

“Preparing” and “Repairing” Public Debate: Organizational Learning of Promoters in Environmental and Energy Governance

« Préparer » et « réparer » le débat public : l'apprentissage organisationnel des promoteurs dans le secteur de la gouvernance énergétique et environnemental

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Volume 2, Number 2, 2005

URI: <https://id.erudit.org/iderudit/1039129ar>

DOI: <https://doi.org/10.7202/1039129ar>

[See table of contents](#)

Publisher(s)

Centre d'études en gouvernance de l'Université d'Ottawa

ISSN

1912-0362 (digital)

[Explore this journal](#)

Cite this article

Simard, L. (2005). “Preparing” and “Repairing” Public Debate: Organizational Learning of Promoters in Environmental and Energy Governance. *Revue Gouvernance / Governance Review*, 2(2). <https://doi.org/10.7202/1039129ar>

Article abstract

The deliberation experience, new imperative for public action (Blondiaux and Sintomer, 2002) produces some forms of learning that set in a new way the distribution of resources in punctual actors system that create infrastructure projects. If deliberative procedures could appear like moments for “mettre à plat” values, ideas and solutions in a equilibrated, informed, respectful and transparency exchange, could we expect that it will suspend the power manifestations and the “rapports de force” in the pursuit of interests for stakeholders ? Analyzing the operation of environmental and energetic governance at the individual project level, from the promoter's point of view, by looking at four extra-high-voltage (EHV) transmission line projects in France and Québec, and the consultation and deliberation procedures applied in each case, we argue that promoters learn better and quicker than the other stakeholders that are concerned by the large infrastructure projects. The radical imbalance of resources, experience and learning capacity among the actors tends to promote negotiation, before and after the public debate, with the actors considered relevant by the promoter, emptying the public debate of much of its content by leaving only the most antagonistic parties.



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Vol.2, No. 2, janvier 2006, Page 7

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Les articles publiés sur ce site le sont toujours dans la langue de l'auteur.

Introduction

Today, major projects of all types - from highways, airports and high-speed trains to landfills and factory pig farms, from hydroelectric dams to chemical plants - can expect to encounter stiff opposition. After the post-War period, the social consensus around infrastructure projects gradually unravelled (Fourniau, 2001a). Today, the democratic legitimacy of elected officials and the expertise of scientists, two of the touchstones on which public debate and policy-making were based (Bachir, 1999; Callon et al., 2001), no longer suffice to validate decision making. This has been a prominent issue over the past 15 years and a driving force in the development of public policy.

More than ever, project approval is governed by a series of mechanisms: information, consultation, collaboration, deliberation, negotiation and monitoring have become essential components of the decision-making process. The new collaborative mechanisms and processes bring elected officials, experts, citizens, associations and promoters together around the same table in order to head off or contain conflicts at the source by sharing and co-constructing information, harmonizing interests and building consensus, all on the basis of symmetrical recognition of all stakeholders.

The deliberation experience, new imperative for public action (Blondiaux and Sintomer, 2002) produces some forms of learning that set in a new way the distribution of resources in punctual actors system that create infrastructure projects. If deliberative procedures could appear like moments for “mettre à plat” values, ideas and solutions in a equilibrated, informed, respectful and transparency exchange, could we expect that it will suspend the power manifestations and the “rapports de force” in the pursuit of interests for stakeholders? We will consider the conditions, rules and institutions of deliberation, in B. Manin's sense (2002), in order to delve beneath the normative merits of the deliberative ideal.

Analyzing the operation of environmental and energetic governance at the individual project level, from the promoter's point of view, by looking at four extra-high-voltage (EHV) transmission line projects in France and Québec, and the consultation and deliberation procedures applied in each case, we argue that promoters learn better and quicker than the other stakeholders that are concerned by the large infrastructure projects. The radical imbalance of resources, experience and learning capacity among the actors tends to promote negotiation, before and after the public debate, with the actors considered relevant by the promoter, emptying the public debate of much of its content by leaving only the most antagonistic parties.

This study was realized in the tradition of the organizational approach or strategic analysis like it was developed at the Centre de sociologie des organisations (CNRS-IEP Paris). The first ambition of this theoretical perspective is to focus on the dynamic of the power relations between actors, groups and organizations, that is argued to be the principal explicative variable for organized action (Musselin, 2005, 2004; Friedberg, 1997). In this sense, the approach will focus on the actors' rationality in a strategic and systemic way using inductive methodology.

