- Participants may make efforts to revert awkward breakdown of intelligibility and return to familiar terrain

Empirical literature has been taken for a ride

- Empirical literature has identified activities associated with institutional repair
- E.g., positive speech (Harmon, 2019), custodial, negotiation, and reflective work (Lok and de Rond, 2013)
- When actors in discourse hold widely diverging assumptions, ensuing discourse should require a lot of corrective sensemaking or repair work
- Instead, we see silence on the topics of divergence

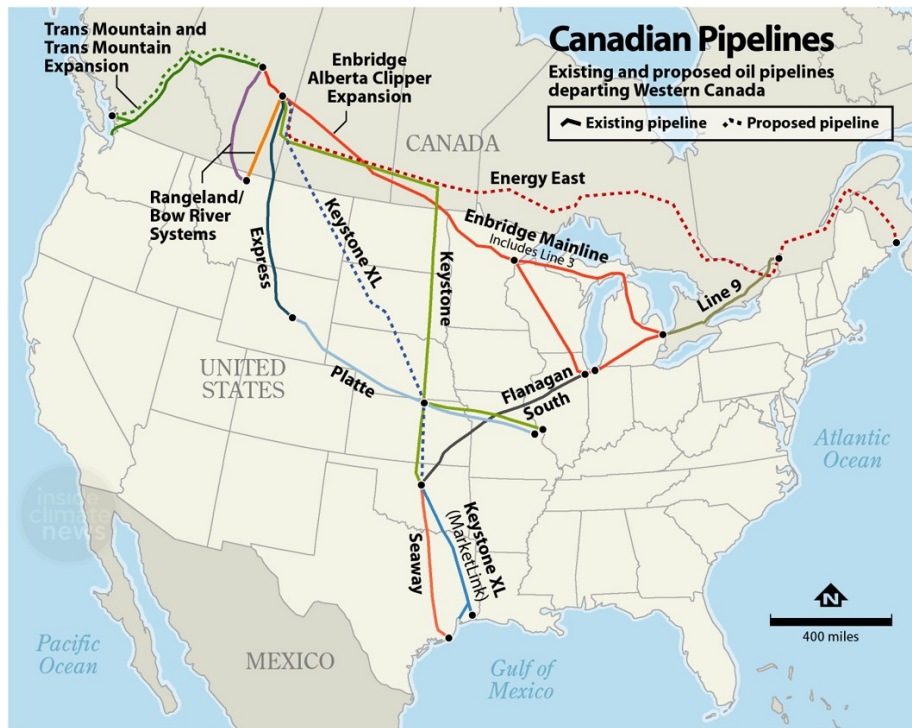
The action may be where people are not talking!

The silence is the point

- *But how the heck do you study silence?*

Background—Keystone XL pipeline megaproject

Background–Alberta oil sand



SOURCE: IHS Markit

InsideClimate News

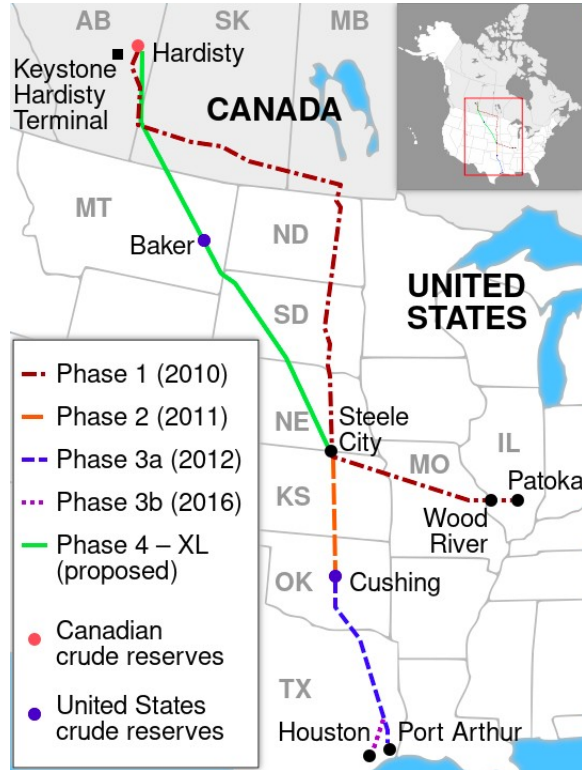
- Third largest reserves in the world.
- *Largely landlocked!*
- Require additional energy for extraction.
- Lower emissions than coal, but easier to transport—higher market potential!
- Higher emissions than regular crude, more expensive to extract and transport.
- Two options:
 1. Mix with often carcinogenic dilutants for transport
 2. Construct expensive upgrader facilities on location
- Market push with yet-to-be-realized climate friendly pledges

Background–Oil sand pipelines

| Pipeline | Proposed | Capacity | Status | Border crossing | Presidential permit |
|--------------------------|----------|-------------|---------------------------|-----------------|---------------------|
| Trans Mountain | 1940s | 300k bbl/d | Completed 1952 | no | Not required |
| Enbridge Line 3 | 1950s | 380k bbl/d | Completed 1968 | Yes | Not required |
| Express-Platte | 1990s | ~300k bbl/d | Completed 1997 | Yes | Not required |
| Enbridge Line 4 | 1990s | 800k bbl/d | Completed 2002 | Yes | Not required |
| Alberta Clipper | 2006 | 450k bbl/d | Completed 2010 | Yes | Required |
| Keystone I | 2006 | ~600k bbl/d | Completed 2011/2012 | Yes | Required |
| <i>Keystone XL</i> | 2008 | ~800k bbl/d | <i>Rejected 2014/2021</i> | Yes | Required |
| Northern Gateway | 2010 | 525k bbl/d | Rejected 2015/2016 | No | Not required |
| Clipper expansion | 2013 | 800k bbl/d | Approved | Yes | Required |
| Trans Mountain Expansion | 2013 | ~600k bbl/d | Under construction | No | Not required |
| Line 3 replacement | 2014 | 760k bbl/d | Completed 2021 | Yes | Not required |

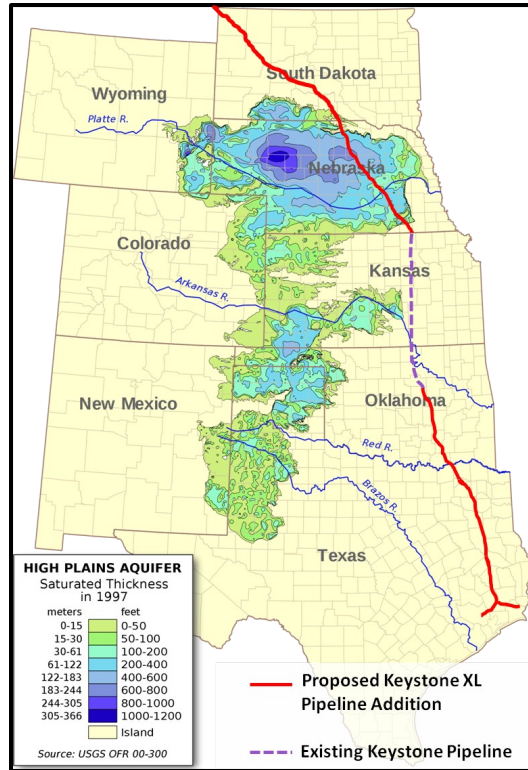
- Keystone proposed during unconventional crude boom years.
- New horizontal drilling and injection methods. (Developed for fracking).
- Alberta oil sands fields missing upgrader facilities.
- Bottleneck: export capacity.
- Alternative: More expensive Northern Gateway (to Pacific/China).
- Industry since found permitless alternatives.
- Development delayed, not prevented.
- Projects—including Keystone XL—required financial support from government.

Background-Keystone XL pipeline



- Keystone I completed in 2010/2011.
- Keystone XL rejected in 2014.
- Revived in 2017, began construction in 2020, again rejected in 2021.
- Would have been among five longest pipelines in the world.
- Connecting to upgrader and export facilities at Gulf of Mexico.
- To date, only pipeline rejected by US federal government.
- Interpretation by industry: investment risk for future US fossil fuel projects.
- Rejection coincided with slowing investments in US fossil fuel mega projects.

Background-Keystone XL route



- Crossing Montana, South Dakota, and Nebraska.
- Flat, meaning low construction cost.
- Sparsely populated, total population less than 4 million.
- States supportive of fossil fuel industry.
- Agricultural states, dependent on Ogallala aquifer:
 - 30% of Americans rely on farmland irrigated by Ogallala
 - Ogallala aquifer provides water for 30% of America
 - Drinking water for 85% of Nebraska.
- Aquifer largely covered by fragile Sandhills.
- Ecologically sensitive, erosion risk.

