

The realisation of a trans-Alpine environmental expertise and its impact on project management in France

Jacques Lolive, Anne Tricot¹

Our research focuses on the meanings of conflicts relative to major transport infrastructure projects (particularly motorways) in the Southern Alps. We will analyse them as the progressive setting up of an environmental expertise network.

Indeed, since the 1970s, a strong mobilisation against transport infrastructure projects has been apparent as well as an increase in environmental concerns, which goes far beyond a simple fashion phenomenon. Facing this situation, the central administration is doing its best at launching numerous attempts to democratize decision-making processes (Bouchardeau Law, Bianco Circular, Barnier Law...) which has led to a generalization of deliberative-type procedures. In spite of this, conflicts are remaining, while lobbies and controversies are developing. In that context, what can we learn from this evolution? It seems that, for the opponents, an increase in public debate is not sufficient to democratize technocratic transport policies based on the technico-economic expertise. Associations are making an additional claim: to define the conditions so that a real expertise sharing takes effect? Two strategies are being attempted by opponents :

- ∑ the counter-expertise in the transport field which is completely opposed to the policy fought against, in so far as it represents technical projects and the expertise which formats them.
- ∑ the environmental approach of the expertise which uses the environmental question to shake up the transport expertise which has found its scientific basis during the 1960s through traffic modelling.

We will analyse them one after the other. In the first part, we will study the common implications of conflicts of major transport infrastructures (Mediterranean TGV, A 58, A 51, Nice-Cuneo) in France : associations are trying to develop the strategy of counter-expertise (largely speaking) we have just mentioned. This expert-strategy is enriched by a second strategy, which is more pragmatic, of taking advantage of environmental opportunities. In the second part, we will leave the strictly French situation to analyse the emergence of an Alpine environmental expertise which is based on the build-up of trans-Alpine international associative networks (ITE and CIPRA). To conclude, we will ask ourselves about the consequences of these evolutions on our French model of public policies.

THE ASSOCIATIVE EXPERTISE STEMMING FROM THE OPPOSITION TO MAJOR PUBLIC PROJECTS IN FRANCE

1. The freezing of projects because of territorial mobilisation

There is a link between mobilisation and the highly centralised and technocratic characteristic of transport policies in France. It is true that this aspect of our national political culture is changing under the related effects of decentralization and the European construction, but this evolution is a slow process. Transport policies are black box policies. They are singular public policies of which the system of reference – the essential principles and strategic choices – is inscribed in the technical systems and the expertise formatting them. That is why the main options of transport policies tend to escape traditional political debate. Motorway policy illustrates this hardening of policies. The strategic choices made in France in the 1950s (i.e. priority to cars, support for national productivity, modes of financing by concession, etc.) became irreversible through their inscription – in the form of micro-economic evaluations, financial constraints, mathematical models, etc. – in the traffic research

¹ Chercheurs au Laboratoire Sociétés, Environnement, Territoire (SET UMR n°5603 CNRS-Université de Pau et des Pays de l'Adour).

that constitutes the core of transport expertise. This research therefore incorporates a *problem setting*, a certain formulation of the problem to solve in the transport field. Once this framework has been set, the motorway solution seems both obvious and necessary. The project is presented as *problem solving*, the "one best way". Expertise then formats the project and transmits to it norms from the past, progressively making difficult any new formulation. *Growing irreversibility* is another constraint weighing on the challenge to motorway policy. It stems from the fact that this policy is a network policy: its object is the realisation *over a long period* of a transport and communication network. Segments of infrastructure, built according to opportunities, progressively make the global project of the main line or the network irreversible. This strategy can be presented in different ways:

1) The existence of a project has a variable intensity: each covered step (location on a map, inclusion in a forecast, reservation of control, inclusion in the budget, etc.), and each completed stage is another step towards the realisation of the project.

2) The realisation of each component of a broader plan favours the others. Here are three examples: service routes can be built up before the main axis; the construction of the RN 202bis would facilitate that of the A58 or the Lombarde tunnel and vice-versa; for each project, the traffic study of Project A (the nature and quantity of expected traffic and hence the expected cost-effectiveness of A) includes the construction of B and C (which provide part of A's traffic).

3) Each project in the motorway programme occupies the field: it absorbs funds and suitable land, and places even stronger constraints – spatial, budgetary, competitive, technical, compatibility, etc. - on alternative projects.

