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# THE EMERGENCE OF AN ALPINE ENVIRONMENTAL EXPERTISE FOUNDED ON THE PERCOLATION OF THE ENVIRONMENTAL REFERENTIAL

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Since the 70s we have seen strong mobilization against transport infrastructure projects as well as a rise in environmental preoccupations, going far beyond the fashion phenomenon. Faced with this situation, the central administration is trying to propel tentative recurrent decision process democratisation attempts (the Bianco instruction<sup>2</sup>, the Barnier law<sup>3</sup>...) which testify to the generalization of deliberative type procedures. Despite this attempt, conflicts are continuing, lobbies and controversies are developing. What lessons can we then draw from this evolution? Seen by the opponents, it would appear that a further measure of public discussion would not be sufficient to democratise technocratic transport policies which are supported by technico-economic expertise. Associations are introducing a further requirement: defining the conditions for the onset of a real sharing of expertise. Two strategies are being attempted by those who disagree: counter expertise and the relocation of expertise. The first strategy is now well known<sup>4</sup>. Counter expertise within the transportation field stands term for term against the policy which is being opposed, inasmuch as it finds its incarnation in the technical projects and the expertise which serve to format said projects. In France, this formatting of associative mobilizations through the social and technical projects which oppose them, can no doubt be explained through the fact that they attempt to step up to a form of symmetry vis a vis the technocratic policy which these projects incarnate and support. Considered in an isolated manner, the strategy seems doomed to failure. To explain this, we will quote Michel Rousselot<sup>5</sup> :

“The individual who disputes a project which goes hand in hand with a sizeable packet of rationalities (that is to say a file which is generally thirty centimetres thick)...has every advantage to pose questions which are not contained in the file.

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<sup>2</sup> Instruction n°92-11 of December 15<sup>th</sup> 1992 on steering major national infrastructure projects, called “Bianco” after the Minister for Equipment, Housing and Transport at the time. This was the first legislative text to officially introduce an upstream public debate — “a phase of debate on economic and social interests before public surveys is launched” — and a new third actor in the process — “a monitoring committee (...who) will guarantee that information provided to the public is relevant and that debates are open and pluralist”.

<sup>3</sup> Article 2 of law n°95-101 of February 2<sup>nd</sup> 1995 on reinforcing environmental protection, called “Barnier” after the Minister of the Environment at the time. This was the first legislative text to officially introduce an upstream public debate “on major planning operations in the interest of the State, local government, public institutions and mixed economy companies” and which gave birth to another new actor, the National Committee for Public Debate.

<sup>4</sup> Cf J. LOLIVE, A. TRICOT, « L’expertise associative issue de la contestation des grandes infrastructures publiques de transport en France », *Cahiers de Géographie du Québec*, vol 45, n° 125, September 2001, p 246-267

<sup>5</sup> Michel Rousselot is a member of the general civil engineering committee (*Conseil Général des Ponts et Chaussées*). It is the Minister of Supply’s inspection authority, is responsible for overall supervision. It makes sure that legislative texts, regulations and ministerial directives are put into application, advises the various services and monitors the regularity, efficiency and quality of their action in all the Ministry’s areas of competence. The speech of Michel Rousselot has been translated in english.

Because if we move into the rational aspect of the file, we then discuss its content under the logic applied by those we have put it together and we are certain to come out on the losing end.... Counter-expertise consists in enlisting better experts than those from the SNCF, the Road Directorate... (By doing this) it is probably possible to improve the file, but for that matter we have not modified its rationality. To substitute rationalities, the problem has to be posed elsewhere, hence the success of the environment, because I consider that if the environment has its own value (which I can absolutely not afford to neglect), it is simply an improvement in civilisation and it also offers the enormous advantage of having (at least up to this point in time) caught the experts from the different administrations off balance”<sup>6</sup>.

Rather than fighting the administration and/or the transport operator in the field of transport, where its monopoly exists in terms of expertise, opponents could relocate the expertise into the field of the environment so as to catch the experts in the different administrations off balance. This is the whole advantage of the second strategy. Relocating expertise to the field of the environment makes use of the environmental question to disturb the transport expertise which found its scientific seating in the course of the 1960s’ through the modelling of traffic flows. Whereas the initial type of associative expertise, a *wider transport counter-expertise*, is building up in France through the negation of the major transport infrastructures, the second type, *an Alpine environmental expertise*, which we will now presently analyse<sup>7</sup>, is based on the constitution of trans Alpine associative networks and the emergence of a constantly more supportive and structuring notion: sustainable development. The problem (chapter 1) will enable us to analyse the manner in which this notion *percolates*, that is to say how it gradually builds up its definition in the course of action. The Alpine Agreement plays a major role in this operationalisation: it constitutes the plurivalent referential for a variable Alpine policy (chapter II). It promotes running evolutions within the major transalpine associative networks (ITE and CIPRA): strengthening of the ecological justification and emergence of an Alpine environmental expertise (chapter III). The Alpine Agreement even influences the major public developers through the effect of the Brossier report which recommends an environment based on reframing the French land transport policy in the Alps (chapter IV)

## **I. The problem: the percolation of sustainable development**

“Sustainable development”<sup>8</sup> represents one of the priority goals for the major international organisations. Driven by the European environmental and economic authorities, the goal of sustainable development has recently been taken up for its own account by the Ministry of the Environment under the law dated 2 February 1995 relating to the strengthening of

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<sup>6</sup> M. ROUSSELOT, intervention in the course of INRETS research seminar, *Analyse et évaluation des politiques de transport*, 9 February 1994 – 13 April 1995, session on 17 November 1994 “Les stratégies d’expertise dans l’évaluation”.

