

Viewpoint: How tort lawyers came to fund environmental activist fundamentalist attacks on science and agriculture

Since the period of stakeholder dialogue in the 1990s and early 2000s, environmental activists engaged in the policy process to try to make an impact. And this worked for the easy wins (increased recycling, lower emissions and effluents, incentives for energy-saving devices, better water and air quality...) but enough was just never enough. The green ambition expanded towards banning synthetic chemicals, plastics, pesticides, fossil fuels, fertilisers, nuclear energy and GMOs, to name a few. This demanded more than just a handful of busy lobbyists and an umbrella group of NGOs. Lately their ambition has extended even further to, well, cancelling out capitalism, corporations and industry. As experience with the war on tobacco showed, regulations would only go so far, especially if you are battling against a product or activity the public want and expect. To defeat industry (ie, to save the world), NGOs would need to wage war on multiple fronts.

If industry actors think this is still only part of the policy dialogue process, then they might as well just stay at home.

The Industry Complex looks at how industry is not simply in a dialogue with a few activist NGOs and interest groups on policy issues. They are facing a coordinated network of organisations who have been implementing a complex series of attacks on multiple fronts via a wide range of stakeholders and interest groups with a long-term strategy of eliminating capitalism and them. Industry needs to change their focus. They are facing a campaign onslaught directed at their very existence.

What we are seeing today is a complex series of activist campaigns against industry and capitalism coordinated at multiple levels (via the media, academe, policy processes, tort law firms and social media influencers). NGOs are playing a long game, scaring and then enlisting teenagers to get involved, not only for media impact but to ensure that the next generation will adopt their ideology seamlessly. With so many groups in action at the same time, these groups can more easily rewrite narratives and control the messages accepted in public discourse. These groups (representing between 5 and 10% of most populations) are well-financed, driven by passion and determined to win at any cost. What they are releasing, with this strategy, is an onslaught on Western values, traditions and economic activity.

If you are an innovator or believe that the way to change the world for the better is through technological solutions, life in Europe is getting pretty hard. Western leadership is feeble and febrile and while regulators may pay lip-service to supporting the industrial sector, they do as little as possible to support innovations to avoid upsetting the anti-industry lobby (see, for example, the European Commission's comic and chaotic last-minute attempt to stop an industrial exodus from the EU given the incentives offered by the US Inflation Reduction Act). This lip-service is just as well as they have already buggered up European energy independence and are on track to destroying food sovereignty.

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Useful idiots in government, the media and the academe

These activist campaigns have been made easier as several institutional structures have been in flux. Loss of trust in government institutions has weakened the ability for policymakers to stand up to their prevailing narratives (with many governments throwing in the towel and starting to play with the idea of governance by citizen assembly). The economic restructuring and post-digital decline in the large media groups (which had been largely funded by industry until news became free) has created an area ripe for influence by populist movements. Social media groups have further challenged how information is transmitted. The shift in research funding, from industry-academe projects to publicly financed research, has redefined the power structure in universities (with administrators accountable vertically to their paymasters rather than to the interests of their researchers). These evolutions have created an environment of vulnerability where the anti-capitalist narrative can be amplified by the appropriate useful idiots.

The best European leaders can do is isolate industry from the process and play the precaution card around the edges to appease the growing green lobby, hoping tourism and banking can make up for the collapse in European industry, loss of jobs and economic decline. The worst they can do, and this is quite attractive to many in government, is to play up the activist anti-capitalist narrative with regulators posing as benign, caring leaders committed solely to protecting public health and the environment. And should anyone take notice of their decades of actual inaction, they can join the mob and blame industry for not acting. This is what the present European Commission has done, choosing to define itself solely by its Green Deal strategy (despite a pandemic, war in Europe, energy crisis and industrial decline). This embrace of the anti-capitalist agenda has made a more pragmatic government committed to [Realpolitik](#) impossible.

But as activist groups continue to get their actors placed in government agencies, large media organisations and scientific bodies, as they continue to change the regulatory rules in their favour, they have hit something of a limit – what could be called a *plateau of reason* and a *wall of reality* where their ideological dogma can go no further. Inflation, yield destruction, loss of social goods and economic sacrifices do matter to consumers who might start taking their voting power seriously again.

Industry strategy during this onslaught is to stall the regulatory assaults until lost social goods (like affordable food, electricity and heating) outrage consumers, using their lawyers to keep products on the market via derogations while hoping that the more naive militant groups continue to shoot themselves in their feet. But this is hardly a strategy as the narrative will continue to work against them. When consumers do begin to suffer, activists continue their coordinated attacks and continue to spin their narratives on a wider public they detest as ignorant. Food and energy inflation, they argue, is due to industry price gouging, corporate windfall profits, Ukraine and COVID-19 and certainly not the result of failed green policies. The industry strategy of “ignore and delay” places them as merely one more useful idiot playing into this activist onslaught. Piñatas at an activist free-for-all.