Facing the combined weight of transport expertise and of the major projects which tend to make decision-making processes irreversible, opponents are deploying a reverse strategy. If we take the example of the Alpes-Maritimes, the freezing of major projects on the French Riviera (Côte d'Azur) (A8bis and A202bis), by weakening the spatial and budgetary constraints that made it possible to structure everything around the said projects, has opened a new field of possibilities. Among the characteristics of the mobilisation which ensures this freezing, two seem essential: the coordination with the project and the territorial mobilisation.

The realisation of the Coordination of the Alpes-Maritimes against the A8bis project closely followed the projects and the initial local associations' coordination was guided "by the infrastructures themselves". We witness the linking up of associations with different concerns (especially associations of people living along the roads in question, associations of communes concerned, farmers' unions) who are all affected by the infrastructure plans. This *coordination via the project* facilitates action on several fronts: to avoid the "slicing up of projects", so as to achieve an overall view of the infrastructure planned in a single territory; to watch the procedures, especially those linking the project to the territory with its territories of settlement; to slow down or even freeze unwanted projects.

The *territorial mobilisation* constitutes a very common pattern of the extension of personal interests: the defence of a restricted group of people living along the roads develops into the defence of the inhabitants of a small region. The extension of the common interest defended by the associations is claimed via the mobilisation of a new territory, "the Vence land", whose unity and identity reside in the opposition to a perturbing project. The associations bring about the *increasing generalisation* of the movement, thus evolving from the defence of the interests of people living close to the future road, to a fight for the harmonious development of the Moyon Pays. Moreover, the controversy launched by the associations has played an analysing role of the technical "set up" (dispositif). Initially, contesting focused on transport infrastructure, but progressively it spilled over onto *le milieu associé* of the project: town planning schemes (Cannes-Grasse-Antibes and Nice SDAU) that the associations will try to freeze. The associations' strategy attacks the project by progressively destroying the *milieu associé* which allowed its realisation.

II. Motorway counter-expertise

In so far as associations are confronted with a policy hardened by expertise and projects, the transformation of this policy will require the emergence of a new expertise. How can we analyse the realisation process of an expertise? Michel Callon and Arie Rip consider the expertise which is being realised as a collection of heterogeneous elements, a network woven between human actors who ally with each other, procedures which determine human action repertoire and at last, knowledge and artefacts which stabilize alliances.

The map on the following page *Motorway anti-expertise?* sketches this new associative expertise.

Let's comment on this map: we notice that the expertise realised by associations is progressively developing in opposition to the motorway expertise in every sense, as previously defined. In France, this formatting of associative mobilisations through socio-technical projects that they fight against may be explained as follows: they are trying to recover symmetry in relation to the technocratic policy that these projects incarnate and support. Let's now consider this counter-expertise strategy (largely speaking) on its own, in the transport field: it is often destined to failure because associations do not have an anti-laboratory to set against the expertise monopoly by the central administration. Another strategy is possible: opponents could shift the expertise onto the environmental field to raise objections to central administration's experts.

The national conflicts examined in this first part of the study are to provide us with a first example of environmental concerns: *the seizure of opportunities* bases itself on some of the places which compose the project setting up territory. Places are at the same time conflict grounds and argumentation stepping stones. Not only each impact place mobilises forces (people living close to roads and people concerned) but it provides an argumentation register that can be used against the project. For example, from the end of 1992 to 1994, during the dispute of the Mediterranean TGV opponents, the argumentation of the CARDE was organized around a range of department (county) places of the Bouches-du-Rhône: zone liable to flooding in Mallemort; landscaped impact of the viaduc in Cazan-Vernègues-Alleins; protection of the "Aigle de Bonelli" ("Bonelli Eagle") at La Barben; bad choice for the territory development (technopole project) at l'Arbois and fight for a tunnel passage of the TGV (High Speed Train) under the Pennes-Mirabeau. Places collection enables opponents gathering up forces and building up an argumentation.

