Programme

« Leviers pour une politique de développement durable »

Policy instruments for sustainable development and the citizen's role

Summary

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Political instruments for sustainable development and the role of the public

Introduction and objectives

This project was a joint effort of two university centres[1] and deals with the different forms of <u>participation</u> or involvement in the implementation of sustainable development policies. "Participation" is an important part of policies like these. It is currently the subject of much analysis and can be expressed in many ways. In this regard, the project has attempted to:

- clarify the concepts studied, referring to existing theories and practices and identifying trends

- understand the conditions and forms of participation in sustainable development policies, in the case of the public authorities and in the case of the different categories of players involved.

These two approaches are different and complementary. The IGEAT team of the Free University of Brussels (ULB) focuses on the institutional dimension (the more organised forms of participation) and on the role of organised social actors whereas the SEED team of the University Faculty of Luxembourg (FUL) is more concerned with the social dynamics and reorganisation resulting from this participation. Also, the first team turned its attention to socio-economic problems while the second team examined territorial dynamics.

Part 1 The participation of organised players IGEAT-ULB

A. Studies and clarification of concepts

1. Sustainable development

Extensive research was done[2] on the different interpretations of sustainable development. For this a whole range of documents was consulted: official texts published at different levels (regional to international), reference texts produced by different groups of actors (businesses, associations, various groups) and scientific studies done in various fields (economics, political science, sociology).

By examining this broad spectrum, we were able to obtain a good picture of the players' different perspectives on sustainable development and place these in a certain context. The views were studied in relation to one another and also looked at in terms of where the emphasis lay and how the concept could be understood in different ways. This was followed by a more in-depth and systematic analysis of alliances and oppositions between certain groups of actors, which is summed up below (see table).

This "game" the organised actors play of approaching sustainable development from different angles is an important form of participation. But we have also attempted to analyse the concept per se and how it relates to sustainable development.

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[1] For the IGEAT-CEDD of ULB, Ariane Godeau and Vincent Bruyer did most of the research, under the supervision of and with contributions from Edwin Zaccaï. For reasons of space, we are only providing <u>the references of the research work we did during this convention</u>. Several of the publications listed below can be consulted at www.ulb.ac.be/igeat/cedd. The two interim reports can be obtained at the SSTC or upon request from the IGEAT-CEED.

[2] In particular in the doctoral dissertation on the environment (December 2000), "Contribution à l'analyse des conceptions du développement durable" , E. Zaccaï, ULB (IGEAT). A few intermediate elemetns appear in E. Zaccaï, "Sustainable Development: Characteristics and Interpretations", Geographica Helvetica, 1999/2, pp. 73-80

2. Participation

While the idea of participation is today being motivated by sustainable development policies, the notion clearly existed before sustainable development, and the way in which it is being organised and implemented is changing, in some cases very quickly. These changes are not all connected with sustainable development, and it is important to understand the dynamic.

Belgium has a strong tradition of consultation with representatives of organised groups, essentially employers and trade unions. This neo-corporatist model where relations with the State were relatively stable has recently undergone some changes that are directly linked to the search for new forms of participation. With the surge in economic deregulation and privatisation and the growing complexity of organisational choices, the State sees itself more as an organiser of initiatives – which includes an increased demand in participation – than the regulator guiding society and watching over it. This trend is continuing today with the rise in the notion of governance.

As far as the representation of social demand is concerned, several factors of change are worth noting: diminishing bargaining power of the trade unions because of the transformation of the labour market (differentiation, increased competitiveness with less redistribution); increased demands related to living conditions and not work (consumption, the environment, 'users'); rising number of non-governmental organisations and associations concerned with specific objectives.

In addition, several interrelated factors have favoured the direct participation of citizens (or at least certain categories), such as direct consultation processes, in particular with regard to the environment; an increased understanding by the public of the problems and a greater availability of information; the rise of individualism; and mistrust of politicians.

Finally, issues concerning technological choices have become more important, and there has been a demand to intervene here, in a context of uncertainty over the impact of these choices and in a situation where the whole idea of 'progress' is called into question[3].

3. Participation and sustainable development

Many of the elements referred to above can be examined in the light of sustainable development policies in order to better understand the relationship between the two. Indeed these policies

- institutionalise the consultation (or participation) of different organised groups, as underlined in section three of Agenda 21, which is devoted to this.

- open an area of change in relation to economic and technological progress as a driving force for development, integrating the different components to achieve this (integration that implies representation of the various interests involved), and

- encourage the direct consultation of citizens in certain conditions.

In this context, the role of the environment and environmental protection associations is another element worth underlining. On the one hand, there is a long-standing tradition of direct consultation in this matter through local public inquiries (see on this the SEED research findings, in particular). On the other hand, the environmental protection groups, which have always advocated participation as a way to legitimise their own action, clearly represent the newest component in the game of consultation for sustainable development policies. This can be observed in various new advisory councils dealing with the environment or sustainable development.

It can also be suggested that consultation is supported here because certain authorities want to popularise the very notion (relatively new) of sustainable development and its implications, hoping that they will perhaps enhance their image by calling for "citizen" involvement.

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[3] These themes appear in particular in the various contributions of the volume "Le principe de précaution. Significations et conséquences", published by E. Zaccaï and J-N. Missa witih the Editions de l'Université de Bruxelles (2000).

4. Justifications for participation

In our research, we have discussed what participation consists in – usually nothing more than consultation – examining the different reasons for it. The idea here is that participation cannot just be judged on the basis of the direct results that it produces for political decisions. Criteria related to the different functions of participation also have to be taken into account (see also in this regard the SEED analyses in this summary).

