

The language of late fossil capital

LEIF DAHLBERG

DEPARTMENT OF HUMAN CENTRED TECHNOLOGY, KTH ROYAL INSTITUTE OF TECHNOLOGY, SWEDEN

ABSTRACT

This essay studies the propaganda language of contemporary – or late – fossil capital. Whereas the traditional understanding of propaganda focuses on the dissemination of information (or disinformation) in order to promote a political cause or ideology, I argue that the main form and vehicle of propaganda for late fossil capital is the massive use of terms and tropes, together with particular rhetorical devices, for example, the interpellation of the individual consumer as responsible for mitigating climate change. The essay studies the language of fossil capital based primarily on marketing material by fossil fuel companies, in the US and other Western countries, such as advertising and advertorials, current and archived websites, social media, corporate sustainability reports, as well as material produced by industry organisation such as the American Petroleum Institute and the Heartland Institute. A large part of the material is taken from two North American legal complaints, *Connecticut v. Exxon Mobil Corporation* (2020) and *City of New York v. Exxon Mobil Corp. et al.* (2021).

KEYWORDS: propaganda and disinformation, late fossil capital, fossil fuel advertising, climate case litigation

Introduction

This essay describes and analyses the propaganda language of late fossil capital. This is the language used by the contemporary fossil fuel industry and its enablers who have co-opted the discourse of sustainability – and of sustainable development – in order to position themselves as actors combatting the causes of anthropogenic climate change, reducing greenhouse gas (GHG) emissions,

promoting more efficient energy use, as well as developing renewable energy sources. The purpose of this language is “the management of collective attitudes by the manipulation of significant symbols” (Lasswell, 1927: 627), and “to bring about the active or passive participation in its actions of a mass of individuals” (Ellul, 1962/1990: 75). It may seem paradoxical – some would say outrageous – that an industry whose activities and products are major contributors of GHG emissions tries to position itself in this way.

Historically, this new marketing language began to emerge around the turn of the millennium, following a shift in how the fossil fuel industry positioned itself in relation to anthropogenic climate change. Initially (from the 1960s to about 1980), the industry had actively taken part in the nascent research on GHG emissions and their impact on the global climate. Later (1988–2000), the fossil fuel industry engaged in public denial of the reality of anthropogenic climate change – primarily through the dissemination of disinformation and the manufacture of doubt regarding the science of anthropogenic climate change (Oreskes & Conway, 2010). Around 2000, it publicly began to acknowledge global warming as a real threat, yet at the same time presented itself as part of the “solution” (Kolk & Levy, 2001). A turning point in the industry narrative was a 1997 public lecture by John Browne, the CEO for British Petroleum, who argued that the “time to consider the policy dimensions of climate change is not when the link between greenhouse gases and climate change is conclusively proven [...] but when the possibility cannot be discounted and is taken seriously by the society of which we are a part” (as cited in Castillo, 1997: para. 2). This was two years after the publication of the Second Assessment Report (SAR) of the Intergovernmental Panel on Climate Change (IPCC, 1995, 1996), which concluded that global warming was real, human-caused, and attributable to the combustion of fossil fuels. At the time, many fossil fuel companies were still not willing to publicly concede to established scientific consensus, and they continued the dissemination of their counternarrative in conjunction with a politisation of science (see, e.g., Exxon, 1998; Ward, 2006). Yet, within a decade, most hardliners in the industry would abandon the strategy of denial and instead rely on greenwashing to protect the business interests of fossil capital.

The challenge for the fossil fuel industry was how to publicly accept the reality of anthropogenic climate change while continuing to extract, refine, and sell fossil fuels. An example of what was needed to make people accept the glaring contradiction was the 2004 industry campaign compelling the individual consumer to reduce their “carbon footprint” (Doyle, 2011; Kaufman, 2020; Solnit, 2021), a strategy which, in a neoliberal era, has had considerable success (see, e.g., European Youth Portal, 2021; World Wildlife Fund, 2022). This strategy was also in line with the industry narrative that fossil fuel companies are responsible societal actors who care about the environment, a narrative that was developed after a series of environmental catastrophes related to oil spills that endangered their social licence to operate (M. Robinson, 2014; Smith et al., 2014; Kanso et al., 2020). Both the interpellation of the consumer and the industry narrative of social responsibility constitute acts of mystification, that is, media spectacles

that are the very opposite of what they claim, or “instruments of blindness” (Barthes, 1957/1970: 115). The next marketing ploy was the claim that fossil fuels were in increasing ways “sustainable” (e.g., Statoil, 2016) and that new fossil fuels were more effective, enabling the consumer to reduce their emissions by choosing these “greener” products. The latest tactic is to introduce carbon off-setting in order to market “carbon free” fossil fuel (Nickel et al., 2021; Reuters, 2021). Equally prominent in the marketing discourse were claims of developing renewable energy sources, for example, bio-fuels and solar energy, although never intended to be developed at scale.

As a form of propaganda, disinformation is not new (Pomerantsev, 2019; Schultz & Godson, 1984). There are several studies of disinformation efforts conducted by the fossil fuel industry, focusing on the discrepancy between what was known – both by individual actors and publicly – and what was promoted through advertising and lobbying (Dunlap & McCright, 2015; Union of Concerned Scientists, 2007). There are also many studies of deceptive marketing and public relations practices by companies and governments relating to GHG emissions (Higham & Font, 2020; Marquis et al., 2016; Miller Gaither & Gaither, 2016). These studies typically focus on the disagreement between words and actions, as well as strategies for making GHG emissions disappear through “creative accounting” (Brander et al., 2018; Laville, 2019; UNEP, 2021). Greenwashing and deceptive advertising and marketing practices are prohibited in many national legislations, and they are also regulated by business and trade organisations, although it is not always easy to enforce laws and regulations relating to the proper use of words and images (Shanor & Light, 2022; Sheehan, 2018). As an index of the increasing use of deceptive green marketing strategies, the number of academic studies and reports by consumer and trade organisations and public authorities have ballooned. In many countries, prosecution of deceptive marketing is initiated by public institutions, or even public prosecutors. For instance, in Sweden, the Public Consumer Agency [Konsumentverket] has threatened to take legal action against the marketing practices of the fossil fuel company Preem (Thunborg, 2020); and in the US, two recent examples of legal complaints are *State of Connecticut v. Exxon Mobil Corporation* (Connecticut, 2020) and *City of New York v. Exxon Mobil Corporation et al.* (New York, 2021).

In this essay, I suggest that when deceptive communication strategies and practices are used by an *entire* industry with a very large public relations and marketing budget, it can be described as a linguistic practice, or even a language. I borrow this idea from Victor Klemperer’s 1947 study of the metamorphosis of the German language during the Third Reich (Klemperer, 1947/1996). In his study, *The Language of the Third Reich: A Philologist’s Notebook* [*Lingua Tertii Imperii: Notizbuch eines Philologen*], Klemperer depicts how Nazi propaganda altered the German language by inculcating people with the ideas of national socialism. Based on notes Klemperer wrote between 1933 and 1945, the study reveals pervasive changes in the German language, from political discourse, news media, scientific works, cultural texts, to everyday language. According to Klemperer, the most powerful Nazi propaganda tool was “not through individual

speeches, nor through articles or flyers, through posters or flags”, but instead “through single words, figures of speech, sentence structures, which were imposed on [the German people] through a million repetitions and accepted mechanically and unconsciously” (Klemperer, 1947/1996: 24). However, Klemperer argued that the Third Reich did not invent new words, it “only changed their value [Wert] and used them more often” (Klemperer, 1947/1996: 25).

For Klemperer, there is a reciprocity between language and culture, and a central tenet of his argument is how language affects its users. He did not literally mean that the language of the Third Reich was a language of its own, but rather a linguistic aberration and a form of social pathology. Klemperer also emphasised, at the very end of his study, that resistance to Nazi propaganda begins by questioning the constant use of certain terms and expressions (Klemperer, 1947/1996: 362). Thus, to question the logic of consumer “carbon footprint” is a way to resist the language of late fossil capital. Conversely, symbolic power is only exerted with “the complicity of those who do not want to know that they are subordinated to it or even that they exert it” (Bourdieu, 1977/2001: 202).