The multiple-front onslaught

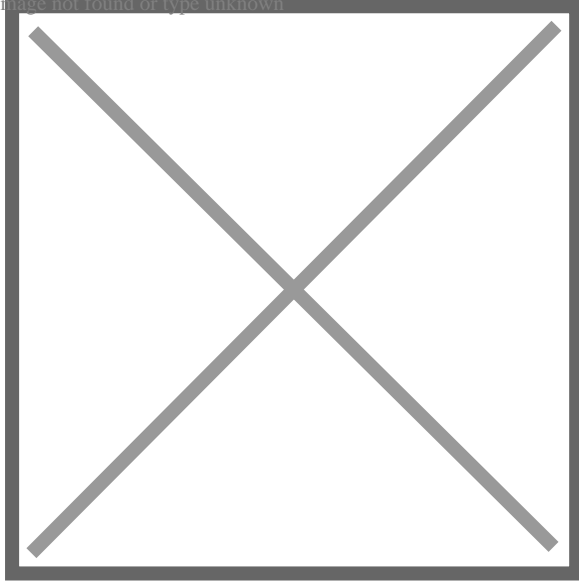
This was no happy accident. The anti-tech, anti-capitalist narrative dominating our media, policy arenas, higher places of learning, regulatory agencies and courts was no coincidence or the convergence of some common sense. I have been to enough internal activist meetings, listened to their consultants and advisors and read their reports to know that this multiple-front onslaught has been in the planning for several decades, cunningly executed and professionally finished.

So what are some of these coordinated attacks on multiple fronts?

Using tort lawyers to fund scientists and NGOs, create outrage and generate caseloads

In 2012, a group of academics, tort lawyers, scientists and green activists met in La Jolla to plot out a plan to work together to [tobacconise](#) other industries. They planned to coordinate scientific activity with NGO campaigns to sue companies into either bankruptcy or submission. Their [report](#), conceptualised by Naomi Oreskes, cited how the victory over Big Tobacco was not won through regulatory success (they claim the tobacco lobby was too strongly intertwined with government) but through a series of relentless lawsuits and growing public outrage. This strategy, later known as adversarial regulation, could sidestep the democratic policy process and was conceived to bring entire industries, like oil and gas, chemicals and plastics, to their knees.

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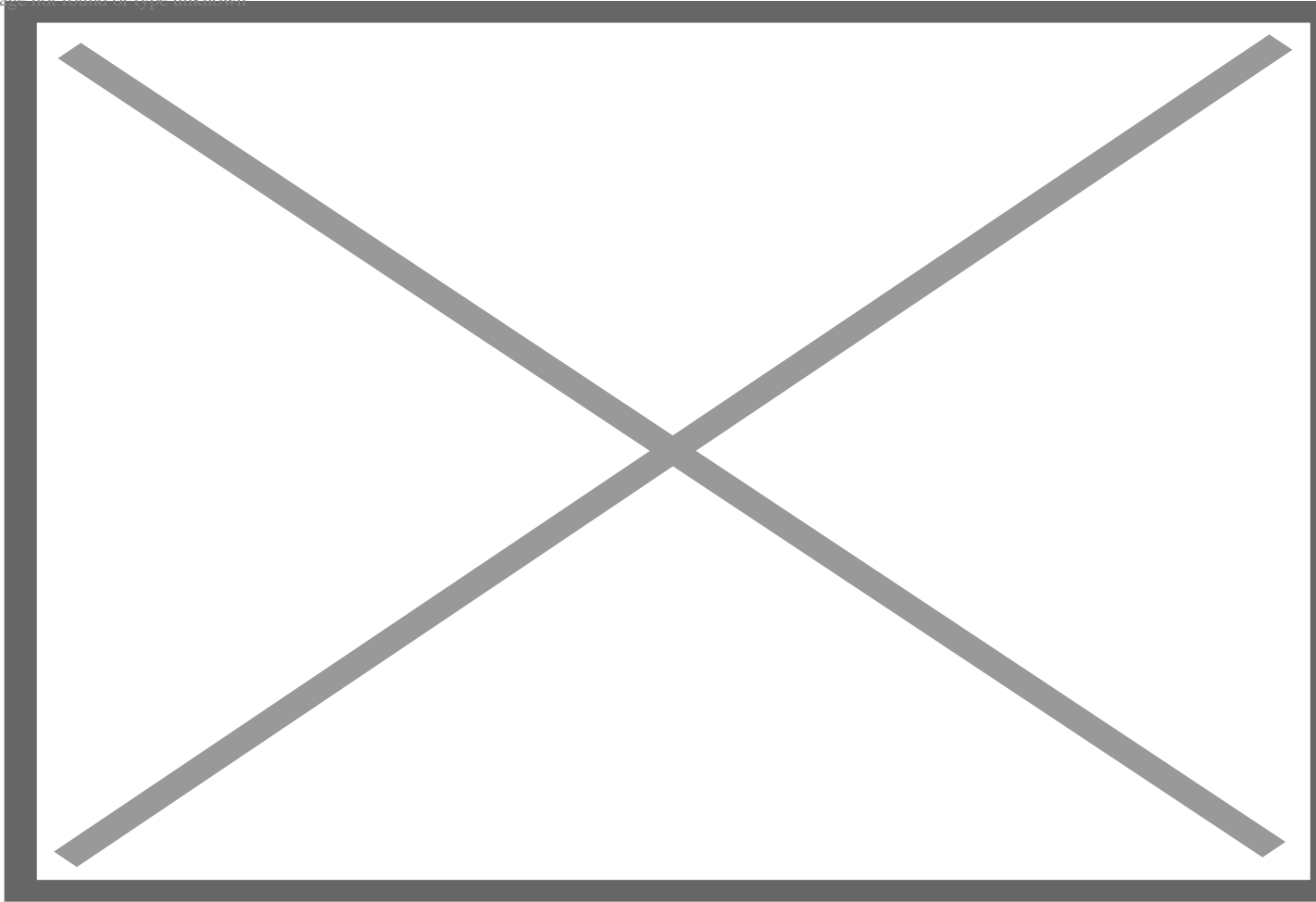
Billions of US dollars from tort lawsuit settlements have been siphoned off to NGO campaigns and a group of activist scientists, largely based around the Collegium Ramazzini who would use the influence of their research fellows to get IARC (the International Agency for Research on Cancer) to produce monographs on substances, citing remote cancer correlations. These monographs would then be used for a further barrage of lawsuits and research against the next vulnerable industry or company.