4.1. One of the first justifications for participation that comes to mind is democracy, since these political regimes are based on an expression of their choices by citizens. However, this reason is not sufficient, because in representative democracy, those elected could turn around and claim that they alone are the guardians of the choices expressed, without any additional voting procedures. This justification also led us to discuss the problem of the representativeness of the actors expressing themselves, which cannot be judged according to the same criteria as with political representation. It is worth noting that certain interests promoted by the objective of sustainable development, the long term in particular, will not automatically find "representatives". Yet, the configuration of the new "integration" pursued with this objective depends in part on the strength of the representatives of the different dimensions to be integrated. Thus we could argue in favour of stronger representation of the community's "weaker" groups and "weaker" interests. This also takes us back to the general interest (including over time) of the public authorities.

4.2. Another justification for participation is a pragmatic one: decisions have to better suit the situations and therefore be more effective. In this way, consultations are a way of adapting the planned measures to the opinions taken from the actors who know the situation on the ground, some of whom may be directly involved by the content of the decisions.

4.3. A third justification for participation is to educate, raise awareness and inform. This is especially true in today's complex societies, particularly at the legal level. The principle that "ignorance of the law is no excuse" becomes totally unreal in practice. In reality, when a new legal measure is planned, consultation is a way of informing those concerned of the plan. It sometimes leads to debates, sometimes controversies, but one of the consequences is the spread of information on the planned decisions. It is further motivated if there is a lot at stake. So in the best of cases, it encourages a "collective learning process".

4.4. Finally, in connection with the previous point, the consultation procedures, if implemented properly, are a way of gaining the support of the actors consulted, more so than had the measure submitted for consultation been imposed on them from the start.

5. Forms of participation

One of the initial phases of the research[4] had led us to propose a typology of political instruments (hence the title of the research project). Each instrument has 3 components: a legal component (more or less formalised), a management component (requiring human, technical and financial means), and a communication component (communication towards and with all the players involved). These components can be considered the equipment of the instrument. This vision implies, among other things, that ad hoc forms of participation should each time be attached to the political instruments.

Nevertheless, we then considered specific forms of participation, illustrated also by case studies, because political instruments are almost never used alone. The forms for our study were chosen in such a way so as to cover different moments of the political cycle (consultation for decisionmaking, management, etc.) and to consider the actors individually or in organised groups.

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[4] See the first interim report (September 1998) of this proposal, pp. 51-61.

6. An example: public consultation on the Belgian government's preliminary proposal for a sustainable development plan

A double consultation was organised by the Belgian federal government for its preliminary proposal for a sustainable development plan (PFDD "Plan fédéral pour le développement durable" / "Federal Plan for Sustainable Development"). On the one hand, the government sought the opinion of the CFDD ("Conseil fédéral du développement durable" / "Federal Council for Sustainable Development") to which it had to justify the derogations. On the other hand, the public was consulted, and organised groups (with the support of the state secretary responsible for the matter) introduced certain initiatives. The content of the preliminary proposal was first and foremost intended to organise the areas of jurisdiction (including the objectives, procedures…) of the public authorities, with the result that to the public the matter appeared quite technical. The Centre for Sustainable Development ("Centrum Duurzaam Ontwikkeling") of the University of Ghent prepared a detailed report on the results of these procedures and their treatment.

Among the criteria listed above, we will only briefly comment here on efficiency and awareness. Efficiency – meaning the possible final input of the opinions gathered in Belgium – must be considered from three angles, depending on whether the contribution came from the CFDD, organised groups or individuals. The work conducted at the CFDD was deepened, and this Council played one of the essential roles of an advisory body by enabling an exchange of views between groups with different strategies and interests. In contrast, the opinions that came out of the consultation as a whole were expressed by a small fraction of the public, like in previous cases (regional public inquiries). Nonetheless, given the coverage in the media and the exposure through various events, the function of raising awareness went well beyond this fraction.

This consultation was an opportunity to raise a series of questions on possible improvements for a second round: use of documents written for the general public, issues more in line with the possible choices of individuals or organisations, organisation of consultations when drafting the document, greater intervention of members of government agencies and public authorities (who were the main recipients of the plan), solutions to increase the intervention of certain interest groups or social groups, weighting procedures for the different types of opinions gathered, etc.

C. Participation of organised actors

1. General model

The forms of participation of organised actors represented by groups were systematically and comprehensively analysed on the basis of the many documents produced by these organisations and on the basis of informal contacts with some of their representatives[5]. The table below provides a summary of this work. Four groups were given particular attention: environmental protection associations, consumer associations, trade unions and businesses.

In the case of the environmental protection associations, issues like the legitimacy of the representatives were examined, and more generally various aspects concerning how they operate were described. Certain comparisons with the general group of associations were made with the consumer associations.

The trade unions, in their relationship with sustainable development, are less commonly studied than businesses, for which there is a vast amount of literature. We have attempted to refocus the action and arguments of the various parties by looking more particularly at the various forms of participation of their representatives but also of their "base".

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[5] See the second interim report (March 2000) of this proposal, pp. 24-74

SUMMARY TABLE: 4 GROUPS OF PLAYERS AND SUSTAINABLE DEVELOPMENT

(1)

	Environmental protection groups	**Consumer groups**	**Trade unions**	**Employers**
Definition	Group of persons (or other associations) sharing a common interest (environmental protection) and without a profit-making goal.	Group of persons (or other associations) sharing a common interest (consumer protection) and without a profit-making goal.	Group of persons joined together to defend common interests in their profession. Financial power may be important, but no profit making goal.	Companies: private or legal persons engaged in a profit-making professional activity. Organizations representing employers
Reference values	nature, democracy, transparency, participation, quality of life, strict observance of legislation, safety and public health	transparency, participation, quality of products (in the broad sense), strict observance of legislation, safety and public health, prices, quality of living standards	employment, quality and living standards, strict observance of legislation, transparency, participation, fairness, occupational safety, quality of the indoor environment in relation to quality of the outdoor environment	competitiveness, growth, management, profitability, profits, private interest, technical aspects, stable legislation, competition,
Joint means of action	- information and awareness of members or the public - monitoring of and influence over policy and legislation - participation in advisory councils - legal actions - collaboration and partnership with other actors			
Specific means of action	- limited management (for example, of nature reserves and parks); - promotion, boycott	- tests and comparisons of products - consumer assistance	- organisation inside companies for workers in limited fields - assistance for members - strikes	(for environmental matters) - concrete change in management (eco-management)