<sup>7</sup> This article is an extract from research financed by the Ministry of transport (PREDIT) which observed the meaning of conflicts concerning the major transport infrastructure projects (especially motorways) in the Southern Alps. We analysed them as being a gradual constitution of an environmental expertise network. viz. J. LOLIVE, A. TRICOT, *La constitution d’une expertise environnementale transalpine et sa portée sur la conduite des projets en France*, final PREDIT report assessment decision mobilising programme, decision for assistance n° 97 MT 60, August 2000.

<sup>8</sup> On the analysis of this notion and the reframing of the development type practises which it generates, viz. V. BERDOULAY, O. SOUBEYRAN, *Débat public et développement durable. Expériences nord-américaines*, Paris, Ville et Territoire Publishers, 1996, 156 p.

environmental protection. Sustainable development is “ a development which can satisfy societies’ present needs without for that matter putting at risk the aptitude of future generations to do as much”<sup>9</sup>; Within the transalpine networks, sustainable development is becoming the major referential<sup>10</sup> in the field of associative action. In their publications, the transalpine networks claim to be in line with sustainable development and stand against “the lack of responsibility with respect to coming generations” which the European Union’s transport policy is held to display. And yet, despite significant dissemination, sustainable development is also a highly controversial notion. For some people, it would only be a *fashionable terminology*, a passing fad. The goal of sustainable development is fuzzy, polysemic. Its wide dissemination throughout all different environments is said to go hand in hand with its lack of efficiency. For other people, it would remain an insufficiently constraining *major principle* without any real scope. Whatever their justification, these criticisms underscore an interesting problem, that of the operationalisation of sustainable development. This difficult shift to action represents an important problem for our associative interlocutors. How can the level of performance for this notion, which is ever present throughout running discussions, be assessed? To analyse this phenomenon, we must initially seek theoretical markers.

The notion of percolation<sup>11</sup> enables us to describe the manner in which sustainable development, this polysemic and fuzzy notion, “penetrates” diversified practises, acquires new meanings, gains in accuracy and reciprocally transforms these practices. This notion of percolation however remains somewhat general: to be able to use it, it must be updated on the basis of other notions. In our opinion, two dimensions will enable percolation to be characterized: extension and intensity. *Extension* corresponds with the distribution of a notion (sustainable development for instance) which fashions languages and the different presentations of the players concerned. Each referral to this notion corresponds to a new translation<sup>12</sup> with the capacity to retain the attention of new players (for instance, in the case we are involved in here, partners who do not belong to the new ecology movement). The extension of the notion therefore corresponds to the establishment of a concatenation of translations. But if percolation were to restrict itself to the field of what is being said, it would be relatively powerless to modify practises. A second dimension has to be taken into account:

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<sup>9</sup> *Our common future*, the report from the Brundtland Commission, 1987.

<sup>10</sup> On this notion, viz. A. FAURE, G. POLLET, P. WARIN (dir.), *La construction du sens dans les politiques publiques : Débats autour de la notion de référentiel*, l’Harmattan, Paris, 1995. Policy analysis is aimed at questioning public action, its determinants, its purposes, its procedures and its consequences. This theory, whose origins are North-American, has often been construed on the basis of view of decision processes that are defined as being more or less rational and relatively linear. This explains why adjusting this form of speciality to French environment has been accompanied by attempts to outdistance the set model for public action. One of these attempts is the referential concept developed to justify public policies as being the intellectual production of common views on society. Like certain other attempts, this concept is aimed at reintroducing a cognitive dimension and at taking into account the complexity of intellectual constructions prevailing during the emergence, affirmation and implementation of a policy. However, on the lines drawn up by Bruno Jobert, we use this concept to “justify the permanent process of world reinterpretation, of changes of course in political rhetoric, and of reconstruction of institutional standards”. To make a symmetrical approach to administrative and associative practices without dissociating them, we extend this category of public action analysis to associative action.

<sup>11</sup> In several articles, geographer Olivier Soubeyran tends to describe the action modalities in the prospective field viz. O. Soubeyran, “How to personally elaborate a territory in the prospective field”, *Espaces et Sociétés*, n° 74-75, 1994, p 158. We transpose this into our questioning.

<sup>12</sup> On this notion, viz. the analysis from the Centre de Sociologie de l’Innovation of the Ecole des Mines de Paris especially M. CALLON, “Elements for a translation type sociology”. « Éléments pour une sociologie de la traduction. La domestication des coquilles Saint-Jacques et des marins pêcheurs dans la baie de Saint-Brieuc » *L’année Sociologique*, n° 36, p. 169-208, 1986

intensity. Percolation's intensity corresponds with the degree to which the notion penetrates, to its lesser or greater capacity to update practises. When the notion remains restricted to the spoken word, the intensity of the percolation is low: it is average when the notion is taken from a constraining text (Agreements, corporate rules, administrative instructions, the law ...); in the end effect the intensity is high when the notion steers an action which it incarnates within a compliant project, in particular a device with the capacity to play the role of a normative tool<sup>13</sup>.

Inasmuch as sustainable development is part of a fashionable terminology, its spread within our field of research (transalpine associative networks and French infrastructure projects in the Southern Alps) is extensive. There is no need to list its numerous references within our corpus (conversations, administrative and associative documents, the regional press) to prove the point. The whole question amounts to assessing the intensity of this percolation.

Our assumption is the following: the percolation of sustainable development in our field of research has gathered intensity by leaning on *synthesis and dissemination operators*<sup>14</sup>. The synthesis and dissemination operator is a point of convergence for translations and a point of dispersion towards highly diversified interlocutors and places. We have thus attempted to recognise within our corpus political/legal, administrative and associative documents which refer to sustainable development and which can play this role. Those which we have found were related to two different synthesis modalities: boundary objects and reports.