The contribution of this article is founded principally in the presentation of empirical results on the implementation of the public debate from the promoter's point of view and their learning in the energetic and environmental sectors. More specifically, on the base of a comparative study and the duration of infrastructure projects, it opens up the black box of organizational learning and identifies its mechanisms, the products and also the effects on public action.

The first section treats the links between governance and deliberation and presents briefly the decision procedures in France and Québec. The second section presents the methodological approach used and the results of the four power transmission projects' case studies. The promoters' mechanisms and the products of learning constitute the third section. Finally, the implications for public debate and public action of promoters' learning are discussed.

Deliberating in order to make citizens more governable?

It has been suggested that the problem stems from the complex situations produced by the wide range of

stakeholders and territories involved, growing interaction, the interplay between the local, national and international levels, the presence of the mass media, the force of public opinion and the strength of lobbies, at a time when the state is no longer seen as the sole guardian of the general interest, although it remains an important actor (Le Galès, 1995).

A new decision-making framework that claims to be more flexible, adapted, pluralistic and effective is taking shape. It is rooted in the polysemic concept of collaboration¹ and employs various mechanisms based on deliberation and negotiation.² Collaboration is now seen as a cornerstone of public policy-making (Thoenig and Duran, 1996; Bachir, 1999; Blondiaux, 2001; Papadopoulos, 2003; Ollivier-Trigalo and Piechaczyk, 2001).

“Governance,” a more collaborative model, “style of cooperative governing that implies sustaining coordination and coherence among a wide variety of actors with different purposes and objectives such as political actors and institutions, corporate interests, civil society, and transnational governments” (Pierre, 2000, 3-4) is developing; it focuses more on the procedural dimension than on the substance of the decision (Ollivier-Trigalo and Piechaczyk, 2001; Padioleau, 1993). In recent years, various loci of public decision-making in which the deliberative dimension of the process is foregrounded have emerged or been formalized (Bachir, 1999). Consultation and deliberation are increasingly viewed as prerequisites for decision making and public policy, even for experts (Fischer, 2003; Fischer and Forrester, 1993) then for theorists (Hajer and Wagenaar, 2003; Lascoumes, 1998; Meadowcroft, 2004). This is particularly true of matters involving land-use planning, energy and the environment (Darcey and McDaniels, 2001; Durant et al., 2003; Parson, 2001; Simard and Lepage, 2004; Sabel et al., 2000; Theys, 2003).

The development of deliberative mechanisms within decision-making processes can be seen as an instance of Habermas’ model of discursive democracy (Blondiaux, 2002; Petts, 2001), in which the general will arises from agreement on the best argument after all positions have been expressed (Manin, 1985)³, thereby settling a controversial social issue in a rational manner, i.e. in the common interest of all concerned (Rui et al., 2001). Deliberation should increase the knowledge, compose with the technical incertitude, find alternatives and produce a better comprehension of the problem. Thus, this mechanism does not only target the “consensus” but help to clarify the situation (Gutmann et Thompson, 1996, 2004; Mansbridge, 1999). Deliberation is thus seen as “an unconstrained exchange of arguments that involves practical reasoning and always potentially leads to a transformation of preferences” (Cooke, 2000, 948) and “a method by which true community values can be determined and the best way to apply those values can be selected” (translation) (Majone, 1994, 588).

It has been argued that the incorporation of deliberative mechanisms into decision-making processes evens the balance of power between groups by establishing a principle of equivalence or symmetry between all participants (Fourniau, 2001b) in a bid to develop a common language and produce new information (Blondiaux, 2002; Petts, 2001). Deliberation thus becomes the foundation of the legitimacy of the decision-making process and is said to better serve the common interest. But while the existence of public debate transforms the decision-making process, it remains only one stage in that process (Rui et al., 2001).

In addition to these innovative administrative arrangements, there are also significant efforts being made by promoters, for they can no longer bulldoze ahead on the strength of unconditional government support. Promoters are rethinking their ways of doing things (Rui, 2004; Mermet et al. 2005), developing practices that are more environmentally friendly and more open to the local population and its concerns, and engaging in direct negotiations with some groups. However, this set of existing and emerging measures does not seem to be diminishing or overcoming the opposition.