SUMMARY TABLE: 4 GROUPS OF PLAYERS AND SUSTAINABLE DEVELOPMENT

	Environmental protection groups	Consumer associations	Trade unions	Employers
Factors favouring the inclusion of sustainable development	- legislation - adapted political instruments - financial means - integration in national and international networks - communication dedicated to different audiences			
Specific favourable factors	Firmly established, representativeness, independence, expert capacity, credibility, role established in advisory councils, use of the media, influence of "environmental disasters"	established, representativeness, expert capacity, credibility, use of the media, established role, influence of consumer problems widely covered in the media, sustainable development as a positioning stake in consumer issues	uniformity, established, expert capacity, use of the media, established role, "social clashes" (Vilvoorde,…), sustainable development as a positioning "stake" on the "social market" (links between the environment, worker health and working conditions)	Insurance (putting pressure on management methods), competition (positioning on a specific market, for example "green products"), brand image, B.A.T., awareness of managers, consumers and "stakeholders", legal actions of associations and public authorities
Possible distortion of actions in relation to sustainable development of a general interest	demands that are too local or too specific; difficulties of public inquiries; idealism and lack of subtle distinctions; dependence on public funding; competition between NGOs; lack of coordination between NGOs;	Dependence on funding, apparent contradiction between "living standards" (quantitative) and "environmental responsibility", risk of encouraging "rampant" competition (to favour price wars) rather than the introduction of restrictive standards (environmental or social) perceived as obstacles to the free movement of goods and services	Competition between employment and the environment, employment blackmailing, competition in terms of the "hierarchy" of interests (environment vs. employment), lack of awareness of trade union leaders of environmental issues and/or North-South fair trade issues (pre-eminence of one over the other)	Lack of awareness of managers and/or shareholders, the environment as a potential threat for the most polluting sectors, the environment as constraint, economic interests too prevalent, action hijacked in the private interest (corporatism), environment used to advertise ("green washing"), competition between clean-up at the source and sale of equipment to clean up pollution
Expert capacity	Very variable; sometimes cooperation with research centres (individual contracts especially); development of counter appraisals	Very variable; sometimes collaboration; counter appraisals; deepening of the notion of "quality" of a product and service	Specialised in their field of action: living conditions (safety, health, living standards, economy)	Specialised and considerable technical and economic expertise; for internal use (audits) or external use (private consultancies)

In these different analyses, participation was considered in the broad sense, which is also the case of the official documents on the involvement of social actors in sustainable development. While it is recognised that common interests favour closer relations between these groups, which is beneficial to the actions, we wanted to go a little further than highlighting "win win" actions and also show causes of tension and closer relations (sometimes more superficial) produced by the polysemy of the "environment" and "sustainable development".

Despite our attempts to establish certain characteristics, it became apparent at the end of the research that a category-by-category approach does not give a complete picture of the specific situations of the players. Although it is possible to generalise to an extent (there is a certain unity within each category), these characteristics are not enough to analyse the diversity of the actions (alliances and opposition) on the ground. That is why the case studies provide a more precise contribution. The tables presented above must therefore be used with caution. Their primary aim is to give an overview of the positions, furnishing a useful element for the study of participation, but with the understanding that major differences are possible depending on the circumstances. It is for this reason, for example, that we studied the strategies of businesses and environmental protection groups and the various ways in which they have been collaborating in Belgium and the rest of Europe.[6]

2. An example: the opinion of three advisory councils on a legislative bill

A detailed case study[7] was done on three advisory councils in Belgium and their elaboration of opinions (in 1996) on a specific political instrument, ie. the preliminary draft framework law on "product standards". These three bodies were the National Council of Sustainable Development (which became the Federal Council of Sustainable Development, the CFDD, in 1997), the Central Economics Council and the Consumer Council. The method consisted in carefully compiling the available written traces on the work done by these three with a view to analysing them.

Through this study it was possible to

- compare the positions of the opinions of the three councils,

- compare the positions of the same groups (and sometimes the same person representing them) in different councils

- analyse in detail the inclusion of the different elements of the opinions in the final decisions.

The consensus that is usually reached within each council is worth noting. It facilitates the work of the legislator, even if he has to reconcile the opinions of the different councils, like in the case here. The fact that these are stable bodies where the representatives learn to weigh one another's positions helps to achieve this consensus. Also, when an opinion is reached by consensus, the legislator finds it harder to ignore it, whereas in cases of dissension he feels that he has more freedom to decide.

Our study reveals that these procedures have produced certain substantial changes to the document submitted for an opinion. What is more, the opinions we examined reveal that the public authorities do indeed use the information they gather from the different actors to modify their decisions to fit the actual situations, thereby confirming one of the justifications for participation mentioned above.

It can also be considered that the opinions of these three councils help to define what is in the general interest but also to determine the limits of the operational nature of the planned legal provisions (see, for example, certain specific aspects concerning sanctions). These councils therefore participate "politically" by defining this general interest through the different representatives of civil society, defend special interests (the composition of each of these councils plays an important role) and have an operational knowledge of these legal provisions.