Background–Keystone XL discourse in Nebraska

- Most densely populated state along route
- Covers most of Ogallala aquifer
- State legislature debated pipeline legislation and negotiated with TransCanada
- Only other instance regarding Keystone XL on-ramp to transport oil from South Dakota was quickly settled
- State legislature held open hearings
- Be cause of perceived threat/opportunity, Nebraska hearings attended by all relevant parties:
 - TransCanada
 - Environmentalists
 - Industry organizations
 - Labor unions
 - Academics
 - Public, landowners along the route

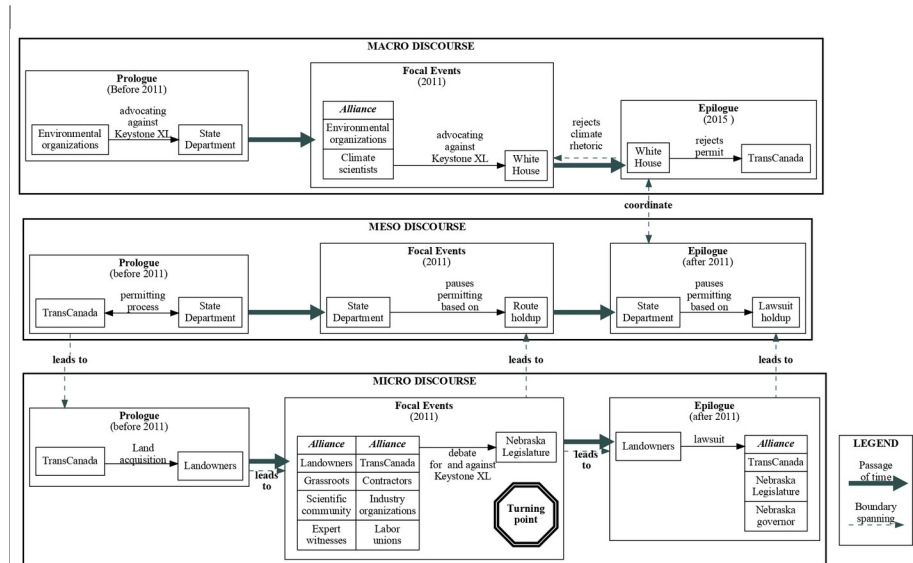
Background–key events

- October 10, 2010–Secretary of State indicates her department “inclined” to approve Keystone XL
- August 26, 2011–State Department affirms:
 - *We are on track [...] to make a determination by the end of this year.*
- November 7, 8 & 9, 2011–Nebraska legislature Special Session sits
- November 10, 2011–State Department announces Supplemental Environmental Impact Statement:
 - *The concern about the proposed route’s impact [...] has resulted in the Nebraska legislature convening a special session to consider the issue. [T]he [State] Department has determined it is necessary to examine in-depth alternative routes [which] could be completed as early as the first quarter of 2013.*
- April 18, 2014–Nebraska lawsuit as direct outcome of Special Session Nebraska-TransCanada, leads to further delay until 2015. State Department:
 - *Agencies need additional time based on the uncertainty created by the on-going litigation in the Nebraska Supreme Court [...].*

Structure of Keystone XL discourse

- Before 2011: under attack, no tangible roadblock to timeline and success
- 2011: tangible blow from Nebraska
- Route change entailed long delay
- “Battlefield Nebraska”—no longer taken for granted that project will succeed
- Climate scientists also staged protest in Washington
- After 2011: administration rejects climate protesters message in permit rejection
- State Department argues energy economics, White House argues international politics & Paris COP 2015

Permitting process and Nebraska essential to institutional story of Keystone XL defeat.



Data & methods

Data

- Total:
 - 28 reports by government and other organizations
 - 64 letters
 - 9 State Department meeting memos
 - 23 public hearings
 - 260 other documents, incl. news and blog posts
- Topic modeling:
 - 126 context-specific documents to extract the topics that appear locally
 - I need to draw on the macro discourse to do so, because my story is predicated on a disconnect.
 - 16 hearings, including remarks by 828 people on 16 days
 - Some repeat participants
 - Each individual's combined remarks on one day used as one document for topic model
- Quantitative assessments:
 - Testimony by 213 people on 6 days

Methods

1. Inductive
 - Based on full dataset
 - Concepts
 - Disregard
 - Steering
2. Topic model
 - Model created using subset of data as described in previous slide
 - Nebraska context used to demonstrate proliferation of disregard and steering
3. Outliers–mixed methods
 - Using model from previous step to identify outliers and explore differences between groups
 - Axial coding of outliers from “expert” group
 - Concepts:
 - Counter coalitions
 - Information asymmetry
 - Questioning motives

Identifying dormant topics with a topic model

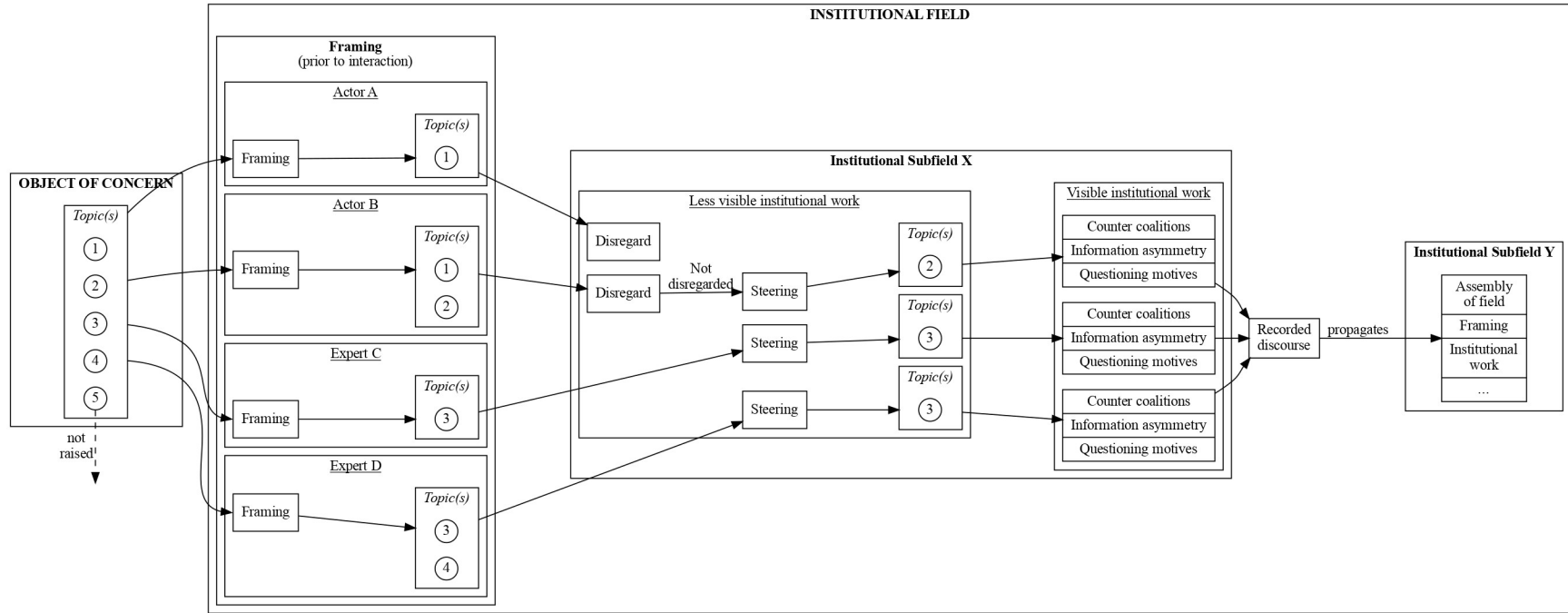
1. Create topic model of focal context
 - All remarks by one person in one day combined into one document.
2. Inspect topics of individual remarks and key documents to identify inaccuracies and missing topics
 - Topics absent if only small number of people discuss them, e.g., climate change.
3. Add documents from meso or macro level that cover missing topics
 - E.g., sections of Keystone XL Environmental Impact Statement, public letters on Keystone XL
4. Iterate

Methods contribution

- Usually, topic models focus on positively identifying topics
- We want to highlight disparate character of discourse across context
- Especially control over context on micro level
- By zooming out to macro level when creating topic model and zooming back in, we obtain more complete picture of discourse

Findings—a model of discourse and institutional fields

Findings (model)



Findings (model)–Blunt censure of discourse is rare

Examples

- Climate change
 - Senator Carlson: *Are you–do you believe in global warming? (Laughter)*
 - Pipeline safety
 - Robert Jones (TransCanada): *As other witnesses will testify, LB1 is a pipeline safety bill with direct references to safety having been superficially removed to try and save it from legal challenge.*
 - David Carpenter (TransCanada lawyer): *FPSC expressly preempts state safety standards of interstate pipelines, and under settled law, state regulations are unlawful safety standards if they have the purpose and effect of protecting persons and natural resources from threats posed by the construction or operation of interstate pipelines.*
- When subfields meet, would expect much friction as actors establish what is taken for granted and accomplish mutual intelligibility (Steele, 2021).
 - However, discourse proceeds smoothly. Moments when taken-for-grantedness has to be established are rare.
 - Two explanations (not mutually exclusive):
 1. Taken-for-grantedness on certain topics internalized by both parties.
 2. One/both parties finds something is odd, but can live with lack of mutual intelligibility.
 - In either case, taken-for-grantedness hard to observe, even in moments of institutional discontinuity.

Findings (Model)–further approach

If taken-for-grantedness hardly foregrounded, even in critical moments

- Observation on institutions as an ongoing accomplishment (Steele, 2021)–corrective sensemaking (Steele, 2021) sometimes visible, but largely unnecessary:
- Most transgressive behavior where is has been sanctioned (*kontrollierte Grenzüberschreitung*)– i.e., attacking Keystone XL based on process rather than merit
- Perceive oddities remain unresolved

- Then we need to take a different approach to tease out what is happening:
 1. Show the actions that are used instead to manage topic of conversation
 2. Explore the pattern behind control of conversation
 3. Look at the outliers to see what happens where perfect control is not possible
- How do actors manage perceptions?