What form do these deliberative mechanisms take and what impact do they have on environmental governance and on public policy in general? Usually, research and literature are more concerned about the cooperation dimension of governance and deliberation Y. Papadopoulos (2003) remarks and neglect the “agonistic” side. A concrete analysis with closer attention to the power relations of the implementation of them is thus needed (Shapiro, 1999).

French procedure⁴

In France, the core of the environmental review process is a highly technical and legalistic public enquiry, conducted under the responsibility of the Prefect by an investigating commissioner appointed by the Administrative Tribunal. The enquiry generally takes 30 days. Prior to the enquiry, the promoter consults government bodies and mayors, based on documentation describing the technical and economic rationale for the project. After the enquiry, the promoter bargains with the mayors and landowners. The investigating commissioner issues a reasoned opinion after reviewing citizens’ written and oral observations concerning the project and the file (impact study) filed by the promoter. The Minister of Industry then decides, on the Prefect’s recommendation, whether the project is in the public interest and issues a “Déclaration d’utilité publique” (D.U.P.).

Québec procedure

In response to a request from a citizen or organization, the Minister of the Environment mandates the Bureau d’audience publique sur l’environnement (BAPE) to hold a public hearing. The hearing is held in two stages

(information, filing of briefs), under the aegis of a BAPE commissioner and on the basis of the promoter's impact study. Following the hearing, the commissioner issues an opinion and Cabinet decides whether to approve the project by Order in Council. Meanwhile, the Ministry of the Environment produces an environmental impact assessment and makes its recommendation on whether to issue an Order in Council. The impact assessment is administrative and communicational in nature. Prior to the assessment, the promoter consults government bodies and mayors. Afterwards, the promoter bargains with the mayors and landowners.

Outcomes: a tale of four EHV lines

Energy is one of the two categories to which most major infrastructure projects belong (the other being land transport). Energy entails important choices with far-reaching land-use consequences and national implications. It is the subject of major debate. Since the early 1990s, widespread opposition to power transmission projects and EHV lines has been seen in France and Québec alike. Today, building an EHV line is a major challenge for a promoter, but in this age of open markets, interconnecting power grids is of vital importance. As one executive in EDF's European Mission commented (Tacoen, 1992):

In the future, the level of inter-European trade can be expected to depend not on liberalization measures coming from Brussels but on whether new high-voltage transmission lines can be built over opposition from environmentalists (translation).

Process and method

A doctoral thesis (Simard, 2003a) has compared four case studies of EHV projects in urban and rural settings in Québec and France. In addition to a review of the documentation (media reports, administrative documents of corporations and associations directly or indirectly involved in the project, experts' reports, impact studies, reports of public enquiries and public hearings, protocols, agreements, programs, laws, regulations, bulletins, reports, opinions, correspondence, etc.), nearly 170 semi-structured interviews were conducted with officials of the two promoters, activists, citizens, residents, owners of farmland, local, regional and national elected officials, journalists, consultants, commune, department, regional and national officials, and commissioners, all of whom were involved in the projects in question or in power transmission. The politicization of the projects and their long duration forced us to study them a posteriori in order to understand the full history of each project, the chain of events in each case, and its logic.

Cross-sectional analysis of the EHV projects reveals close parallels between the logic at work in each case. The longitudinal analysis of each project can be divided into three essentially chronological parts: before, during and after the public consultation.

Information, consultation, collaboration: girding for conflict

In order to prepare for a potential conflict, promoters collect information and try to anticipate and control the process by organizing meetings, prior to the public participation processes, in order to get the stakeholders deemed relevant on side. The government regulator, a natural though vigilant ally, lacks the technical and economic expertise to properly assess the justification for the project, while the other public bodies that are asked to provide an opinion hesitate for fear of political reprisals or have difficulty fully participating in the first phase of the procedure because of scant resources. While regional and national elected officials are also approached at this stage, they generally stay in the background, preferring not to become embroiled in conflicts that are played out more at the local level. In this phase, alliances are formed and negotiations begin between the promoter and local mayors, although the latter are reluctant to take a stand too quickly (Lascoumes and Le Bourhis, 1998). In Québec, where the deliberations are more public, since public hearings are held, negotiations with farm organizations and mayors are more intense and can lead to changes in the route or increases in the compensation provided for under the framework agreements.