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[6] In E. Zaccaï, "Entreprises – Associations d'environnement: coopération et partenariats admis", in Environnement et Société, N°22, pp. 101-106

[7] See the second interim report of this proposal (March 2000), pp. 99-141

However, this also <u>takes time</u>, especially when more than one council gives an opinion. Should the public authorities free up resources (in time and in expertise) and reduce the number of opinions sought? This question also goes beyond the case under consideration and can be raised for a number of opinions and councils. It is difficult to answer, because despite their compositions (including in terms of persons) and attributions, which are sometimes similar, each council is nonetheless different. The problem should probably be dealt with case by case. Finally, an important question also concerns the relationship, within a group represented, between the expert members of the councils, and the "base" in each of the groups. Here too, depending on the scope of the opinions, it might be interesting to do some studies on this.

With this study, it was therefore possible to complete the general analyses on the dynamics of the groups in question. The "object" of the analysis was difficult, since we were dealing with debates lasting many hours just in the case under consideration. Nonetheless, we tried to draw certain lessons from this that go beyond the case study, based on the literature and our own personal participation in certain councils. However, it goes without saying that more research would be welcome to complete these analyses (on the contributions, effectiveness, legitimacy, awareness… connected with this form of consultation), especially since the advisory councils, because of their "expert" content, are the easiest way to participate in political decisionmaking today.

D. "Responsible consumption"

In relation to the forms of participation already examined, "responsible consumption" appears quite different, which is why we did a certain amount of work on the subject[8]. We defined "responsible consumption" as a way consumers use to participate in tackling social or environmental problems by making specific choices as to what they consume. Other expressions similar to responsible consumption are sometimes used, like "citizen consumption", "shopping for a better world" or in French "de l'éthique sur l'étiquette" ("ethics on the label") or "consomm-acteurs" ("consumactors").

The consumer choices referred to here (which concern both the purchase and use of the products) include motivations having to do with ethics, politics, militancy or citizenship. These motivations are obviously not the only ones to determine an action and coexist with other more traditional factors (eg. the price or usefulness of the good). We have attempted to observe in which cases these "responsible" factors are likely to become more important, enabling those in favour of responsible consumption to consider it one of the ways citizens can promote sustainable development. It is from this point of view that we think it justifiable and interesting to examine these dynamics alongside other forms of participation.

We have attempted to elaborate a model, based on empirical data, in order to identify sectors and products where this approach more or less shows results for purchase choices. In short, the model involves the following four factors:

- A mobilising "cause" is associated with the product

- The product is unquestionably different in terms of impact and information

- It is easy to substitute: price, place of purchase, qualities

- It mobilises a network: NGOs, distributors, producers ...

Several cases have been considered, including the ecotaxes in Belgium, the boycotts against Shell (1995-1996), recycled paper, and in particular the European ecolabel.

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[8] See A . Godeau (1998), " Responsible consumption as a lever for sustainable development: a critical analysis", in "Beyond Sustainability", International NWO Conference, Amsterdam 19-20 November 1998, pp. 40-45; E. Zaccaï (1999), "Jusqu'où peut aller la consommation responsable?", conference proceedings "La consommation responsable pour contribuer au développement durable", CRIOC, 14 December 1999, Brussels, pp. 101-110; and E. Zaccaï (2000), "Ecological oriented consumption: a pluriactoral approach", International Journal of Sustainable Development, Vol. 3, N°1, pp. 26-39. See also the first interim report (pp. 122-156) and the second one (pp. 75-98).

From our analyses, it is clear that responsible consumption, understood as a form of participation in the way we defined it, cannot have lasting effects unless it is coordinated with the other players organising production and consumption: public authorities, businesses, distributors, pressure groups, … That explains the relative gap between the great proclamation of support of this approach and its direct effects. However, policies towards "green" products (particularly at the European level) consider it an established fact that more consumer information will mean more responsible choices and influence the market in this way. For this to be true, there has to be a great amount of coordination between the players involved.

These past few years have seen militant organisations waging very selective campaigns that have led to targeted movements on the market but that have also generated debates, which have not left certain large corporations indifferent. Some of these big firms have currently been placing emphasis on improving the overall ecological quality of their products (rather than putting stress on specific "green" products) and on diminishing the risks associated with all their products. A recent phase in the actions in Europe to promote responsible consumption (and ethical investments) has been the attempt to publish purchasing guides for all products.

Responsible consumption as a form of participation also reflects certain strengths and weaknesses of a system where the market acts as regulator, which is increasingly the case today. If in principle this practice is endorsed (according to various surveys but also given the support proclaimed in sustainable development policies), it is based on the observation that economic pressure is a major element when there is strong competition. But responsible consumption also raises questions about the role and complementarity – like elsewhere in this research – of the missions of the public authorities and about the participation of social and economic actors.

E. Use of the research

This research work has been published in a certain number of specialised journals (see footnotes of this summary) - some of which have been distributed to political and social actors – and been used in university courses dealing with these issues.

The two promoters of the research participated in the public consultation committee for the Belgian federal plan for sustainable development (PFDD), which issued recommendations on the processing of results and on future operations of this kind. Partial results were also presented to the Federal Council for Sustainable Development (CFDD).

With regard to the work on responsible consumption, research here led to the acceptance and funding by the European Commission of a European project with the "Réseau des Consommateurs Responsables" (Network of Responsible Consumers), the aim being to identify research organisations and centres in Europe working on "socially responsible" consumption (2000-2001). A project was also launched with the "Centre de Recherches et d'Information des Consommateurs" (CRIOC – Consumer Research and Information Centre) to publish a selective purchasing guide. Finally, projects to examine in greater detail the theme of support for a products policy were submitted in reply to the PADD 2 call for tenders.