Although inspired by Klemperer’s work, I focus primarily on the marketing language used by the fossil fuel industry. This is not to suggest that fossil fuel propaganda has not been deployed on other fronts or would not have infiltrated language use more widely. For instance, the fossil fuel industry engages in large-scale lobbying activities directed at politicians and policy-makers (Brulle, 2018; Farrell, 2016), and a recent study has shown that increases in advertising spending for North American oil companies correspond primarily with congressional activity related to climate change (Brulle et al., 2020). There is evidence that fossil fuel companies have successfully influenced the programmes and actions of political parties (Carter, 2021; Committee on Oversight and Reform, 2021). Further, in 2015, the Heartland Institute produced the report, *Why Scientists Disagree About Global Warming: The NIPCC Report on Scientific Consensus* (Idso et al., 2015). In 2017, they distributed 300,000 copies of the second edition to K–12 and college science teachers across North America (McKenna, 2017; see also Brulle, 2013; Björklund, 2022). The industry has allegedly impacted the content and wording of IPCC reports (Westervelt, 2022; see also Rowlatt & Gerken, 2021). An effect of the dissemination and normalising of the language of late fossil capital is that people and institutions that speak of “dangerous climate change” (UNFCCC, IPCC) or “climate crisis” are stigmatised as “alarmists” (Risbey, 2008; Russill & Nyssa, 2009). The “war on science” conducted by late fossil capital has also affected the role and significance of scientific discourse in the public domain in other areas. Taken together, these deliberate and systematic attempts to shape perceptions, manipulate cognitions, and direct behaviour can be described as a propaganda machine. The present study is an exercise in reading fossil fuel industry language as a form of propaganda, focusing on marketing practices.

In history, “returns” are very rare, if not non-existent, and this also applies to propaganda. Society and the media landscape today are radically different from in the 1930s. Then, it was possible, to a large extent, to combine propaganda

elements in the form of a “veritable orchestration” (Ellul, 1962/1990: 23–24) – that is, to monopolise all available media channels and other means of propaganda (“censorship, legal texts, law proposals, international conferences, [...] pedagogical methods”). The complete monopolisation of media is not possible today, even in neo-totalitarian societies such as the Russian Federation, since people have access to the Internet and VPN (virtual private network) services. Furthermore, today the media and messaging strategies for propaganda are different, making use of digital media, particularly social media, to interact with the audience (Pomerantsev, 2019). On the other hand, the propaganda machine of late fossil capital reveals an asymmetric distribution of key resources of influencing public communication in democracies, what may be described as “centralisation” of propaganda (Institute of Propaganda Analysis, 1938: 37).

Thus, the “return” always turns in some way or other – *inversion*, *conversion*, *perversion* – which transforms the return to something else, even a negation (Lyotard, 1988). I argue that the greenwashing conducted by the fossil fuel industry constitutes an inversion and perversion of the idea of sustainability. Although the underlying ideology of late fossil capital is indeed both ecocidal and genocidal, it does not imply a return to Nazi ideology. Rather, it is informed by another ideology: the market economy and the idea of eternal growth. Nevertheless, there are many disturbing similarities between the language of the Third Reich and the language of late fossil capital. One aspect that astonished Klemperer was the extent to which people subjected to Nazi propaganda believed in the messaging until the very end, despite the daily reports that the Allied forces were closing in on all sides. Similarly, people subjected to the ideology of late fossil capital continue to believe – despite massive scientific evidence showing the opposite – that we can continue to burn fossil fuels and increase the concentration of GHG in the atmosphere. Just as many Germans expected a “super weapon” to magically turn the tide of the war, many people today seem to believe that there is a “technical solution” to global warming, such as carbon capture and storage, which will miraculously fix both its causes and its effects. For Klemperer (1947/1996), the fanatical trust in the German people, the leader, and technology had the appearance of religious belief, which is reminiscent of the uncritical belief in technical and market solutions to global warming.

In what follows, I provide a detailed, critical reading of some typical marketing material produced and disseminated by the fossil fuel industry over the past three decades. This material consists primarily of evidence used in the two ongoing American court cases mentioned above. Using material from law cases allows me to focus on content that has already been selected as significant and, in legal terms, as grounds for prosecution.¹ Although the material collected in the two law cases comes from the US, similar media and messaging strategies are found in most Western countries and markets. After defining the notion of late fossil capital in the next section, the reading exercise is divided in two parts: the first examines campaigns of denial and deception; the second studies greenwashing by the fossil fuel industry.

Late fossil capital

Recently, a number of scholars (Huber, 2013; Mitchell, 2011; Urry, 2013; and most prominently Malm, 2016) have argued for an intimate and dialectical relation between capitalism and the exploitation of fossil fuels – first coal, then oil, and finally fossil gas. They point to the inherent properties in the use of fossil fuels, which are better adapted to the capitalist mode of production than other sources of energy, for example, water and wind. According to Andreas Malm (2016), the reason the English capitalists eventually came to prefer coal-fired steam power was not because it was more efficient or offered greater profits, but because it was mobile, and hence could be located in places with abundant labour, that is, in urban areas. Steam also had the additional benefit of being easier to manage, whereas water was dependent on natural and seasonal variations. Malm further argued that the same logic of “fossil capital” operates in current times, exemplified by the emissions explosion having taken place in China during the past three decades, primarily as an effect of foreign direct investment, mainly from the West (Malm, 2016: 327–366). Hence, there exists a strong, essential even, relationship between capitalism and global warming.

The term late capitalism [*Spätkapitalismus*] appears to have been introduced by Werner Sombart already in 1927 (Sombart, 1928/1986). For Sombart, the period of late capitalism, beginning after World War I, was characterised by increasing national restrictions on market competition as well as growing social conflicts. Later, after World War II, the term was used in Germany to designate interventions of the state in the market, but also increasing industrialisation and commodification of ever more sectors of human life, as well as the development of inter- or multinational capitalism, for commodities as well as financial markets (Mandel, 1972). In the late 1960s, there was a heated debate in Germany about whether the current economic order should be described as “industrial society” [*Industriegesellschaft*] or “late capitalism” [*Spätkapitalismus*] (see, e.g., Adorno, 1969). In other parts of Europe (Italy, France, and Belgium), the term neo-capitalism was used to describe similar transformations after World War II (Gorz, 1964; Time, 1964). This term has also been applied to the North American context (Miller, 1975). In 1984, Fredric Jameson argued for a connection between late capitalism and various cultural phenomena grouped together under the label “postmodernism” (Jameson, 1984). More recently, Jonathan Crary (2013: 8) has connected “late capitalism” to digitalisation and how we – seemingly without much resistance – subject ourselves to the “expanding, non-stop life-world of twenty-first-century capitalism”. It seems that in the anglophone world, “late capitalism” has become a popular way to describe any kind of anomaly in society and the present economic system (see, e.g., Lowrey, 2017). However, strangely absent from these attempts to describe and conceptualise how late capitalism influences or determines contemporary culture – postmodern or other – is the central role of fossil capital. This dimension – symbolical, material, and socio-technical – is instead studied under the term petroculture (see, e.g., Huber, 2013; Mitchell, 2011; Wilson et al., 2017).

I use the phrase “late fossil capital” here to highlight that forms of capitalism are strongly intertwined with the use of fossil fuels and also to indicate that the era of fossil fuel is coming to an end. This will happen either by continuing to increase the concentration of GHG in the atmosphere until large parts of the planet become uninhabitable for humans (Steffen et al., 2018), or by weaning ourselves off from fossil fuels and other energy sources that cause GHG emissions. Obviously, it is not possible to predict whether fossil capital will end with a bang or a whimper. The period of “late fossil capital” began when the scientific knowledge of anthropogenic climate change was institutionally recognised and had made its way to the public, that is, no later than 1988. However, the fossil fuel industry knew about the dangerous effects of the combustion of fossil fuels on the global climate already in the 1970s. In other words, “late fossil capital” is characterised by the simultaneous *knowledge* of the catastrophic effects of the extensive use of fossil fuels and by the *sans souci* continuation of “business as usual” of fossil capital.

Although the fossil fuel industry is a key part of fossil capital, it is not as such identical to it. Other important parts of fossil capital are the financial system, insurance companies, production and transportation industries, state subventions of fossil fuels, and public and private infrastructure (such as roads and airports), all of which in different ways also engage in public relations strategies that appeal to sustainability and sustainable development. The fossil industry is also diverse, including both state-owned companies and multinational private companies. There are companies active in certain niche areas, such as extraction, while others are vertically integrated companies active in all segments of the industry, such as BP, ExxonMobil, and Shell. The focus here is on the latter.