Confrontation and public consultation: opportunities and pitfalls

In the second phase of the process, opponents of the project appear on the scene with the holding of the public enquiry in France and the public hearing in Québec. The opponents may object to the particular project or have a broader agenda. They use a variety of arguments and tactics. The reasons, substantive and procedural, for opposing the project evolve as actions carried out by citizens' groups, residents and environmentalists produce a process of politicization. Dialogue and negotiation often appear impossible at this stage. The public enquiries in France and hearings in Québec can be rough going for the promoters. They will respond with specific actions to stay in the game or change tack. The public consultations in France, in which deliberation plays a small role, are a technical and legal challenge; the public enquiry must be scrutinized to avoid any technical irregularity.⁵ In the public hearings in Québec, which are more closely linked to the public debate, the promoter tries rather to "sell" the project by means of communication strategies.⁶ The opponents build momentum during this phase and associations will sometimes treat it as a referendum. The public enquiries and hearings are demanding exercises and the opponents have meagre resources for participating. At the same time, the scope of the procedures is limited by the various pressures and constraints on the commissioners (Gariépy, 1997), their professional background in the case of the French procedure

(Piechaczyk, 1998), and the consultative aspect of the process.

From the post-consultation phase to project completion: bargaining, negotiating and roadblocks

During the last phase, which extends from the time the commission issues its opinion to the end of the project, the promoter conducts a series of negotiations, first with local mayors and then with landowners. Today, a degree of consent from local elected officials is virtually a prerequisite for the D.U.P. in France and the Order in Council in Québec. It is difficult for Paris or Québec City to ram through a project. Individual agreements are therefore negotiated, first with the mayors and then with the landowners. The promoter's experience enables it to employ tactics and strategies to curb the escalation in compensation, contain opposition and avoid deadlock. Nevertheless, the compensation scales established in the framework agreements are often exceeded, and sometimes atypical negotiation that go beyond the bounds of the project are conducted (Simard, 2003b). The opposition gradually subsides and mobilization crumbles, mainly because the opponents lack resources. In some cases, a final, atypical "surgical" negotiation isolates the last holdouts and avoids deadlock, although it can have local after-effects.

Our analysis leads us to understand the logic at work with the sign of organizational learning. The promoters, with the accumulation of experience, encounter several occasions to learn. The next section presents and identifies four categories of learning strategies and three types of learned competencies, based on the learning cycle model developed by J.G. March and J.P. Olsen.

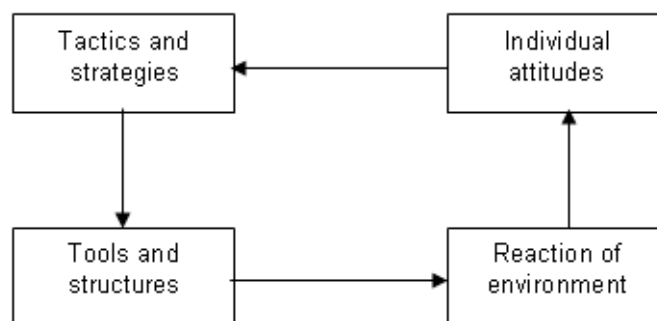
Learning opportunities

Organizations use a number of approaches to promote the development and application of individual and collective learning. We have divided these strategies into four categories.

First, the assignment of responsibility for a given aspect of the project or part of the procedure may be based on people's experience or their knowledge of the territory and local networks, which enables them to capitalize on their experience. Secondly, the promoters have opted for management based on multidisciplinary project teams with members from the organization's various specialized divisions (communications, legal affairs, environment, engineering, planning, etc.); the team members share their differing experience and bring a variety of perspectives to bear on the decision-making process (March et al., 1991, Carley, 1992; Jolivet, 1998; Gariépy, 1989, 1991). This type of management can also limit accountability to a very small number of people and thereby personalize some tasks and responsibilities. Thirdly, during project implementation, meetings are organized with past members of project teams so they can share their experience. Among other things, videos of past public hearings are screened and project reports are reviewed in order to benefit from past experience. The promoters therefore use several elements of the learning model described by C. Argyris and D. A. Schön (1978). Finally, they will call upon the experience of a similar third party (learning by imitation) (Levitt and March, 1988). Knowledge and skills are "copied" or transposed from one organization to the other via inter-organizational relations, and particularly through consultants, who can serve as a bridge.