Part 2: Sustainable territories and participation?9 FUL/SEED

1. The issue: participation, public policy and sustainability

This research explores the forms of participation in sustainable territorial development policies. Participation is an integral part of the political theory of sustainable development. But what is its place in these policies and what form must it assume to be legitimate and effective (the requirements of any public policy)? The problems of legitimacy and effectiveness are often posed and the subject of many a political and legal debate; the assumption here is that legitimacy and effectiveness meet at a certain point and become totally intertwined, because the empirical debates (discussions on the facts) can no longer be rigidly separated from the normative debates (discussions on values). Indeed the definition of a rule – the challenge of any policy – implies in an industrial society that both knowledge (which says who and what is at stake) and values (which say what is important) come into play. In both cases, it is a question of knowing the interests at stake and being able to rank them in an order of importance.

The research is not so much a matter of arguing the pros and cons of participation but observing in an empirical way the processes of participation. First of all, it is important to know, based on observation, *what the participation is doing* and what *forms* it can assume, given the requirements of a sustainable development policy. Then, we have to know what these observations tell us and how they lead us to rethink sustainable development policies.

2. The theoretical and methodological point of view

If coming up with a good suitable rule is what is at stake, then we can return to some of the basic theoretical thoughts about democracy in an industrial society. Durkheim did not believe that regulation could be accomplished by the market or by contract, because for him a contract is always a private norm that has to be guaranteed by collective rules assuring the loyalty of the partners. But he also did not believe in regulation by the State. The main reason is one of order. Durkheim does not believe that a centralised State is capable of elaborating good rules, because it is too far removed from reality to regulate in knowledge of the facts. He suggests the solution of intermediate organisations (corporations), which have a triple capacity to negotiate these rules: they have a cognitive capacity (proximity to the situations), a political capacity (they have strong representation to negotiate) and what we call a capacity of engagement (because of their socialising role, they give concrete expression to the identity of their members). These two arguments – specialised and tacit knowledge and forms of engagement – forbid any exogenous regulation of "professional relations". Only negotiation, interaction, enables adequate and acceptable regulation. Here we have a fundamental source for forms of social consultation and representation of socio-economic interests in our democracies (neo-corporatists). The State's role is then to encourage and support fair negotiations between the parties concerned in observance of the law.

However, Durkheim did not anticipate two fundamental changes in industrial societies: on the one hand there has been the development of public services and State bureaucracies, which do not go very well with this model, since the State is both judge and party; on the other hand, problems have emerged, which have nothing to do with social negotiation between professions like long-term environmental problems or problems of modern risk. These problems bring to the forefront issues that are *both* industrial issues (because they are related to specialised scientific and technical knowledge and practices) and civic issues, which go beyond the frontiers of functional systems to which the forms of "corporative" representation correspond. The question then becomes which representatives and which methods of representatives are appropriate for interests or problems of this kind?

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[9] A comprehensive report "action collective et territoire durable" may be obtained from SEED, Avenue de Longwy 185, 6700 ARLON. The authors of this research are Marc MORMONT, Catherine MOUGENOT and Christine DASNOY.

The case of biodiversity is an almost perfect illustration of this: in spite of uncertainties, there is a sort of consensus on the threat of a diminishing biodiversity, and there are national and international pledges to protect it; but the difficulties begin when conservation policies have to be implemented, involving environmentalists, town and country planners, farmers, etc. What knowledge has to be mobilised, what standards have to be implemented and who are the legitimate representatives of this biodiversity? How can a series of effective and legitimate mediations be guaranteed between such a general objective and specific professional or private practices?

The cases studied all involve territorial management, because it is often in local areas that demands emerge to participate (Nimby phenomenon) or that the authorities propose participation procedures to citizens (river contract, local plans, etc.). The cases studied concern, on the one hand, river management (river contracts) and biodiversity (municipal nature development plans), both semi-formalised forms of participation, and on the other hand, forms of protest where citizens organise themselves to protect their environment (unfairly referred to as the Nimby phenomenon). In both cases we are dealing with forms of collective or joint action whose aim is to influence policies and decisions.

To understand *what the participation is doing* implies an ethnographic approach that not only observes the interactions between actors, the discussion of knowledge and rules but also the successive transformations that an issue undergoes throughout a procedure, the successive redefinitions that occur in the different phases. To question what the participation is doing is therefore to question how the issues and the actors are *transformed simultaneously*. This is more like analysing from the perspective of collective learning where innovation and the emergence of all things new are what is interesting.

3. The results

Association practices

These forms of joint action develop according to their own logic. This is a kind of logic where individuals and groups come together in a coalition or association to defend or promote a common interest. In this social and political dynamic, we are therefore always dealing with a dynamic of enlargement of the social base of the action. But this enlargement at the same time transforms the demands and proposals.

Enlarging the coalition therefore implies an enormous amount of *association* work, with heterogeneous interests and groups that were in no way predisposed to meet. This association work does not only consist in bringing together parallel interests in a coalition. It also involves transforming the arguments and the very content of the projects or counterproposals. The opponents, for example, are going to do a tremendous amount of work studying the area with other local groups, and the issue is going to become locating a water treatment plant in the most appropriate place in the municipality after extensive exploration. It is no longer a question of refusing the inconvenience for oneself, and the initial claim is left behind. The same process occurs when groups of environmentalists form an association with other social or economic interests to protect sites. By joining forces, the content and end purpose of the projects are also changed. Here, we enter another context, both cognitive and normative, that of an area and a community. But we are within a more general norm, which is the need to treat water or to protect biological resources.

Defining and redefining the parameters

This can be considered a process of deconstructing and redefining the parameters of the project and action. This defining and redefining are simply operations aimed at establishing the parameters that are to be taken into account in the project or policy. While a nature conservation and environmental protection policy is still largely oriented by an "extraction" of environmental assets outside socio-economic activities, the dynamic of association instead makes it necessary to seek links between natural assets and human activities, to redefine the parameters of nature in a humanised space. In

short, the species and protected species have to be reassociated with social practices. Here too the territorial context is fundamental, because it supplies the parameters of the action and links that are being created, for example, between nature, tourism, agriculture and the municipality's image. There is no action, project or policy without these operations, which include and at the same time exclude.