It is not about protecting or compensating citizens and it is not about improving the environment or public health; the goal is to bring industry (and capitalism) to its knees. Through relentless tort-law-firm advertising, consumers are made so outraged at industry “lies and poisons” causing so many cancers that they don’t realise they are being forced, via this well-planned fiction, to pay more for lower quality products, less investment in research and innovation and fewer companies who could afford to stay in certain markets. And they are angry at industry rather than the architects of this Big Lie.

This playbook was successfully implemented against companies producing benzene, talcum powder, glyphosate and is presently building momentum against Big Oil (for the effects of climate change). See my [SlimeGate](#) series for the backstory. The US government had to step in to cover or prevent lawsuits against vaccine manufacturers who had simply abandoned the US market in the 1990s. Ramazzini activist scientists are now preparing IARC for the next round of monographs with suspect research claiming cancer links to 5G, mobile phones and aspartame (some stock tips: sell your shares in Apple and Coca-Cola before those honeypots get drained ... Sorry Warren).

And as [laws](#) are being introduced to protect the rights of the environment, the madness will only get worse.

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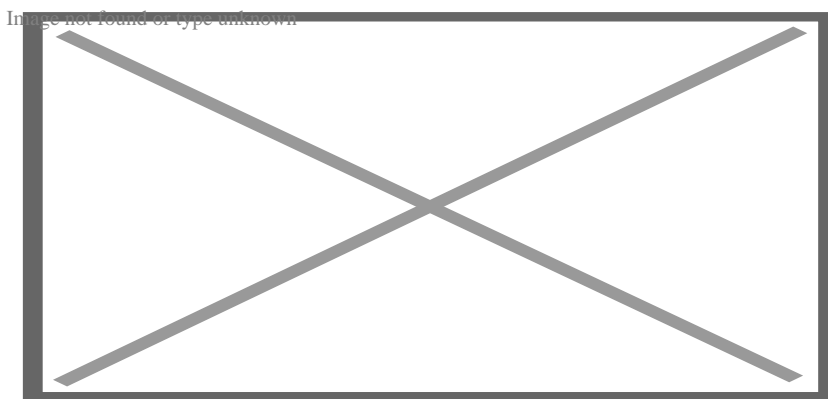
The blade of the anti-capitalist, anti-tech onslaught, tort law. Credit: Nick Youngson via Pix4free and CC BY-SA-3.0

Undermine regulatory risk assessments

Part of this “Predator Playbook” is to undermine trust in government regulatory agencies who do not affirm the conclusions of their bought-and-paid-for scientists. Activists campaign against government agencies, claiming they are all industry-funded and therefore refusing to accept the studies prepared by their scientists. In the case of glyphosate, the fact that every single government agency assessment rejected the IARC claim that the substance posed a risk to cancer mattered little as lawyers claimed that these government scientists, all of them, were working for Monsanto (neutering scientific data while further amplifying the cycle of anti-industry outrage). It seems absolutely absurd that a mid-sized seed company could pay off all of the world’s government officials and regulatory scientists, but, well, as Goebbels reportedly said: “The bigger the lie ...” (Green Party members in the European Parliament played into the outrage by banning Monsanto employees from entering or engaging in the democratic process in a Kristallnacht inspired frenzy).