Utilised both by associations and by the French administration, the Alpine Agreement is a fine example of a *boundary object*<sup>15</sup>. Boundary objects enable consensus free coordination between several modes of action to which they are connected. Boundary objects are both sufficiently flexible to adapt to different points of view and sufficiently robust to uphold their identity as seen through these points of view. We will attempt to demonstrate that the percolation of sustainable development in our field of research is performed within a boundary object, the Alpine Agreement, which simultaneously belongs to several fields of action, especially the two spheres which we are interested in – that of the major transalpine associative networks (CIPRA, ITE) and that of the major French public developers.

We will then look for references to the Alpine Agreement within these two worlds of action, which we will find in the midst of several documents two of which: the *Report on the State of the Alps* (-or the associative networks) and the *Brossier report* for the French Ministry of Transport are reports which generate operational feedback. A report<sup>16</sup> establishes a unified, synthetic and simplified vision of the world of action. It thus responds to the players'

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<sup>13</sup> The constraining character of standards is testified to by the objective they feed, thus being what sociologist Laurent Thévenot calls "the equipment", their shaping within a template which provides them with a constraining character. Viz. I. THEVENOT "Les investissements de forme", *Conventions économiques cahiers du centre d'études de l'emploi*, PUF, Paris, 1985, p. 21-73

<sup>14</sup> On this notion, viz. F. CHARVOLLIN, *L'invention de l'environnement en France (1960-1971). Les pratiques d'agrégation à l'origine du Ministère de la protection de la nature et de l'environnement*, Thesis of Political Science, Ecole des Mines de Paris, 1993.

<sup>15</sup> On this notion, viz. S. STAR, J. GRIESEMER, "Institutional ecology, "translation and boundary objects: Amateurs and professionals in Berkeley's Museum of Vertebrate Zoology (1907-1939)", *Social studies of sciences*, vol 19, Sage, London, 1989. For an application in France, viz. V. VISSAC-CHARLES, *Dynamique des réseaux et trajectoires de l'innovation. Application à la gestion de projet*, Thesis of Socio-economy, Ecole des Mines de Paris, 1993.

<sup>16</sup> On this notion, viz. F. CHARVOLLIN, op. Cit; and A. CAMBROSIO, C. LIMOGES and D. PRONOVOST, "Representing Biotechnology: an Ethnography Science Policy in Quebec", *Social studies of Science*, vol. 20, SAGE, London, 1990, p. 206.

expectations: reducing uncertainty as much as at all possible by stabilising the field of action (again as much as possible). A report thus supplies those who use it with a cognitive field including all the information which they consider to be relevant to facilitate their action. A report brings together a presumably factual description and the operational consequences which “naturally” stem therefrom.

## **II. The Alpine Agreement: the ambivalent referential of a viable Alpine policy**

The Alpine Agreement plays a major role in the operationalisation of sustainable development within Alpine policies. The exact origin of the Alpine Agreement is not well known in France, but the initiative comes from the Germanic countries (especially Austria, Germany and Switzerland) with support from the associations.

In 1991, the second international conference for the Alps was held in Salzburg (Austria). The Ministers for the environment from the 6 countries in the Alpine space (Austria, France, FRG, Italy, Switzerland, Liechtenstein) and the European Community (Yugoslavia, a dismembered country, was represented by Slovenia, to date not yet recognised) have adopted a framework agreement which defines the major objectives of sustainable development in the Alpine mountains and indicates the fields within which the contracting parties will steer specific policies and firm their own obligations in terms of results (farming, territorial development and sustainable development, mountain forests, protection for nature and landscapes, protection for soils, tourism, transportation ...).

In 1995, the Agreement for the protection of the Alps came into force on 6 March, after the ratification of the framework agreement by the three signatories (Austria, Germany, Liechtenstein). The Alpine Conference (Conference of the Cabinet Ministers for the environment of the member countries) is in charge of examining all questions relating to the common field of interest, (adopting protocols, organising work groups, adoption of internal rules, adoption of recommendations in favour of measures targeting the achievement of objectives). It meets every two years. Between the dates upon which the conference is held, an executive body, (the permanent committee) convenes, as well as different work groups.

The Alpine Agreement includes two parts:

- the Framework-Agreement which fixes the operating rules between the signing countries and defines a certain number of general goals;
- protocols which define the orientation criteria firming the application of modalities for the Framework-Agreement within different specific sectors such as transportation

If the content of the Framework-Agreement is somewhat “green”, insisting on the protection of the environment, that of each protocol is a variable trade-off between development type logic and environmental logic.

The Framework-Agreement defines the principles and general objectives of a global protection and preservation policy for the Alps, a sort of Alpine specification for sustainable development. This wording has met the approval of the different signing countries, but the application modalities remained to be determined. Whereas the signing countries had easily agreed on the principles referred to in the Framework-Agreement, the elaboration of the

application protocols is the object of bitter discussions. For instance, the transport file; negotiations were running up against the construction of new roads and motorways through the Alps as well as the transferring of goods traffic from road to rail. The supporters of a developmentalistic logic are Italy, Germany and France who wish to be able to build new motorways as the case may be (A51, Nice Cuneo and Venice-Munich, the so-called Allemagna). The most demanding countries in the field of protection are Switzerland and above all Austria. Since the beginning of negotiations Austria, supported by the associations, adopted a highly protective position and demanded a more efficient transfer of goods to rail transport and, above all, renunciation of any new major roadways through the Alps. Failing that it refused to sign any protocol whatsoever. Since the right / extreme right coalition came to power, its position was more flexible. Finally, after numerous transactions, the transport protocol was signed on 30 and 31 October 2000.