Among the existing opportunities in the project setting up territories, some opportunities play a key role: risk zones. This use of the risk brings up an *expertise shift* and enables people to prove their assertions better when appealing to the French civil service tribunal. Thus the Var flood in November 1994 in Nice is to justify the appeal to a complementary expertise to assess the transport infrastructure projects which are in question (A 58 and RN 202bis): the hydraulic expertise. This expertise shift results in a confrontation between road logic and hydraulic logic defended particularly by Directors of the "Agence de l'Eau" ("Water Agency") in the name of the physical functioning of the Var. But the main efficiency of this risk opportunist seizure resides in the possibility to justify appeal to the French civil service tribunal. In August 1997, the cancellation of the Canne-Grasse-Antibes SDAU for not taking into account the flooding risk which leads to the motorway project PIG suspension, confirms it perfectly.

The future made up with "an effect of memory"

Studying French conflicts does not enable us to conclude on the emergence in the heart of associative networks of a *stricto sensu* environmental expertise. The opportunist strategy, however efficient it can be, does not allow associations to shift project expertise to knowledge they would master better than projects' promoters. Nevertheless, the diagnosis can rapidly be changed. Indeed, following through conflicts over a long period (ten years) and concerning various cases, leads us to think about a learning of project management procedures from the opponents - councillors or associative members. Everything happens indeed as if there was *an effect of memory* which started to be put in place from one project to another one.

THE EMERGENCE OF AN ALPINE ENVIRONMENTAL EXPERTISE

While the first type of associative expertise, *an enlarged transport counter-expertise*, is setting up in France through the opposition to major transport infrastructures, the second type, *an Alpine environmental expertise*, that we are going to study now, is based on the realisation of trans-Alpine associative networks and the introduction of a new legitimacy principle based on the ecological argumentation. Eventually, it risks to destabilize French-type public policies.

I. The realisation of trans-Alpine associative networks

The associations of the French Southern Alps, the Northern ones, but also defence associations mobilised in the Pyrenees, are connected to two trans-Alpine international networks, the international Commission for the protection of the Alps (CIPRA) and European Transport Initiative (ITE).

The Swiss democratic system grants citizens extended intervention rights in the legislative domain with the citizens' right to initiate legislation: Swiss citizens can ask for a modification of the federal realisation on any point. Thanks to the referendum right, they can have a federal law to be voted by the population. Since the introduction of this citizens' right in 1891, only twelve have obtained the majority of cantons and of the population (double majority) - the Alps Initiative for the protection of Alpine regions against transit traffic (in short the Alps Initiative) is the twelfth. It prescribes the shift of Alpine transit goods traffic from the road to the railway and forbids the transit road capacity extension in Alpine regions. It implicates, as a first step, the prohibition of the circulation of HGVs in excess of 28 tonnes on the Swiss territory. In February 1995, the Alps Initiative, the association which has launched and had the same name vote validated, organizes the Lucerne Symposium to celebrate the first anniversary of the vote. Other associations, federations and European collectives were invited to draw the balance of the possibilities of extending the Swiss experience to the rest of Europe. It is from this meeting that ITE was born.

The European Transport Initiative ("ITE - Initiative Transport Europe") network is working at reinforcing the contacts between environment protection organisations and the groups opposed to transit traffic excesses, as well as improving information broadcast and exchange on the European scale. Generally speaking, the term European Transport Initiative (Initiative Transport Europe) designates all the groups opposed to active transit traffic in the area known as the "Alpine arc" and other European potential-risk zones of Europe (Pyrenees, Eastern countries, etc.). Currently, the ITE has about 29 collective members. The ITE mainly plays the role of an information structure for the Alpine associations network members. Specialized in Alpine transports, it organizes forums every year, publishes a monthly news bulletin called "fax ITE", and has an Internet site (like, by the way, the other three international organisations mentioned above). It also allows them to call for action jointly such as the petition for the RPLP. What are the action logics of ITE? 1) action of claims on the model of the Alps Initiative (strong awareness campaign with a precise decision outlet) but enlarged to the instances of the European Union and 2) setting up of an environmental expertise on transports of which the tax system "set up" (dispositifs) (the RPLP) constitute an important point.