Campaigns of denial and deception

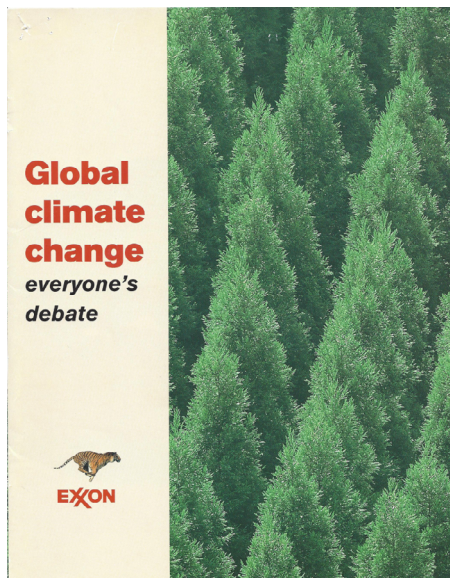
The two complaints – *Connecticut* (2020) and *New York* (2021) – are in many ways similar, and the second one is currently on hold waiting for the first to make its way through the legal system.² Nevertheless, in terms of argumentation and evidence, they complement each other.

The first case (*Connecticut*, 2020) begins by presenting what the fossil industry knew about the effects of GHG emissions on the global climate, and when. The complaint uses internal documents from Exxon – and later ExxonMobil – with testimony from scientists working for Exxon, together with public reports (some commissioned by fossil fuel trade organisations like the American Petroleum Institute [API], in which Exxon/Mobil is a prominent member). These show that Exxon – and the industry as a whole – already in the 1950s was aware that fossil fuel combustion contributed to global warming, and that in the 1960s and 1970s they conducted their own research which detailed these effects (E. Robinson & Robbins, 1968; Exxon Engineering, 1979; Charney et al., 1979; MacDonald et al., 1979; Exxon Research and Engineering Company, 1982; *Connecticut*, 2020: #63–93; see also Supran et al., 2023). The complaint also shows how in the late 1980s, when global warming gained public attention (Shabecoff,

1988), Exxon and other multinational fossil fuel companies began a concerted and systematic campaign of deception in order to undermine scientific facts (Carlson, 1988; *Connecticut*, 2020: #96–135; see also Banerjee et al., 2015). The *Connecticut* complaint also brings up as evidence of deceptive advertising the weekly advertorials published in *The New York Times* and other influential American newspapers from 1970 until 2007 (*Connecticut*, 2020: #136–150), which spread disinformation and depicted research on climate as “unsettled science” (ExxonMobil, 2000). These advertorials have already been systematically analysed in previous research (Kerr, 2004; Brown & Waltzer, 2005; Supran & Oreskes, 2017, 2021). This aggressive marketing language of fossil capital had historical roots and began already in the 1960s, epitomised by Herbert Schmertz’s work for Mobil Oil (Schmertz, 1986; Livesey, 2002; Dahlberg, 2010; Saint John, 2014; for a longer historical perspective, see Vang 2014).

A document that has not been highlighted before is the 12-page booklet, *Global Climate Change: Everyone’s Debate*, published by Exxon in 1998, which is also featured in the *Connecticut* complaint (see Figure 1). As the title suggests, its purpose is to argue that the reality of global warming is still an open question, and also that it is a “debate” in which “everyone” can participate. To support this claim, the booklet misrepresents scientific data, omits important facts, and engages in wild speculations of the cost of a transition to sustainable energy sources. It quotes scientific work (e.g., IPCC, 1995, 1996), but does so in a way that changes the meaning of scientific terms into colloquial meaning. For instance, “uncertainty” in a scientific context does not imply that one “does not know” or that a question is “unsettled”. In the IPCC SAR, it means that the exact measures of the future effects of anthropogenic climate change can only be given within a range, indicated by degrees of probability.

FIGURE 1 Exxon, *Global Climate Change. Everyone’s Debate*, 1998



Comments: Front cover of booklet. Source: Exxon, 1998

As a form of propaganda, the Exxon booklet may at first seem to fall within the category of “rational propaganda” (Ellul, 1962/1990: 99), that is, “propaganda based exclusively on facts, statistics, economic notions”. However, the copy in the booklet is based on misrepresentations of scientific facts and terms in order to manipulate the reader into accepting the view “that the current state of climate science is too uncertain to provide clear answers to many key questions about climate change” (Exxon, 1998: 3). At the time of publication, most readers would neither have real knowledge of the mechanics of anthropogenic climate change nor access to published scientific articles or IPCC SAR, and hence would not be able to critically assess the argumentation in the booklet.³ The 2015 report published by the Heartland Institute (Idso et al., 2015), mentioned above, had a similar purpose to the Exxon booklet, and used the same deceptive rhetorical devices. However, the awareness and access to knowledge of anthropogenic climate change had improved since 1998. An index of this change was the outraged response from the science teachers who received a copy of the Heartland report, describing the content as “misleading teaching information from a questionable source” (NSTA, 2017: para. 1; see also McKenna, 2017).

The second complaint (*New York*, 2021) also targets other major fossil fuel companies operating in the US, Royal Dutch Shell/Shell and BP, as well as API. This aligns with my argument that there exists a culture of deception in the industry at large, one manifestation of which is the language used in marketing.⁴ In contrast to the first complaint, the *New York* complaint focuses on the time period *after* the major oil companies publicly acknowledged that anthropogenic climate change is real. It argues that the industry misled their consumers about their products’ effect on the climate and falsely also misled consumers into believing that these companies are “environmental stewards” (this allegation is also directed at API).

The *New York* complaint begins by arguing that a majority of American consumers are concerned about the environment and climate change, and that this concern translates into consumer behaviour (*New York*, 2021: #21–22). In other words, in order for consumers to make informed purchase decisions, they need – and have the right to – accurate information. The complaint makes a parallel to how the tobacco industry misled consumers by deceptive marketing, for instance, by advertising “low tar” and “light” cigarettes, but without mentioning that these products were equally dangerous for health (*New York*, 2021: #23, 27). From a legal point of view this is important, since there are precedents regarding the deceptive marketing practices of the tobacco industry (Gostin, 2007). The complaint describes how fossil fuel companies in the US have marketed their products by claiming they were “reducing” GHG emissions, without mentioning that the production and combustion of *all* fossil fuels cause GHG emissions that contribute to global warming. Likewise, the *Connecticut* complaint brings up as evidence ExxonMobil advertisements suggesting that purchasing ExxonMobil’s fossil fuels is an environmentally sound decision (*Connecticut*, 2020: #165–166).

As in the *Connecticut* complaint, the *New York* complaint is very concrete and detailed in presenting evidence. For instance, it presents the advertisements for ExxonMobil Synergy Fuels (*New York*, 2021: #31), described as “our best fuel ever” that helps consumers “reduce emissions and burn cleaner” (*New York*, 2021: #31d). Another advertisement claimed it is “engineered for” “lower emissions” (*New York*, 2021: #31e). The complaint describes how “promotional materials for Synergy™ gasolines appearing on ExxonMobil’s website features a photograph of a mountain sunrise with trees in the foreground and text expressly suggesting that its Synergy™ products help reduce greenhouse gas emissions” (*New York*, 2021: #31f; see also ExxonMobil, 2022; Figure 2). However, looking at the photograph, it is impossible to say if it shows a sunrise or a sunset, and the text immediately underneath – “Environmental performance” – is a page title, not an image caption. The text below the title refers to the marketing campaign “Protect Tomorrow. Today” (“a set of expectations that serves as the foundation for our environmental performance”), which inscribes a double temporality that in a sense suspends the distinction between the present (today) and the future (tomorrow). This figure – the double temporality – provides a meaning to the photograph, what Roland Barthes would have called “relay” (what it says) rather than “anchorage” (what it refers to or denotes) (Barthes, 1964: 45), which is then predicated (coded) on the picture of nature, or the environment (the mountain with trees in the foreground). On the same web page, ExxonMobil (2022) also wrote the following:

ExxonMobil invested more than \$1.5 billion over the last six years to improve efficiency and reduce greenhouse gas emissions from our operating facilities, such as refineries and chemical plants. In the past ten years we have reduced greenhouse gas emissions in our operations by more than 7 million metric tons, which is the equivalent of taking about 1.4 million cars off the road. [...] We’re continually innovating to develop products that enable customers to reduce their energy use and CO2 emissions. [...] Engineered Fuel Technology Synergy fuels to help improve fuel economy and reduce CO2 emissions.