Shaped by this hectic construction, the Alpine Agreement is the composite assembly of a “green” Framework-Agreement<sup>17</sup> and application protocols which are “green” in part, while others are “development oriented”. But this heterogeneous character can be seen in each of the protocols. Thus, a “development oriented” protocol such as that for transportation includes a strongly “green” oriented preamble (as it refers to the general obligations of the Framework-Agreement concerning transportation), “green” articles (art 1) and “development oriented” articles (art 11<sup>18</sup>, art 12<sup>19</sup>, art 13). These last mentioned are themselves heterogeneous as they are the object of strong dissent between the “pro-development people” and the “protectors”. Thus, indent 1 in article 13 has a “development oriented”<sup>20</sup> tone whereas indent 2 in the same article has a “protective” tone<sup>21</sup>.

Figure 1: the Alpine Agreement, in the following page, summarises part of these analyses<sup>22</sup>

### The Alpine Agreement: a boundary object

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<sup>17</sup> "The Contracting Parties shall pursue a comprehensive policy for the preservation and protection of the Alps by applying the principles of prevention, payment by the polluter (the "polluter pays" principle) and cooperation... and through the prudent and sustained use of resources". In this way the Framework-Agreement recommends economic use of land, drastic reduction in emissions of pollutant, conservation of the quality of water used in hydroelectric works, protection of nature and the countryside, “greener” forestry management, reductions in nuisance caused by transport and even limits to tourist activities that are prejudicial to environment, particularly by demarcation of areas declared to be non-developable.

<sup>18</sup> Article 11 (devoted to road transport): “The contracting parties shall abstain from constructing any new major roads for trans-Alpine traffic. Major road projects for intra-alpine traffic may be put into application if...(followed by 4 conditions)”

<sup>19</sup> Article 12 (devoted to air transport): “The contracting parties agree to improve public transport systems for connecting airports on the perimeter of the Alps to different Alpine areas so as to meet transport requirements without increasing environmental nuisance. In this context, contracting parties shall, wherever possible, limit the number of airports to be built and any significant increase in the size of any airports that already exist in the Alpine zone”.

<sup>20</sup> “Taking the objectives of this protocol into consideration, contracting parties shall evaluate any effects of new tourist installations on traffic and, if needs be, take preventive or compensatory measures to attain the objectives contained in the present protocol and any other protocols. In any such case, priority will be given to means of public transport.”

<sup>21</sup> “The contracting parties shall give their support to creating and maintaining low traffic and no-traffic areas that exclude automobiles from certain tourist areas and to taking measures for promoting transport for tourists who do not possess automobiles”

<sup>22</sup> For the remainder, we will refer to the concluding diagram, *The percolation modalities of the environmental referential*

According to the “Ponts et Chaussées” head of engineering C. Brossier, the Alpine Agreement suffers from an overflow of generalities which enables numerous contradictions to go unnoticed<sup>23</sup>. But this is a required characteristic if it is to play the role of a boundary object. Analysing the Framework-Agreement and negotiations in the course of the drafting of the protocols has brought to light the structural character of the heterogeneous nature of the Alpine Agreement. This document is the composite assembly of a “green” Framework-Agreement with application protocols each of which is a variable trade off between “green” logic and “development type” logic. The heterogeneous nature of the Alpine Agreement is thus the reflection of a set of crossed instrumentations. Each and every party attempts to obtain (and manages to find) fulcrum points in the Alpine Agreement: the “developers” to lock in the “already registered shots»; the “protectors” to return Alpine policies to a state of balance, the associations to launch local sustainable development actions in network form and to formulate their future appeals against major projects.

The boundary object offers the advantage of enabling consensus free coordination between players in the social environments which it interconnects. Thus, the Alpine Agreement is not simply a resource for the infrastructure conflicts and negotiations between States: it becomes the ambivalent – or even plurivalent – referential for a policy which is specific to the Alpine region. This is the position defended by the Brossier report:

“The Alpine Agreement seems to offer an adequate framework (to conduct a policy specific to the Alpine regions) which has the major advantage of covering a very accurate geographical zone (the perimeter of the Alpine Agreement covers the complete Alpine arc which itself is strictly defined by the communes concerned) and of being recognised by the European Union. It is probably this framework which must be privileged in order to extract – even at the cost of a trade off – common, concrete and reasonable attitudes from the Alpine states”<sup>24</sup>.

The policy proposed by this member of the Ponts et Chaussées General Council will certainly not be that propose by the associative transalpine networks. We will have two different translations. The Brossier Report insists on the requirement for a policy specific to the Alpine regions, especially in the field of transportation: a transport policy which will enable economic development while it protects the mountain space against overbearing aggressions<sup>18</sup>. As to the CIPRA, it proposes a viable Alpine policy (or durable, sustainable). The Alps will serve as an anchor point for the associative local sustainable development actions networks.

In concluding, the Alpine Agreement defines criteria based on how the different social players define their orientation. It disseminates a similar vision for the future of the Alps, thus contributing to reduce the levels of incompatibility between the player’s projects.

### **III. The strengthening of ecological justification**

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<sup>23</sup> C. BROSSIER, J.-D. BLANCHET, M. GERARD, *La politique française des transports terrestres dans les Alpes*, report from the Ministry of Equipment, Transport and Housing, Council General of the Ponts et Chaussées, March 1998, p. 31. We will analyse the Brossier report within chapter IV *Towards a new French policy in land transport in the Alps?*

<sup>24</sup> *id.* p 40 (translated in english)

<sup>18</sup> *Id.*, p. 2, 17, 18, 23-31, 40.



The Alpine Agreement promotes the percolation of the environmental referential and the strengthening of the ecological justification. In this chapter III, we will be studying the modalities for this strengthening in a more-accurate manner. The constitution of major transalpine associative networks enables the overstepping of the “green city” limitations and facilitates the emergence of an Alpine environmental expertise.