The CIPRA was founded in 1952. It is a non-governmental organization which represents about a hundred (101 members in 1999) associations and organizations in the 7 Alpine following countries: Austria, Germany, France, Italy, Liechtenstein, Switzerland, Slovenia. It is an international group with 7 national representations and 1 regional representation (South Tyrol). In September 1991, CIPRA-France was created. With a global approach, it works at preserving the cultural and natural heritage in the Alpine area. Its objectives are:

- initiate and promote measures aiming at protecting nature and landscape
- map out development projects in the Alps while respecting the forethought principle, i.e. in a respectful manner to the environment and its social aspects
- reduce environmental pressure in the Alps in an efficient and sustainable way and to a non-harmful degree
- promote a wide Alpine conscience in and beyond the "Alpine arc"

Like for the ITE, here again the references to the environmental rationality (precaution principle, sustainable development) can be found. Both networks promote the *Alpine Convention*, a legislative text signed in 1999 by 8 Alpine states² and which is supposed to allow a sustainable development in Alpine regions. But unlike ITE, which defended a focused interest - the opposition to the transit traffic - the CIPRA defends a pluridimensional interest - the protection of the Alps.

² Allemagne, Autriche, Confédération Helvétique, France, Italie, Principauté du Liechtenstein, Principauté de Monaco, Slovénie.

II. How to introduce new legitimacy principles?

The setting up of the trans-Alpine network is to allow the introduction of a new legitimacy principle in conflicts, referring to the ecological argumentation. The sociologists Lafaye and Thévenot³ analyse in this way this ecological justification that they call "*green city*": the attention focused on the environnement and its protection would enable us to establish an order of size between people and things that inhabit the green city. Anything which is "green", clean, biodegradable, recyclable, or opposed to what pollutes, is important. Important beings can be natural elements such as water, atmosphere, air, climate, generic beings such as fauna, flora. Anything which pollutes is minimal. But the elaboration of this new justification order meets obstacles.

1) First of all, the analysis of conflicts provoked by great French infrastructure projects, such as the Mediterranean TGV or the Somport tunnel, reveals the relative weakness of the ecological justification in associative oppositions. Thus, the study of the Mediterranean TGV conflict shows the quasi-eclipse (disparition) of the ecological justification in the conflict and hegemony of domestic and civic greatnesses in the revaluation of nature in France. How can the the green city's weakness be explained? In France, nature is deeply subjugated — modeled by human activities : agriculture, urbanization — and civic : divided, organized in a huge number of communes. The situation is very different in the United-States where relationship to nature goes with the experience of the "*wilderness*": wild nature, wild immensity.

2) Another limitation resides in the novelty of this green city which is not yet part of the customs and habits of the population. Judgements concerning the green immensity are based on instruments and rare and sketchy trials which are not systematized not coordinated, nor common in the whole population. Only people who are convinced, militants can mobilise them.

3) Finally, the green city contrasts strongly with the other conceptions of justice which are more classically humanist. It includes future generations and non human beings in the definition of a truly human justice. How, in our political order, the defence of animal species, biotops and the indignation that seizes some people facing their destruction although they are not human, be legitimized? Without respecting the rule of common humanity, the ecological justification is being accused of antihumanism.

The trans-Alpine network allows us to go beyond these different limitations of the green city.

1) First of all, it allows us to facilitate and popularize ecological judgements (green viewpoints) on the Alps. It is the interest of CIPRA actions which provide examples, indicators and labels through network information and formations. The CIPRA bases itself on 7 national representations (and its regional representation) and its correspondent networks to procede to information and experience exchange in order to provide points of reference for green judgements on the Alps. Here are two examples: the establishment of a "white book" and a black list which contains examples of positive and negative achievements from the point of view of the durability and in relation to the Alpine Convention; the communes network "Alliance in the Alps" which aims to present examples of local achievements to facilitate a concrete application of the Alpine Convention at the level of communes by presenting concrete examples.

2) Then, in CIPRA's Managing Directors' talks and publications, the reference to the Alps obliges us to consider other aspects apart from simply the domesticated nature covered by the communes. The Alps also constitute a wild natural space (*wilderness*). The CIPRA litterature, and notably the "*report on the state of the Alps*"⁴, aims at redefining the Alps as a space close to nature that we must protect and develop in a durable manner. It is an *ecoregion*: a hybrid territory, where the ecosystem mixes with the traditional territorial "set up" (dispositif) which is at the same time domestic and civic.

