

Learning from France: Using public deliberation to tackle infrastructure planning issues

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Abstract

This paper examines the practice in France since the 1990s in working towards decisions on major infrastructure. Whilst in some European countries the drive since that time has been to press faster decision making and deregulation, in France the response to difficulties in progressing large infrastructure schemes was to move to more deliberative approaches, both at the project level and in relation to environmental issues as a whole. The paper considers these approaches alongside the growing literature on deliberative democracy, particularly that on deliberative systems. It is suggested that there is much scope to learn from the accumulated experience in these fields, which could help to provide a more considered, open and pluralist approach to infrastructure decisions, genuinely taking account of all alternatives, as against the tendency to move to a more demand driven and limited democracy approach which has been promoted in England and Wales in the UK and to a certain extent at EU level as well.

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Introduction

Planners, both practitioners and academics, often look beyond their own states for inspiration, emulation or transfer, despite the known risks in this exercise (Beatley 2012, Masser and Williams 1986, Ward 1999, 2010). In Europe, France has rarely been the main country studied, although most recently its skill at inserting tram systems in its cities has been admired (Hall 2013). But in one area, the steering of major infrastructure, France has had a rich experience in the last two decades, which should be of interest in other countries. So here the focus is on this experience, and in particular the use of deliberative approaches.

The aims of the paper are twofold. The first is to expose a non-French audience to the practices which have been developed in France recently, in the hope that these will be of interest and relevance to planners and public policy makers in other countries. Secondly this practice will be related to the deliberative political thinking developed recently, to see whether the practice and thinking can shed light on each other. The conclusion, in brief, is that French experience challenges to some degree the emerging thinking of deliberative theorists and may suggest fresh paths and issues which that theorising should explore in the future. The empirical material in the core of the paper consists of two distinct zones of French innovation, one which addresses the field of major infrastructure projects, and the other which uses large scale public debates or other deliberative devices to develop societal consensus on particular contested issues. In both areas French social scientists have been very active, and so it is possible for an outsider to use this work to provide a firm foundation of analysis. No primary research has been carried out for this paper, but it draws on conversations with some of the French researchers in these fields, to back up the range of published workⁱ. The paper rests on the broader foundations of the work carried out on major infrastructure planning across Europe, which included a French case study and interviews with experts in several sectors, carried out in 2009-2010ⁱⁱ. The article does *not* try to assess the French system as a whole, though a full account would of course need to attempt that. The focus here is largely on the deliberative dimensions of infrastructure policy and decision making. Those wishing to find background on these aspects missing here will find more in Marshall (2012, 2014).

Deliberative theory

Planners and planning theorists are very familiar with many decades of discussion of public participation, and, for at least 20 years, with the whole field of collaborative and communicative planning (Healey 1997, 2007, Innes and Booher 2004). In these areas, there is both developed theory and a massive international swathe of empirical studies. There has been less engagement with the area of deliberative theory, a key field of advance in political science since about 1990 (Chappell 2012, Dryzek 1990, 2000, Goodin 2008). However some examination of the wider possibilities of deliberation in planning has occurred, most fully in studies on experience in Australia (Hopkins 2010a, 2010b, Legacy 2012, Maginn 2007), especially the “Dialogue with the city” in Perth in 2003-4. Hopkins in particular has demonstrated the considerable potential pitfalls involved, if politicians, or planners, do not wish to genuinely open up decision making. Vigar (2006) raised the same issue in analysing the attempt to widen discussion on regional transport planning in north east England. He proposed a three way analytical split of political, technical-rational and collaborative approaches to planning decision making, and noted how difficult it can be to get away from a mix of political and expert decision making. This recent work has also raised the issue of the differential capability of the wider public to participate in such deliberation to real effect. These dimensions are critical in any discussion of the value and practicality of deliberation, in planning or in other fields, and they will be discussed at the end of this account.

Early deliberative theory was on “micro deliberation”, looking at the range of techniques or procedures that might be deployed – citizens juries, deliberative polling, planning cells. Since around 2000 the emphasis has shifted to whether there is scope to “scale up” the deliberative approach, to mid level or macro deliberation. Given that micro deliberative approaches are likely to be more familiar to readers (if not, try Chappell 2012), the main discussion here will be on this most recent phase of thinking, on deliberative systems. Whilst much of French practice is not at that macro scale, some is, and the play across between the recent deliberative theory debates (largely in the Anglo-Saxon academic world) and French practice is particularly interesting.

Deliberative systems

Most recently this topic has been fully explored by theorists in a collection edited by Parkinson and Mansbridge (2012). This builds especially on work by the two editors (Mansbridge 1999, Parkinson 2006). It tackles essentially the question of scale. It is broadly accepted that it may be useful to use micro deliberative approaches at certain times, even though the weight these should have is always likely to be contested, on the grounds above all of representativeness. What has been widely seen as less applicable in modern democracies, with millions of citizens, is how deliberation may help across a whole territory – city, region, country or even wider. The latest discussion has aimed to modify these doubts. This has been done by two moves. One argues that it is possible to “reason together” at wide scales if we loosen the requirements for what “reason” and “together” mean. Claims can be made, narratives created and contested, by using contemporary forms of communication, even if the classic forms of debate, especially face to face debate, cannot be used. The second move is to see *systems* of deliberation. These systems bundle together or sequence sets of deliberative elements, some possibly small scale, some very large scale, so that, perhaps in a rather rough and ready way, the whole adds considerable value to the evolving of the public sphere around issues. Part of such deliberation may take place in conventional arenas, such as parliaments or local councils, or within constitutionally recognised processes, such as elections or referendums. But the distinctive element of deliberative systems thinking is to see these as part of a wider *package* or dynamic of political and public policy evolution, linked to other more innovative ingredients. Those ingredients may include some of the micro deliberative devices, or scaled up elements such as large scale public debating exercises, as will be described later using French examples.

Deliberative theorists raise a whole range of issues on how far macro deliberation can really work (see particularly the first and last chapters in Parkinson and Mansbridge 2012). These include how well sequences of deliberative devices can be linked together (answer, get politicians and officials to be more conscious of the ordering of deliberative moments throughout a policy process), how to overcome the “deliberative gap” between what citizens want and what governments can offer (answer, aim for “richly representative” deliberative systems), how to ensure fair access in discussion (answer, set up systems with “tribunes” or “umpires” institutionally arranged to work for neutrality). The French cases here can be seen to be struggling in their practical development with these issues, with for example the public debates system acting very much in such an umpire role. It would need more space than is

available to draw out these connections between the deliberative literature and the French experience fully and explicitly, but readers will it is hoped be able to see how links can be made.

A further issue is the question of “repeat deliberation”, where reflection may be an option at different stages of the development of a project or strategy. This may be related to the separate stages of policy making: agenda setting (defining a problem), discussing, deciding and implementing (Catt 1999). The new twist from deliberation is to imagine how processes of deliberation may be brought in at various points of this sequence. This can overlap with the idea of the “policy funnel”, which has been used to suggest that different scope to frame problems exists at each of these moments. Whilst the idea of a linear policy process has been challenged repeatedly (Barrett and Fudge 1981 on implementation theory for example), it is unlikely that the validity of such phased policy making can ever be completely removed. In simple terms, deliberative approaches in the public realm are likely to fit most straightforwardly in the first two stages (agenda setting and discussing). The classic complication for planners is that agreements made there may not stick later when individual projects come into view. That then gives scope for further deliberation at that stage, if the system allows such “re-opening” of matters of principle – as many systems do, in some degree or another, for a range of reasons – finance, power, changing contexts and so on. We will come back to the repeat deliberation issue at the end.