However, nowhere on the web page is there any information about the amount of GHG emissions for which ExxonMobil is responsible, and nowhere in the advertisements for Synergy Fuel does it say that the combustion of fossil fuels contributes to global warming. These omissions are also present in the photograph of the mountain and trees. The rhetoric here is similar to the dietary suggestion that if you have a cake and cut it in half, and if you eat half, then it is half the calories. In other words, in the lexicon of the language of late fossil capital, the word “reduction” is key, together with the failure to mention actual GHG emissions and their effects on the global climate. In this way, “reduction” becomes a licence to continue burning fossil fuels.

FIGURE 2 ExxonMobil, Environmental Performance



Environmental performance

Conscientious practices. Rigorous standards.

Continually improving environmental performance while pursuing reliable and affordable energy

Ten years ago, we introduced *Protect Tomorrow. Today.* – a set of expectations that serves as the foundation for our environmental performance. Guided by a scientific understanding of the environmental impacts and related risks of our operations, these rigorous standards and good practices have become an integral part of our day-to-day operations in every country in which we do business including those with minimal regulations in place.

As well, we consider the long-term social and economic needs of the communities in which we work and continually engage stakeholders in the process.

The following are the three major areas in which we've concentrated our efforts to reduce environmental impacts.



Improve the efficiency of our operations

ExxonMobil invested more than \$1.5 billion over the last six years to improve efficiency and reduce greenhouse gas emissions from our operating facilities, such as refineries and chemical plants. In the past ten years we have reduced greenhouse gas emissions in our operations by more than 7 million metric tons, which is the equivalent of taking about 1.4 million cars off the road.



Improve efficiency in consumer use of fuels

We're continually innovating to develop products that enable customers to reduce their energy use and CO2 emissions. For example, we have:

- Developed specially formulated synthetic lubricants for cars, trucks and industrial equipment that last longer and help end-users reduce their energy consumption
- Created tire liners that retain air better than their predecessors, thereby improving vehicle fuel efficiency
- Developed a technology to improve the separator films used in lithium-ion batteries, which are used in laptops, cell phones and, increasingly, hybrid vehicles
- Engineered Fuel Technology Synergy® fuels to help improve fuel economy and reduce CO2 emissions**

Comments: Web page. Source: ExxonMobil, 2022

The *New York* complaint also reproduces and analyses advertisements and marketing material from the other companies; for example, Shell markets “Shell Nitrogen Enriched Cleaning System” and “V-Power Nitro+ Premium” (*New York*, 2021: #32). In the marketing of these products, it is said that these fuels “produce fewer emissions” and that not using them can lead to “higher emissions” (*New York*, 2021: #32b). Similarly, BP markets their gasoline by mentioning the additive “Invigorate”, which is described as better than “ordinary fuels” that have problems like “increased emissions” (*New York*, 2021: #33a). And BP’s website advertises its fuels as “including a growing number of lower-carbon and carbon-neutral products” (*New York*, 2021: #33b). Again “reduction” is the key term.

Another central theme in the industry marketing discourse is the role of engineering and technology, which corresponds to the internal culture of the fossil fuel industry (Coll, 2012; Yergin, 2008). These terms are connected to a vision of technology as driver of social and economic development and progress. The language in the advertisements also points towards a technological-, innovation-, and development-driven vision of sustainability.

Greenwashing the fossil fuel industry

As mentioned above, the turn to massive greenwashing occurred *after* the fossil fuel industry publicly acknowledged the reality of anthropogenic climate change. The *Connecticut* complaint mentions recent ExxonMobil marketing campaigns such as “Protect Tomorrow. Today”, “Energy Solutions”, “Energy Lives Here”, “That’s Unexpected Energy”, and “The Future of Energy” (*Connecticut*, 2020: #154–156; for a discussion of “Energy Solutions”, see Plec & Pettenger, 2012). These advertisement and marketing campaigns claimed that ExxonMobil was investing in alternative energy sources. However, the *Connecticut* complaint states that, in reality, ExxonMobil’s *future* production of biofuels would be approximately 0.2 per cent of its current refinery capacity (*Connecticut*, 2020: #161–162) and that the company spends less than 1 per cent of its annual revenue on alternative energy research (*Connecticut*, 2020: #163).

In the *New York* complaint, the evidence of greenwashing conducted by the fossil fuel industry, which also includes API, plays a dominant part. Like the *Connecticut* complaint, the evidence shows how ExxonMobil, Shell, and BP have worked “tirelessly” to greenwash their corporate brands and reputations. According to the complaint, the companies have gone to great lengths to portray themselves as leaders in the fight against climate change, even though their products are the primary drivers in causing it. These misleading greenwashing campaigns primarily take two forms. *First*, in advertisements directed at consumers, ExxonMobil, Shell, and BP exaggerate their overall investments in non-fossil fuel energy resources (*New York*, 2021, #35). Their advertisements create the impression that these investments are substantial, and the companies are diligently working to reduce the carbon footprint of their industries. But the complaint argues they each spend negligible amounts on clean energy resources, and they continue to ramp up fossil fuel production and invest in new fossil fuel development. In marketing language, we are dealing with “puffery” (hyperbole), and the rhetorical figure used is synecdoche, where a part represents the whole.

Second, the complaint goes on to describe how ExxonMobil, Shell, and BP misrepresented how beneficial their investments in “alternative energy sources” actually were. For example, they touted “natural gas” products – an industry euphemism for fossil gas – “as evidence of their supposed leadership in bringing about a clean energy future” (*New York*, 2021: #36). Their advertisements did not disclose, however, that methane has more than 80 times the climate change impact that CO₂ has, and as such, fossil gas is a major contributor to climate change. Algae biofuels and hydrogen fuel cells are also claimed by ExxonMobil and Shell as clean, cheap energy sources capable of mitigating climate change; however, they also release significant GHG (*New York*, 2021: #36). Through these various greenwashing campaigns, the companies “seek to divert attention away from the existential threats posed by their core business of selling fossil fuels, and instead reposition themselves in the eyes of consumers as diversified energy companies that are serious about tackling climate change” (*New York*, 2021: #37). In doing so, they are attempting to capture, through deception, the growing portion of climate-aware consumers who want to contribute to solving climate change with their purchases.

The term “solution” is indeed prominent in the language of late fossil capital, and also an intimate part of an engineering culture in the industry. That is, by training and in their professional culture, engineers are focused on finding solutions to problems. Rhetorically, this is also a strategy to avoid talking about the real problem: the fossil fuel industry itself. The companies know that their corporate image matters and they are “spending millions of dollars trying to cut GHG from their brand but not their business” (*New York*, 2021: #37). The *New York* complaint cites a recent report that estimates that, in 2019 alone, “ExxonMobil spent \$56 million, Shell spent \$55 million, and BP \$30 million on “climate branding” initiatives – efforts to underscore the company’s commitment to clean energy and climate change mitigation, position the company as a climate expert, and conceal the central role of fossil fuels in causing climate change” (InfluenceMap, 2019, as cited in *New York*, 2021: #37; an updated version of the InfluenceMap report shows that the fossil fuel industry’s spending on greenwashing continues unabated; InfluenceMap, 2022). In part, this rhetorical strategy serves to shift the audience’s attention away from fossil fuels (a “red herring” strategy), and in part, it is again a form of hyperbole.

The *New York* complaint adds that although clean energy resources play a negligible part in ExxonMobil, Shell, and BP’s businesses, they are “front and centre when it comes to their advertising” (*New York*, 2021, #40). To create brand loyalty and to enlarge their customer base, ExxonMobil, Shell, and BP are “bombarding [...] consumers with advertisements that give the false impression that renewable and low-carbon energy is an extensive portion of their business” (*New York*, 2021, #40). Yet in none of their advertisements have the companies disclosed that the “investments are negligible in comparison to the billions of dollars that they spend (and make) annually on fossil fuels” (*New York*, 2021, #40). The complaint argues that ExxonMobil, Shell, and BP invest minimally in clean energy resources. Between 2010 and 2018, for example, “ExxonMobil expended just 0.2% of total capital spending on low carbon energy sources; Shell spent 1.2%; and BP, 2.3%. The actual energy they produced from clean energy resources compared to fossil fuels during those years is smaller still” (*New York*, 2021, #41). To make matters worse, these companies actually plan to dramatically increase oil production in the coming decade (Watts et al., 2019, as cited in *New York*, 2021, #42).