Findings (1)–Disregard and steering

Findings (1): Controlling topic of discourse in a subtle fashion

- (a) Disregard
 - A remark is formally acknowledges but the organization or individual takes no further action.
 - When advocate raises a topic, the organization ends the exchange.
- (b) Steering
 - The organization or individual picks up on part of the remark rather than the remark as a whole.
 - The organization or individual steers the exchange toward a specific topic.
 - Away from the main message toward a specific topic.

We observed these actions a lot. So much that we skipped over them at the beginning.

Findings (1): Disregard examples

Meso discourse

(State Department internal memo)

Talking Points

- *State understands TransCanada's desire to see a quick and positive resolution of the Keystone XL regulatory process and that we are acutely aware of the financial and practical issues for TransCanada as time passes.*
- *The Department must conduct a thorough and balanced review of the Keystone XL pipeline. We are seeking to ensure that all available and relevant information and analyses are included in any final Environmental Impact Statement.*

Microlevel process

(Nebraska Legislature)

- *Thanks, Mark. Questions of Mark? Seeing none, thank you. Next proponent.*
- *Thank you very much. Any questions from the committee? Seeing none, thank you. Next proponent, please.*
- *Well done. Are there any questions? Seeing none, thank you very much.*
- *Okay. Okay. Very good. Seeing no questions, thank you very much.*
- *Thank you very much. Are there any questions for Mr. Knudsen? Well, thank you for coming all the way from Ogallala.*
- *Are there any questions for Mr. Whitehead? Seeing none, thank you very much for your testimony.*

Findings (1): Steering examples

Meso discourse

(State Department internal memo)

[If] TransCanada group express frustration at State's permitting process, State should be ready to request a meeting with working level contacts to go over the details of TransCanada's position on three major issues 1) the American Council on Historical Preservation's (ACHP) request to become "officially" involved in all negotiations with Indian tribal groups over the terms of the programmatic agreement 2) the Fish and Wildlife Agency's request for State to become "officially" involved in all negotiations over the American Burying Beetle (a listed Endangered Species) and 3) a decision by TransCanada on the additional safety requirements proposed by PHMSA that they will accept on the pipeline.

Nebraska

Senator Schilz: And you talk a little bit about the eminent domain. And the last line that I read here on the first page, it talks about people in the state of Nebraska need protection from this type of tactic and that I feel LB1 would provide that protection. Can you explain that? Are you...I guess, can you explain that a little bit further?

Findings (2): Topic model

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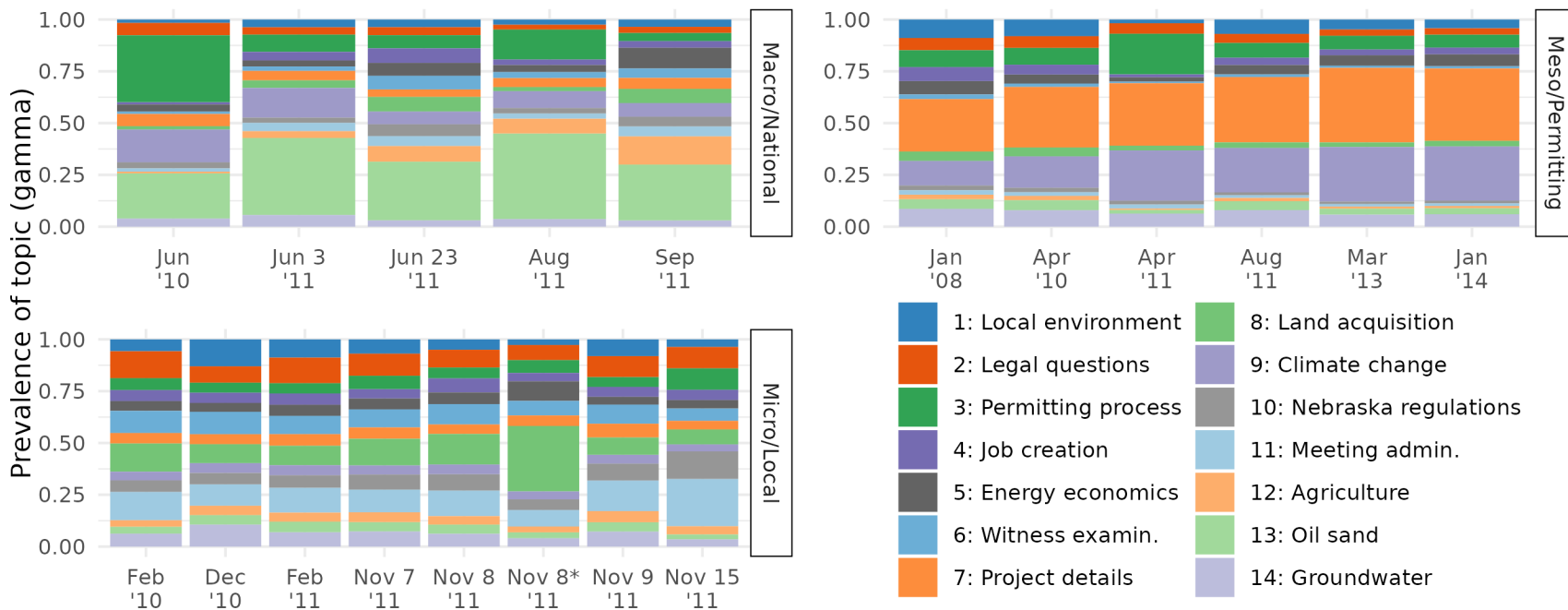
| Topic | Title | Description |
|-------|----------------------|---|
| 1 | Local environment | Impacts on the local environment—erosion, restoration, and crops |
| 2 | Legal questions | Legal questions, especially jurisdiction state vs. federal |
| 3 | Permitting process | State Department permitting process for Presidential Permit |
| 4 | Job creation | Keystone XL job creation—union jobs and local employment |
| 5 | Energy economics | Energy supply, demand, and prices |
| 6 | Witness examination | Witness examination, including response from witnesses |
| 7 | Project details | Project location, facilities, and alternatives |
| 8 | Land acquisition | TransCanada land acquisition and use of eminent domain |
| 9 | Climate change | Greenhouse gas emissions and climate change |
| 10 | Nebraska regulations | Regulations proposed in Nebraska, especially during special session |
| 11 | Meeting admin. | Calling witnesses, taking questions, and time management |
| 12 | Agriculture | Concerns around agriculture—advocacy for protecting farms & ranches |
| 13 | Oil sand | Oil sand—local and global environmental impacts |
| 14 | Groundwater | Groundwater pollution risks—Ogallala Aquifer and Sandhills |

Characteristics of the topic model

- Trained on cross-level data
- Covers topics from macro, meso and micro level
- Able to uncover lost topics
- Inductive and coarse:
 - We identify topics that span levels of analysis, e.g., climate change
- Deductive and fine-grained:
 - We are still able to discriminate forms of speech at the micro level
 - E.g., language associated with witness examination
- Highlight similarities and differences between levels of analysis (see next slide)

Findings (2): Cross-level comparison

Topic loadings of key documents



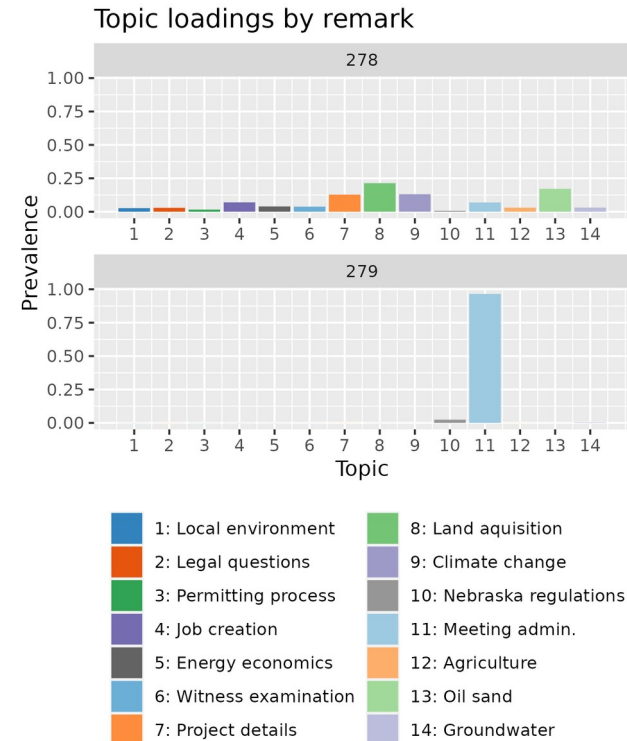
*: Judicial Committee. Other hearings by Natural Resources Committee

Findings (2)