Evolving work on representation is very relevant to thinking on deliberation. Saward (2010) argues that representation should be thought about in a much broader manner, as a process of claim making and audience creation. Whilst the standard machinery of electoral democracy can be analysed in these terms, there are, he suggests, many other actors who successfully claim to represent other people or other arguments. These people or groups may claim to “speak for” interests, and if their claim is seen as valid by certain audiences or constituencies, this contributes to a panorama of representation which goes far beyond the classic discussion of how a member of a parliament represents electors. Saward uses examples such as Western celebrities (e.g. Bono on Africa) claiming to speak for the poor of Africa. Macro deliberation can draw some support from this concept of representation, because it can fit in a landscape of continuous construction of the public sphere (Habermas 1996), without challenging the legitimacy of representative democracy. The wider concept of representation claims that there are multiple bases of legitimacy in a complex contemporary polity. Electorally based

representation is still likely to be at the core of any democratic polity, but it fits in this wider landscape, so legitimacies are not in reality competing, but overlapping and complementary. The evolution of French practice can be interpreted as a real world drive towards such enriching and deepening of democratic politics, and planning has been a leading element of such emerging practice over 20 or 30 years.

French policy making and politics since the 1990s: infrastructure, environment and planning in their political context

Many readers will not know a great deal about French political evolution since the 1990s, so a brief sketch is given here, concentrating on the areas which are of most relevance to the zone of planning major infrastructure, the substantive area behind this exploration. The French polity has been a fairly turbulent one, with continual oscillation in complex forms between right and left leaning governments, and many other currents running underneath this governmental flux (Cole 2008, Cole et al 2008 and 2013, Culpepper et al 2006). Three groups of changes are perhaps most critical. First, neoliberalisation has changed profoundly the spheres of action of the state, reducing public control and increasing the veto power of international companies, French private corporations, and threats from international financial forces. Nevertheless some of the interlocking strength of state and business interests remains, giving the state significant holds for steering policy in a number of fields. Second, scalar change in the polity has been continuous, with regional and local governing ensembles gaining power relative to the central state apparatus, and considerable Europeanisation affecting all these authorities' modes of operation. Third, there is a partially autonomous continuing drive for democratisation in a wider sense than allowed by the changes above. This has been one of the forces pushing regionalisation and localisation, but also presses on the behaviour of all governing actors, encouraging an innovative approach to participation and deliberation.

The Conseil d'État has for several years been in the forefront of exploring more open and democratic approaches to managing the business of governing. This body is a sort of watchdog of the state, established in 1810, whose tasks include ensuring that government practice is constitutional and takes due account of the principles of fair law making – including importantly now the principles evolving in juridical practice in European and other international forums. Since 2010 it has held many meetings and produced three reports on

the scope for expanding deliberative approaches and behaviours throughout government at all levels and across many policy fields (Conseil d'État 2011, 2012, 2013, also Sauve 2013). It is pointed out that the first French sphere of mandated participatory practice was in the 1985 planning law (loi d'urbanisme). But the area which has been taken as virtually the template for the desirable new model for the French state is the procedure developed since the 1990s to deal with major infrastructure projects. The centre piece of this procedure is the Commission Nationale du Débat Public (CNDP), created under a Gaullist government by the Loi Barnier in 1995, strengthened by a Socialist government in 2002, and further reformed by the Sarkozy government in 2010. A fuller account of how the work of this body has evolved will be given below. The point here is to emphasise the emblematic quality that this evolving practice has been given by the Conseil d'État. Certain features of the CNDP's way of operation have been highlighted, and promoted as the principles which governments should move towards. Another practice given prominence in the Conseil's arguments is the developing tendency to hold national, or on occasion regional or local, debates, on matters of contention or of critical public interest. The most prominent of these has been the Grenelle of 2007, which to some extent institutionalised a way of bringing together different societal interests in a semi corporatist way. Again more detail will be given below, but it is striking how it has been in the fields of planning, infrastructure and the environment that these emerging deliberative tools have been most evident. It looks like these developments may affect the next reforms of state behaviour in the coming years.

How then did the institutional innovations come to materialise, within the force field of the pressures described above? The answer for the major infrastructure field is that a change of state practice was virtually forced in the later 1980s and 1990s by the massive opposition to the preferred schemes of state action, above all for rail lines, with the LGV (Ligne de Grande Vitesse) Méditerranée down the Rhone Valley being the final straw which stimulated the invention of a new early public discussion procedure (the Circulaire Bianco of 1992), which itself led fairly directly to the Loi Barnier. So it was societal conflict, above all at a local level, which led the state to take a step back and suggest early debating processes for eventually all large infrastructure schemes. This was related to the pressures described above, because the field of policy making had been complicated considerably by the decentralisation reforms of the 1980s, weakening the single mindedness of the state structure. Increasingly all schemes have to be negotiated diagonally across national, regional and local levels, with finance in due course coming from each as well. Equally neoliberalisation was

already beginning to drain away resources from the state, leaving projects for rail, road and energy increasingly slowed and more contestable. At the same time, the French green movement had been developing its strength gradually since the 1970s, and by the 1990s was a clear force able to articulate competing arguments at all levels, even if its political parties were rarely able to develop the governing leverage seen in Germany. The pluralisation of the French polity thus impacted on this field, and generated policy innovation.

The Commission Nationale du Débat Public (CNDP)

As described above, this body is now nearly 20 years old and has gradually grown in competences, experience and legitimacy. It was modelled to a significant degree on a body created in Quebec in 1978, which considers the environmental impacts of major public investment schemes, the Bureau d'audiences publiques sur l'environnement (BAPE). So far it has not been imitated elsewhere, although in Italy a law has been prepared to create a similar institution, which may or may not be passed in due course. Here the discussion will be developed in the following steps. First a bald description is given of how the CNDP works, taking post 2002 practice as the norm. Secondly, an initial discussion follows of the achievements and limits which have marked its history to date. Then some fuller analysis is given of how the CNDP's work sits in the wider public policy and planning landscape, using the results of a major recent academic study of its work over many years in one French region, that of Provence-Alpes-Cote d'Azur (PACA). All this will remain relatively summary, given the broad goals of this article, but it is hoped that some introduction will thus be available for English speaking readers.

It is worth bearing in mind that the CNDP experience relates to both participatory and deliberative strands of democratic thinking, as should become clear in the following sections. So although this paper is primarily about deliberative dimensions, the cross over to "traditional" participatory concerns is strong. We return to this point briefly after the CNDP case studies have been analysed.

The CNDP regime, as it exists since the reforms of 2002, can be described simply under a small set of headline points (the CNDP website has a full range of information, including a section in English; see also the extensive collection by Revel et al 2007, as well as Subra

2008, Delaunay 2008, Manas 2012). For French speaking readers, a brief quote is given in an end note, to give more of a flavour of the legislators' ambitions.ⁱⁱⁱ

- The CNDP is an independent, state financed public body, made up of a balanced membership of at present 25 members, drawn from a range of backgrounds, including government at central and local level (15), and representatives of NGOs, unions and business (10). The Commission meets monthly to decide all key matters, on the advice of its only full time members, a president and two vice presidents. The presidents have come from the traditional engineering civil servant milieu, normally from an *École des Ponts et Chaussées* training, whilst the vice presidents have had more varied backgrounds, with most recently an academic being appointed as one in 2013.
- All projects over certain size thresholds have to be offered for consideration by the CNDP. This should occur long before the project has been detailed, so that the CNDP can discuss the overall principle and location of the project. The normal process of public inquiry (*enquête public*) will deal with the consenting issues when all has been detailed, normally many years later. This public inquiry process is broadly similar to those known for many decades in the UK, and deals with thousands of projects each year, large and small, to establish that they are of public value and can go ahead. The 2002 law also allows for the CNDP to organise public debates on major public issues, at the request of the government, but this has been little used, with ministers preferring to control their own debating initiatives.
- The CNDP can accept or decline to set up a process to consider the projects offered, and if it accepts, it can either set up its own commission (a *Commission Particulière du Débat Public*, CPDP) to manage the process, or ask the developer to arrange a public debate, with the CNDP having an oversight role. The CPDP team is made up of several members, depending on the complexity of the project.
- The public debate process can last a maximum of four months, taking place in the locality or localities of the project. It is prepared by several months of preparatory work by the CPDP, which aims to broaden interest and involvement to the maximum extent, and ensure that the developer is fully cooperative. All participants are given help to produce leaflets, on the same basis, so that a small local grouping has the right to have a leaflet of its case published by the CPDP, of the same length and quality as

that produced by the developer. The developer, however, which is paying for the public debate process, will naturally produce a great deal of its own material, and is likely to have far more support, given that the CNDP has itself a very limited budget, which does not normally run to supporting less resourced groups, other than via publicity and via the meetings it manages.