The *New York* complaint also discusses the role of the trade organisation API in greenwashing the industry. As an example, it brings up the campaign “Power Past Possible”, which consists of several television advertisements that argue for the many benefits of fossil products for the quality of human life (*New York*, 2021: #70; Sheehan, 2018). The API campaign did not mention the negative effects such as pollution and global warming. The complaint further brings up an API advertisement published in the *Washington Post* stating that “natural gas will thrive in the age of renewables,” “real climate solutions won’t happen without natural gas and oil,” and “low and no carbon future starts with natural gas” (API, n.d., as cited in *New York*, 2021: #73). According to the *New York* complaint, these statements are deceptive without providing information that

the very products they claim to be the “solution” to climate change – fossil gas and oil – are also its primary cause (*New York*, 2021: #73).

The last section in both complaints contains the legal argument, which marks a transition from statements of facts to alleged statutory violations. Both complaints were filed in state courts, and thus cite state legislation (there is also federal legislation on marketing practices, and in particular green marketing; see FTC, 2012). There are no significant differences between Connecticut and New York City legislation when it comes to claims about deceptive marketing practices. The legal objective of the two complaints is to force the fossil fuel companies to stop marketing its fossil fuel products as if they were helping to reduce GHG emissions as well as industry greenwashing. If the legal actions succeed, the result would be the legal interdiction of key elements of the language of late fossil capital in these two states. Although positive, this would not be as radical as a prohibition of fossil fuel advertising as such, which has been advocated in several European countries, and has partially been introduced at the national level in France in 2022 (*Code de l'environnement, articles L229-61- L229-67*), and on municipal levels in the Netherlands (Talbot, 2021). Nevertheless, even legal interdictions of important elements of the language of late fossil capital in the context of advertising and marketing would have significant implications for industry discourse, and its public self-image. At the same time, one should mention a crucial legal distinction between commercial speech – advertising directed to the consumer with the purpose of marketing a product or a brand – and corporate speech in the public domain (Myers, 2016). For the latter, there is a much greater liberty of speech than in advertising and marketing, and one can surmise that ExxonMobil would argue that their advertorials in *The New York Times* and the *Global Climate Change* booklet should be viewed as corporate speech (Kerr, 2004). A problem for the courts is that these advertorials can be considered both commercial speech *and* corporate speech, and they will have to decide which is predominant, and the extent to which the presence of corporate speech can give licence to violate marketing legislation.

Concluding remarks

The two complaints highlighted in this essay are part of a larger movement of climate change litigation (for an overview, see, e.g., Alogna et al., 2021).⁵ Although many of these cases are directed at fossil fuel companies, others are directed at governments, financial institutions, and other parts of fossil capital.⁶ Typically, climate change litigation cases take a very long time, going through appeals all the way to the supreme courts. But whether legally successful or not, they have an effect on the discourse of climate change and sustainability. The courtroom constitutes a space where the language of late fossil capital is confronted and critically assessed. This is an important reason governments and companies alike do their utmost to block these cases before there is an actual hearing.

The observation made by Klemperer that the most powerful Nazi propaganda tool was the corruption of language resonates strongly with the findings in this

essay. The analysis of the messaging and media strategies of the fossil fuel industry has revealed the use – and abuse – of language as an instrument of propaganda. This kind of propaganda works through “a million repetitions” that make the audience insensitive to the perversion of the discourse of sustainability, which is then “accepted mechanically and unconsciously” (Klemperer, 1947/1996: 24). While the fossil fuel industry does not have the power to monopolise all channels of communication, their deceptive advertisements are nevertheless “bombarding [...] consumers” (*New York*, 2021: #44), with the purpose of inverting and jamming the message of climate science.

The language of late fossil capital consists of an incoherent and partly contradictory mix of themes and messaging strategies. One theme is an emphasis on engineering and technological development. Key terms here are the conceptual pair “problem–solution”, and more specifically the mantra of “reducing emissions”. Related to this theme is the notion of “innovations” (such as hydrogen-cells, biofuels, and renewable energy like solar and wind), often supplemented with vague promises of carbon capture and storage. The use of the jargon of technology is part of an industry language which masks that the real problem is the industry itself. Here, the language of late fossil capital functions as a diversion and distraction. Another dimension of engineering and technology, pragmatic rather than discursive, is the self-understanding of the fossil fuel industry that it is scientifically competent and socially responsible. After all, it provides society with energy crucial for industry, transportation, and heating. That also means that the industry speaks from a position of power and knowledge, as an engineer-expert with solutions for important problems. There is an aspect of hubris here, both in terms of perceived self-importance and claim to knowledge, but this position of power–knowledge is still significant. In the language of late fossil capital, this position has taken the form of self-righteousness and unabashed dissemination of disinformation.

Another pragmatic dimension of the language of late fossil capital is that it is inherently monologic. Here, it is worth noting that the monologic dimension of propaganda and advertising has generally become less effective in an era of social media. This can be illustrated by a recent tweet from BP, in which the company tried to re-launch the interpellation of the consumer to reduce their carbon footprint. In the tweet, BP (2019) declared: “The first step to reducing your emissions is to know where you stand. Find out your #carbonfootprint with our new calculator & share your pledge today!” (see Figure 3). Below these 151 characters is an image in the middle of which is the copy “Know your carbon footprint”. Framing this demand, in a circle, are drawings of things that can both contribute to and reduce “your” carbon footprint – airplane, bicycle, light bulb, trees, vegetable, wind turbine – as well as verbal suggestions such as “Eat less red meat”, “Eat local”, and “Take public transport”. However, after posting the tweet, BP quickly found that the Twitter community responded to it by asking BP about its own carbon footprint.⁷ This exemplifies both an emerging resistance to the language of late fossil capital and an inability of the fossil industry to enter into – or manage – meaningful dialogue.

FIGURE 3 “The first step to reducing your emissions is to know where you stand. Find out your #carbonfootprint with our new calculator & share your pledge today!”



Comments: BP tweet, 22 October 2019. Source: BP, 2019

As we have seen in this essay, a central theme in the language of late fossil capital is the emphasis on participating in – even leading – the fight against climate change, working for the transition to a sustainable society, and so on. Although this theme has largely been shown to be empty talk, it is nevertheless very much part of the language of late fossil capital. Indeed, it is through this form of doublespeak – a portmanteau of doublethink and newspeak – that the industry tries to shield its core business model. It would be too facile to dismiss this as mere rhetoric because the industry discourse on fighting climate change and on the transition to sustainability affects the meaning of these terms. Although it can take different forms, and have different effects on the concept of sustainability, whenever the fossil industry explains its position and strategy in this regard, it comes across as a form of “oilsplaining”. That is, to borrow an apt phrase from Rebecca Solnit (2012), as an “intersection between overconfidence and cluelessness”.