As the joint action widens its social base, it also increases the number of parameters that it takes into account. So it explores the available knowledge, technical alternatives, economic possibilities and relevant legislation and attempts by going back and forth to come up with innovative projects or proposals. These actions are often of a conflicting nature, but the conflict itself generates new ways of approaching the environment.

The conflicts often result in different if not contradictory frameworks of reflection. How is it possible to reconcile a whole series of different, and sometimes conflicting parameters?

Participation as circulation

Unlike all the approaches that especially highlight, in participatory dynamics, the interactions and exchanges between actors (therefore the deliberative or argumentative dimension), we believe that the *circulation* of the issues is also and above all essential. By circulation we mean that the problems are debated in the scientific sphere (available knowledge is re-examined, experts are mobilised, a controversy is explored from different angles) and in the normative sphere (who can intervene and how they can intervene are discussed). All these issues cannot be discussed at the same time and at the same place.

The development of a protected site where economic activities have to be pursued implies the mobilisation of environmental knowledge (what has to be protected) but also technical and agricultural knowledge (on farming practices) and a good knowledge of legal and financial instruments and therefore the contribution of different levels of government. If the project encounters opposition, this opposition is going to have to deconstruct and reconstruct this succession of knowledge, rules and commitments made by different actors. The process results in the issue being circulated in these different spheres.

The issue is continually redefined in the process. By circulating the issue, the level changes (from local to regional, or to European in some cases). New economic or ecological parameters are introduced while others are dropped: the parameters of the problem are redefined, and each time the technical and scientific data, the applicable rules and possible commitments of the actors in one direction or another are examined in a specific framework with other actors.

The process is generally completed when a new satisfactory combination emerges. The theories of collective learning are a way of understanding these processes. In this circulation, not only is the knowledge modified but the rules and identities of the actors are as well. The effectiveness of the joint action can be seen here as providing the individuals and groups, by way of this circulation, with the means to learn. But how can a solution negotiated in this way be of any general value and be considered in the public interest?

Circulation model

These dynamics can be summed up by identifying the different forms of the exchanges. The exchanges occur at three levels: in the forum of discussions, in networks of exploration or in the sphere of the public institutions. The first level is the forum (local in this case). With just deliberation, the forum, organised around a specific objective or policy (biodiversity, mobility, catchment area, etc.), is rarely capable of going beyond the structural conflicts between the established actors. At the level of the forum, agreements are reached through discursive processes where local spokesmen set out priorities, principles and general objectives. The agreement is reached by overlapping priorities more so than by ranking them in any strict order. The unclear nature of this order, the consensual nature of the general definitions of the objectives and the compulsory reference to terms like sustainable development often leave the observers, and in some cases even the politicians, sceptical.

But it creates a discursive background whose function is especially to be a common perspective to validate the projects and to examine them in a pluralist manner. This discursive background can, for example, be in the form of a charter (of a river contract), which officialises and brings into play an object of common management. But these forums are seldom an opportunity for real negotiation on the options and decisions that need to be taken.

The joint action therefore occurs on another level. The second level is that of discussion networks, which develop within this general framework. These are working groups, committees or informal groups, set up to examine a particular aspect of an issue. In these social networks, we are instead dealing with specific points, in fact "objects" or artefacts: dams, water treatment stations breeding techniques, natural sites… Unlike in a simplistic vision, these are not simply technical groups, merely implementing general objectives. Rather, for each of the actors concerned the underlying links have to be deconstructed and reconstructed. The actors test the interests in question and see how they can be recombined. These are networks of exploration, which study and experiment new combinations within specific boundaries. The solutions proposed return to the forum when a particular agreement has been found. The role of the forum is then to validate the solution.

Finally, at the third level, most of the solutions that are proposed mobilise resources that go beyond the discussion networks and local forum. Specialised government agencies or local authorities have to intervene and are even parties to these proposals. The debate shifts to the politico-administrative spheres, which again have to debate these proposals to validate them for sectoral policies and general rules of public action. The process here is simplified, but the debate can go back and forth between the levels several times, because at each step the knowledge mobilised and the applicable rules can be discussed again and new actors can be called upon.

This circulation model therefore does not imply negotiation outside state structures and without the elected authorities but a discussion process where the solutions are not negotiated: the authorities intervene to check that the solutions comply with the rules or they modify the rules in accordance with the innovations that are proposed. This dynamic is in part at odds with our specialised politico-administrative systems: it imposes a break with an administration founded on specialised expertise. But it does not break with the principle of a legitimate authority, which gives its collective dimension to the decisions.

Circulation and learning

A theory of collective learning is needed to understand these processes. In the proposed approach, it is stated that most of the debates actually concern disputed objects: sites, farming or tourist practices, protected sites, etc. Whether we are dealing with a river, a scenic site or the location of a water treatment plant, the great diversity of the underlying relations (of use, perceptions, interests) to this object makes a unifying and comprehensive point of view very difficult. So two symmetric obstacles appear. Reducing these situations to scientific categories means defining always partially the parameters, and it limits the situation to whatever can be measured. The hydrological model certainly provides an overall picture of the catchment area, but it is also a partial picture that does not show certain uses. Scientific modelling contains implicit points of view and ignores the absent actors and the knowledge of the laymen. By circulating the issue, it is possible to identify these dimensions and hidden actors. The effects of this circulation then have to be examined on different levels: empirical knowledge, public standards and commitments in the action.

Circulation and empirical knowledge

By temporarily separating the empirical discussion on knowledge of the area from the political debate on the costs and advantages, it is possible to loosen the link that the scientific or technical expert tends to establish between these two levels when developing or defending a project: what is known can be debated while suspending for a certain period of time discussion of the political consequences of these explorations. The empirical explorations then enable certain actors to contemplate other scenarios or

empirical knowledge where new technologies would make sense if the rules or forms of cooperation and coordination between the actors were changed.