Now let's use this to tease out dynamics

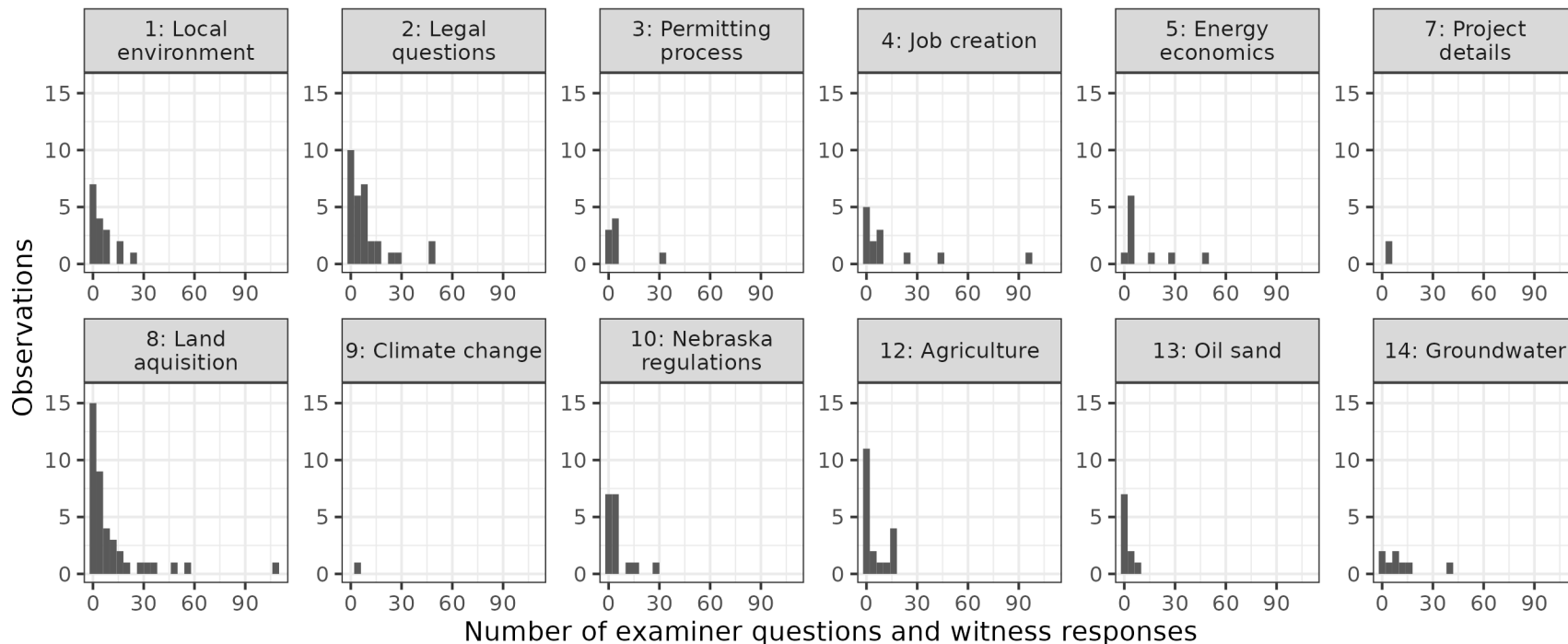
Findings (2): Disregard quantitative

| Remark # | Person | Content |
|----------|-----------------|--|
| 278 | Mark Welsch | If they are planned, the electric lines, and built, I hope that they will be built with the capacity to move power from all windfarms that will be built near those new power lines. Because we must stop global warming caused by burning fossil fuels, I believe this pipeline may become obsolete within 30 years. If we don't, the Pentagon has said they are concerned for our security in and out of this country due to global warming and the climate changes that it will cause. Some people think the third world war will be fought over water because of global warming and climate change. Thank you very much. |
| 279 | Senator Ashford | Thanks, Mark. Questions of Mark? Seeing none, thank you. Next proponent. |



Findings (2): Disregard quantitative (and framing)

Histogram: witness examination length by initial topic

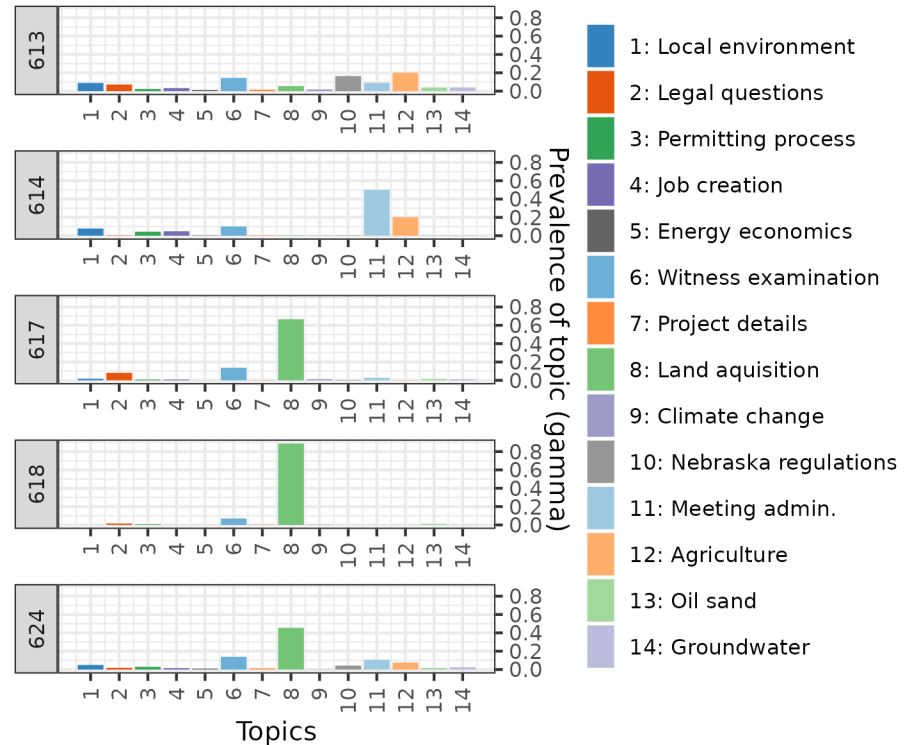


Findings (2)

But maybe the long testimony is not meaningful because of steering?

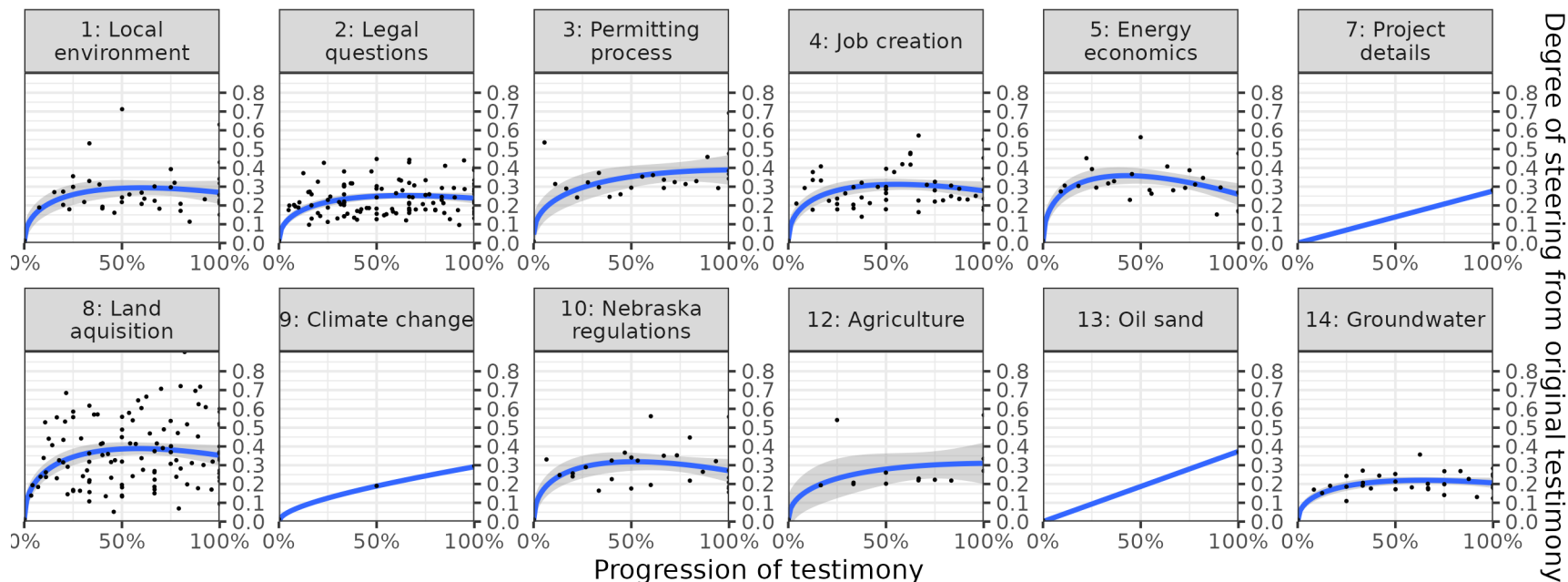
Findings (2): Steering quantitative

| Remark # | Person | Content |
|----------|----------------|--|
| 613 | Teri Taylor | (Testimony) |
| 617 | Senator Schilz | And you talk a little bit about the eminent domain. And the last line that I read here on the first page, it talks about people in the state of Nebraska need protection from this type of tactic and that I feel LB1 would provide that protection. Can you explain that? Are you...I guess, can you explain that a little bit further? |
| 618 | Teri Taylor | Explain why I feel that LB1 will give us protection from eminent domain? Or explain... |
| 619 | Senator Schilz | Right. |
| 620 | Teri Taylor | ...about the tactics? |
| 621 | Senator Schilz | Well, a little bit of both. |
| 622 | Teri Taylor | Okay. |
| 623 | Senator Schilz | Please. |
| 624 | Teri Taylor | ... |



Findings (2): Steering quantitative (all observations)