References

- Adorno, T. (1969). Einleitungsvortrag zum 16. Deutschen Soziologentag [Introductory lecture to the 16th German sociologists' conference]. In T. Adorno (Ed.), *Spätkapitalismus oder Industriegesellschaft? Verhandlungen des 16. Deutschen Soziologentages* [Late capitalism or industrial society? Proceedings of the 16th German sociologists' conference], Enke, 12–26.
- Alogna, I., Bakker, C., & Gauci, J.-P. (Eds.). (2021). *Climate change litigation: Global perspectives*. Brill.
- API (American Petroleum Institute). (n.d.). *Content from API*.
<https://www.washingtonpost.com/creativegroup/sponsor/api>
- Banerjee, N., Cushman, J., Haemyer, D., & Song, L. (2015). *Exxon: The road not taken*. Inside Climate News. <https://insideclimatenews.org/project/exxon-the-road-not-taken/>
- Barthes, R. (1970). *Mythologies*. Collection Points Essais / Ed. du Seuil. (Original work published 1957)
- Barthes, R. (1964). Rhétorique de l'image [Rhetoric of the image]. *Communications*, 4, 40–51.
<https://doi.org/10.3406/comm.1964.1027>
- Björklund, E. (2022). *The cultural production of climate disinformation: A social network analysis of the NIPCC* [Master's thesis, Södertörn University, Sweden].
<https://www.diva-portal.org/smash/get/diva2:1685766/FULLTEXT01.pdf>
- Bourdieu, P. (2001). Sur le pouvoir symbolique [On symbolic power]. In P. Bourdieu, *Language et pouvoir symbolique* (pp. 201–211). Fayard. (Original work published 1977)
- BP [@bp_plc]. (2019, October 22). *The first step to reducing your emissions is to know where you stand. Find out your #carbonfootprint with our new calculator & share your pledge today!* [Tweet]. Twitter.
https://twitter.com/bp_plc/status/1186645440621531136?s=20&t=4kQqFr7M0TyfL3phlcePzA
- Brander, M., Gillenwater, M., & Ascuia, F. (2018). Creative accounting: A critical perspective on the market-based method for reporting purchased electricity (scope 2) emissions. *Energy Policy*, 112, 29–33. <https://doi.org/10.1016/j.enpol.2017.09.051>
- Brown, C., & Waltzer, H. (2005). Every Thursday: Advertorials by Mobil Oil on the op-ed page of The New York Times. *Public Relations Review*, 31(2), 197–208.
<https://doi.org/10.1016/j.pubrev.2005.02.019>
- Brulle, R. J. (2013). Institutionalizing delay: Foundation funding and the creation of US climate change counter-movement organizations. *Climatic Change*, 122(1), 681–694.
<https://doi.org/10.1007/s10584-013-1018-7>
- Brulle, R. J. (2018). The climate lobby: A sectoral analysis of lobbying spending on climate change in the USA, 2000 to 2016. *Climatic Change*, 149(3), 289–303.
<https://doi.org/10.1007/s10584-018-2241-z>
- Brulle, R. J., Aronczyk, M., & Carmichael, J. (2020). Corporate promotion and climate change: An analysis of key variables affecting advertising spending by major oil corporations, 1986–2015. *Climatic Change*, 159(1), 87–101. <https://doi.org/10.1007/s10584-019-02582-8>
- Carlson, J. (1988, August 3). *Greenhouse effect* [Memorandum, internal Exxon document].
<https://www.climatefiles.com/exxonmobil/566/>
- Carter, L. (2021). *Inside Exxon's playbook: How America's biggest oil company continues to oppose action on climate change*. Unearthed.
<https://unearthed.greenpeace.org/2021/06/30/exxon-climate-change-undercover/>
- Castillo, C. (1997, May 21). *British Petroleum CEO Browne says firm will respond on global warming*. Stanford Report. <https://web.archive.org/web/20190206193549/https://news.stanford.edu/news/1997/may21/bp.html>
- Charney, J., Arakawa, A., Baker, D. J., Bolin, B., Dickinson, R. E., Goody, R. M., Leith, C. E., Stommel, H. M., & Wunsch, C. I. (1979). *Carbon dioxide and the climate: A scientific assessment*. National Academy of the Sciences.
https://geosci.uchicago.edu/~archer/warming_papers/charney.1979.report.pdf
- Climate Change Litigation Databases. (2020). *Connecticut v. Exxon Mobil Corporation*.
<http://climatecasechart.com/case/state-v-exxon-mobil-corp/>
- Climate Change Litigation Databases. (2021). *City of New York v. Exxon Mobil Corp*.
<http://climatecasechart.com/case/city-of-new-york-v-exxon-mobil-corp/>
- Coll, S. (2012). *Private empire: ExxonMobil and American Power*. Penguin.

- Committee on Oversight and Reform. (2021, October 28). *Analysis of the fossil fuel industry's legislative lobbying and capital expenditures related to climate change*. United States Congress. <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/Analysis%20of%20the%20Fossil%20Fuel%20Industrys%20Legislative%20Lobbying%20and%20Capital%20Expenditures%20Related%20to%20Climate%20Change%20-%20Staff%20Memo%20%2810.28.21%29.pdf>
- Crary, J. (2013). *24/7: Late capitalism and the ends of sleep*. Verso.
- Dahlberg, L. (2010). Put a tiger in your text: Metalepsis and media discourse. *Nordicom Review*, 31(1), 103–114. <https://doi.org/10.1515/nor-2017-0123>
- Doyle, J. (2011). Where has all the oil gone? BP branding and the discursive elimination of climate change risk. In N. Heffernan, & D. Wragg (Eds.), *Culture, environment and eco-politics* (pp. 200–225). Cambridge Scholars Press.
- Dunlap, R., & McCright, A. (2015). Challenging climate change: The denial countermovement. In R. Dunlap, & R. Brulle (Eds.), *Climate change and society: Sociological perspectives* (pp. 300–332). Oxford University Press.
- Ellul, J. (1990). *Propagandes*. Economica. (Original work published 1962)
- Exxon. (1998). *Global climate change: Everyone's debate*. Exxon. <https://www.climatefiles.com/exxonmobil/1998-exxon-pamphlet-global-climate-change-everyones-debate/>
- Exxon Engineering. (1979). *Controlling the CO2 concentration in the atmosphere* [Internal document.] Petroleum Department. <https://industrydocuments.ucsf.edu/docs/#id=mqw10228>
- ExxonMobil. (2000, March 23). Unsettled science [Advertorial]. *The New York Times*. <https://www.nytimes.com/2017/08/22/opinion/exxon-climate-change-.html>
- ExxonMobil. (2022). *Environmental performance*. <https://www.exxon.com/en/environment>
- Exxon Research and Engineering Company. (1982). CO2 “greenhouse” effect [Internal document.] <https://insideclimatenews.org/wp-content/uploads/2015/09/1982-Exxon-Primer-on-CO2-Greenhouse-Effect.pdf>
- European Youth Portal. (2021). *How to reduce my carbon footprint?* European Union. https://europa.eu/youth/get-involved/sustainable-development/how-reduce-my-carbon-footprint_en
- Farrell, J. (2016). Corporate funding and ideological polarization about climate change. *Proceedings of the National Academy of Sciences of the United States of America* (PNAS), 113(1), 92–97. <https://doi.org/10.1073/pnas.1509433112>
- FTC (Federal Trade Commission). (2012). Guides for the use of environmental marketing claims [16 CFR Part 260]. *Federal register*, 77(197), 62122–62132. https://www.ftc.gov/sites/default/files/documents/federal_register_notices/guides-use-environmental-marketing-claims-green-guides/greenguidesfrn.pdf
- Gorz, A. (1964). *Stratégie ouvrier et néo-capitalisme* [Labour strategy and neocapitalism]. Ed. du Seuil.
- Gostin, L. (2007). The “tobacco wars”: Global litigation strategies. *Journal of American Medical Association*, 298(21), 2537–2539. <https://doi.org/10.1001/jama.298.21.2537>
- Hammond, D., Collishaw, N., & Callard, C. (2006). Secret science: Tobacco industry research on smoking behaviour and cigarette toxicity. *The Lancet*, 367(9512), 781–787. [https://doi.org/10.1016/S0140-6736\(06\)68077-X](https://doi.org/10.1016/S0140-6736(06)68077-X)
- Higham, J., & Font, X. (2020). Decarbonising Academia: Confronting our climate hypocrisy. *Journal of Sustainable Tourism*, 28(1), 1–9. <https://doi.org/10.1080/09669582.2019.1695132>
- Huber, M. (2013). *Lifeblood: Oil, freedom, and the forces of capital*. University of Minnesota Press.
- Idso, C., Singer, F., & Carter, R. M. (2015). *Why scientists disagree about global warming: The NIPCC report on scientific consensus*. The Heartland Institute.
- InfluenceMap. (2019). *Big oil's real agenda on climate change*. <https://influencemap.org/report/How-Big-Oil-Continues-to-Oppose-the-Paris-Agreement-38212275958aa21196dae3b76220bddc>
- InfluenceMap. (2022). *Big oil's real agenda on climate change 2022*. <https://influencemap.org/report/Big-Oil-s-Agenda-on-Climate-Change-2022-19585>
- IPCC (Intergovernmental Panel on Climate Change). (1995). *IPCC second assessment climate change 1995: A report of the Intergovernmental Panel on Climate Change* [An offprint of IPCC Second Assessment Synthesis report and Summary Reports for Policymakers.] <https://www.ipcc.ch/site/assets/uploads/2018/05/2nd-assessment-en-1.pdf>
- IPCC (Intergovernmental Panel on Climate Change). (1996). *Climate change 1995: The science of climate change* [Contribution of WGI to the Second Assessment Report of the Intergovernmental Panel on Climate Change]. Cambridge University Press. https://www.ipcc.ch/site/assets/uploads/2018/02/ipcc_sar_wg_I_full_report.pdf