The action of *association* introduces knowledge that is unknown to the promoters but also introduces knowledge that remains tacit or unexplored. Furthermore, the local joint action goes beyond the boundaries of the disciplines and sectors of public action: by referring to the area as a matter of priority, the joint action shows the need to discuss the conditions for the application of scientific and technical knowledge (which is always very general) to a specific case.

Finally, circulation of the issue reveals the relationship of reciprocal dependence that exists between the actors (eg. it helps to empirically understand the relationship between the upstream and downstream sections of a river). In so doing it creates the conditions for a collective appropriation of the assets of the environment.

Circulation and rules

The normative discussions also concern the question of the local application of general rules. For the application, the authority has the freedom to interpret the situations, taking into account empirical knowledge (which defines the situation) and the commitments of the authorities in this situation. Thus the protection of a site or water resources can reveal the responsibilities that are connected with an agricultural or regional planning policy. The joint action is therefore often going to question the coherence of the different policies being conducted by the same authority or by different authorities, question the practical contradictions and impose revisions of these policies. So here too there is a learning effect where the real effects of the policies on the areas are discovered.

Circulating an issue makes it possible to identify the responsible authorities and their commitments in the matter. It is worth noting, in our case, that the acceptance of a rule (or of a risk) is conditioned by this work of identifying and assigning responsibilities: some of the participants in the joint action are going to accept a decision, which is nonetheless for them, because after all the debates that took place the project seems to them legitimate. *Collectively* speaking, this solution seems to them the best one, having considered all the possible cases. Here "collectively" means nothing more than the reciprocal commitments of the actors in an area that is participating in the joint action.

The normative discussions therefore raise the question of those involved in the decisionmaking and who are accountable. In some cases, the joint action moves the debate to a higher level, to the policymaking institutions. In other instances, it takes the issue to a lower level, to the local enforcement of the rules. The top-down versus bottom-up rhetoric is in fact rendered obsolete by this circulation, which goes from one centre to the other.

Reconfigurations and identities

Do these processes have effects? Of the different cases studied, we can assume that the results translate into reconfigurations (objects, projects, areas) and that these reconfigurations sometimes involve the identity of the persons and groups, that is to say the ways in which the agents become engaged in the action. Reconfiguration is understood to mean, for example, redefining the development priorities of a municipality after a long process where environmentalists and those in the tourist business have been at odds with one another and finally decide to negotiate a joint project: not only has the area changed its vocation and therefore its identity but the actors themselves have changed projects and strategies and are now engaged in a kind of collective management of the area.

The processes of reconfiguration are not original in themselves. They are comparable to the changes in the strategy or technological path of businesses confronted with environmental rules or policies. However, here they are the result of empirical observations, combined with normative debates and socio-political commitments. So what participation does, as a process of *association* and *circulation*, is to create the possibility of reconfigurations, in some cases simply technical in other cases based on an identity, around objects that are taken on board by collective bodies and governed by rules that are identified and recognised.

These reconfigurations imply taking into account something that is often overlooked in political and institutional analyses, ie. the commitments of people. In an industrial society, these commitments were supposed to be borne by the professional and political affiliations that structure the political field through political discourse. The question of commitments is often dealt with in the somewhat static vocabulary of identities; but it can be worded as the answer to two questions: who in the situation is capable of acting and who has motives to act? In the case of the protection of biodiversity, for example, rewording the question at the local level is likely to lead to new configurations of action. Here, we are mobilising a whole range of knowledge, ecological but also agricultural, tapping into relationships of proximity as well as professional groups (for example, agriculture) and taking advantage of day-to-day practices as well as road maintenance techniques. The reasons for acting can be many: a concern for comfort, economic interests and a concern for joint management. As soon as these processes of reconfiguration get under way, they often lead to these questions in a way that is often difficult to predict. However, these commitments, as soon as they are no longer only or mainly found in conventional forms of political representation, appear in all kinds of actions ranging from local action to improve living conditions to mobilisation for general if not world causes. Participation, if our idea of "circulation" is accepted, then becomes the process that disconnects and reconnects the affiliations and practices to the recognised rules and know-how.

4. Conclusions and discussion

"Participatory" approaches are often interpreted in terms of political "communication" where, according to Hagerman, the logic of systems is contrasted with the logic of the world as it is experienced. However, our analyses show that the joint action of citizens and laymen also mobilises technical and scientific knowledge, modifies it and creates new contrasting knowledge to demand discussion of the rules that are to be applied. We have therefore proposed a new model to analyse the functioning and effects of participation that we can call a "circulatory" model of learning. Joint action, because it involves circulation and association, refuses to definitively separate these two levels. Instead it seeks to explore all the possible connections between what is known, what is desired collectively and what the actors are capable of and want. But what form then should be given to the discussion, what procedure should be adopted?

Society is like a huge forest or immense scenery. Since it is not possible to understand it from a single point of view, it has to be explored and observed in different places, at different levels. And all the results obtained have to be compared to arrive at a better understanding, to validate the most interesting points of view. Participation is nothing more than a stimulus for this circulation and this comparison of points of view.