### The constitution of transalpine associative networks

The associations in the French Southern Alps, those of the North, but also the defence associations called to action in the Pyrénées, are connected to two international transalpine networks, the International Commission for the protection of the Alps (CIPRA) and the European Transport Initiative (ITE).

The Swiss democratic system gives citizens extended rights to intervene in the legislative field through the “initiative” privilege, under which Swiss citizens have the possibility of requesting a modification of the Federal constitution on any particular point. Due to the right to call a “referendum”, they can arrange for a federal law to be submitted to the vote of the people. Since the introduction of the right to organise an initiative in 1981, only twelve initiatives have summoned both the majority of the cantons and of the people (double majority), the Alpine Initiative for the protection of the Alpine regions against transit road traffic (the Alpine Initiative as abbreviated) is the twelfth. In February 1995, the Alpine Initiative, the association which launched the vote under the same name<sup>19</sup>, and obtained its validation, organised the Lucerne Colloquium to celebrate the first anniversary of the vote. Other European associations, federations and collectives were invited in order to draw the line under the possibilities of extending the Swiss experiment to the rest of Europe. ITE was born from that meeting.

The European Transport Initiative Network (ITE) makes it its business to strengthen contacts between the organisations for the protection of the environment and the groups standing against excessive transit traffic, and also to improve the dissemination and exchange of information on the European level. Generally speaking, the expression “European Transport Initiative” designates all regroupings standing against active transit traffic in the Alpine arc and in other sensitive zones in Europe (Pyrenees, the Eastern countries, etc.). ITE regroups approximately 39 collective members at this point in time : German, French, Italian, Swiss, Austrian and Hungarian associations et federations. Among the French members of ITE, we find Association pour le respect du Site du Mont Blanc (ARSMB), Coordination Jura-Alpes-Méditerranée (COJAM), Fédération d’Action Régionale pour l’Environnement (FARE SUD), Fédération Européenne du Mont Blanc (regrouping the associations in the Val d’Aoste and the valleys of Chamonix and the Valais), Fédération Nationale des Associations d’Usagers des Transports (FNAUT), Fédération Régionale des Associations de Protection de la Nature (FRAPNA) Isère. ITE essentially plays the role of an information structure for members of the Alpine associations network. Specializing in Alpine transport, it holds forums in an annual manner, publishes a monthly information page “fax ITE”, and runs an Internet site (as is the case for the three other above-mentioned international organisations). It also enables the pooling of claims such as the petition for the RPLP<sup>20</sup>. What are ITE’s actions in terms of

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<sup>19</sup> It prescribes the transfer of Alpine traffic (goods) from Road to Rail and forbids any extension to the capacity of the transit roads in the Alpine regions. It excludes in an initial stage the use of Swiss roads for commercial vehicles in excess of 28 tonnes.

<sup>20</sup> The RPLP (fees on heavy duty vehicles related to services provided) is an environmental friendly tax which affects heavy commercial vehicles for each kilometre. Further the infrastructure costs, RPLP’s orientation is to

logic? 1) Protesting action on the model of the Alpine Initiative (a strong awareness campaign with an accurate decisional outcome) but extended to cover the ruling bodies of the European Union and 2) Installation of environmental expertise for transport among which the tax systems (the RPLP) represent a hard core.

CIPRA was founded in 1952. This is a non-governmental organisation representing about a hundred (101 members in 1999) associations and organisations in the 7 Alpine countries: Austria, Germany, France, Italy, Liechtenstein, Switzerland, Slovenia. This is an international centre with 7 national representations and 1 regional representation (Southern Tyrol). Each representation within CIPRA acts as a “ridge-pole organisation” in its country and its region. CIPRA-France was created in September 1991. It especially regroups the following associations and federations: Club Alpin Français (CAF), Fédération Rhône-Alpes de protection de la nature (FRAPNA), French Federation for Pedestrian Excursions, French Mountain and Climbing Federation, Mountain Wilderness, Parcs Nationaux des Ecrins et du Mercantour. It is active within the framework of a global approach to the preservation of the cultural and natural heritage within the Alpine space. Its goals are the following:

- initiating and promoting measures targeting the protection of nature and the countryside
- elaborating a development project in the Alps following the principle of caution, in a manner which is respectful both of the environment and of its social aspect
- reducing the environmental burden in the Alps in an efficient and sustainable manner, to a non harmful level
- promoting extended Alpine awareness within and beyond the Alpine arc

as is the case for ITE, we recognise the references to environmental rationality (the principle of precaution, sustainable development) and to the Alpine Agreement. But in a different manner compared to ITE, which defended a focused<sup>21</sup> interest (global and specific): opposition to transit traffic, the CIPRA defends a multi dimensional interest (global and general): the protection of the Alps.

#### How can a new principle of legitimacy be introduced: the “green city”?

Adopting the transalpine network will enable the introduction of a new principle of legitimacy<sup>22</sup> within conflicts, with reference to the ecological argument. Sociologists Lafaye

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take into account environmental costs and other external costs which are not covered in road traffic. The principle of a RPLP was voted in Switzerland on September 27<sup>th</sup> 1998 after a campaign launched by the Alpine Initiative, Greenpeace, SEV (a Swiss trade union for transport workforces), the USS (a Swiss trade union), and the ATE (Association for Transport and Environment). It came into force on the national territory of the Swiss Confederation and in the principality of Liechtenstein on 01.01.2002 and applies both to Swiss and non-Swiss vehicles. Goods vehicles with a gross weight rating of over 3,5 tonnes pay this tax on the entire public road network. It is calculated on the basis of the gross weight rating multiplied by the number of kilometres covered and a rate of taxation that depends on their emission classification. Currently, the ITE is launching an international petition to get the principle of the RPLP validated by the European parliament, i.e. to have the principle applied in all the EU countries.