The activist objective was to move from a regulatory risk assessment approach to a hazard-based approach. Originally IARC monographs, as hazard assessments, were intended to highlight if a hazard could be linked to certain types of cancer. It was then up to government risk assessment agencies to take this information and determine the safe exposure levels (risk = hazard X exposure), managing the risks while taking into account other important socio-economic factors. The law firms and NGOs saw enormous opportunity in sidestepping the regulatory risk process and relying solely on the hazard-based results (that almost always provide some association with certain types of cancer if dose rates are ignored). With these results, they can run campaigns and lawsuits against “those evil capitalist corporations” and, ironically, enrich themselves.

Did IARC scientists speak up about this abuse of the hazard-based approach by tort lawyers and NGOs? Far from it.



Our useful idiot in LeMonde

IARC activists like Kate Guyton used their useful idiots in the media (like LeMonde’s Stéphane Foucart) to try to discredit EFSA and their regulatory risk methodology. The head of IARC’s monograph programme, Kurt Straif, went on Euronews to make baseless claims about the amount of industry influence within EFSA. A large group of retired scientists associated with IARC and Ramazzini work as litigation consultants advising US tort law firms suing industry (averaging 500 USD/hour). Led by [Chris Portier](#), they

went on the offensive against EFSA. Any scientists or journalists who spoke out against IARC monographs were savaged in the media or had journal editors pressured to retract their articles. This was not scientific (or respectful to the institution of science). Later it was discovered that hundreds of thousands of dollars were sent via Ramazzini fellow, Linda Birnbaum's NIEHS office, to IARC and Ramazzini for communications activities.

EFSA, in a vain effort to restore public trust, has since had to change its methodologies to demand transparency on what was once confidential or proprietary industry data and admit non-scientific information into their risk assessments. This broken-winged bird will likely no longer be able to fly high enough to defend the scientific risk assessment process from the next activist science onslaught. Sorry Bernhard, you fought valiantly but the Facebook approach to science has won.