To what extent can this circulation dynamic satisfy the requirements of sustainability? In the case of territorial issues, it is clear that joint action could be, like with Nimby, an action centred on the quality of the local area, although this raises two criticisms. The first criticism concerns the risk that areas with the most resources (the rich neighbourhoods) will protect themselves against any pollution and in so doing increase ecological inequalities. The second criticism is that sustainability cannot be reasoned at the local level but at the global level and must accept, for reasons of global efficiency, a distribution of costs and pollution. The two criticisms are precisely only relevant if the circulation of the issues stops at the borders of a local area, contrasting it with the global and completely separating it, which necessarily amounts to externalising the costs and responsibilities. Our analyses show on the contrary that the participation dynamic, if it follows (deconstructs and reconstructs) the collective bodies covering the problems and solutions, instead opens the local area to hidden interdependences, to the underlying systems of rules. The role of the State as a place for the elaboration of rules is crucial here. The contribution of processes like these makes no sense unless we accept the following idea. We of course know what the major objectives and challenges of sustainable development are, but we do not know how they can be translated into day-to-day management and decisions in the different sectors so that fairness and efficiency are preserved. We also do not know how the changes we are seeking in our methods of production and consumption will change identities.

Another answer is to be found in the need (that any sustainable development policy has to satisfy) to ensure the viability of all the collective bodies participating in development. If the objective is a more environmentally responsible management of waste, then there has to be a coherent change in technologies, cost standards, economic sectors and everyday practices. The viability of each step has to be properly ensured. Everyone has to be given the opportunity to adapt, and especially the underlying links have to be made visible and understandable. This visibility of the collective body is a condition for people's confidence and commitment. If participation can contribute to sustainability, it is also because of the capacity for collective learning found in participation and that can lead to other ways of conducting public policies.

5. Perspectives

Participation is not a substitute for democratic forms of representation, which must remain the way to elaborate legitimate arguments and produce collective rules. Otherwise participation undermines democracy. Instead it implies that the public authorities lay down rules and objectives that stem from a political will and that serve as a reference for actions and are a recourse for those who would otherwise be excluded or suffer all the disadvantages. But the joint action can be seen as another way of conducting public action. How then can participation be included in a vision where the political and administrative authorities remain responsible for rules and objectives? The "experimentalist" vision (Sable) of public policies outlines a different way of devising and conducting a sustainable development policy. The main problem on a cognitive level is the feedback of experience. On a normative level, the problem is that of the limits and borders of the collective bodies concerned.

In the case of protecting biodiversity, for example, an objective where it is easy to reach a consensus but whose actual implications stir up all kinds of controversy and conflict, is it better to rely on the (very) partial knowledge that we have concerning the disappearance of a few endangered species, on existing conservation rules, on a few adapted agricultural or forestry techniques that we have, all partial elements heavily laden with sociocultural contexts, to impose a system of constraints and regulations? The will to protect, to develop a conservation policy, often leads to a situation where the knowledge and rules are rigidified or hardened to better legitimise and validate the project. Here we enter contexts of strategic negotiation where the partners also harden their know-how and identities. Or is it better to have the general ambition of preserving ecosystems and encourage local exploration, coalitions and joint actions that mobilise scientists, political players and various users (people living there, hunters, fishermen) to invent – in a collective body in the making – new relationships with nature? All these players have partial knowledge and reasons to act that can be reconfigured in relation to one another. In this second case, a mechanism has to be set up to circulate the issue locally and in economic sectors, with the idea of innovating and coming up with solutions.

This probably implies modifying – to give the participation its scope – the politico-administrative institutions and the forms of the public action. Perhaps the first thing to do is loosen the too strong ties the government agencies have with specialised networks of information, techniques and professions. The way in which public institutions are managed often links them too closely to rigid know-how and socio-professional commitments that represent pre-defined frameworks for public action. The politico-administrative institutions would then have to "circulate" the issues more than manage them, an obligation that still has to be defined in the light of all its consequences. The model of experimentation – because experimenting always involves circulating between theory, hypothesis, mechanism and reality – is the one that is needed as a possible model.

An experimentalist concept of public policies puts the emphasis on evaluation, meaning on the State's (or government agency's) capacity to stimulate, monitor, record and compare the different experiments. The collective bodies that are engaged, mobilising the actors concerned, must clearly be given the empirical and economic resources to create forums and networks of action that are capable of innovating and regulating in an autonomous and decentralised manner. It is then up to these collective bodies to define the limits of their action, the rules of their cooperation. These bodies develop – through forums, networks of exploration and action – experiments to recombine know-how and rules through actions in specific contexts and outline the different ways of defining the

parameters. This experimentalist model can, in our opinion, be favoured by the current tendency to decentralise, or even privatise, by the tendency to develop policies in the form of calls for initiatives or calls for proposals, because these trends open up areas for experimentation. In the case, for example, of companies or economic sectors, which elaborate their own codes of good practice or systems of environmental management, these instruments would have to be publicly circulated and discussed with the locals and with consumers. It is then up to the State to ensure (what is most lacking in most of our observations) an accumulation of experiences and a comparison of results. In short, the State would be responsible for the evaluation, designed as part of this circulation. The evaluation has to result in either a change in the rules, or a redistribution of resources or a modification of the knowledge of the actors. The evaluation mechanisms will clearly be mechanisms of circulation if they record and compare the experiences, if they compare them with the normative purposes in a political debate and if they redistribute what has been achieved among all the participating parties.

However, this experimentalist vision is not a return to a rationalist and positivist vision of public action. The experiments as we describe them here cannot be falsified in the sense of positive science, but they can be compared, combined and especially used to draw lessons. If the notion of experimentalism has a meaning, it is an educational and not a "scientific" meaning.

This circulation model then has implications for the social sciences, because it implies that the researcher also agrees to move around in the social area to look at these issues and examine their many ramifications and resurgences. He has to agree to follow and establish a link between the ethnographic observation of local or ordinary practices, the analysis of institutions and scientific constructions and political discourses and then return to the reconfigurations of practices. The science of politics has to switch from a positive conception of observation and the building of models to a model of a science of learning through combined experiences.

6. Use of the research

Results from this research have been published in various scientific journals (see below) and used by C Mougenot in the work of a committee of the Council of Europe for which she published a guide entitled "Instruments sociologiques de la gestion de la biodiversité" ("Sociological instruments for the management of biodiversity").

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