- The public debate consists above all of public meetings held during the four month period, but these will be backed by websites and a range of publicity processes, including sometimes inset elements, like in one case a citizens jury.
- At the end of the four months, the CPDP simply prepares a report on what came out of the process, without indicating any view on the project. The developer must then respond to this report within three months, explaining how it expects to proceed, given the public debate outcomes and the CPDP report. The CNDP then has some role as a guarantor of any promises made at this stage by the developer, and should in principle continue to follow the process, in relation to these commitments, through to the public inquiry or beyond. This role however stretches the resources of the CNDP, and depends very much on the degree of activeness of the CPDP presidents in each case.

Sixty four projects were subject to public debate between 2002 and 2014, spread around all regions of France and many sectors, though transport projects have been much the most common type. There were very few projects under the pre-2002 arrangements, which left the decision to hold a public debate more up to the developer, but since then there has been a steady flow, only interrupted by periods of national elections when activity has tended to dry up. The great majority have been normal CPDPs, with only five allocated to the developer to organise, and three instances of using the CNDP to organise a thematic public debate (on radioactive waste, on the transport future for the Rhone valley and Languedoc arc, and on nanotechnologies). The composition of the CNDP is regularly reviewed, with now a third set of president and vice presidents in place. Considerable development of practice has taken place over the years, with the institutionalisation of procedures taking formal shape in the Cahiers de Méthodologie, first prepared in 2004, and now in their third edition. However each project is taken as unique and CPDPs are encouraged to innovate as needed to fit the circumstances of project, locality and timing.

The values and limits of the CNDP – an initial commentary

There is no large literature on the CNDP system and what follows in this section draws on earlier writing (Marshall 2012, 2014) and research and commentary provided there, as well as more up to date examination of the full details of how the system works (including on all the debates held and on finance and administrative aspects: this can be easily accessed on the extensive CNDP webpages). Sceptical outsiders may look at the process, and doubt if it really makes any difference. That is a judgement which, as French researchers have shown, is by no means easy to make. There has certainly been a considerable input of resources, creativity and learning into the 18 year journey. The current annual budget of the CNDP, falling to central taxation, is around £1 million for the CNDP central operation, and around £2 million for the elements of CPDPs which are not paid for by others (largely by the developer). Whilst small compared with any of the project budgets being examined, there must be added to this the amounts paid by the developers, mostly semi-public or public actors, even if like the rail infrastructure body RFF, they have a commercial form. For a typical project, this cost may come to £1 million. So the financial resources are significant, if not vast. Many other actors invest large amounts of time and money in the process as well, especially local authorities and NGOs. All these actors have developed ways of managing the process, above all the large transport and energy infrastructure providers in rail, road and electricity. All of these have set up special divisions just to deal with public debates, with social scientists working alongside communications experts. So this range of inputs shows immediately that the institution has made a considerable difference to the process of planning major infrastructure, in changing behaviour of key actors. The developers now know that this will be an essential step in their planning process, and seek to use it to their best advantage. Many have it seems concluded that they must operate as the law intended them to operate, with considerable openness and transparency, ready to discuss anything and answer anything.

Important though this set of effects is, those outside France tend to ask only one thing: what difference has the process made to outcomes? Business interests may see it as an unwelcome hurdle to obtaining consents, and some radical environmentalists see it as primarily a way of massaging through projects which would otherwise have been stopped by means of direct action or campaigning, so impacting on political decisions. Others may suggest that the public inquiry process could have been improved, to avoid the need for this stage, often detached by many years from actual implementation. There is no doubt that public opposition to projects squeezed open the process. In the 1990s the intention was that the

principle of development would not be open for discussion, only the route options, the ways of meeting identified demand. However it became obvious in the earliest public debates held that this line could not be held. CPDPs were quite clear that the only way to run the public debates was to allow full discussion of principles, and this was conceded in the rewording in the 2002 law. So there is a very clear unpredictability about the French system, which is now built in.

Developers can attempt to brazen out a public debate where it is evident that many dimensions of the project are heavily challenged, but most have not reacted that way. Data on developers reactions has been collected, even if this has a significant element of interpretation. Broadly, the data show that of the 61 projects 2002-2012, 17 maintained the project roughly as proposed, 38 made modifications to the project (including 25 who chose a new option which appeared during the public debate), and 6 abandoned the project completely (Commission Nationale du Débat Public 2013). However this is only a very rough and ready gauge of effect on outcomes, even if it does appear to show that the public debates element on its own can matter to the fate of projects. Developers use the process as one part of their planning process and we can be fairly certain that the system must now impact on that process fully. Anyone looking at options (new construction or not, this route or that, this technology or that) will in part have in mind the public debate opportunity (or threat) at for example year 3 in a 10 year route to construction. Of course the public debate is only one part of the equation, with financing and shifts in demand often far outweighing this moment on a multi-year track. But the difference from the system instituted by the UK reforms of 2008 to 2013 is very evident, in that no national policy statement system exists in France to give developers more certainty: in the UK (England and Wales) this removes the discussion of principles from the consenting stage. In France, uncertainty exists and is worked with. Whether this difference is seen as positive or negative depends on the perspectives and aims of people judging the system.

Supporters of the CNDP point to the way in which it has broadened the democratic components of governing – this is the core of the case of the Conseil d’État. This argument says, with deliberative political theory, that there is value in talking, in exposing to the brightest light these important decisions that affect the public realm. Deliberative theory is clear that at some point the talking will stop, and decision making will occur. The CNDP was deliberately separated from the decision making, and that, as we will see later in the case

discussion, presents tensions as well as offering opportunities. The fact that there is no definite judgement from anyone – CPDP, public, developer - at this stage allows a more open approach by the developer, who may well be some way from a preferred option, and can be genuinely exploratory, at least in some respect, in the public debate phase. The CPDP team has as its main goal, not coming to a final view, but exploring every dimension that it regards as important, and enabling all sorts of publics to have their say, learn and pursue their goals, including after the debate has ended. Thus supporters see this as having a “school of democracy” role, as has often been claimed for participatory elements of any kind.

The tensions however appear in a more difficult light when the relative powerlessness of the CPDP is spotlighted. Local interests frequently complain that the promises of developers made at public debates can easily be lost several years later, given that the CNDP’s guarantor role is often not resourced in such a way as to have real binding power. In reality, the majority of schemes are likely to go ahead, even if partially reframed and amended. The detachment in time of the debate from the final scheme and moment of public inquiry may be so large that interests lose the connections in the trajectory of public decision making. There have been suggestions that the CNDP should be given more teeth to address this aspect, but opponents argue that this would lose much of the open and democratic quality that now can flourish in the debates. We will explore further in the final section these tensions.

Public debates within the overall trajectory of policy making for territories: the PACA example

The region in southern France of Provence-Alpes-Cote d’Azur (normally shortened to PACA) covers the eastern part of the Mediterranean area, alongside the region of Languedoc-Roussillon to the west. Several important public debates have taken place in the region, and in 2012 a research study by French social scientists was completed, examining this experience over a 15 year period (Fourniau et al 2012). The special feature of the study, coming on top of many treatments of individual debate episodes, was to put the debates within their territorial and temporal contexts. The aim was to reveal the reach and flow (*portée* is the key word in French) of debates, which have often been interacting one with another, and certainly playing into other planning and public policy processes going on at the same time. Only a very slight flavour of the rich material in the study can be given, and this will be done by focussing on two cases. There is no intention to present cases which can be

generalised to “prove” something about the French system as a whole. The researchers who worked on the PACA cases were also looking for (and found) illumination on the nature of the CNDP system, when examined within one region of France, without any expectation that this would cover the spectrum of debates across the whole country and across different periods. In particular I use these cases to explore what arguments play around cases like this, by mentioning what potential supporters and critics might say. This is not based on particular comments by particular individuals within the French academic or wider discussions, but is used as a presentational device to bring out the issues which observers could reasonably raise when viewing these cases.