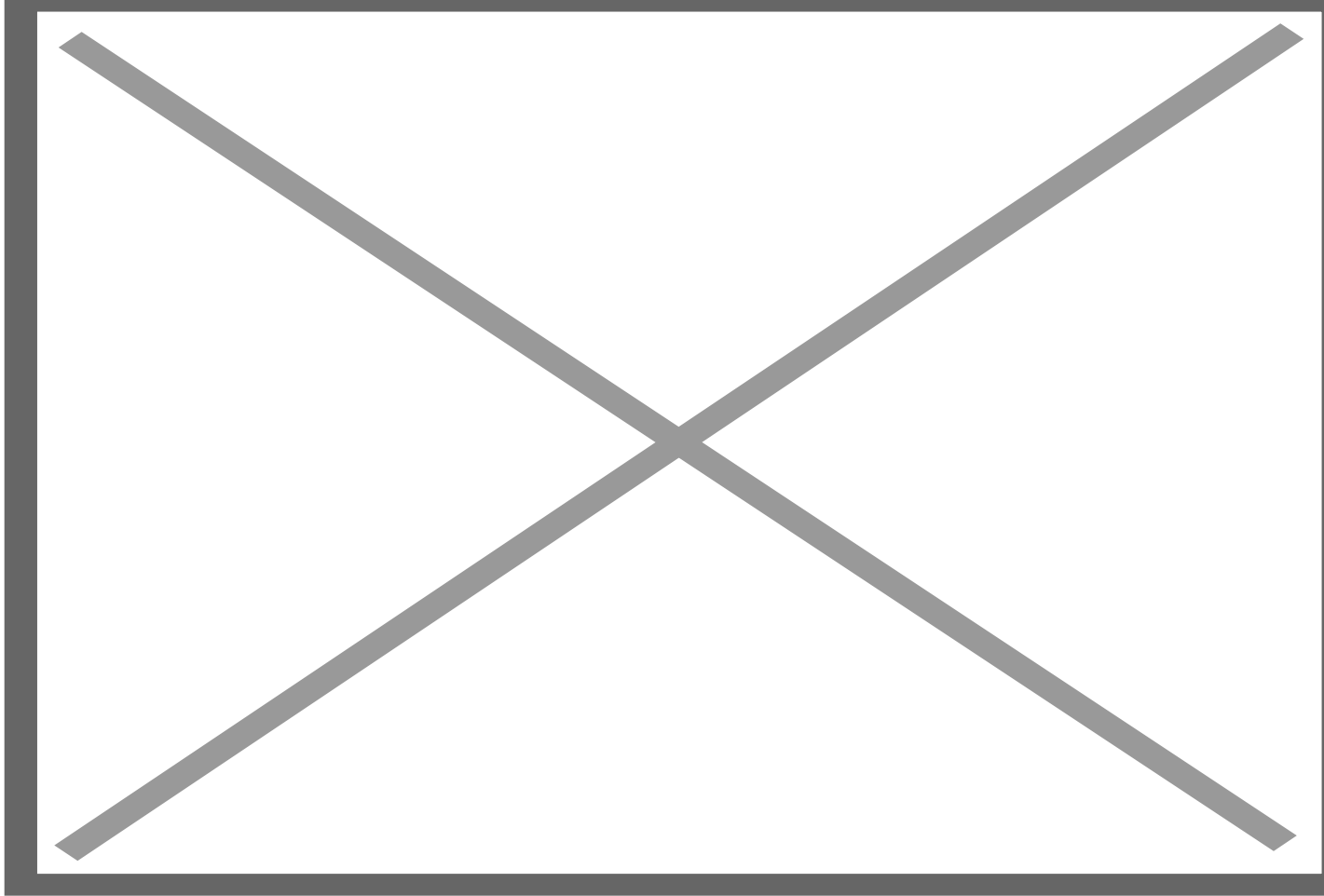
Degrowth narrative

A relentless wave of anti-capitalism campaigns has not only destroyed public trust in innovative technologies, it has started to weave a post-pandemic narrative that the only way forward (to fight climate change, restore biodiversity, feed a growing global population, avoid future pandemics, create a just society ...), the answer to all of our problems is to eliminate industry, capitalism and the progressive growth and innovation model. This solution has purveyed Western cultural dialogue and is no longer discussed along the fringes.

This degrowth narrative has even caught the attention of some of the more naive dreamers in the financial industry (who assume everyone is like them, comfortable enough to survive the consequences of a “[great capitalism reset](#)”). The World Economic Forum (WEF) used to be seen as a meeting place for world and business leaders to discuss the vital issues of the day. But somewhere along the way, the organisation's aging and isolated leadership felt the urge to shape the world rather than listen to its many voices. This year few Western leaders made the pilgrimage to Davos to be lectured to by bankers who have found religion.

But what would cause these scions of capitalism to turn their backs on ... capitalism?

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Credit: John Englart/Climate Action Network Australia via CC-BY-SA-2.0

Were they spooked by the sudden realisation that catastrophic climate change would destroy their markets? If they had taken that seriously then they would have known about it decades ago when their risk managers were drawing up such scenarios. Was COVID-19 really the opportunity to reset the Western economic system? Well then why are these same bankers now ordering their workers back to the office? Or were they caught unawares by a shifting anti-capitalist narrative that destroyed trust in the financial system while offering viable decentralised finance solutions? I think we're getting closer. The only way these WEF bankers could retain relevance and hopefully regain trust was to embrace the activist narrative and try to define a Capitalism 2.0 (let's call it stakeholder capitalism!). Capitalism brought prosperity and global development but its financiers were willing to trade it away for a handful of magic beans (to try to regain public trust).

I find it remarkable that these titans of industry were forced into a corner having to react, so easily pushed around by a small group of environmental activists. But then events took over in 2022. Years of poor energy strategy in Europe were worsened by the Russian invasion of Ukraine and rather than a green capitalism reset, industry was scrambling to keep the lights on and obtain any fossil fuels at all. Degrowth

was no longer seen as a desirable ambition, except by the affluent few with timeshares in Davos.