- Jameson, F. (1984). Postmodernism, or the cultural logic of late capitalism. *New Left Review*, 146, 59–92.
- Kanso, A., Nelson, R., & Kitchen, P. (2020). BP and the Deepwater Horizon oil spill: A case study of how company management employed public relations to restore a damaged brand. *Journal of Marketing Communications*, 26(7), 703–731. <https://doi.org/10.1080/13527266.2018.1559218>
- Kaufman, M. (2020). *The carbon footprint sham. A 'successful, deceptive' PR campaign.* <https://sea.mashable.com/science/11514/the-carbon-footprint-sham>
- Kerr, R. (2004). Creating the corporate citizen: Mobil Oil's editorial-advocacy campaign in the New York Times to advance the right and practice of corporate political speech, 1970–80. *American Journalism*, 21(4), 39–62. <https://doi.org/10.1080/08821127.2004.10677609>
- Klemperer, V. (1996). *Lingua Tertii Imperii: Notizbuch eines Philologen* [The Language of the Third Reich: A philologist's notebook]. Reclam. (Original work published 1947)
- Kolk, A., & Levy, D. (2001). Winds of change: Corporate strategy, climate change and oil multinationals. *European Management Journal*, 19(5), 501–509. [https://doi.org/10.1016/S0263-2373\(01\)00064-0](https://doi.org/10.1016/S0263-2373(01)00064-0)
- Lasswell, H. (1927). The theory of political propaganda. *The American Political Science Review*, 21(3), 627–631. <https://doi.org/10.2307/1945515>
- Laville, S. (2019, April 25). UK's 'creative carbon accounting' breaches climate deal, say critics. *The Guardian*. <https://www.theguardian.com/environment/2019/apr/25/uks-creative-carbon-accounting-breaches-climate-deal-say-critics>
- Livesey, S. (2002). Global warming wars: Rhetorical and discourse analytic approaches to Exxon-Mobil's corporate public discourse. *The Journal of Business Communication*, 39, 117–146. <https://doi.org/10.1177/002194360203900>
- Lowrey, A. (2017, May 1). Why the phrase “late capitalism” is suddenly everywhere. *The Atlantic*. <https://www.theatlantic.com/business/archive/2017/05/late-capitalism/524943/>
- Lyotard, J.-F. (1988). Retour sur le retour [Going back to the return]. *L'Esprit du temps*, 19, 3–17.
- MacDonald, G., Abernethy, H., Carruthers, P., Chamberlain, J., Foley, H., Munk, W., Nierenberg, W., Rothaus, O., Ruderman, M., Vesecky, J., & Zachary, F. (1979). *The long term impact on atmospheric carbon dioxide on climate* [Technical report JSR-78-07]. SRI International. <https://irp.fas.org/agency/dod/jason/co2.pdf>
- McKenna, P. (2017). *Educators decry conservative group's climate 'propaganda' sent to schoolteachers.* Inside Climate News. <https://insideclimatenews.org/news/10042017/heartland-institute-climate-change-denial-science-education/>
- Malm, A. (2016). *Fossil capital: The rise of steam power and the roots of global warming.* Verso.
- Mandel, E. (1972). *Der Spätkapitalismus: Versuch einer marxistischen Erklärung* [Late capitalism: An attempt at a Marxist explanation]. Suhrkamp.
- Marquis, C., Toffel, M., & Zhou, Y. (2016). Scrutiny, norms, and selective disclosure: A global study of greenwashing. *Organization Science*, 27(2), 233–504. <https://doi.org/10.1287/orsc.2015.1039>
- Miller, M. (1975). Notes on neo-capitalism. *Theory and Society*, 2(1), 1–35.
- Miller Gaither, B., & Gaither, K. (2016). Marketplace advocacy by the U.S. fossil fuel industries: Issues of representation and environmental discourse. *Mass Communication and Society*, 19(5), 585–603. <https://doi.org/10.1080/15205436.2016.1203953>
- Mitchell, T. (2011). *Carbon democracy: Political power in the age of oil.* Verso.
- Myers, C. (2016). What's the legal definition of PR? An analysis of commercial speech and public relations. *Public Relations Review*, 42(5), 821–831. <https://doi.org/10.1016/j.pubrev.2016.10.005>
- Nickel, R., Gardner, T., & Adomaitis, N. (2021, April 16). *Clean crude? Oil firms use offsets to claim green barrels.* Reuters. <https://www.reuters.com/business/sustainable-business/clean-crude-oil-firms-use-offsets-claim-green-barrels-2021-04-16/>
- NSTA (National Science Teachers Association). (2017, April 4). *Dear NSTA member* [Letter to members from NSTA board]. <https://static.nsta.org/pdfs/HeartlandLetter.pdf>
- Oreskes, N., & Conway, E. (2010). *Merchants of doubt: How a handful of scientists obscured the truth on issues from tobacco smoke to global warming.* Bloomsbury.
- Plec, E., & Pettenger, M. (2012). Greenwashing consumption: The didactic framing of ExxonMobil's energy solutions. *Environmental Communication*, 6(4), 459–476. <https://doi.org/10.1080/17524032.2012.720270>
- Pomerantsev, P. (2019). *This is not propaganda.* Faber & Faber.
- Propaganda Analysis. (1938). Propaganda techniques of German fascism. In *Propaganda analysis: Volume 1 of the publications of the Institute for Propaganda Analysis.* Institute of Propaganda Analysis (pp. 37–52). <https://archive.org/details/IPAVol1>

- Reuters. (2021, April 26). *Lundin sells its first 'carbon neutral' oil as climate activism grows*. Reuters. <https://www.reuters.com/business/sustainable-business/lundin-sells-its-first-carbon-neutral-oil-climate-activism-grows-2021-04-26/>
- Risbey, J. (2008). The new climate discourse: Alarmist or alarming? *Global Environmental Change*, 18(1), 26–37. <https://doi.org/10.1016/j.gloenvcha.2007.06.003>
- Robinson, E., & Robbins, R. C. (1968). *Sources, abundance, and fate of gaseous pollutants* [Prepared for the American Petroleum Institute]. Stanford Research Institute.
- Robinson, M. (2014). *Marketing big oil: Brand lessons from the world's largest companies*. Palgrave Macmillan.
- Rowlatt, J., & Gerken, T. (2021, October 21). *COP26: Document leak reveals nations lobbying to change key climate report*. BBC News. <https://www.bbc.com/news/science-environment-58982445>
- Russill, C., & Nyssa, Z. (2009). The tipping point trend in climate change communication. *Global Environmental Change*, 19(3), 336–344. <https://doi.org/10.1016/j.gloenvcha.2009.04.001>
- Saint John, B. (2014). The “creative confrontation” of Herbert Schmertz: Public relations sense making and the corporate persona. *Public Relations Review*, 40(5), 772–779. <https://doi.org/10.1016/j.pubrev.2014.08.003>
- Schmertz, H. (1986). *Goodbye to the low profile: The Art of Creative Confrontation*. Little, Brown and Company.
- Schultz, R., & Godson, R. (1984). *Dezinformatsia: Active measures in Soviet strategy*. Pergamon-Brassey's.
- Shabecoff, P. (1988, June 24). Global warming has begun, expert tells senate. *The New York Times*. <https://www.nytimes.com/1988/06/24/us/global-warming-has-begun-expert-tells-senate.html>
- Shanor, A., & Light, S. (2022). Greenwashing and the first amendment. *Columbia Law Review*, 122(7), 2033–2118. <https://www.jstor.org/stable/27178464>
- Sheehan, K. (2018). This ain't your daddy's greenwashing: An assessment of the American Petroleum Institute's power past impossible campaign. In M. Rimmer (Ed.), *Intellectual property and clean energy: The Paris agreement and climate justice* (pp. 301–321). Springer.
- Smith, K. T., Smith, L. M., & Dunbar, S. (2014). Using corporate advertising to improve public perception of energy companies. *Journal of Strategic Marketing*, 22(4), 347–335. <https://doi.org/10.1080/0965254X.2013.876080>
- Solnit, R. (2012, August 20). Men still explain things to me: Facts still don't get in their way. *The Nation*. <https://www.thenation.com/article/archive/men-still-explain-things-me/>
- Solnit, R. (2021, August 23). Big oil coined 'carbon footprints' to blame us for their greed: Keep them on the hook. *The Guardian*. <https://www.theguardian.com/commentisfree/2021/aug/23/big-oil-coined-carbon-footprints-to-blame-us-for-their-greed-keep-them-on-the-hook>
- Sombart, W. (1986). *Der moderne Kapitalismus [Modern capitalism]*. Duncker & Humblot. (Original work published 1928)
- Statoil. (2016). *Sustainability report*. Statoil. <https://cdn.sanity.io/files/h61q9gi9/global/3b3dfed9ee2bf168d83d7551c8257aaf2042d055.pdf?sustainability-report-2015-equinor.pdf>
- Steffen, W., Rockström, J., Richardson, K., & Schellnhuber, H. J. (2018). Trajectories of the earth system in the anthropocene. *Proceedings of the National Academy of Sciences (PNAS)*, 115(33), 8253–8259. <https://doi.org/10.1073/pnas.1810141115>
- Supran, G., & Oreskes, N. (2017). Assessing ExxonMobil's climate change communications (1977–2014). *Environmental Research Letters*, 12(8), 1–18. <https://doi.org/10.1126/science.abk0063>
- Supran, G., & Oreskes, N. (2021). Rhetoric and frame analysis of ExxonMobil's climate change communications. *One Earth*, 4(5), 696–719. <https://doi.org/10.1016/j.oneear.2021.04.014>
- Supran, G., Rahmstorf, S., & Oreskes, N. (2023). Assessing ExxonMobil's global warming projections. *Science*, 379(6628), 1–9. <https://doi.org/10.1126/science.abk0063>
- Talbot, H. (2021, May 5). *Amsterdam to become first city in the world to ban this type of advert*. Euronews. <https://www.euronews.com/green/2021/05/20/amsterdam-becomes-first-city-in-the-world-to-ban-this-type-of-advert>
- Thunborg, P. (2020, August 25). Konsumentverket i ny strid mot Preems Gunde-filmer [The Swedish Consumer Agency in a new battle against Preem's Gunde films]. *Expressen*. <https://www.expressen.se/ekonomi/konsumentverket-i-ny-strid-mot-preems-gunde-filmer/>
- Time. (1964, October 30). Western Europe: Neocapitalism. *Time*, 84(18). <https://content.time.com/time/subscriber/article/0,33009,876355,00.html>
- UNEP (UN Environment Programme). (2021). *Emissions gap report 2021*. <https://www.unep.org/resources/emissions-gap-report-2021>