3) The ecoregion is defined at the same time in relation to the natural functionalities (biodiversity, etc.) and to social and economic customs. This category allows cross-linking both concepts and give greater importance to the interdependence between the social customs and the natural functions. This interdependence structures the

³ C. LAFAYE et L. THEVENOT, " Une justification écologique ? (Conflits dans l'aménagement de la nature) ", *Revue française de sociologie*, n° XXXIV-4, Paris, octobre-décembre 1993, p. 495-524.

⁴ Commission internationale pour la protection des Alpes (CIPRA), *Rapport sur l'état des Alpes. Données, faits. Problèmes. Esquisses de solutions*, Edisud, 1998. Publié en quatre langues (français, italien, allemand et slovène), ce rapport réunit sur 472 pages des articles de 70 scientifiques et auteurs connus.

territory. The inhabitants included in the Alpine ecosystem can use nature properly there. The compromise of the ecoregion allows removing a limitation of the green city: its antihumanism, without contenting with existing justifications (we would then forget the environmental entity).

III. The emergence of an Alpine environmental expertise

The realisation of trans-Alpine networks and the reference to a new legitimacy principle allow a real transport expertise shift towards an environmental expertise focused on the Alpine ecoregion. To analyse this new-born expertise, we will consider again the analysis grid used previously. The map *The outline of a trans-Alpine expertise* of the following page summarizes these analyses.

CONCLUSION

To conclude, we will remind the different factors that have been revealed in this research which risk, eventually, to weaken the French model of black box policies.

The analysis has enabled us to discern two very distinct expertise configurations. The oppositions in France produced a first expertise configuration characterized by the frontal opposition of expertise networks: the French-type transport expertise (hard core of a black box policy) and the anti-network of the associative counter-expertise. This opposition did not prevent directed learning effects where associations were impregnated with transport rationalities. The explanation of this paradox resides in the fact that the associative counter-expertise remains partly in the grip of the technical project which formats it. As it does not have a sufficient plasticity, the technical project actually plays a role of a *required / compulsory passage point*. It functions as a kind of funnel highly narrowing the translations field. A positive point is that the configuration which is taking shape under the action of trans-Alpine associative networks could well be quite different. In the near future, it will bring together the French-type transport expertise network with an Alpine environmental expertise network focused on its own object: the Alps. The transport expertise then risks to be relativised by the promotion of other national experience and destabilized by the diffusion of the environmental system of reference.

In the long run, the realisation of trans-Alpine networks could well produce a relativisation, a weakening of the French-type motorway expertise model. The main associative representatives are Austrian, German Swiss and German. They use the ecological justification much more than the French. The technical rationality does not have the same impact in Italy or in Switzerland as in France. The road lobby has not got the same force in Switzerland and in Austria as in France. The Swiss legislation could be extended. Political cultures are not the only ones in question: the Alps constitute a strong constraint for the motorway expertise. In the expertise, "this amplifier of distances and time, in a word of costs, that constitutes the Alps" has to be taken into account. The consideration of the Alpine ecoregion brings up the outline definition of a specific environmental expertise whose conjunction with the Alpine Convention and proposals of the "protector" States (Switzerland, Austria) could set up alternative Alpine policies opposed to sectorial policies in the Alps, particularly transport and tourism policies. Once set up in the Alps, this type of environmental expertise could well be exported to other mountain ranges, such as the Pyrenees.

Scientifico-technical Pole

Counter expertise of transport with foreign experts to criticise the foundations of the motorway project (notably the overvalued hypotheses of growth contained in the SDAU -Urbanisation and development plan-) and propose alternative solutions associating roads and Public Transport in an intermodal and urbanistic perspective. These projects are used by the opponents as profit-sharing *dispositifs* (set up) to win new allies.

**Fig. 2 The
motorway
anti-expertise ?**

Socio-political Pole

The coordination of the local associations around the fought against project and the seizure of opportunities allow the generalisation of the defended interests (ex: criticism of the urbanisation of the French Riviera, risks of flood, etc.)

Territorial mobilisation (ex: the local development of the “Moyen Pays” against the projects of the SDAU, the real *milieu associé* of the motorway project.

Statutory pole

Contentious procedure (ex: petition for nullity of the SDAU Canne-Grasse-Antibes) to delay or stop the projects : which opposes to the property developers' strategy of *irréversibilisation* (irreversibilizing process).

Penetration (or attempts) of available procedures of organisation (ex: the DTA) to use them as *dispositifs* (set up) of participation.