Boutre-Carros

The electricity transmission line proposed in the Verdon has been long argued by EDF as essential for making the Nice area free of the risk of power cuts (see Figure 1). Attempts at public discussion had run through the 1990s. The 120 kilometres long line from Boutre to Carros had been opposed by many, especially nature protection interests who had fought for the making of a natural park (Parc Naturel Régional, PNR). It then became one of the first public debates, and was seen as a success for the new system. The public debate in 1998 allowed the emergence of a consensus around a set of measures for “improving” the countryside and the region, as compensation for the construction of a project which was significantly changed in order to reduce its impact, with the signing of a protocol in 2001. However when it came to the public inquiry in 2004, this consensus had fallen away. Approval was given, but this was challenged, and finally in 2006 the Conseil d’État annulled the consent, on the grounds that the need for improvement of the electricity system could not be allowed to overrule the protection given by the natural area designation. Since then, the scheme has not been resurrected, though some expect the continuing system problems in the Nice region to cause the scheme to reappear at some point in the future.

This case is an interesting one, as it allows strongly diverging interpretations. The supporters of the transmission scheme argue that the public debate proved itself useless, and probably counter productive, in that without the appearance of consensus having been achieved, the scheme might have been pushed through over ten years ago, even if against some opposition. They point to the very tangled politics of the region, with much of the struggle around the scheme having always been tied up with right versus left fights in the area, particularly

associated with some strong political figures. The public debate system could be seen, with hindsight, as unable to “master” the politics of the area in a societally beneficial manner, with all the tortuously negotiated steps, over so many years, incapable of finding a solution.

Supporters of the public debates system, and opponents of the scheme, would see things very differently. They might argue that Boute-Carros shows precisely the value of such a system, which allows fundamental discussion out in the open, with a previously very powerful and determined developer like EDF obliged to come down to the level of local interests and argue its case. They would say that taking a long time to work through the need and elaborate alternatives, including those which in a sense had nothing to do with the scheme (a whole raft of regional support measures), allowed the real issues to become clear. If this, as in this case, meant that the no construction option was the final winner, that does not invalidate the system. Over a wide range of projects, this outcome is far from the most common one, but should be seen as a fair result, balanced by many other schemes which go ahead. Detailed study of such years-long trajectories shows that the end result is formed by a complex of factors, with local and regional politics at the forefront. In a democratic polity, the crystallising out of such factors is good, even if sometimes some developments which are apparently in some wider public interest do not take place. This is only, supporters might argue, what happens all the time in planning and politics more generally, where strong local veto interests can stop developments all the time (think of any high income urban or rural area). The difference here is that the CNDP system inserts time and opportunity for some interests which do not normally have the resources or rights to have an influential say.

Certainly the researchers of this case show the complexities of the evolving and cross cutting effects at work, with the supporting and opposing interest sets being reconfigured over the years, and the end result (so far) emerging almost unexpectedly from the intervention of the Conseil d’État (which is not at all in the habit of annulling schemes of this kind at such a late stage). The message is that all sorts of aspects of such decision making can become messy and unpredictable. The installation of the CNDP system can indeed stop the emergence of a neat and “rational from above” system of decision making, making decision making for powerful developers less predictable. But that, the researchers imply, is what a genuinely deliberative system should be doing. Another message is the very long run nature of some of these cases – only a view from history far into the future will show what will be the “final” end result.

LGV PACA

The second case is the LGV PACA, the proposal to extend the high speed line from Avignon to Nice, making the journey from Paris to Nice similar in speed to that proposed elsewhere in France (see Figures 2 and 3). This idea, present since the 1980s, had been dropped for the time being in 1991, given the enormous levels of conflict around the TGV Méditerranée. That line was resolved by 1995, and so RFF/SNCF returned with the proposal, mobilising regional interests in its favour. The public debate took place in 2004, and allowed the emergence of visions competing with those of the LGV proposal. The public debate, both before, during and after, allowed all sorts of NGO and political interests in the region to make links and develop the case for a more regionally oriented project. The debate itself had pointed at some sort of regionalised version of a high speed route, which might achieve in some degree several of the most desired goals. Many local and regional interests stressed the importance of investment in local rail systems, which had hardly been improved for a century, and they gave less priority to journey time from Paris. They also argued for a greater emphasis on east west links, prioritising the Mediterranean Arc, from Italy to Spain, rather than the Paris link. Over the 2004 to 2011 period the researchers identified a “configuration” determined by the public debate. They showed how the public debate had framed discussions, with all sorts of groupings, studies and discussion stages taking their cue from what was seen as a successful public debate. However opposition to the very idea of a high speed line boiled up again in 2011, and the regional prefect said that the high speed line scheme should no longer be the aim, but a scheme of overall rail improvement instead. So we now seem to be in a post debate configuration. At the time of writing, regional interests, alongside RFF, are mobilising again in favour of reformulating the case for a high speed line, fearful that if such a scheme is not on the national “rail shopping list”, PACA will lose out again to regions which have always had available and agreed schemes.

Again in this case, we can imagine opponents of the CNDP system saying that in the end the apparently successful public debate has not been any use. The debate did just what it was supposed to do, allowing early consideration of all the issues, not taking the principle of the scheme as read, but investigating alternatives, opening up new spaces of discussion and facilitating the creation of new alliances and narratives, which effectively led the process over the coming years. However, all this work seemed to be for nothing when opposition

reappeared in 2011, leaving a landscape of confusion and no regional or national plans to improve transport links at any scale. Clearly, the strongest supporters of high speed rail are unlikely to be happy, but it may be argued that in this case, possibly as in Boutre-Carros, there was little chance of driving through a scheme against significant local opposition. If public discussion, in whatever institutional form, had this outcome, that was what had to be, outside a political context like for example China, where an authoritarian system can overrule local opponents.

In this case, though, the researchers make a clearer case for the value of the public debate system. Viewed from a planning perspective, one significant element of the public debate configuration was the way in which planning going on in the localities was tied in to the LGV discussion. The Agences d'Urbanisme of Marseille, Toulon and to an extent Nice were able to start cooperating on regional visions. All were involved, if to varying degrees, in sub-regional planning exercises at this stage, with the preparation of the new round of SCOTs (Schéma de Cohérence Territorial). That for Toulon was especially critical, as one of the core debating points was whether the high speed line should cut straight across towards the Cote d'Azur and Nice, or incline southwards towards Toulon. The Toulon SCOT examined the implications of this question, and so placed this within a proper planning context, showing the effects on likely future urban development. At a macro scale, the same sort of regional considerations were brought in by the formulation of the Mediterranean Arc narrative, emphasising the creation of a proper regional public transport system. Without the opening given by the public debates system, little of this integration with local and regional issues, and the formation of the relevant political, professional and interest group alliances, would have been able to progress.

It can be argued that, had this integration been encouraged further by more effective regional political and governing arrangements, the configuration formed from 2004 would have gelled into an effective resolution, rather than collapsing in political conflict and acrimony in 2011. From a regional planning perspective, the two regions (PACA and Languedoc-Roussillon) have needed to engage in cooperative regional planning, in order to present the state with adequate framing of spatial futures and investment needs. But both regions have been rather weak in regional planning terms, unable generally to cohere the demands of their often strong departments – a common problem in quite a few French regions. PACA in particular has had little ability to sketch a coherent regional future, and even less capacity to work with

Languedoc-Roussillon, which has generally had rather more of a vision within its own region. It is interesting that a public debate was held in 2006 on the transportation needs of the Rhone valley and Languedoc arc, to try to help to resolve conflicts over future road and rail schemes. But this, though valuable in some respects, seems to have been affected by the same issues of poor regional governance,, and did not fully succeed in resolving the state's uncertainty about what to do in these regions.