Learning processes can take three specific forms. We will look at three types of learned competencies, based on the learning cycle model developed by J.G. March and J.P. Olsen (1991).

Figure 1. Learning cycle diagram



Individual attitudes

Learning can transform the learner's general attitudes. One change in attitude produced by experience is a general inclination to seek the agreement of the "relevant" stakeholders (Gaudin, 1999) with an interest in the project. There seems to be general agreement that projects can no longer be pushed through or imposed by decree by Paris or Québec City. This change is often related to major events that have left an imprint on the mindset of the organization's people.⁷ A minimum level of local consensus must now be achieved, particularly with mayors and landowners. A second example is the quest for predictability. The vast majority of actors are oriented towards anticipating the future. This means they must exercise great vigilance as they put the project up for public discussion

and always strive to decrease the margin of uncertainty. There is no room for improvisation or for surprises. The actors therefore come highly prepared.

Tactics and strategies

Secondly, learning can consist in testing tactics and strategies.⁸ Ways of doing things that have been tried in the past are repeated in new projects and public debates. These tactics and strategies are not highly formalized and change over time, according to the successes and failures experienced by the actors and the project teams. For example, an ally who is familiar with and on good terms with stakeholders such as the mayors may provide support to the project team. This could be a retired mayor or a colleague in the power distribution division or the engineering department. In this way, someone who has credibility with and is respected by the targeted stakeholder can help win acceptance for the project. Over time, the promoters have learned to make use of people who know the lay of the land and can give them access to local stakeholders. Another example is the “wearing down” tactic, which requires that the lines of communication with important stakeholders be kept open at all costs. Experience has shown that the project team must never cut off relations with a mayor, elected official or important local actor, but should grant their demands only bit by bit. Holding meeting after meeting, proposing alternatives, continuing the dialogue are typical tactics of this type which can have the effect of wearying or exhausting stakeholders and help lead to agreement. The communications strategy is also largely based on the promoter’s experience. A series of communication tools - project information document, opinion poll, “green line” or 1 800 number to provide information, news conferences, Web sites, etc. - are used to keep different categories of stakeholders from digging in their heels against the project.⁹ The “surgical strategy” for negotiating compensation with mayors and especially for bargaining with landowners consists in starting with the most willing parties in order to gradually isolate pockets of resistance and then make them an offer far above the compensation guidelines, which they will not be able to refuse.¹⁰

Tools and structures

Thirdly, collective learning produces more permanent tools and structures for handling projects and managing public discussion. As in the case of tactics and strategies, these learned competencies are designed mainly to stabilize interactions between promoters and some types of stakeholders in order to make them more predictable. The promoters help implement or take the lead in implementing agreements, programs, policies or protocols (Labatt and Maclaren, 1998; Lascoumes and Valluy, 1996; Valluy, 1998) for the purpose of, among other things, establishing better long-term, ongoing relations with certain stakeholders (mayors and landowners), primarily by providing compensation (Jobert, 1998; Cowell, 2000; Gariépy, 1989, 1991; Simard, 2003b).¹¹ As a result, these stakeholders often take no part in the public discussion because they have already made arrangements with the promoters.¹² The promoters tend to create local structures in order to become partners in local and regional development. This is a way of making undesirable infrastructure projects appear as one local business activity among others. The regional collaborative structures that are established can be used to determine the range of possible activities and projects, and to agree on initiatives that are beneficial to the stakeholders invited to take part (Nourry and Nahon, 1997). These tools, the result of experience and a track record of successes and failures, are designed, among other things, to facilitate the public discussion phase.

By accumulating experience and developing their capacity to acquire a variety of competencies, promoters improve their effectiveness in handling projects of this type by making the process more predictable, although they continue to operate in a turbulent environment that is never entirely foreseeable.