- Union of Concerned Scientists. (2007). *Smoke, mirrors & hot air: How ExxonMobil uses big tobacco's tactics to "manufacture uncertainty" on climate change*. https://www.ucsusa.org/sites/default/files/2019-09/exxon_report.pdf
- Urry, J. (2013). Carbon capitalism and the problem of energy. *Journal of Globalization Studies*, 4(1), 78–83.
- Vang, P. (2014). *Good guys: A cultural semiotic study of the print advertising of the oil industry (1900–2000)* [Doctoral dissertation, Linköping University, Sweden]. <https://doi.org/10.3384/diss.diva-106721>
- Volcovici, V. (2021, March 16). *Green groups file FTC complaint against Chevron over climate claims*. Reuters. <https://www.reuters.com/article/us-usa-ftc-greenwashing-idUSKBN2B82D7>
- Ward, B. (2006). *Letter from Bob Ward, The Royal Society (UK) to Nick Thomas, Esso UK*. Climate Files. <https://www.climatefiles.com/exxonmobil/letter-from-the-royal-society-to-esso-uk-limited-september-4-2006/>
- Watts, J., Ambrose, J., & Vaughan, A. (2019, October 10). Oil firms to pour extra 7m barrels per day into markets, data shows. *The Guardian*. <https://www.theguardian.com/environment/2019/oct/10/oil-firms-barrels-markets>
- Westervelt, A. (2022, April 5). IPCC: We can tackle climate change if big oil gets out of the way. *The Guardian*. <https://www.theguardian.com/environment/2022/apr/05/ipcc-report-scientists-climate-crisis-fossil-fuels>
- Wilson, S., Carlson, A., & Szeman, I. (Eds.). (2017). *Petrocultures: Oil, politics, culture*. McGill-Queen's University Press.
- World Wildlife Fund. (2022). *WWF footprint calculator*. <https://footprint.wwf.org.uk/#/>
- Yergin, D. (2008). *The prize: The epic quest for oil, money and power*. Simon & Schuster.

Law cases

- Anton Foley et al. v. Sweden (Nacka Dis. Ct. 2022). *Complaint*. http://climatecasechart.com/wp-content/uploads/sites/16/non-us-case-documents/2022/20221125_18245_application.pdf
- Connecticut [Connecticut v. Exxon Mobil Corporation] (Sup. Ct. of Hartford 2020). *Complaint*. http://climatecasechart.com/wp-content/uploads/sites/16/case-documents/2020/20200914_docket-HHDCV206132568S_complaint.pdf
- Greenpeace Nordic Association et al. v. Ministry of Petroleum and Energy (Sup. Ct. of Norway 2020). *Judgment*. http://climatecasechart.com/wp-content/uploads/sites/16/non-us-case-documents/2020/20201222_HR-2020-846-J_judgment.pdf
- Klimaatzaak Urgenda (Ct. of the Hague 2015). *Judgment*. <https://uitspraken.rechtspraak.nl/inziendocument?id=ECLI:NL:RBDHA:2015:7145>
- Klimaatzaak Urgenda (Ct. of Appeal in the Hague 2018). *Judgment*. <https://uitspraken.rechtspraak.nl/inziendocument?id=ECLI:NL:GHDHA:2018:2591>
- Klimaatzaak Urgenda (High Council 2019). *Judgment*. <https://uitspraken.rechtspraak.nl/inziendocument?id=ECLI:NL:HR:2019:2006>
- Klimaatzaak v. L'Etat Belge (Tribunal de premiere instance francophone de Bruxelles 2021). *Judgment*. http://climatecasechart.com/climate-change-litigation/wp-content/uploads/sites/16/non-us-case-documents/2021/20210617_2660_judgment.pdf
- Klimaatzaak v. Royal Dutch Shell (Ct. of the Hague 2021). *Judgment*. ECLI:NL:RBDHA:2021:5337. http://climatecasechart.com/wp-content/uploads/sites/16/non-us-case-documents/2021/20210526_8918_judgment.pdf
- Neubauer et al. v. Germany (Fed. Constitutional Ct. 2021). *Judgment*. http://climatecasechart.com/wp-content/uploads/sites/16/non-us-case-documents/2021/20210324_11817_order.pdf
- New York [City of New York v. Exxon Mobil Corp. et al.] (Sup. Ct. of NY 2021). *Complaint*. http://climatecasechart.com/wp-content/uploads/sites/16/case-documents/2021/20210422_docket-4510712021_complaint.pdf
- Notre Affaire à Tous et al. v. France (Tribunal administrative de Paris 2021). *Judgment*. http://climatecasechart.com/wp-content/uploads/sites/16/non-us-case-documents/2021/20211014_NA_decision-1.pdf

Notes

1. This resembles the curatorial processes at work in the art world: A critic discussing artists or artwork exhibited at prominent venues does not need to make a case for their importance.
2. For updates and legal documents for the two cases, see Climate Change Litigation Databases, 2020, 2021.
3. As Jacques Ellul (1962/1990: 102) pointed out in relation to “rational” propaganda using massive statistics as means of argumentation, “rational propaganda gives rise to an irrational situation, and hence remains above all propaganda, that is to say the interior possession of the individual by a social power, which corresponds to the dispossession of himself.”
4. A third complaint by Earthworks, Global Witness, and Greenpeace USA, against Chevron, was filed with the Federal Trade Commission on 16 March 2021 (see Volcovici, 2021).
5. Several research centres provide information and updates on on-going climate change litigation cases, see, e.g., Sabin Center for Climate Change Law at Columbia University (<https://climate.law.columbia.edu>) and Climate Change Laws of the World, The Grantham Research Institute on Climate Change and the Environment, London School of Economics (<https://climate-laws.org>).
6. Well-known cases are the Urgenda case (Klimaatzaak Urgenda, 2015, 2018, 2019), the case against Royal Dutch Shell (Klimaatzaak v. Royal Dutch Shell, 2021; see also Klimaatzaak v. L’Etat Belge, 2021; Notre Affaire à Tous et al. v. France, 2021; Neubauer et al. v. Germany, 2021). A failed case is Greenpeace Nordic Association et al. v. Ministry of Petroleum and Energy (2020). In 2022, a group of Swedish youth sued the national government for not following national legislations for climate change mitigation measures (Anton Foley et al. v. Sweden, 2022).
7. To quote just three examples of critical responses to the BP tweet: 1) “Dear @bp_plc, you have done a great job in misleading the world for decades and funding scepticism. You have learned well from tobacco. And now you try greenwashing. How about really getting out of fossil fuels? And please don’t try to sell us your 3% reductions as an achievement.”; 2) “Blame shifting and re-framing the debate away from corporate responsibility to personal responsibility. It’s as predictable as it is grotesque.”; 3) “Bitch what’s yours???”