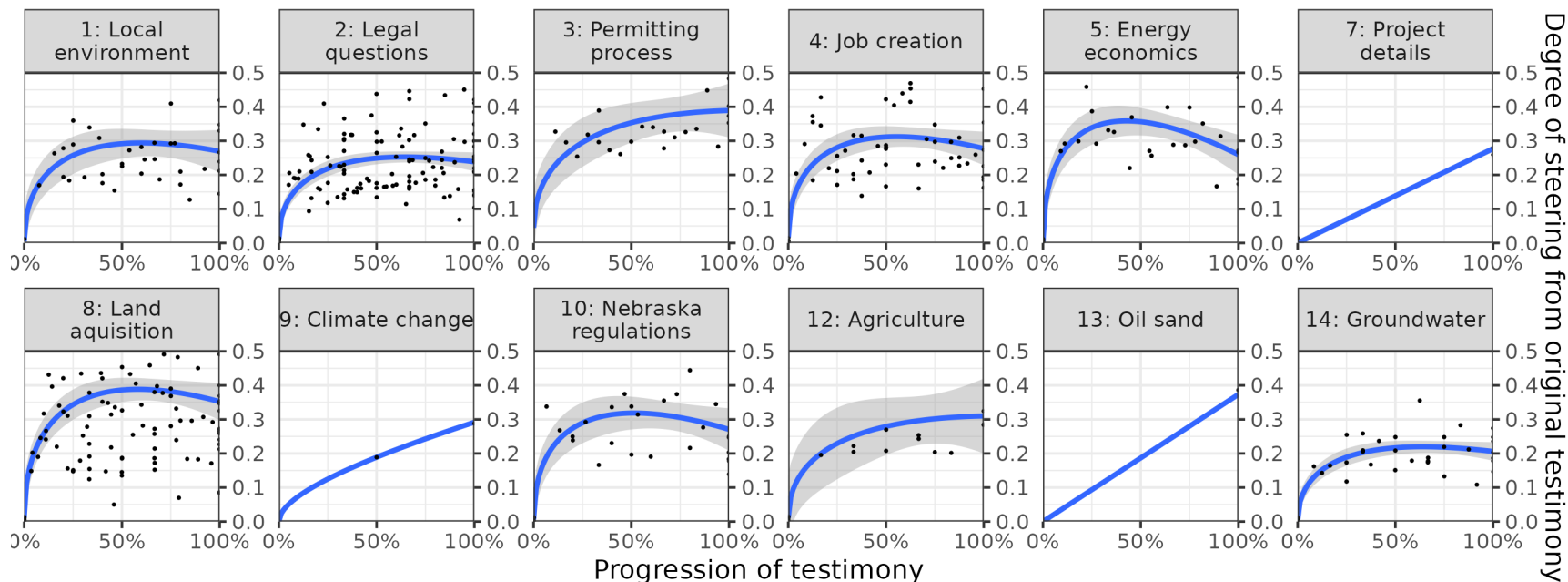
Steering of witness testimony by initial topic



Topic change measured as euclidean distance
Smoothing: squareroot function

Findings (2): Steering quantitative (zoomed in)

Steering of witness testimony by initial topic



Topic change measured as euclidean distance
Smoothing: squareroot function

Findings (2): Disregard & steering quantitative

Observations

- Some topics underutilized as framing (e.g., climate change)
- Some topics more likely to be disregarded quickly (e.g., oil sand)
- Some topics more prone to steering than others (e.g., land acquisition)
- Some topics are less prone to steering (e.g., groundwater)
- Many topics have outliers—individuals that are allowed to talk longer on the topic than others

Questions

- Why are some topics overrepresented and more prone to steering?
- Why are some individuals allowed to talk longer about various topics?

Need to look at two kinds of outliers. Those being steered and those hogging the spotlight.

Findings (3): Outliers

Findings (3): Outliers–steering

Example

Senator Carlson: *I smiled at one of your statements and—which is okay, because I’m going to ask you some questions here, and I’m not leading you down a path. I think I’m going to illustrate maybe what your real concern is here. Are you against all the present oil pipelines in Nebraska?*

Tim Taylor: *No, sir.*

Senator Carlson: *Okay. Are you against additional pipelines in Nebraska?*

Tim Taylor: *No, sir.*

Senator Carlson: *Are you against the further development of fossil fuels?*

Tim Taylor: *No, not at all, sir.*

Takeaway

- Qualitative data: in-group identity often plays into steering
- Senator Haar: “*Just a rancher doesn’t work here. (Laugh)*”
- Senator Dubas: “*I’m a farmer; I’m not just a farmer.*”
- Organizations exert control over discourse by choosing where to steer from, and where to disregard

Steering not used to directly censure out-group but to allow in-group to dominate wider range of topics

Findings (3): Outliers–disregard

Who are the outliers?

- Table: 95th percentile
- Note affiliation and role:
- Disregarding these witnesses could lead to awkwardness
- E.g., being subsequently called out
- Identity/expertise suggests witness examiners should inquire about specific topic or topics

| Name | Affiliation | Role | Date | N. questions |
|-----------------|--------------------------|---------------------------------|---------------------------------|--------------|
| Robert Jones | TransCanada | Vice President, Keystone | November 8, 2011 (judiciary) | 110 |
| Lara Skinner | Cornell | Associate Director of Research | November 8, 2011 | 96 |
| John Kuehn | Southern Public Power | Secretary of Board of Directors | November 8, 2011 (judiciary) | 57 |
| Alan Peterson | Sierra Club | Attorney | November 7, 2011 | 50 |
| John K. Hansen | Nebraska Farmers Union | President | November 8, 2011 | 49 |
| Anthony Swift | NRDC | Policy analyst, attorney | November 8, 2011 | 47 |
| Michael Whatley | Consumer Energy Alliance | Executive Vice President | November 8, 2011 (judiciary) | 47 |

Findings (3): Outliers–by group

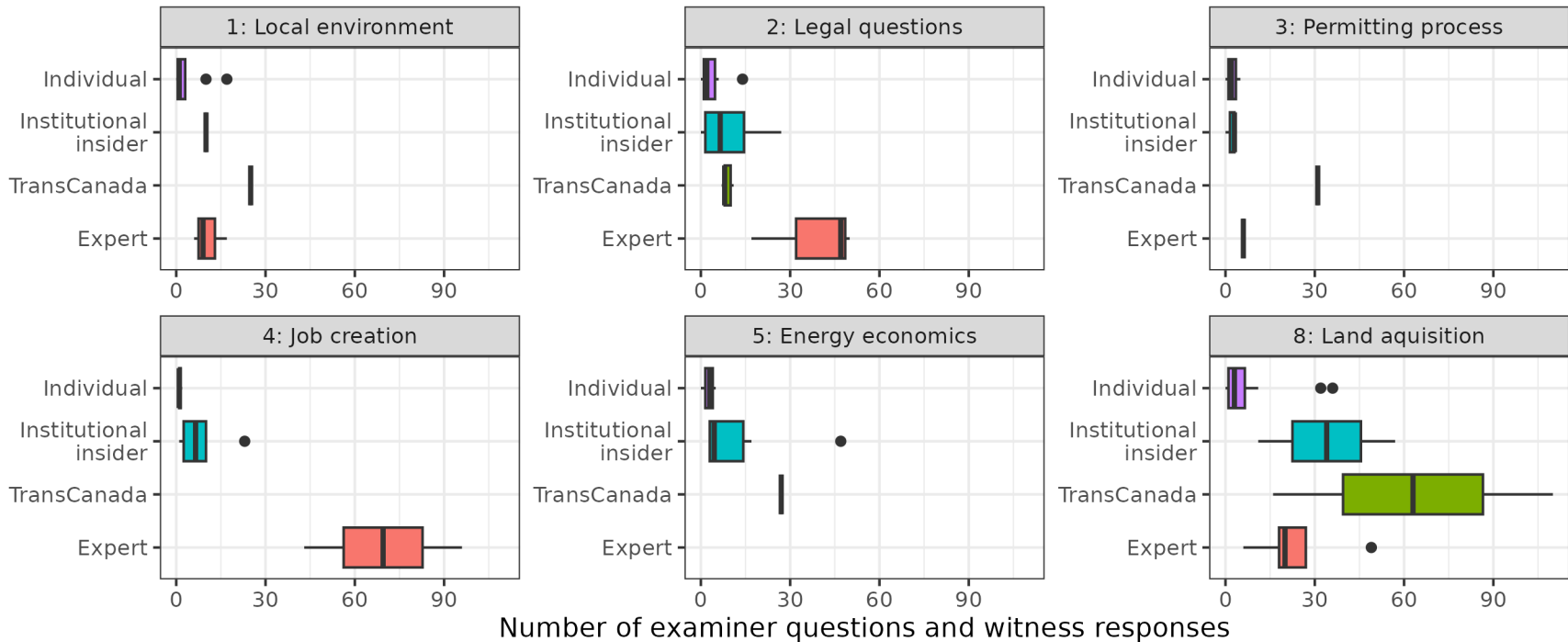
Five groups based on insights:

- 10 TransCanada employees, e.g.,
- Vice President Robert Jones
- Company lawyers
- 19 Institutional insiders, e.g.,
- John Kuehn (power company)
- Michael Whatley (industry think tank)
- 11 Area experts, e.g.,
- Alan Peterson (lawyer)
- Wayne Woldt (University of Nebraska-Lincoln faculty)
- 100 other individuals
- 84 Anti-Keystone XL individuals
- 16 Pro-Keystone XL individuals

| Name | Affiliation | Role | Date | N. questions |
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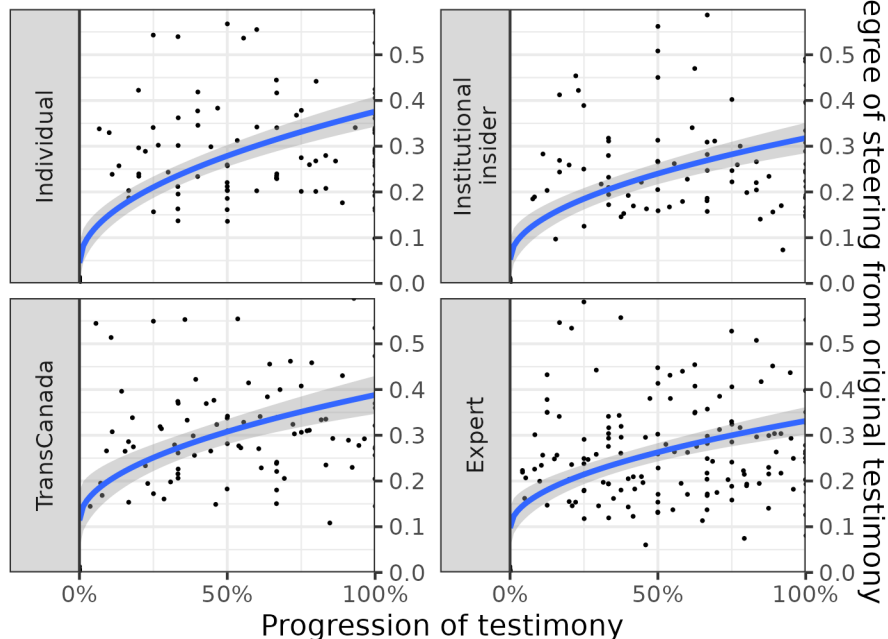
Findings (3): Experts get to speak more

Witness examination length by initial topic and group



Findings (3): Steering by group

Steering of witness testimony by group



Topic change measured as euclidean distance
Smoothing: squareroot function

Observations

- No or little blanket steering
- (Same for topic-wise comparison)
- If not *brute force* steering of experts, what are more subtle approaches? (See next section.)

Then what is the content of these conversations?

- Are experts heard or are there other caveats beyond disregard and steering?
- Use TransCanada and industry insiders as comparison group

Findings (3): Other concepts

| Group | Actor | Counter coalition | Information asymmetry | Questioning motives |
|------------------------|--|--------------------------|------------------------------|----------------------------|
| Experts | Alan Peterson | Strong | Present | Present |
| Experts | Anthony Swift | Indirect | Present | Strong |
| Experts | John K. Hansen | Indirect | Indirect | Present |
| Experts | Lara Skinner | Strong | Present | Strong |
| Experts | University of Nebraska-Lincoln faculty | Present | Strong | Present |
| Institutional insiders | John Kuehn | Absent | Absent | Present |
| Institutional insiders | Michael Whatley | Absent | Absent | Indirect |
| TransCanada | Robert Jones | Present | Absent | Some |
| TransCanada | Lawyers | Present | Absent | Some |

Findings (3): Questioning motives

Examples

- Anthony Swift (NRDC)
- Senator Smith: *It sounds like you... antidevelopment of those types of reserves. All right. Let me ask you, tell me your credentials again. Tell me your background, your education, and your experiences that lead up to your testifying here.*
- John Stansbury (U of Nebraska-Lincoln)
- Senator Haar: *First of all, they referred to it as the Stansbury Friends of the Earth report. Were you paid by the Friends of the Earth to do your study? Why did you do this, all this work?*
- Lara Skinner (Cornell Global Labor Institute)
- Senator Langemeier: *Is it a scientific report? Is it an evaluation of facts report? Is it an advocacy report? How would you describe it?*

Description

- Questioning the motives for testifying on local environmental issues.
- Probing for connections to pro-climate action organizations.
- Questioning outsiders for reasons to come to Nebraska. (Quote not included on the left.)

Counterpoint

- Tim Taylor (rancher)
- Senator Carlson: *I'm asking you these—I think your reservations and your resistance is for pure reasons. And I appreciate that. Thank you.*

Findings (3): Information asymmetry

Examples

- John Gates (University of Nebraska-Lincoln)
- *[S]cientists themselves are often hampered from providing technical input because of their limited access to data — as has happened with the Keystone XL proposal. Important data pertaining to this have not been divulged to the public, such as the fluid chemical composition and the maximum pipeline leakage volumes.*
- Lara Skinner (Cornell Global Labor Institute)
- *I mean, a large part of the problem that we face with the Perryman Group and trying to verify those job estimates that have been put out so widely and the U.S. discourse is that there's no information provided on the inputs into that model, it's a proprietary economic model.*

Description

- Key information on Keystone XL pipeline reside with TransCanada, State Department, and contractors.
- In addition, TransCanada requires landowners to sign nondisclosure agreements when acquiring land. (Quote not included on the left.)
- Researchers in particular are hamstrung—lack of information on oil sand composition and detailed pipeline route.

Experts are not in a position to make certain statements on issues of concern.

Findings (3) Counter coalitions

Examples

- Cornell labor institute
- Senator Smith: *[W]e've had lengthy testimonies and contact and information provided to us by a number of the labor organizations in Nebraska that seem quite knowledgeable of what impact this pipeline is going to have on their union members in Nebraska. And I'm struggling here not...I mean, I welcome you to come and testify and I appreciate your testimony. But these are folks, these are jobs that are located in Nebraska that are talking about firsthand the impact this pipeline is going to have in Nebraska. And I've seen a lot of numbers thrown around and I'm just...I'm baffled, quite frankly, because it's so far apart from what we've heard in testimony over the last day.*

Description

- Senators attempt to resolve contradicting claims by weighing credibility of witnesses rather than merit of the argument.
- Cornell Global Labor Institute vs. labor unions
- University of Nebraska-Lincoln scientists vs. TransCanada engineers
- Legal experts vs. company lawyers
- In addition, attempts to judge motives of competing coalitions:
- Senator Haar: *[T]his whole issue has created strange bedfellows, unions working with the chamber of commerce who would just as soon not have unions [...] Is the labor movement itself 100 percent back of the, you know, the jobs?*

Discussion

Discourse—who is heard?

- On national stage, environmentalism dominates
- High visibility does not translate into tangible impact on project
- On the micro level, actors are aware of *environmentalists'* influence, but specific details are disregarded rather than explored
- Relevant environmental information are discovered separately
- Five processes that keep privileges certain voices over others or counterbalance expert voices:
 - Disregard
 - Steering
 - Questioning motives
 - Information asymmetry
 - Counter coalitions

Discourse in polarized fields

- Translation into action requires participation in conversations that matter
- High level “war of idea” may be disregarded during relevant discourse “on the ground”
- In Nebraska, ‘common sense’ environmentalism of farmers aides the resistance against Keystone XL
- *[...] conservative ranchers working with environmentalists, they’re conservationists, but not necessarily environ...*

Reliability and validity

- Experts focus on valid information to provide at the micro level
- Hamstrung by widely held but often inaccurate reliable knowledge on:
 - Keystone XL job creation
 - Systemic economic benefits of the Keystone XL project
 - Discounting climate change risks
 - Pipelines are controllable with technology
- But also reliable understanding on the need to protect Ogallala aquifer

Compare Dakota Access Pipeline (DAPL)

- Local resistance grounded in environmental ideals and indigenous treaties
- Better mobilization potential for activists in North Dakota and beyond
- But not grounded in reliable knowledge that is widely shared in state
- In Nebraska, the ranchers who were concerned about Keystone XL and the aquifer are the in-group that senators draw on
- In North Dakota, there is a divide between the Standing Rock Sioux Tribe and allies vs. settler majority

Important to note that ranchers in Nebraska are not a marginalized group. Higher power status than e.g., Standing Rock Sioux Tribe in North Dakota. Regardless, still in a position where State Senators can steer them to shape discourse.

Conclusion

Epilogue

- October 10, 2010—Secretary of State indicates her department “inclined” to approve Keystone XL
- August 26, 2011—State Department affirms:
 - *We are on track [...] to make a determination by the end of this year.*
- November 7, 8 & 9, 2011—Nebraska legislature Special Session sits
- November 10, 2011—State Department announces Supplemental Environmental Impact Statement:
 - *The concern about the proposed route’s impact [...] has resulted in the Nebraska legislature convening a special session to consider the issue. [T]he [State] Department has determined it is necessary to examine in-depth alternative routes [which] could be completed as early as the first quarter of 2013.*
- April 18, 2014—Nebraska lawsuit as direct outcome of Special Session Nebraska-TransCanada, leads to further delay until 2015. State Department:
 - *Agencies need additional time based on the uncertainty created by the on-going litigation in the Nebraska Supreme Court [...].*

Breaking out of agency vs structure

- Recent efforts to reinvent the role of actors in institutional processes (Steele, 2021)
- Taken-for-grantedness as an ongoing accomplishment by institutional actors
- As opposed to passive taken-for-grantedness that lives and dies by structural factors
- The latest round in the fight over “hypermuscular” agents (Suddaby, 2010) vs. insurmountable structure that is only broken down by substantial exogenous shock (Barley, 1986)
- Instead, agency resides in the deliberate, strategic act of taking one angle on an issue and passing over other topics
- For actors who enter from different (sub)fields, agency is expressed through frame selection
- Inhabitants of the (sub)field have power over the topic of conversation beyond reacting what others say (cf. Steele, 2021)
 - Choice of who can speak (disregard) and what they speak about (steering)
 - (Some) power over speech contents and others’ perception of outsiders beyond control of topic (counter coalitions, information asymmetry, questioning motives)
- The outcome of two sides exerting their agency looks like very structurally constrained discourse

Structure is the agency of others!