In addition, organizational learning has observable effects on the public debate and questions it range. In fact, the degree of formulation of the procedure deliberation appears to be proportional with the moving of activities from deliberation to negotiation before and after public debate with some stakeholders.

Preparing and repairing public debate

When we examine the forms of learning achieved by the promoters, a common thread emerges: predictability. All the learned competencies are directed towards achieving stability, standardization, and transmissibility from one project to the next in order to win acceptance from the stakeholders that are most liable to cause problems. The purpose is to make the actions of other agents and the general progress of the project predictable, while keeping one’s own actions from being predictable to others. Learning is central to this process, in which public debate is perceived as a major source of unpredictability, a burden for some and an opportunity for others. Some actors learn more than others, and while actors that interact learn about each other, the balance of power continues to favour the promoter. Learning how to carry out a project means controlling unpredictability and making the actions of the other actors predictable.

We also find that the more formalized the public debate is, legally or administratively, the further in advance the negotiations with the most “relevant” stakeholders are conducted by the promoter. Formalizing the public nature of the procedure or opening it up to a large number of participants has the effect of increasing the unpredictability of the process. These are the main differences between French and Québec procedures. The arguments, questions and

discussions that take place in public in Québec have a greater potential for unpredictable impacts on the process, due to both their content and the possibility that they will lead to alliances among the participants. Therefore, the promoters strive to predict and control the progress and outcome of the public debate by engaging in consultation before the public hearing - “prepare” and negotiation afterwards - “repair”, with the stakeholders whose agreement or at least neutrality must be secured. For example, policies, contracts, agreements, protocols and programs are implemented, as we have noted, outside the deliberative proceeding, in direct dealings with mayors, regional and national elected officials, farm organizations and landowners. These mechanisms belong more to the realm of the arena than the forum, to use B. Jobert’s terms (1995). They cannot readily be reconciled with the defining criteria of public debate, according to M. Callon et al. (2001): 1) the degree of collaboration among the actors interested in the project; 2) the number and diversity of the groups involved; 3) the calibre and continuity of the contributions to the debate. In short, negotiation appears to be a substitute for deliberation (Fung and Wright, 2001).

The environmental review procedure is a source of unpredictability. Like any rule or structure, it can never totally lock participants into predictable behaviour and can never create an entirely level playing field among the parties. As a result, strategies develop around the points of uncertainty in the procedure, such as the alliances among the participants, the competencies some of them will be able to marshal, and the opinion that the commission will issue; the actors conceive of this phase in essentially strategic terms. In the case of the procedures we have studied, some actors try to skirt the public discussion; they sometimes prefer to develop and maintain private mechanisms whereby they can negotiate separate agreements or bilateral arrangements with certain stakeholders and attempt to control the progress of the public enquiry or hearing (Papadopoulos, 2004; Cohen and Rogers, 2003; Forejohn, 2000; Simard, 2003).

Conclusion

Clearly, the procedures and formal mechanisms that provide for public participation in decision making cannot be analyzed without due attention to the political dimension of the process, and specifically the role of power. As E. Friedberg says,

Human interaction, even in very structured fields of action, is always and also political, that is, it sets in motion all the phenomena usually associated with action in the political field...[T]his affirmation does not mean reducing human interaction to its political dimension. It simply means that, although it is obvious that human interaction cannot be reduced to this dimension, it is no less obvious that one cannot exclude this dimension from the analysis without risking the danger of falling into completely unrealistic otherworldliness (Friedberg, 1997, 6).

The instrumentality of power is viewed here as a normal dimension of cooperation among individuals. It must be recognized that in any procedure or system of action, the playing field is not level. The preferences of some may not be the preferences of others, and may indeed be contradictory. According to Friedberg (1997, 187), the problem then becomes how each actor can marshal its resources in order to influence the behaviour of the others, “to exercise power over each other.”

E. Friedberg’s (1997) criticism of L. Boltanski and L. Thévenot (1991) and of critical sociology for neglecting the importance of conflict and power by positing a moment of “testing and purification” in which individuals (understood as actors with no strategies or interests, as if they all had the same desire or need for the situation to be purified and a compromise found) are asked to come to an agreement, could therefore be applied to M. Callon et al (2001). Friedberg (1997, 190) argues:

But if one does not accept this premise, then the necessity of purifying a situation is no longer obvious and raises two related questions related to the participants’ interests. First, the question of if and when it is in the interest of any one participant to resort to “testing” a situation, that is, to remove the uncertainties surrounding the stature or “grandeur” of the various participants. And, second, the question of if and when it is in the interest of any one participant to “purify” a situation, that is, to come to an agreement about the manner, and thus also about the world, in which this purification is to be achieved.