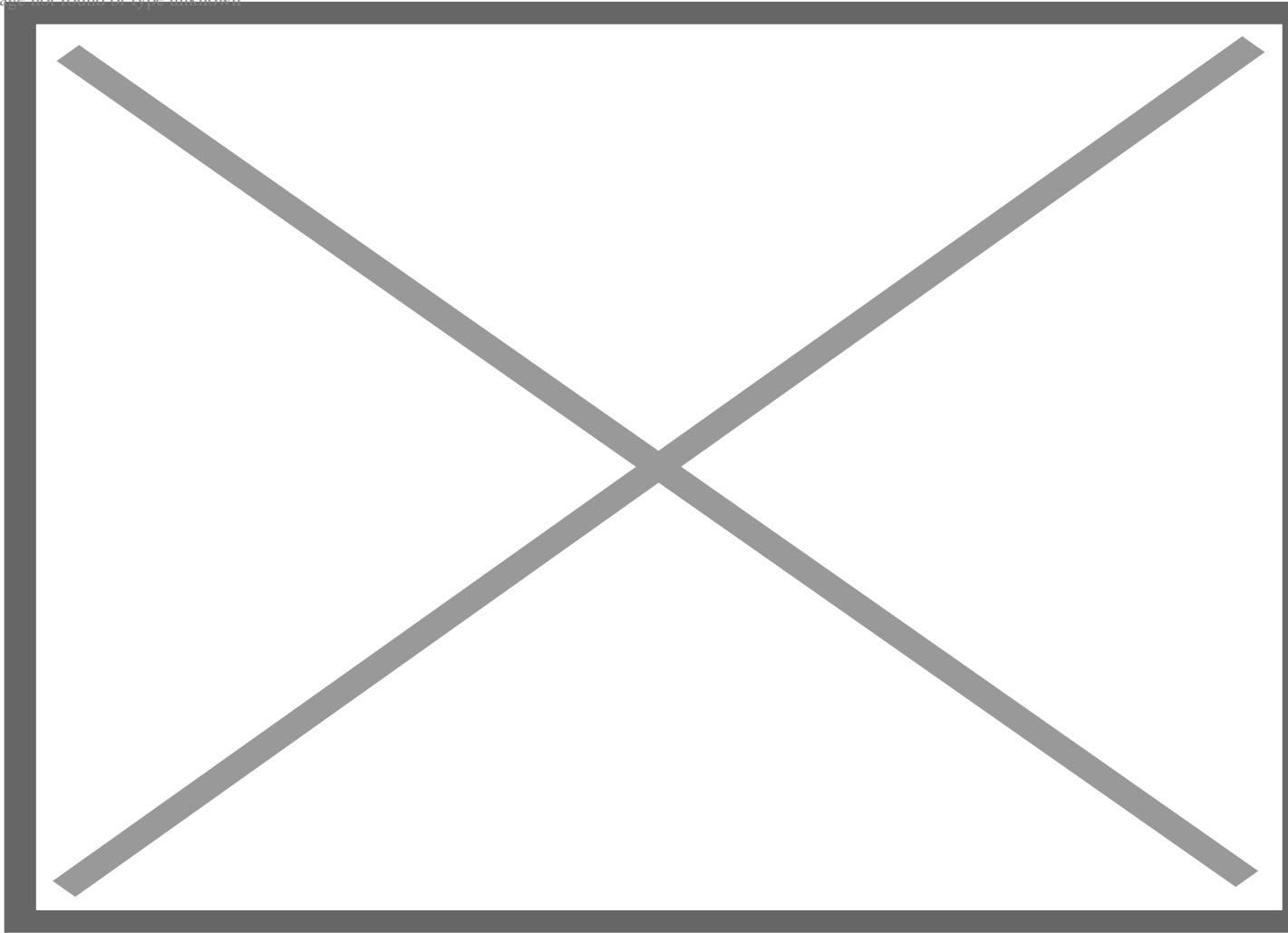
Institutionalise ESG and then tighten the noose

The business world fell into a cavern of distrust in the 1990s. Corporate Social Responsibility (CSR) was an attempt for industry to rebuild trust by opening up stakeholder dialogue and committing to be good corporate citizens. But while the corporate world was trying to listen, the conversation moved elsewhere on how to restrict capitalism and stop industry. Activists, now welcome at the policy table, took hold of the narrative and excluded industry from the table. Their goal was not dialogue but rather to change the world and undo the damage inflicted by rampant capitalism. You cannot fight climate change and have capitalism, shouts Naomi Klein – you have to make a choice. CSR rang hollow as the public fear of climate change and biodiversity loss was amplified (with the blame cleverly placed on industry and not regulators or consumers).

But what if the power of capitalism became a force for good? If investments were shaped by a series of environmental, social and governance standards (ESG), then corporations could make a much larger positive impact. ESG was soon translated into “bean-counter language”, as a scorecard with points established by an opaque consultancy in the investment community. If companies wanted their stocks to be included in any ESG Exchange Traded Funds (ETFs), they would have to jump through certain arbitrarily set hoops (in what I referred to as a daily [Squid Game](#)). Activists entered into the scorecarding process and soon companies were punished if they financed natural gas-powered energy projects (deducting points for natural gas at the same level as coal since, well, both are fossil fuels). It did not take long for the energy sector to become under-funded well before any geopolitical stresses. Companies are now passing the ESG obligations down their value chain (see how food manufacturers are [forcing](#) farmers to adopt unsustainable practises to score better ESG points).