The two PACA cases

These two cases are intended to give an idea of the complex effects of the French system, rather than promote an impression of a seamless progress towards a deliberative democratic model. They are not intended to be typical cases: most projects have not been set back like this, but nevertheless the long timescales are not unusual. A great many of the projects subjected to public debates have not been implemented yet. In significant part this is because of the crisis in French finances, which has slowed the more optimistic timetables of bodies like RFF and EDF. This could possibly in due course cause real problems in the system, as ever longer gaps open up between the moment of public debate and the public inquiry, let alone actual construction. However, this does not necessarily invalidate the principle of such a planning reform. The overall view of the CNDP and the behaviour changes it has induced is highly positive in France, and there is no likelihood of it being removed or downgraded in the future – even though at moments MPs have been worried about any encroachment on parliamentary and government prerogatives, and so any strengthening of its powers is also somewhat unlikely in any near future.

As mentioned above, the CNDP experience also relates very much to participatory theorising, although that is not the main emphasis here. The meetings during the four month debate phases are classic face to face participatory experiences. But this is seen here as one part of a bigger deliberative process, which then, when tied into other democratic and not so democratic political processes, might be seen as building up to be a deliberative system.

The cases highlight two other important points, which connect to live discussions in deliberative theory. One is their complete intertwining with other areas of public policy, particularly with other spheres of planning. A planner cannot read the PACA case studies without seeing classic planning dilemmas, and also may feel that some of the difficulties

experienced with these cases are caused by inadequate strategic planning in the areas concerned. This is a message for infrastructure planners everywhere – it is not a system that can sensibly be separated off from other planning and investment processes. The second point is closely related – that public debates fit into the normal play of politics of all kinds, both of parties and of interest groups (as Hendriks 2011 analyses well in some Australian cases). That is to say that deliberative politics is not a separate stream from “normal” politics. We will come back to the characterisation of “deliberative systems” towards the end of this paper, but we can already see some queries that the French experience may raise in relation to that idea: does it catch the reality of political dynamics in real democracies, or abstract too much from that reality?

Public thematic debates – the Grenelle

For some years now, since at least the 1990s, national governments in France have occasionally used the technique of organising public debates on difficult issues (regional governments have also tried this - Gourgues 2010, 2012). There is no system or rule on this, with the decision resting with ministers, and different terms being used for the exercise, and with debates endowed with widely differing status and reach. Examples include those on health (1998-1999), road safety (2002), bioethics (2004) and school hours - which are set nationally - (2010). In 2012-2013 a national debate on the energy transition took place, as the Socialist government sought to find a widely legitimate path for shifts in energy futures, including possible reductions in the role of nuclear power. However much the most celebrated and doubtless important one has been the Grenelle de L'Environnement, set up by incoming President Sarkozy in 2007, as a result of a campaign promise. This resulted from the fact that a prominent ecologist had stood in the presidential elections and had publicly challenged all candidates to agree to such a public debate on the environment, which would bind the new government. With green votes seen as crucial, all candidates accepted, the ecologist left the race, and Sarkozy put special emphasis on this feature for the rest of the campaign. Here this example is used as a case study of this French practice, which is clearly bringing deliberative approaches into the heart of some governmental policy making.

It is normal of course for such governmental directions to be set by party and governmental decisions, often by manifestos, or otherwise by internal discussion within the ruling coalition, under the pressure of pressure group action and all the rest of the features making up the

setting of agendas and deciding of policy streams (Kingdon 1995). Deliberative theorists argue that deliberative approaches could usefully permeate many parts of governing, so that many different elements make up a system of deliberation. In this case, we may see the Grenelle as the overarching element for setting environmental pathways, with streams which determined policy: green fiscal reform, environmental governance, energy use (especially in buildings) and policy on waste stand out especially. The projects end of the spectrum dealt with by the CNDP is far away in any putative sequencing of deliberative effort, but it can be seen as dimly connected along a long stream. In the same way, in Britain the institution of National Policy Statements is part of a much tighter and harder sequence of policy making, setting the overall policy within which projects need to be considered – though in this case, there is no significant deliberative element, beyond the parliamentary committee discussions taking place and the normal reactive consultative opportunity given in most UK government policy processes.

The particular way the Grenelle was structured is of interest. It took the corporatist principle of creating five “colleges” representing central government, local government, business, employees, and NGOs, with each given equal weight, first in the policy making groups which made the core programme within a three month period and then in the working groups designed to detail and implement the programme over the following years. Thus the overall decision making body was a group of 40 strong, with eight representatives from each college. The process was supported and resourced by the deputy prime minister in charge of the newly created mega ministry covering all core environmental areas for the first time (energy, transport, ecology, planning etc), Jean-Louis Borloo. Efforts were made to bring in the wider public, by arranging public debates around the country and creating websites to collect opinions and inform of progress, but it was generally agreed that this took secondary place to the core college system. Within that system the environmental NGOs tended to have a special status, given the topic and the way the commitment had emerged, so that for the first time in France the big and relatively well resourced groups like France Nature Environnement became key insiders in the policy making process.

We have the benefit of a full academic study of the Grenelle (Boy et al 2012), so that we know much about critical aspects, particularly how the exercise is now assessed, and what impacts it can be seen to have had (so far) on some of the central environmental portfolios. The essence of the account is to show that the impact depended very much on the state of

play around the particular topic. In some cases, like the considerable push forwards given to policy on improving the energy efficiency of buildings, a strong impact could be identified. The same was true in the way that environmental governance mechanisms were reformulated, showing the movement of the environmental NGO complex into influential positions. But if the policy instrumentation was already fairly robust, as in waste policy, the impact was much less, as was also the case with renewable energy, for different reasons. What was clear, once an analysis included a medium term view, seeing the movement of policy in the preceding years, as well as the four years (at the time of the research) since the Grenelle's inception, was that any major initiative of this kind could either get absorbed in the "normal" dynamics of policy making – political competition, interest group lobbying flows and so on – or could make a genuinely new configuration, and so reframe an issue. Given that the Grenelle, in this deliberative case, was ambitious and spanned in effect several sectors of policy, and so numerous policy communities and variants of political salience, it is not surprising that the impact was so variable.

What might be less expected by some sceptical about the role of such macro deliberative episodes, was that the researchers found quite clearly that the Grenelle was positively viewed by all those who had participated or who had been close to it. This was not a starry eyed view that everything had changed. These were experienced hands in politics, who were quite aware that much that had been promised had fallen by the political wayside – the abandonment of the carbon tax by the UMP government in 2010 was the most critical loss of a Grenelle agreed result. But this did not reduce significantly these people's assessment of the worthwhile nature of the Grenelle, or make them say that further runs of such initiatives should be avoided. The analysts were highly aware of the special features of the Grenelle in terms of the political juncture, how well it fitted a range of interests with power, and that this conjuncture continued long enough for some concrete results to emerge. So this case does not tell us that macro deliberative initiatives, of this kind (it is of course only one particular variety, with a range of features specific to it, such as the collegiate structure and broad but focussed agenda) will necessarily or probably be valuable. The message is precisely that these initiatives may work at some moments and not at others, depending on the political conjuncture, on the nature of the policy sectors: this cannot be catalogued in terms of a list of conditions under which the use of public debates will be beneficial or not, because the variety of episodes and contexts is far too large for that. Finding the relevant moment would always need political acuity and timing, with strong political champions.

Macro deliberation, if it is to make a difference, must be fully aware of its insertion in “normal” politics – and that would mean a generation of politicians emerging who were used to employing macro deliberative techniques of various kinds, but perhaps especially these big debate approaches, as part of the tool box of being a national (or regional, or city) politician. Given the number of debates which have been held in France since the 1990s, and the push of the Conseil d’État, it may be that such an accumulation of experience and political reflexes is indeed being established. It is worth summarising the modest programme of the Conseil d’État, in its promotion of a “deliberative administration”, drawing above all on CNDP experience. It proposed six principles which should guide new practices (Conseil d’État 2011, pp 87-89):

- Guarantee access to information
- Ensure the receipt and proper use of observations received
- Make certain the impartiality of the organiser of the debate element, by use if necessary of a separated and empowered referee (“tiers garant”)
- Ensure reasonable periods for citizens to express themselves
- Make sure that the composition of those consulted is selected according to rules of overall representativeness
- Feed back the results of the exercise, in a time period appropriate to the importance of the issue.