<sup>21</sup> On this classification of the associations relative to the interests they defend, viz. P. LASCOUMES, *L'écopouvoir. Environnements et politiques*, Paris, La découverte, 1994.

<sup>22</sup> In their book, sociologists Boltanski and Thévenot analyse the different legitimacy principles currently used in our modern democracies. The authors call these different forms of legitimacy “*cities*” — civic, industrial, domestic, merchant, inspired, opinion related— which sub-tend our actions when they are subjected to public space constraints. They relate to as many manners to measure the *magnitude* of the persons. viz. L. BOLTANSKI, L. THEVENOT, *De la justification. Les économies de la grandeur*, Paris, Gallimard, 1991. To

and Thévenot<sup>23</sup> thus analyse this ecological justification which they call the *green city*: the attention paid to the environment and its protection would enable the insertion of an order of magnitude between the persons and the things who populate the “green city”. Is big whatever is “green”, clean, biodegradable, recyclable, or which opposes whatever pollutes. Big beings can be natural elements such as water, the atmosphere, air, the climate, generic beings such as the fauna and flora. Is small whatever pollutes. But the elaboration of this new order of justification runs into obstacles.

First and foremost, analysing the conflicts raised by the major French infrastructure projects, such as the TGV (High Speed Train) Méditerranée<sup>24</sup>, the A 58 motorway or the Somport<sup>25</sup> tunnel, reveals the relative weakness of the ecological justification in the field of associative disputes. It has been observed that associations make relatively little use of references to green cities in the remarks and documents they use to justify their combat. Thus, studying these conflicts points to the obliteration of the ecological justification within the conflict and the hegemonic dimension of the domestic magnitude in the valorisation of nature in France. In other words, the ecological questions are highly territorialized in this sense. Why is the green city as weak as this? It is because in France, nature is deeply domesticated: modelled by activities both human (farming, town planning) and civic: it is divided and organised into a multitude of communes. The situation is very different for instance in the United States where the relation with nature runs through the *wilderness* experiment: virgin nature, the wild areas<sup>26</sup>. Other weaknesses refer to the new character of this green city which has not yet moved into the populations’ mores and conventions. Judgments concerning the green magnitude are based on scarce and fragmented instruments and tests which are neither systematized nor coordinated, nor even disseminated throughout the population as a whole. Only those who are convinced (the militants) can mobilise them. And finally the green city marks a dividing line with the other concepts for a conventionally humanistic justice. It includes the future generations and beings who are non-human in the definition of a properly human justice. How, in our political orders, can the defence of animal species, biotopes and the indignation which grips some people when faced with their destruction (despite the fact that they are not human) be made legitimate? By derogation to the common humanity rule, ecological justification is easily accused of being anti-humanistic.

The transalpine network enables these different green city limitations to be left behind. In the words and the publications of those in charge of CIPRA, the reference to the Alps brings us out of the domesticated nature which is cross-ruled by the communes. The Alps represent a *wilderness* space. Here we are in particular calling upon *the report on the state of the Alps*<sup>27</sup> which proposes an overall view of the Alps in compliance with CIPRA’s concepts. Thus,

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the six already tested cities, it is appropriate to add a seventh, which is in the course of elaboration, the green city or ecological justification.

<sup>23</sup> C. LAFAYE et L. THEVENOT, “ Une justification écologique ? (Conflits dans l’aménagement de la nature) ”, *Revue française de sociologie*, n° XXXIV-4, Paris, October-December 1993, p. 495-524.

<sup>24</sup> Viz. J. LOLIVE, *Les contestations du TGV Méditerranée*, op. cit.

<sup>25</sup> Viz. the two following studies: V. BARNIER, O. SOUBEYRAN, *La controverse du Somport. Éléments de réflexion sur la conduite des grands projets d’aménagement*, working document, March 1995 and L. THEVENOT (dir.), *Le traitement local des conflits en matière d’environnement. Une comparaison France – Etats-Unis*, final report for the Ministry of the Environment, vol. 1 & 2, 1<sup>st</sup> December 1996..

<sup>26</sup> Viz. L. THEVENOT, *id.*

<sup>27</sup> COMMISSION INTERNATIONALE POUR LA PROTECTION DES ALPES (CIPRA), *Rapport sur l’état des Alpes. Données, faits. Problèmes. Esquisses de solutions*, Edisud, 1998. Published in the 4 languages (French, Italian, German and Slovenian), this report brings together on 472 pages articles from 70 well-known scientists and authors.

CIPRA's literature, and especially the report on the state of the Alps, aims to redefine the Alps as a space close to nature which has to be sustainably protected and developed. This an *eco-region*: a hybrid territory where the ecosystem blends with the traditional territorial device which is both domestic and civic. The definition of the eco-region is obtained both in relation with natural functionalities (biodiversity etc.) and in relation with social and economic usage. This category enables these two parameters to be cross-referenced and enables the privileging of interdependence between social usage and natural functions. This interdependence structures the territory. The inhabitants included in the Alpine ecosystem can put nature to good use. The trade off, for the eco-region, enables the raising of one of the green city's limitations: its anti-humanism, without folding it back onto existing justifications (the environmental entity would then be forgotten).

To strengthen the ecological justification, it is also necessary to facilitate and popularise ecological (green) judgment on the Alps. This is the interest of CIPRA's actions which supply examples, indicators and labels throughout information and network structures. CIPRA finds support in its 7 national representations (and its regional representation) as well as in their correspondent networks to proceed with exchanges of information and experience with the object of supplying references to support green judgments on the Alps. This requirement concerns most of CIPRA's activities. We shall give two examples. First must be mentioned the establishment of a White Book and a Black List which offer examples in positive and negative achievements from the point of view of sustainability and in relation with the Alpine Agreement. The "Alliance within the Alps" network of communes is intended to offer examples of local achievements to facilitate a concrete application of the Alpine Agreement on the level of communes, through the introduction of concrete examples.