We must therefore assume that actors do not necessarily have spontaneously convergent interests and do not necessarily seek to achieve consensus or compromise with all the parties interested in or affected by a project. We need to understand the political nature of the process and grant a central role to the participants’ strategies and interests; in short, the idea of power is basic to understanding the dynamics that develop and the way the process unfolds (Shapiro, 1999). In other words, we need to take into account the imbalance in resources (Sanders, 1997; Young, 2000; Cooke, 2000), the limits to what the procedure can “impose” and to the results it can yield.

The environment has been the arena for the first attempts at governance through collaborative public policy making. This approach is consistent with the idea of governance, which implies debate, negotiation, a plurality of actors, and a focus on procedure and consensus-building (Blondiaux, 2002).

Analysis of the handling of projects from the point of view of the promoter shows that negotiations are conducted not with all the parties interested in the project but essentially with those whose agreement is necessary (Papadopoulos,

2000). A “filtering” process takes place by which some actors are recognized as “valid” stakeholders and others are not (Gaudin, 1999); it tends to favour organized groups over atomized interests (Djouldem, 1997) to head off public debate, or at least to empty its content of important elements.

To do justice to the complexity of the process, we must attend to the effect of power and power relationships, for it is central to the dynamics in play, particularly in view of the existence, parallel to the deliberations, of negotiations and compensation mechanisms. These call for further study.

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1 For a comprehensive study of the rise of the collaborative approach in France, see M. Ollivier-Trigalo and X. Piechaczyk (2001). For Québec, see M. Gauthier and L. Lepage (2003).

2 According to B. Jobert (1995), the first mechanisms of this type belonged to the “forum” category, insofar as the participants had a right to be heard and to have their views taken into account. The later mechanisms belong to the “arena” category, in which participants have input into the subject matter and priority-setting. Ideally, these two classes will not encroach on each other, according to P. Chambat and J.-M. Fourniau (2001), since they are not equally useful for the purpose of reaching agreement.

3 Implicitly exists an obligation to give arguments that will count for others (Gutmann et Thompson, 1996; Cooke, 2000). See on this point the Elster’s idea about the deliberation civilizing force of hypocrisy Elster (1997).

4 The French projects studied took place before the establishment of the Commission nationale du débat public (CNDP), created under the Barnier Act.

5 The process is highly legalistic and any procedural flaw can spark an appeal to the Administrative Tribunal to overturn the D.U.P.

6 The public hearings are more administrative and less likely to give rise to legal proceedings. The political and media impact of the public debate is of greater strategic importance.

7 Examples include, in the case of EDF, the cancellation of the Cazaril-Laragon EHV line by the Prime Minister due to significant opposition from mayors and local representatives. In Québec, similar events, such as the Great Whale project, the RNDP line (Gariépy, 1989, 1991) and the line under the St. Lawrence River, had the same effect.

8 A tactic refers to a limited action or a simple procedure directed towards a goal. A strategy is more elaborate and encompasses a series of actions.

9 In the case of Québec, the preparations for the public hearings provide an important opportunity for organizational learning. Videos of past hearings are reviewed, communications professionals are called in, and simulations of public hearings are conducted with the support of experts (former commissioners and journalists.)

10 These tactics and strategies can be considered “models of interaction that represent effective solutions to specific problems” (Dosi, Teece and Winter, 1992) and “sequences of action models that lead to the achievement of a final objective” (Egidi, 1993 (translation)).

11 These include the Protocole sur l’insertion des lignes THT dans l’environnement in France, the Politique de mise en valeur intégrée de l’environnement in Québec, and the various existing agreements between promoters and landowners or farmers.

12 progressive institutionalization of broad and specific forms of deliberation...and the recasting of ancient land-barter practices, but in an increasingly explicit form that contributes to politicizing the issues (translation) (Jobert, 1998, 80).