These may not seem very demanding, but interpreted in a broad way, they would make a significant difference to even ordinary governing practice. What the Conseil d’État report advocates would hardly be a deliberative system, but could constitute steps forward which might make a better functioning polity – and so, as planners have long argued, better functioning planning. Time will tell how far this goes.

Concluding discussion

We have surveyed some quite differing phenomena in the France of the last two decades. The CNDP is concerned largely with the project, on the ground, end of infrastructure questions, and is an instrument which uses public debating in a relatively classic, face to face

form. The macro deliberative drive of initiatives like the Grenelle is a very different animal, even if it can equally be placed under the participatory and to an extent deliberative drift of the French state in the last 20 or 30 years. Neither phenomenon could have taken place in these forms anywhere but France – but similar devices could perfectly well be considered elsewhere, suitably adapted and inserted. How can we characterise these phenomena in relation to the deliberative theorising we discussed earlier?

Deliberative theorists are aware that they are moving on to difficult ground when they talk of deliberative systems. Such an idea of a collection, sequence or flow of deliberative devices is not easy to square with the observation of the normal functioning of political systems. Issues of timing, power and complexity all intrude on any neat system functioning. Planning theory has also struggled with these questions of the right moments for making key decisions. The CNDP is aware of precisely this issue, with one of its booklets discussing the right moment to hold public debates on projects: not too early (or the project will be too unspecified for interests to engage with) and not too late (or everything will be set and effectively decided). So it may be easy to imagine deliberative systems in the abstract, but tougher to see how, in a particular policy field (as here with major infrastructure fields - both the broad principles and particular projects) a reasonable balance of elements can make up a well functioning deliberative system. One of the hints from these cases is the role that particular devices play in a broader flow (seeing the CNDP public debates as one such democratic device – Saward 2003). The theorists of the PACA public debates saw the actual debate moment as forming a sort of focus or catalyst, generating often a long “configuration” within the whole history of the case. The sometimes enduring force of deliberative devices in this way is worthy of attention, and builds bridges to the zone of political science characterising policy making through framing and narrative building (Hajer 1995, Hajer and Wagenaar 2003, Schon and Rein 1994).

A particular issue is that of “repeat deliberation”. There is no doubt that, to give access at the multiple moments that a project or strategy may come on to the public’s radar, more than one “bite of the cherry” may well be necessary, so that governors can say that adequate deliberation has occurred. Exercises like the Grenelle are a long way “upstream”, whilst the CNDP project stage is further along but still far before the formal decision moment, which is marked by an often less fully developed deliberative moment. So the French system does incorporate the chance for the public to intervene at several stages. Some element of

funnelling towards the final approach and scheme must be present, but the scope for complicating movements back and forth is there, and this can, as the PACA examples show, lead to some frustration and delay for keen project promoters, developers who just want to get on with development.

A further critical issue raised by recent work, as discussed at the start, is that of differential capacities of participants to join in effectively. The cases reported here do not offer a great deal extra on this question, as they were not looking at the micro detail of particular exercises, where one can detect whether this is an issue and how organisers try to confront it (or not). However the whole CNDP approach and mentality is intensely focused on helping participants, by working well in advance of formal sessions with local actors, to develop their confidence, to give material help with writing leaflets explaining their cases, to commission expert studies to support their arguments where they do not have the resources to do this, and so on. This is not relevant to the macro exercises like the Grenelle, where those involved are experts from NGOs, trade unions or business, and differential capacity is not an issue – another of the advantages of this sort of model, which draws on the skills built up within wider society and gives a formalised opening for these forces to come right into governmental arenas.

Much more could be said about how the big picture framing dimensions of politics (such as an energy transition, or a move towards some new transport settlement) may interact with the evolution of decisions on key projects in these fields. The interaction is critical over time. Fights locally, however mediated or institutionalised, will often tend to press for resolution higher in the system. This was demonstrated in the case of the SNIT, the Schéma National des Infrastructures de Transport, an overall transport plan formulated as part originally of the Grenelle. This idea had come from the difficulties the transport minister had been having in deciding schemes in Provence (connected too to the public debate mentioned above on the Rhone corridor and Languedoc arc). This had pushed him in 2005-6 to think that making an overarching long term strategy would make sense. For the first time this schéma was to be truly multi-modal and to cover maintenance and management issues as well as new investment. The key in France has been to move forward on both fronts, local and national, exploring, experimenting, but generally within a democratising ethos. Other countries have taken other tracks, which can therefore not be used for thinking through the potentials of the construction of deliberative systems. In relation to that theorising, the cases here suggest that “system” may be a word with too much integrating or cohering force to it. A rather

comprehensive constitutional reform might steer politics and administration in a direction with more of that systemic character. This could happen in one field (one might argue it is emerging in the main big infrastructure zone, by some sort of historical accident), or it could be advocated across all policy fields. But short of such an overarching reform, deliberative devices will be snaking into and amongst the normal power and lobbying politics of the current politics. We may suggest that this in itself can make a difference, though a much fuller study of the French case would be needed to give empirical foundations for such a claim. That in turn would point to a conclusion that we might be looking for rather a deliberative democratic drive and trajectory, affecting perhaps gradually more areas of state policy, but by no means displacing political business as usual – or equally planning business as usual. The deliberative systems idea might be superseded by a more messy accretive concept, of the gradual “deliberatisation” of politics.

The broad messages of the case studies can be summarised as follows:

A that a broad commitment to deliberative democratisation may be widely supported. The French body politic has, overall, welcomed the innovations described here, with the CNDP now institutionalised to a large extent (though reforms may happen), and the big national debates approach also now probably becoming established as part of the repertoire for governments, of perhaps all colours;

B but that there is nothing neat and straightforward about how either of these two sets of devices fits in with and interacts with all the rest of the multifarious “normal” working of French politics and administration. The CNDP’s debates may move along discussion and facilitate the making (or occasionally radical change or abandonment) of big projects, but sometimes the complexities of political and historical circumstances may frustrate the benefits that might be obtained. The variety of sectors, challenges and insertions in local and national politics may almost guarantee this diversity of impacts. The same applies in the big national debates field. Although the survey here has been limited to just one case, the especially important Grenelle, it is likely that the conclusions of the research project on that case would be replicated in other cases. After all, we would be used to this idea with other parts of the democratic tool box. Elections do not always resolve log jams, or deep societal conflict. Referendums may not result in steps forward or improve the legitimacy of what one side or another was seeking. Multi-level democracy, using local, regional and national

articulations of democratic forms, may not help the functioning of all policy fields – and of course these articulations vary enormously across countries, in terms of centralisation, decentralisation and so on. Equally, multi-level deliberation will not necessarily solve problems on its own. But it may be a valuable addition to every government’s repertoire.

References

- Barrett, S. and Fudge, C. 1981 *Policy and Action*, London: Methuen.
- Beatley, T. (ed) 2012 *Green Cities of Europe*, Washington: Island.
- Blatrix, C. 2009 La démocratie participative en représentation, *Societes Contemporaines*, 74, 97-119.
- Blondiaux, L. and Fourniau, J-M. 2011, Un bilan des recherches sur la participation du public en démocratie: beaucoup de bruit pour rien? *Participations*, 1, 1, 8-35.
- Boy, D., Brugidou, M., Halpern, C. and Lascoumes, P. (eds) 2012, *Le Grenelle de l’environnement*, Paris: Armand Colin.
- Catt, H. 1999 *Democracy in Practice*, London: Routledge.
- Chappell, Z. 2012, *Deliberative Democracy*, Basingstoke: Palgrave.
- Cole, A. 2008 *Governing and Governance in France*, Cambridge: Cambridge University Press.
- Cole, A., Le Gales, P. and Levy, J. (eds) 2008 *Developments in French Politics 4*, Basingstoke: Palgrave.
- Cole, A., Meunier, S. and Tiberj, V. (eds) 2013 *Developments in French Politics 5*, Basingstoke: Palgrave.
- Commission Nationale du Débat Public, 2013, *CNDP 2002-2012 La Pratique du Débat Public: Evolution et Moyens de la Commission Nationale*, CNDP: Paris.
- Conseil d’État, 2011, *Consulter autrement, participer effectivement (Rapport public 2011)*, Paris: La documentation française.
- Conseil d’État, 2012, *Consulter autrement, participer effectivement (Droits et Débats)*, Paris: La documentation française.
- Conseil d’État, 2013, *La Démocratie Environnementale*, Paris: La documentation française.
- Culpepper, P., Hall, P. and Palier, B. (eds) 2006 *Changing France*, Basingstoke: Palgrave.
- Delaunay, B. 2008, El debate publico, *Ambiente y Derecho*, 6, 23-33.