It is not clear where environmental, social and governance standards will eventually settle and who is setting them. The hoops for industry to jump through keep changing in arbitrary and irrational manners. ESG is becoming a noose that will continue to slowly tighten and choke free enterprise. Should Blackrock’s Larry Fink have so much power (the US ETF market is worth ten trillion dollars)? Should this one person have the means to stack corporate boards from which he can impose what his green advisors tell him should be the next level of sustainability? Activist groups, now donning Wall Street suits, have found a new way to squeeze industry and distort free markets.

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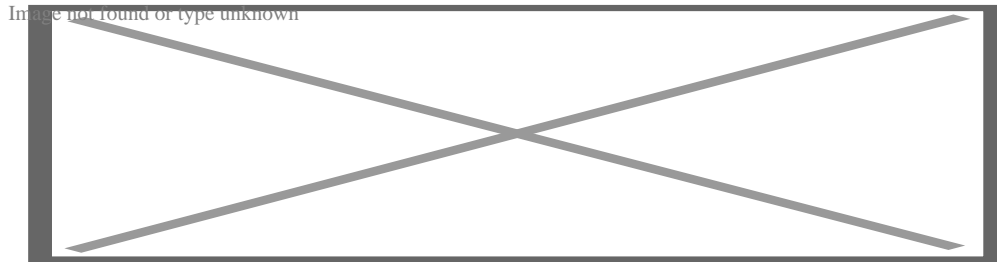


The bottom line is no longer the bottom line with ESG. Credit: Triplebotline via CC-BY-SA-3.0

ESG has moved from being a force for good to becoming a meaningless points system designed by activists who are hell-bent on collapsing the entire system. And, wait for it, the European Commission has decided to make ESG reporting mandatory for all mid-sized companies. Sweet!

Make no compromises

When was the last time you witnessed an environmental NGO leader sitting down at a table with industry, government and researchers to compromise on legislation? For example, could they sit down with EU regulators and say: OK for the use of oil and gas for the next decade as part of a reasonable energy transition process? Or maybe allow farmers to use glyphosate for terminating cover crops and no-till farming but not for preharvest applications unless necessary. Of course not – zealots, by definition, never compromise ... regardless of the consequences. Activists don't want a better world ... they want to impose their world.



See an excellent [analysis](#) of this 1991 nuclear activist strategy report

This “never compromise” strategy was developed and openly [articulated](#) by anti-nuclear activists who have been fighting a zero-nuclear campaign since the 1970s (one of the original environmental campaigns). If activists were to compromise and allow any nuclear energy under any conditions, then their absolutist argument would collapse. How much CO2 from coal-fired power plants could have been avoided if the activist community had simply compromised and tried to develop a better nuclear energy policy. To this day the anti-nuclear lobby cannot accept the error in their ways.

The WHO, in a COP5 tobacco framework report, [dispelled](#) any consideration of vaping as a viable alternative to smoking. Their justification? It would risk setting back the years of progress in “denormalising the tobacco industry”. How many lives would the WHO have saved if they had got over their zealot absolutism and compromised with industry to reduce the harmful effects of tobacco smoking. To this day the anti-tobacco lobby cannot recognise the benefits of vaping as a smoking cessation strategy.

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One might counter that changing the world is a good thing – that these groups are succeeding because their intentions are good and even if they may not be completely correct all of the time, it is always better to be safe than sorry (precaution). Well ... if these groups did not knowingly lie, mislead and create unnecessary fears and distrust; if these groups did not, in their ideological dogma, create situations that were detrimental to human health and the environment; if these groups were not so hypocritical and non-transparent; if these groups did not frighten children and then enlist them as lobbyists... then maybe I would agree with you. But their political and social agenda to win at all costs and impose their ideals on

others is a moral issue that needs to be opposed.

Winning at all costs (to health and the environment)

This “war on capitalism” strategy has been designed by cunning zealots to win at all costs and I fear, due to the complex strands of this Medusa, that activists are unable to correct it or change direction. Thus we see campaign machinery so tightly functioning that it cannot be stopped even if activists admit that the environment will be the biggest loser. For example:

- The battle to ban nuclear energy was so entrenched that activists themselves could not change direction in the face of the failed energy transition following the Russian invasion of Ukraine. So we watched helplessly as German nuclear reactors were decommissioned as an energy crisis loomed. Conclusion: more coal power and higher carbon emissions.
- The coordinated attacks on glyphosate and pesticides in general have got out of control. As activists pressure food and retail corporations to pressure farmers to adopt certain farming practises to meet their ESG targets, the agriculture sector will be hard-pressed to meet their yields when glyphosate is eventually banned. Conclusion: less biodiversity, less sustainable farming, less food and fewer farmers.
- The blanket movements against all plastics have been costing the environment immensely. Conclusion: the alternatives (more glass packaging, higher recycling energy costs, more food waste) have proven to be anything but sustainable.
- Three decades of the war on GMOs have ignored the positive impacts of seed breeding on global agricultural yields and the means from new, non-transgenic plant breeding techniques like gene editing to protect specific crops and improve yields. Conclusion: more pesticides and lower yields (especially for subsistence farmers in developing countries suffering under an agroecology campaign onslaught).
- The war on vaping (as an anti-industry campaign) has created a library of misleading safety information on nicotine. Conclusion: the public is confused about whether these harm-reducing smoking cessation products are any safer than smoking.