What gets heard?

- Environmentalists, industry insiders, and senators are playing language games with each other
- These language games use very real topics, often with tangible implications for our physical environment
- Some of them almost entirely social in nature, nonetheless with real, tangible implications
- E.g., personal liability of senators, condemnation of private property, shunning of outspoken women

Topics *are* rhetoric!

Modernism and discourse

- Notion of institutionalized compartmentalization of discourse aligns well with critiques of modernism
- Modernism: complex system broken down into components that can be analyzed to identify issues (Shrivastava, 1994; Ergene, Banerjee, and Hoffman, 2020)
- When discourse on components is completed, actors belief issues is settled, despite the many topics previously sidelined
- Risk of proxy battles when actors with interest in topic A see an in in topic B
- We risk mistaking a complex analysis with a complete analysis because of compartmentalization
- Keystone XL beyond the capabilities of modern bureaucracy
- 2014 Final Supplemental Environmental Impact Statement: ~ 10,000 pages
- Final decision does not attempt to settle debates but finds new criteria: “The reality is that this decision could not be made solely on the numbers – jobs that would be created, dirty fuel that would be transported here, or carbon pollution that would ultimately be unleashed” (John Kerry on November 6, 2015).

What's next?

- Keystone XL useful case study for studying roadblocks to successful challenges
- How will industry and governments proceed in a future with more radical movements around?
- Dakota Access Pipeline: “Battle of Standing Rock”
- Coastal GasLink: Canadian federal police flying federal police officers into remote locations to arrest Wet’suwet’en protesters and journalists on unceded indigenous land
- Emergence of new movements that may not shun physical conflict: Last Generation, Extension Rebellion, Catholic Workers Movement (cf. Malm, 2020)
- Studying a variety of pipelines will yield more insight into environmentalists’ and industry side of the equation:
 - How do environmentalists choose their battles?
 - What topics do they select and how?
 - How do pipeline firms and police prepare for conflicts?
 - Should we study discourse or physical dimensions of conflict?

Questions?

References

Barley, S. R. (1986).

Technology as an Occasion for Structuring: Evidence from Observations of CT Scanners and the Social Order of Radiology Departments

. *Administrative Science Quarterly*, 31(1), 78–108.

Ergene, S., Banerjee, S. B., and Hoffman, A. J. (2020).

(Un)Sustainability and Organization Studies: Towards a Radical Engagement. *Organization Studies*, 017084062093789.

Hardy, C., and Maguire, S. (2020).

Organizations, Risk Translation, and the Ecology of Risks: The Discursive Construction of a Novel Risk

. *Academy of Management Journal*, 63(3), 685–716.

Harmon, D. J. (2019).

When the Fed Speaks: Arguments, Emotions, and the Microfoundations of Institutions.

Administrative Science Quarterly, 64(3), 542–575.

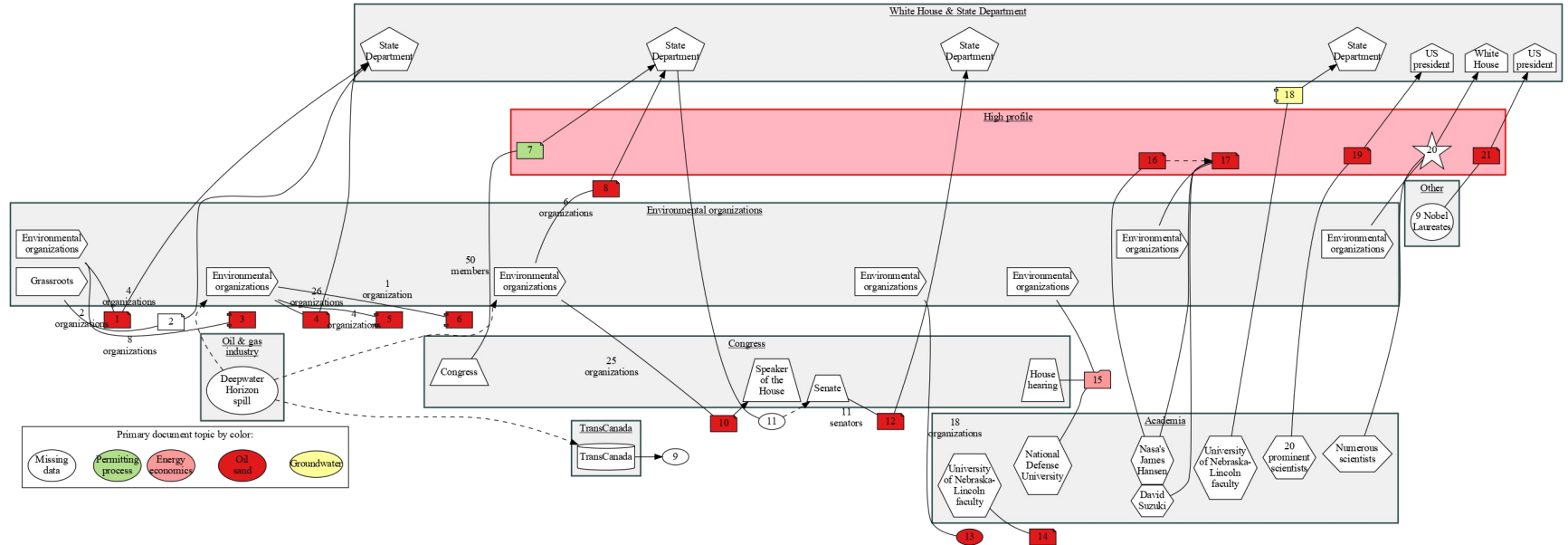
Harmon, D. J., Green, S. E., and Goodnight, G. T. (2015).

A Model of Rhetorical Legitimation: The Structure of Communication and Cognition Underlying Institutional Maintenance and Change

. *Academy of Management Review*, 40(1), 76–95.