- Dryzek, J. 1990, *Discursive Democracy: Politics, Policy and Political Science*, Cambridge: Cambridge University Press.
- Dryzek, J. 2000, *Deliberative Democracy and Beyond: Liberals, Critics, Contestations*, Oxford: Oxford University Press.
- Flinders, M. 2008 *Delegated governance and the British state: walking without order*, Oxford: Oxford University Press.
- Fourniau, J-M. 2011 L'institutionnalisation controversée d'un modèle français de débat public, *Telescope*, hiver 2011, 70-93.
- Fourniau, J-M and team, 2012, *La Portée de la Concertation: Modélisation sociologique des effets de la participation du public aux processus décisionnels*, final report of project, two volumes, retrieved 10/7/2013. Available at <http://concertation.hypotheses.org/>
- Goodin, R., 2008, *Innovating Democracy*, Oxford: Oxford University Press.
- Gourgues, G. 2010, Studying regions as spaces for democracy: A political sociological approach, *Regional and Federal Studies*, 20, 3, 353-369.
- Gourgues, G. 2012, Des dispositifs participatifs aux politiques de la participation. L'exemple des conseils régionaux français, *Participations*, 1, 2, 30-52.
- Habermas, J. 1996, *Between Facts and Norms*, Cambridge: Polity.
- Hajer, M., 1995, *The Politics of Environmental Discourse: Ecological Modernization and the Policy Process*, Oxford: Oxford University Press.
- Hajer, M. and Wagenaar, H., (eds) 2003, *Deliberative Policy Analysis*, Cambridge: Cambridge University Press.
- Hall, P. 2013 *Good Cities, Better Lives*, Abingdon: Routledge.
- Healey, P. 1997 *Collaborative Planning*, Basingstoke: Palgrave.
- Healey, P. 2007 *Urban Complexity and Spatial Strategies; Towards a Relational Planning for our Times*, London: Routledge.
- Hendriks, C. 2011 *The Politics of Public Deliberation*, Basingstoke: Palgrave.
- Hopkins, D. 2010a The emancipatory limits of participation in planning. Equity and power in deliberative plan-making in Perth, Western Australia, *Town Planning |Review*, 81, 1, 55-81.
- Hopkins, D. 2010b Planning a city through "dialogue": Deliberative policy-making in action in Western Australia, *Urban Policy and Research*, 28, 3, 261-276.
- Innes, J. and Booher, D. 2004, Reframing public participation: strategies for the twenty first century, *Planning Theory and Practice*, 5, 4, 419-436.
- Kingdon, J. 1995, *Agendas, Alternatives and Public Policies*, New York: HarperCollins.
- Lascombes, P. 2012 *Action Publique et Environnement*, Paris: PUF.

- Lascoumes, P. and Le Gales, P. (eds) 2004, *Gouverner par les instruments*, Paris: Presses de Sciences Po.
- Legacy, C. 2012 Achieving legitimacy through deliberative plan-making processes – lessons for metropolitan strategic planning, *Planning Theory and Practice*, 13, 1, 71-87.
- Maginn, P. 2007, Deliberative democracy or discursively biased? Perth's dialogue with the city initiative, *Space and Polity*, 11, 3, 331-352.
- Manas, B. 2012, Institutional research on public opinion and participative devices. From polls to public debate, *Revista Internacional de Sociologia*, 70, extra 2, 19-44.
- Marshall, T. 2012. *Planning Major Infrastructure*, Abingdon: Routledge.
- Marshall, T; 2014: Infrastructure futures and spatial planning; Lessons from France, the Netherlands, Spain and the UK, *Progress in Planning*, 89, 1-38.4.
- Masser, I. and Williams, R. 1986 *Learning from other countries*, Norwich: Geo Books.
- Parkinson, J. 2006 *Deliberating in the Real World: Problems of Legitimacy in Deliberative Democracy*, Oxford: Oxford University Press.
- Parkinson, J. and Mansbridge, J. (eds) (2012) *Deliberative Systems*, Cambridge: Cambridge University Press.
- Peck, J. 2011 Geographies of policy: from transfer-diffusion to mobility-mutation, *Policy in Human Geography*, 35, 6, 773-797.
- Revel, M., Blatrix, C., Blondiaux, L., Fourniau, J-M., Heriard Dubreuil, B., and Lefebvre, R., (eds) 2007, *Le débat public: une expérience française de démocratie participative*, Paris: La Découverte.
- Sauve, J-M 2013 Institutions et démocratie représentative, presentation at seminar 21 March 2013 on “Les défis de la démocratie représentative. Quels futurs?”, retrieved 10/5/2013. <http://www.prospective-innovation.org/agenda/les-defis-de-la-democratie-representative>
- Saward, M. 2003 *Democracy*, Cambridge: Polity Press.
- Saward, M. 2010 *The Representative Claim*, Oxford: Oxford University Press.
- Schon, D. and Rein, M. 1994 *Frame Reflection: Toward the Resolution of Intractable Policy Controversies*, New York: Basic Books.
- Subra, P. 2007 *Geopolitique de l'aménagement du territoire*, Paris: Armand Colin.
- Vigar,, G. 2006, Deliberation, participation and learning in the development of regional strategies : transport policy making in North East England, *Planning Theory and Practice*, 7, 3, 267-287.

Ward, S. 1999 The international diffusion of planning: A review and a Canadian case study, *International Planning Studies*, 4, 1, 53-77.

Ward, S. 2010 What did the Germans ever do for us? A Century of British Learning About and Imagining Modern Planning, *Planning Perspectives* 25, 2, 117-140.

Carte schématique du RTE en région Paca (le cadre schématise les limites du PNR)

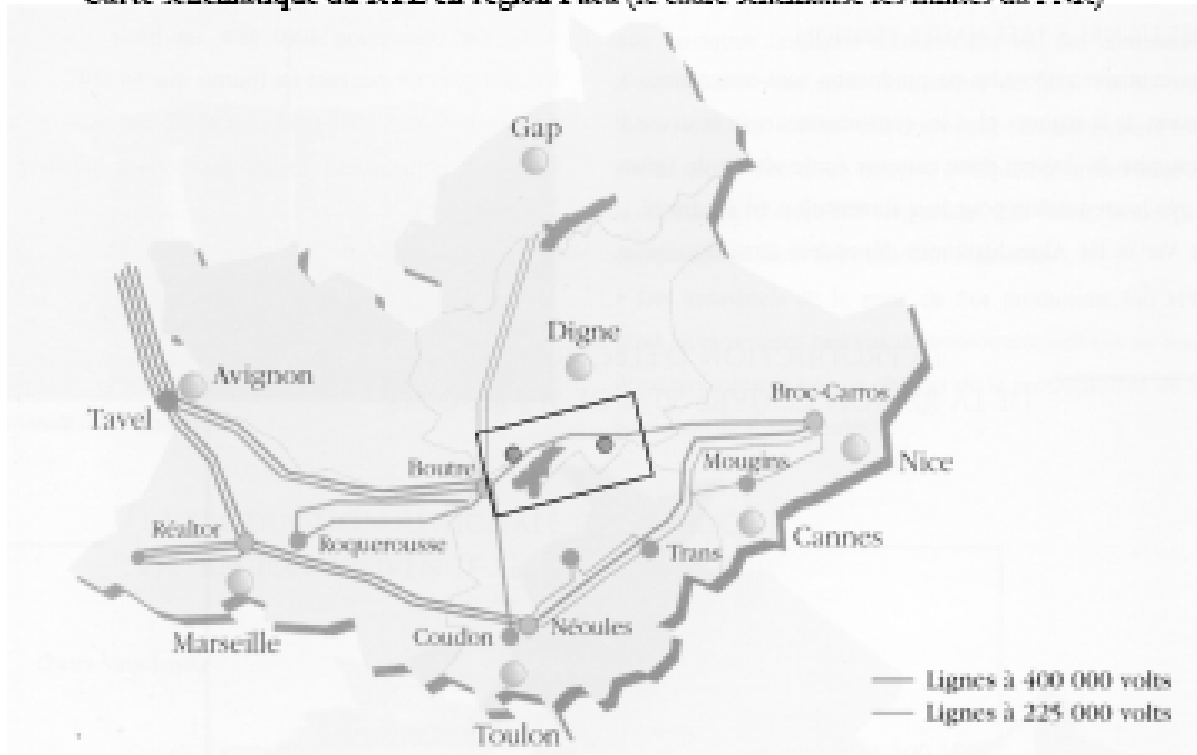


Figure 1

Location of Boute Carros scheme in southern France (source Fourniau J M and team 2012)