There is no rationality here. None necessary. The activist war machine has grown too big to be controlled as funding continues to flow from trusts and foundations (whose boards have been stacked with green allies). As part of their activist communication strategy is to suppress any public disagreement within movements and always speak with a single voice, the only way environmental activists can stop the destructive madness of the green ideology is to leave the organisations and protest for more rational environmental solutions from the outside. There have been many who have left but, like any [cult](#), the fundamentalists are [severe](#) on those who may consider straying from the prescribed dogma.

What can be done?

The situation seems out of control as these interest groups grow stronger, more monied, more self-assured and less tolerant.

Western governments are too weak to stand up for scientific evidence, innovation and public benefits (the EU cannot even stop funding the NGOs that are attacking them). The European governance system (hazard-based and precautionary) has been set up to reject any uncertainty (ie, all innovations and technologies). Large media organisations have taken a hard turn to the left with groups like the Guardian running NGO-like campaigns (anti-capitalist and pro-activist). A well-coached, angry teenager with a microphone has far more influence than an innovator delivering healthcare solutions. NGOs are operating like cults. Planting seeds of doom and negativity into a generation of teenagers, activists have bred a culture of despair and hopelessness. The vilification of those who attempt to leave NGOs and speak up is so severe that many reasonable people feel trapped and unable to take action.

Industrial companies, thinking they are safe from attack, as today's second slowest zebra, think if they play the dialogue game and don't speak out against the madness, trust will somehow magically return. They have become isolated and widely reviled. Universities have shunned industry cooperation, are paying outrageous speaking fees to support the likes of Vandana Shiva and firing anyone who questions their social justice positions. Vilified as evil, industry has been defined by our prevailing narrative as the source of the problem and not the solution.

Outspoken, outraged and intolerant social media communities have grown incredibly risk-averse, demanding to be kept 100% safe (from everything) and oblivious to any costs or consequences their ridiculous demands will have on others. Confirmation bias spread up silos of ignorance, where we can choose what and whom we want to listen to, has created what I have called the Age of Stupid. (If I only listen to those who agree with me, how would I know that I'm not the stupid one?) The environmental-health activist onslaught is but one part of the picture and I fear bigger problems as AI tools, like sophisticated chatbots, will soon take over the democratic process, alienating the centre ground and pushing public discourse during elections to the extremes. Forecasting how long and how rampant this political extremism will run is beyond my pay-grade though. There will be significant losses to societies.

I once said, years ago, that this precautionary risk-aversion madness would stop when [the bodies start piling up](#). Then COVID came, bodies did pile up due to fundamental failures in risk management, but an even more risk-intolerant leadership locked up entire continents (and the docilians complied and stacked the bodies up). After almost two years, we were rescued from this madness by great scientific and technological innovations developed by industry (pharmaceuticals, chemicals, plastics, tech...) and, not even a month after we started to (hope to) return to normal, the anti-industry campaign onslaught continued (apparently some companies were going to make profits).

So how do we stop this?

With so many attacks on so many fronts (with horrifying consequences), no courage in government, academe or industry, and not enough people taking a stand given the hostile personal assaults, if you were to ask me how to solve this situation, I am afraid that I would have to say, honestly, that I have got nothing. I don't know. There is a reason I called this series the Industry Complex. The situation has become very complex.

These zealots are too big, too influential and too coordinated to contain ... and I fear they have lost control of their own agenda. Society, the environment and public health will suffer greatly from their blind ideologies, but so be it. The best I can do is keep curating how the Age of Stupid destroyed prosperity in the early 21st century. I can only hope someone much more intelligent than this “bear of very little brain” can provide a better insight.

My only hope is that history has shown how, sometimes, cultist onslaughts destroy themselves with their own dogma (once they’re done eating their young). Not much to hope for considering how professionalised these mercenaries have become, I know.

... Sorry.

David Zaruk has been an EU risk and science communications specialist since 2000, active in EU policy events from REACH and SCALE to the Pesticides Directive, from Science in Society questions to the use of the Precautionary Principle. Follow him on Twitter [@zaruk](#)

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