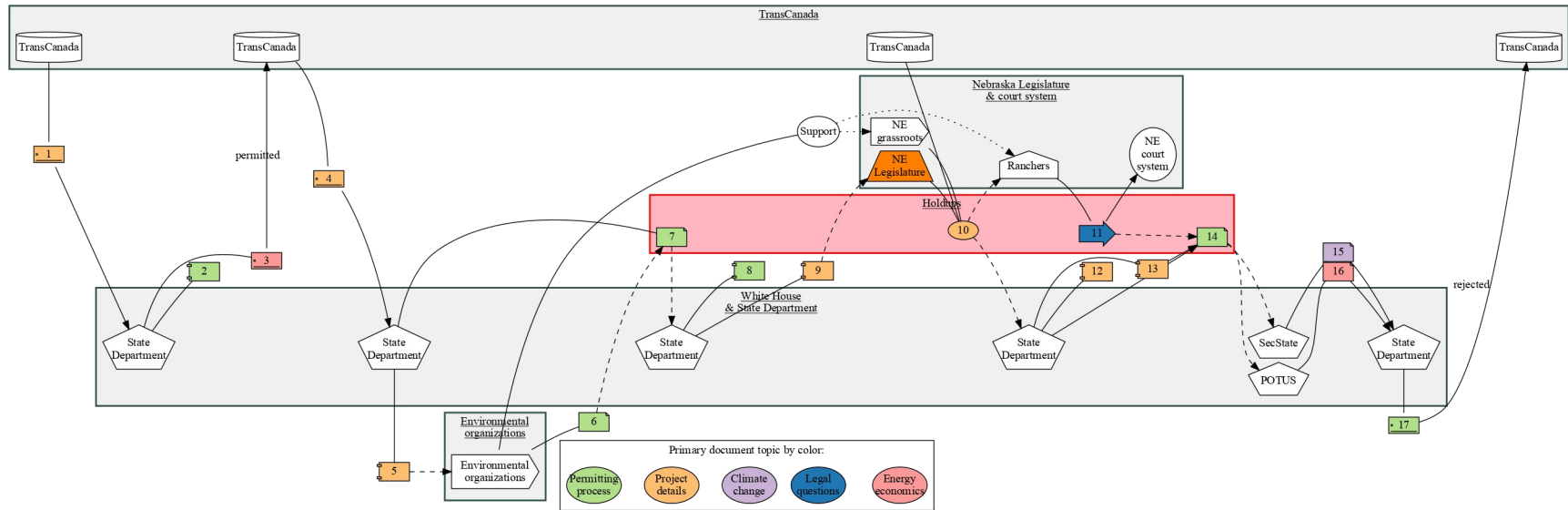
Appendix

5-1 Macro/National discourse

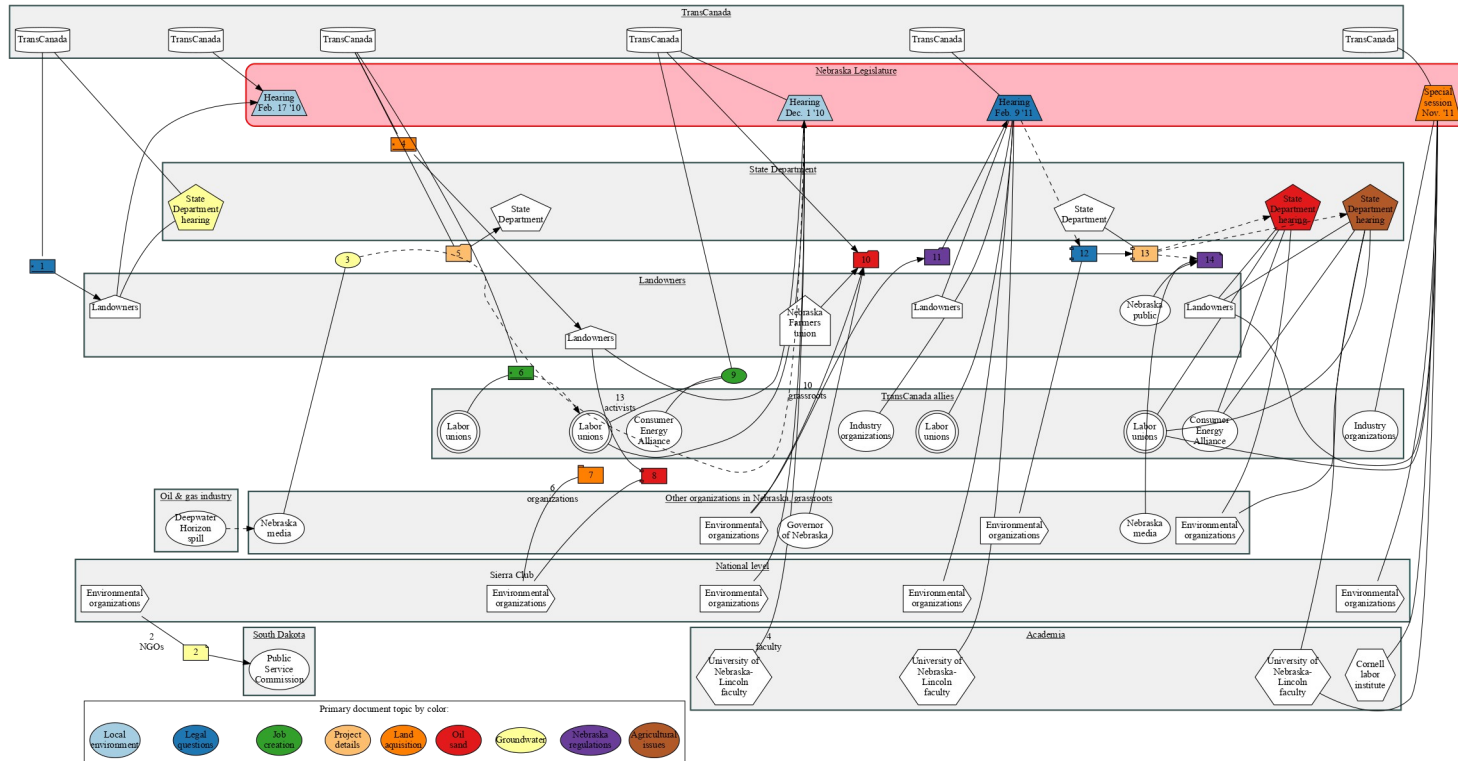


Key documents/interactions

5-1 Meso/Permittig discourse

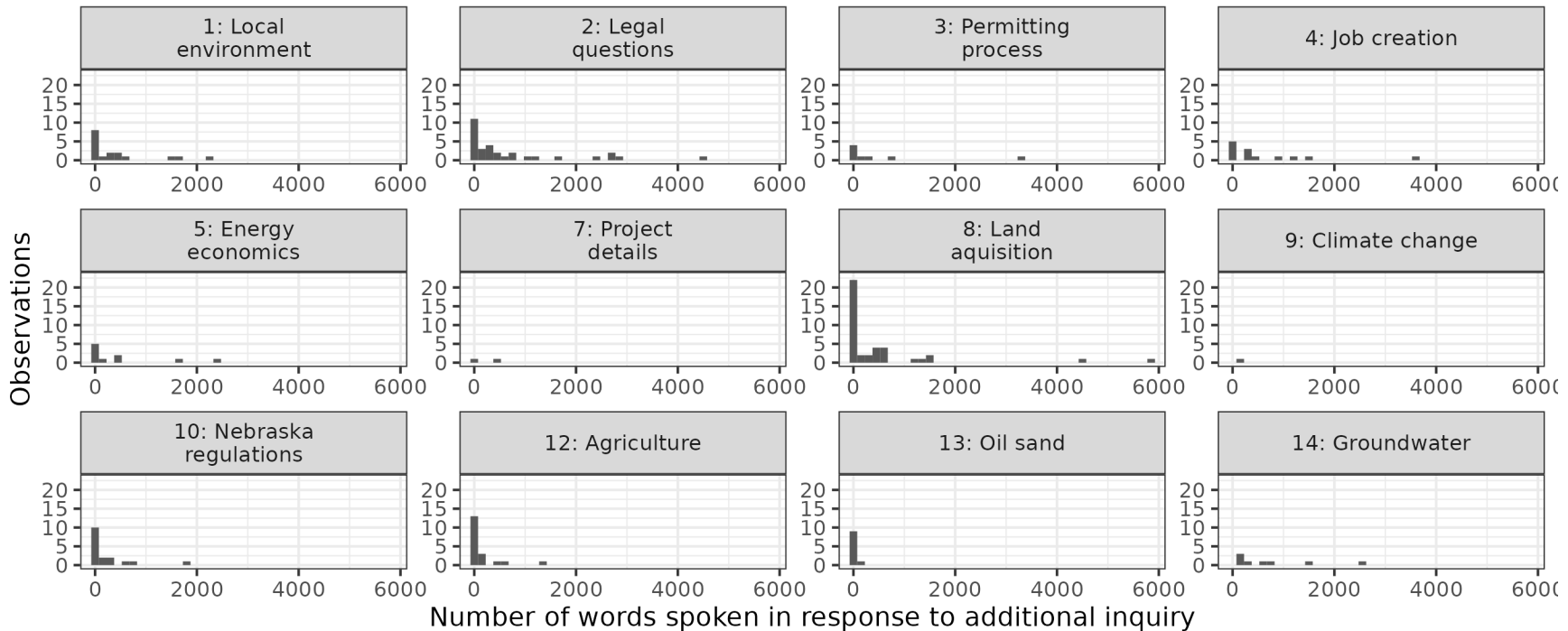


5-1 Micro discourse



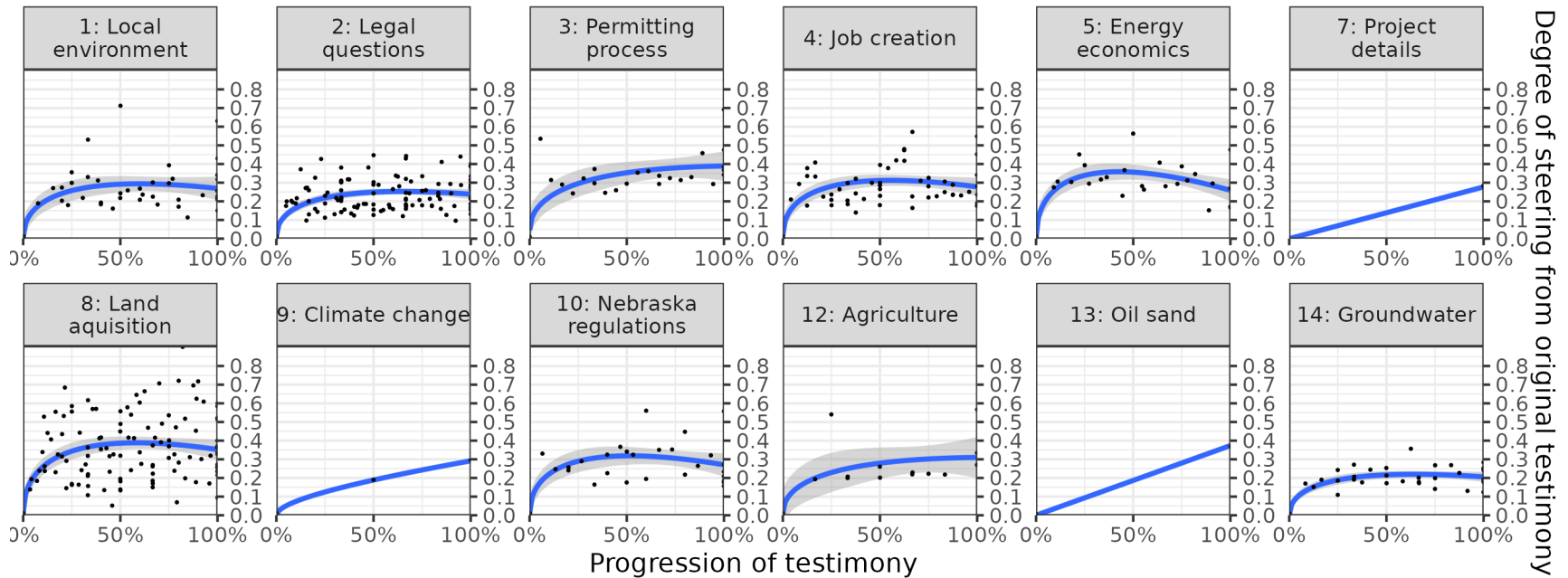
5-3 Disruption (alternative measure)

Histogram: witness examination length by initial topic



5-3 Steering (alternative selection)

Steering of witness testimony by initial topic



Topic change measured as euclidean distance
Smoothing: squareroot function