### The emergence of an Alpine environmental expertise

The constitution of transalpine networks enables the real relocation of transport expertise, toward an environmental expertise which is building up around the Alpine eco-region. How can the process involved in the constitution of expertise be analysed? Michel Callon and Arie Rip<sup>28</sup> consider expertise in the course of constitution as an assembly of heterogeneous elements, a network woven between human players who are joining forces, the procedures which determine the list of human actions and finally the knowledge and artefacts which stabilise the alliances. The network of expertise, the outline of which we are initiating here, is an attempt to align regulatory resources (in the wide sense); associative skills and scientific/technical resources (certified knowledge and artefacts).

We have already abundantly referred to regulatory resources mobilised by the associations. ITE and CIPRA are promoting the Alpine Agreement, a legislative text which is supposed to enable sustainable development for the Alpine regions. In the same manner ITE has been constituted to generalise the Swiss experiment in the Alpine *Initiative for the protection of Alpine regions against transit traffic*, itself part of the Swiss Constitution.

As far as concerns associative competences, ITE valorises those which belong to its members in order to stand against transit traffic through the Alps. This is mainly experience acquired by the French Federations (FARE-SUD, FRAPNA, etc.) in the course of their opposition to the major transport projects (TGV-Méditerranée, A58, A51, A400) and the Alpine Initiative's

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<sup>28</sup> M. CALLON, A. RIP, « Humains, non-humains : morale d'une coexistence », *Autrement*, Série Sciences en société n°1, January 1992, p. 140-156.

mobilisation capacities, an initiative which has succeeded in its awareness campaigns in favour of the vote under the same name and the RPLP. CIPRA's scope of action is less directly dispute oriented: CIPRA realises the promotion of sustainable development actions throughout the Alpine regions. When reading CIPRA's publications (such as this text for instance), we see that sustainable development in these texts is never separated from local economic development. Actions which CIPRA promotes –for instance the “Alliance dans les Alps” network of communes, the White Book for model projects and initiatives- often have a significant territorial anchoring. These *local sustainable development* actions achieve a trade-off between the green city and the domestic city.

The last components in Alpine expertise are the scientific/technical resources. As we have already seen, the multidisciplinary reflexions undertaken by CIPRA converge toward the definition of an action territory: the Alpine *eco-region* which enables the anchoring of the sustainable development goal. In a more general manner, transalpine networks elaborate principles; they seek references and promote economic (i. e.: the assessment of external costs) fiscal (i. e.: the RPLP) and technical (i. e.: Swiss and Austrian rolling roads) devices to promote the implementation of a viable Alpine policy, in particular ecologically viable transport (ITE) and sustainable tourism (CIPRA).

Figure 2 “*The outline of an Alpine expertise*” in the following page summarises the analyses under this chapter III (*The strengthening of ecological justification*)

#### **IV. Toward a new French policy for land transport in the Alps?**

The percolation of sustainable development as promoted by the Alpine Agreement does not translate only into the emergence of Alpine environmental expertise within the midst of the major transalpine associative networks; it also promotes evolution in the French Alpine land transport policy. The Brossier report finds support in this same Alpine Agreement to propose the environmental reframing of travel policies within the Alps.

Infrastructure projects in the Alps have been the subject of three successive missions: the work is transcribed in the following reports: the Legrand report<sup>25</sup> (July 1991); the Besson report (1993) and the Brossier report<sup>26</sup> (March 1998). They are analysed here in the form of

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<sup>25</sup> The Legrand report (in the name of the senior official who presided the workgroup responsible for drawing up the report) was ordered by the Minister for Equipment, Housing, Transports and Shipping, Mr. Besson, and the Minister for National Planning and Development, Mr. Chérèque in March 1991. The letter of engagement contained the following four points: “an analysis of flows of travellers and goods on transalpine liaisons, per connection, per route and per means of transport; a definition of the intermodal or motorway transport system proposed for the future rail tunnel between Saint Jean de Maurienne and Susa, (...) operating conditions in the Mont Blanc tunnel and its accesses when close to saturation ; openings for new roads in the southern Alps between France and Italy with European or inter-regional connotations” (L. Besson, J. Chérèque, extract from the letter of engagement dated March 26<sup>th</sup> 1991), all in the perspective of multimodal transport (which was relatively limited at the time).

<sup>26</sup> In 1993, a new report, the report Besson (prepared together with Catherine Comoli, a prefect in charge of a public service mission) was ordered from the ex-minister of transport, who was then mayor of Chambéry, by the Minister at the time Jean-Louis Bianco. The terms of the order are approximately the same as those to be found in the Legrand report. As was the case in the previous report, the Alps were considered to be an obstacle to economic development. The “obstacle” was even dramatized to the point of comparing it to the soviet iron curtain: “The Alps are perhaps remarkably beautiful, but these high mountains, symbols of liberty and consensus, are paradoxically one of the last menaces to European unity and integration. They form a huge geographical “dead-end” for European transport (...). The Single market opens up perspectives of completely

outlining elements for the transport policy in the Alps. The two first mentioned framework reports, the Legrand and Besson reports, testify to a conventional development oriented concept. They share the same consensus on the unavailability of the development of goods and traveller traffic resulting from the opening of frontiers in 1993: they conclude on the necessity to create new heavy infrastructures, in the north as well as in the south.