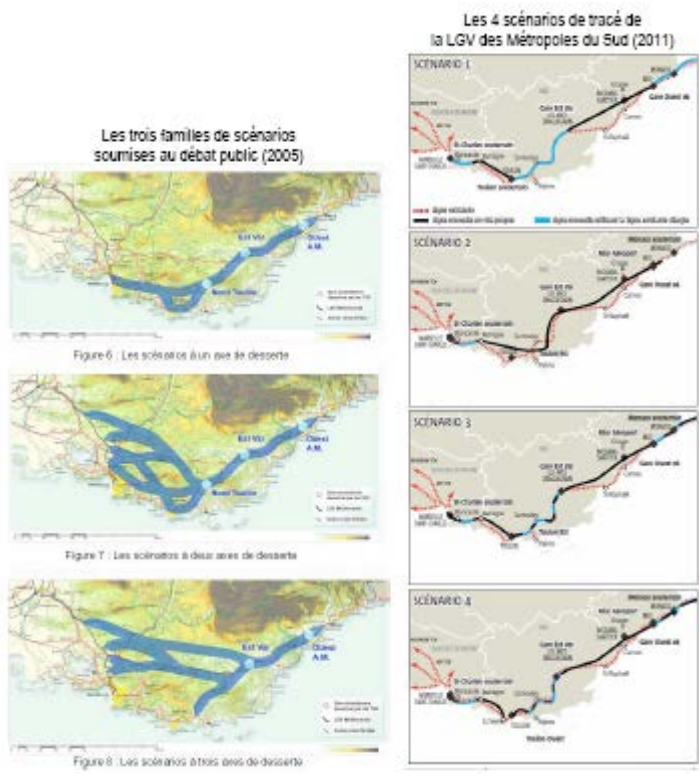
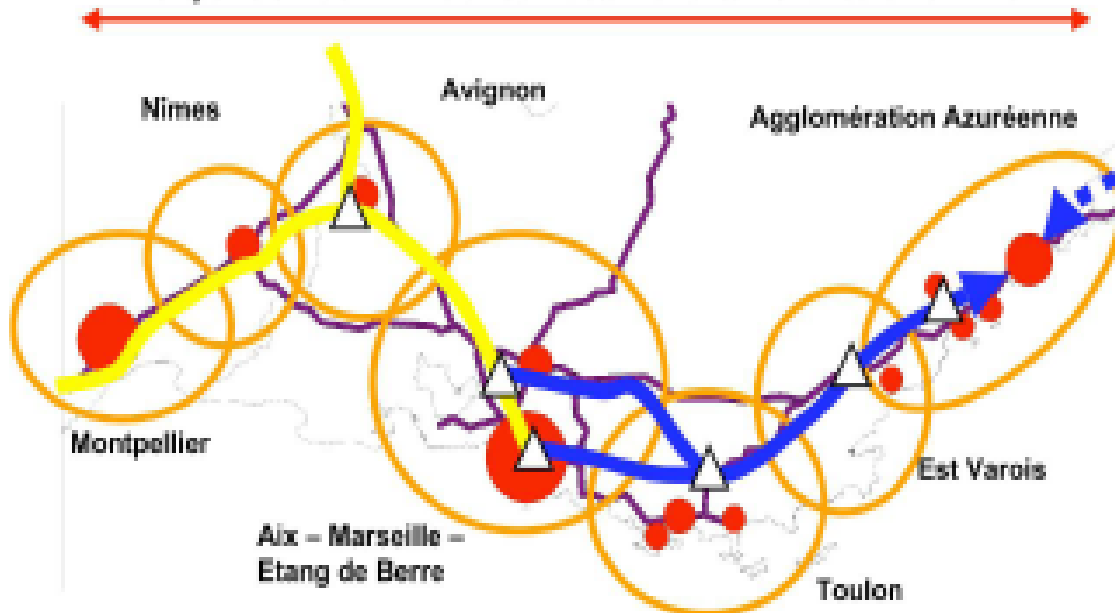


Figure 2
High speed line in PACA, options in 2005 and 2011 (source Fourniau J M and team 2012)

La LGV, trait d'union du « chapelet métropolitain » de l'arc méditerranéen français ? ...

Montpellier / Nice : > 4h40 en train actuellement / < 3h avec la LGV PACA



Tout dépend aussi de la "qualité du lien" entre le "système TGV" et les territoires métropolitains : localisation des gares, connexion aux réseaux TC, organisation des services TGV

Figure 3

Links between spatial planning and high speed rail lines in southern France (source Fourniau J M and team 2012)

ⁱ I am especially grateful for having been able to discuss these questions with Jean-Michel Fourniau, sociologist at DEST-IFSTTAR and long time investigator of in particular the creation of the French high speed rail system, and with Charlotte Halpern of Sciences Po in Paris, a political scientist who has recently been part of a team studying the Grenelle. Thanks also to Philippe Marzolf vice president of the CNDP 2002-2013 for two very valuable discussions.

ⁱⁱ See Marshall (2012), where interviews are cited. The work was funded by an ESRC fellowship, RES-063-27-0157.

ⁱⁱⁱ « Art. L. 121-1. - La Commission nationale du débat public, autorité administrative indépendante, est chargée de veiller au respect de la participation du public au processus d'élaboration des projets d'aménagement ou d'équipement d'intérêt national de l'Etat, des collectivités territoriales, des établissements publics et des personnes privées, relevant de catégories d'opérations dont la liste est fixée par décret en Conseil d'Etat, dès lors qu'ils présentent de forts enjeux socio-économiques ou ont des impacts significatifs sur l'environnement ou l'aménagement du territoire.

« La participation du public peut prendre la forme d'un débat public. Celui-ci porte sur l'opportunité, les objectifs et les caractéristiques principales du projet.

« La participation du public est assurée pendant toute la phase d'élaboration d'un projet, depuis l'engagement des études préliminaires jusqu'à la clôture de l'enquête publique réalisée en application des dispositions du chapitre III du titre II du livre Ier du présent code ou du chapitre Ier du titre Ier du code de l'expropriation pour cause d'utilité publique.

« En outre, la Commission nationale du débat public veille au respect de bonnes conditions d'information du public durant la phase de réalisation des projets dont elle a été saisie jusqu'à la réception des équipements et travaux.

« Elle conseille à leur demande les autorités compétentes et tout maître d'ouvrage sur toute question relative à la concertation avec le public tout au long de l'élaboration d'un projet.

« La Commission nationale du débat public a également pour mission d'émettre tous avis et recommandations à caractère général ou méthodologique de nature à favoriser et développer la concertation avec le public.

« La Commission nationale du débat public et les commissions particulières ne se prononcent pas sur le fond des projets qui leur sont soumis.

Taken from: http://www.debatpublic.fr/docs/pdf/loi_2002_02_27.pdf This has the text of the Loi n° 2002-276 du 27 février 2002 relative à la démocratie de proximité. Retrieved on July 8 2013.

Very extensive information can be found on the webpages:

<http://www.debatpublic.fr/debat-public/principes.html>