Starting with a reference to the Alpine Agreement, the commissioning letter from the Minister of Transport to the Ponts et Chaussées Executive Engineer, C. Brossier, itself carries the sign of a new preoccupation: reconciling the development of transport and the protection of a particularly sensitive natural environment. The Brossier<sup>29</sup> report clearly stands apart relative to its predecessors: its propositions can be understood as the environmental reframing of an Alpine mobility policy. This is inspired by the “principle of caution” applied to transport and in a wider manner to the “Alpine Agreement” which appears in the author’s eyes as an adequate framework to plan Alpine transportation. This change is obtained by a move toward the positions of the protector States” (in the environmental field) such as Switzerland, Austria. These new positions are inspired by transformations in projected infrastructures with priority given to combined transportation and a cars re-qualification of solutions concerning south bound transit.

Even if a report is insufficient for altering a national transport policy, changes in tone and the fact that proposals have been reiterated are perceptible. In due course, we will see whether these changes in language are materialized by the turn of events.

## Conclusions

In concluding, we would recall different factors which emerge from this research, and which on the medium term could weaken the “black box” type of French public policies: the percolation of sustainable development, the cultural heterogeneous nature of the transalpine networks and the new configuration of expertise networks.

Figure 3, *The percolation modalities for the environmental referential* in the following page summarises the above analysis concerning the broadcasting of the environmental referential.

### The heterogeneous nature of transalpine networks: strength or weakness?

At an initial level of analysis for the international networks, we were attentive to differences existing between the two networks ITE and CIPRA. ITE stands against transit traffic through the Alps. It is supported by experience gained from mobilisations around the Swiss Alpine Initiative. In France, it appears mainly to be connected to the environmental protection associations standing against the local major public transport infrastructures. Its field of action thus appears to be more claims oriented in its nature. CIPRA’s object is the protection of the Alps. It finds its support in the Alpine Agreement and the opportunity represented by the negotiations which it leads to. In France, it seems to be mainly connected with the French pro-nature and/or Alpine associations. Its scope of action seems rather more participative. But these differences between CIPRA and ITE should not hide an in-depth complementarity and a

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free north/south movement, but only up to a certain point, because everything seizes up on reaching the Alps, a barrier, which, in the words of certain people could slow down freedom of movement as much as the iron curtain in its time” (Besson report, p. 2)

<sup>29</sup> C. BROSSIER., J-D. BLANCHET J-D, M. GERARD, op. cit.

synergy which further translate into the fact that those who are mostly responsible, in general “Germanics” (Austrians, German speaking Swiss and Germans), move around from one Federation to the other.

The cross fertilisation of political cultures provides the strength of the transalpine networks, but this heterogeneous nature of the transalpine networks can also represent a weakness. That is what the tense atmosphere between the French associations and the “Germanic” associations illustrates. The dividing line which is appearing between the French and the “Germanics” does not reside in the radical nature of the positions but in the justifying referential which organises them. The “Germanics” use ecological justification much more than the French do. The percolation of the environmental referential which we presently see on Alpine land could very well attenuate these differences.

### A new configuration of expertise

Up to this point, counter-claims in France produced an initial configuration of expertise which stood radically against French<sup>30</sup> style transport expertise. This opposition did not prevent directed apprenticeship effects where the associations absorbed rationalities in the transport field<sup>31</sup>. The explanation of this paradox resides in the fact that associative counter-expertise remains in part under the control of the technical project which formatted it<sup>27</sup>. Not having the plasticity of the boundary object, the technical project finally plays the role of an obliged transition point, which operates in the form of a funnel of sorts which strongly narrows the fields of translations. Contrariwise the configuration which is presently shaping up under the effect of transalpine associative networks could very well be very different. It will in the near future bring face to face the French style of transport expertise network with an Alpine environmental expertise network centred around its own object: the Alps. The Alpine Agreement plays the role of a boundary object. Transport expertise then runs the risk of being downscaled through the promotion of other national experiments and destabilised through the percolation of the environmental referential.

### Toward the transformation of the French model?

The constitution of transalpine networks could very well on the medium term produce a downscaling of the French transport policy model. The technical rationality does not have the same weight in Italy or in Switzerland as it does in France. The road lobby does not have the same clout in Switzerland and in Austria that it has in France. Swiss legislation could very well be spreading. Political cultures are not the only ones concerned: the Alps represent a strong constraint for motorway expertise, which has to take account of “this amplifier of distances and time (in a nutshell: of costs), which the Alps represent<sup>32</sup>. With the taking into account of the Alpine eco-region we can see appearing the rough outline of a specific environmental expertise whose conjunction with the Alpine Agreement and the propositions

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<sup>30</sup> For a detailed presentation, viz. J. LOLIVE, A. TRICOT, « L’expertise associative issue de la contestation des grandes infrastructures publiques de transport en France », op.cit.

<sup>31</sup> Sociologist Pierre Tripier’s team had evidenced this educational sequence. Viz. D. JACQUES-JOUVENOT, P. L. SPADONE, M. TAPIE-GRIME, P. TRIPIER, *L’administration de l’équipement et l’usage de ses réalisations*, a report for the “L’administration de l’équipement et ses usagers” seminar, Conseil général des Ponts et Chaussées – Section 2, February 1993, especially p. 27-29 and p. 31-32.

<sup>27</sup> In other words, the technico-economic rationality of the project is too well codified as such the counter-experts (trying to hold another kind of rationality) cannot resist.

<sup>32</sup> C. RAFFESTIN, « Les routes et les transports routiers dans l’arc alpin », *Le Alpi e l’Europa. Economica e transiti*, Laterza, Bari (Italia), 1975, p. 427-488.

from the “protector” states (Switzerland, Austria), could install alternative Alpine policies which would stand against the sectorial policies in the Alps, especially those concerning transport and tourism. Once it has been finalised in the Alps, this type of environmental expertise could well be exported to other mountain ranges, such as the Pyrenees<sup>33</sup>.

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<sup>33</sup> As witnessed by the presence of representatives from the Somport Associations in the different meetings of the ITE transalpine network.