The search for pathways to “sustainable development”
and institutional reflexivity
Comments on the claims for the management of a general transition

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Summary:
The realization of “sustainable development” tends to increasingly be thought of in terms of a necessary transition to achieve. The objective of this article is to analyze how this perspective has penetrated the institutional spheres and show how it is the product and the vector of a form of collective reflexivity that also has implications in government activities. It is then a question of understanding how the transition towards “sustainable development” has become an object of reflection, but also an object of enunciation and an object of government.

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Given the increasing visibility of “sustainable development” as a key collective objective, intentions seem to accumulate in favor of a vast reform to deal with threats (particularly ecological ones) that weigh heavily on the planet and humanity\(^1\). This is indeed a great ambition, since it is a question of consciously carrying out, for the long term, a quasi-general adaptation that would combine a variety of interlinked adjustments in a number of spheres (economic, social, technological, cultural, and institutional). While change and the idea of managing change are becoming dominant in the collective mindset and are beginning to find their way into institutional agendas, the process that needs to be engaged is still not evident. Going from one situation (“un-sustainable”) to another (“sustainable”) can be conceptualized as a transition. In different milieux (administrative, academic, expert, etc.) that are more or less close to the institutional sphere, reflections are being elaborated on regarding the way in which to manage this transition and the corresponding dynamics. In the academic and scientific fields, the growing number of publications (reports, articles, books, etc.) written with this perspective and including an expression like “transition to sustainability” in their title are a reliable indicator of its development\(^2\). Certain publications clearly communicate the desire to be support material for decision-making (for example, Elzen, Green, Geels, 2004).

Beyond the terminology, an intellectual universe is being formed. This process that is both cognitive and praxeological can be considered structuralizing because it can give meaning to what needs to be done. Through links, associations, and conceptual recompositions, attempts to imagine and organize the necessary efforts on a collective scale are defined. Provided that different types of knowledge, that can themselves evolve, can be produced and communicated, these attempts are likely to strengthen an “institutional reflexivity”\(^3\), whose orientation can itself affect the organization of government activities. Indeed, in the policy communities concerned, certain social processes are being reflected on and these reflections are starting to define policies. Therefore, the study of ideas and ways of thinking brought about by the desire to arrive at a “sustainable” stage of development is useful in order to more precisely distinguish which elements of reflexivity are developing, in which directions, and in what way they support initiatives and processes that are supposed to drive this transition.

\(^1\) Since a “development that meets the needs of the present without compromising the ability of future generations to meet their own needs” would be targeted, according to the Brundtland report, which is often used as a minimal and quasi-consensual reference (World Commission on Environment and Development, 1987). For further explanations, in particular regarding the multiple possible interpretations of this notion, see Zaccaï, 2002.

\(^2\) In terms of American publications, among the numerous examples available, the National Research Council report can be cited (Board on Sustainable Development), 1999.

\(^3\) This expression is borrowed from Anthony Giddens (1994), who indicated the importance of recursive phenomena by which the use of the knowledge of social systems also tends to contribute more and more to their organization and their transformation.
The analysis proposed in this article, which concerns in particular the organization between ideas, discourses, and modes of government, targets a dynamic that appears to be in progress and that integrates the transitional perspective on different levels. Beginning with conceptual innovations, research studies, and institutional explorations that come together to constitute a form of collective reflexivity, this article will firstly explain how this theme of transition has begun to be considered as an object of reflection. Then the article will relativize the apparently voluntary discourse by demonstrating that, when it is a question of institutional interventions, the initial phase consists of making the transition an object of enunciation. Since reflexive contributions have become more and more important in the process, the article will finish by explaining how the understanding of this transition as an object of government, specifically when it is related to concrete aspects, is in fact also a form of confrontation with the practices and interests that make up the social fabric.

1) The structuration of frameworks of reflection

The increasing popularity of the idea of transition in specialized discussions means that intellectual frameworks are evolving, both in the academic circles concerned and in the institutional spheres. The conceptualizations that are formulated seem to prove that examinations with the benefit of hindsight are beginning to appear. In these intellectual outlines, there seems to be a reinforcement of reflexivity that, in a symptomatic way, is turning towards the search for learning effects on a collective scale.

1.1) Transition as a process to manage

The evolution of institutional viewpoints tends to lead to the idea that that the desired transition could be oriented, even driven, by the putting in place of appropriate strategies. It is this hypothesis that the Dutch government explicitly took up when it decided to make a commitment to the development of strategies to manage the processes of transitions toward “sustainability”. This approach was given a central role in the fourth national environmental policy plan (Nationaal Milieubeleidsplan 4), which was launched in 2001, and focused on the selection of four transitions linked to the Dutch context: transitions towards a sustainable energy system, sustainable agriculture, sustainable transport, and a sustainable use of natural resources (Smith, Kern, 2009).

This initiative stems from the reflection of a group of Dutch researchers (Rotmans, Kemp, van Asselt, Geels, Verbong, Molendijk, 2000), and two in particular: Jan Rotmans and René Kemp. Their model of transition management proposes a conceptual framework to deal with the institutional challenge that achieving “sustainable development” represents. From their point of view, responding to this challenge means that “un-sustainable” systems must be committed to a vast adaptive process and this process must be one that is guided.

The proposed approach largely stems from research on technological evolutions, and more specifically those that are supposed to be encouraged, given their environmental interest. This explains that it reflects a theoretical position in which change is addressed above all from a socio-

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4 In a perspective that can find support in the “analytics of government” proposed by Peter Miller and Nikolas Rose (2008) and that links these conceptual bases (related to the reflections of Michel Foucault), by being aware of, in particular, the process of “problematisation” and their effects in government activities.

5 This analysis, which strives to link discourse to practice (see also Sharp and Richardson, 2001), is based on an open corpus taken from multiple discursive and organizational publications (gray literature, public viewpoints, etc.) by which the institutional actors concerned (on a French, European, and international level) and their possible partners took a stand regarding the challenges of “sustainable development”.

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technical point of view and as a process of co-evolution that takes place on a number of levels, from micro to macro\(^6\). Therefore, in this vision, the dynamics of transition emerge as the result of complex interactive processes between markets, technology, institutions, public policies, and individual behaviours, against a background of economic, technical, and socio-cultural tendencies.

The perspective of Jan Rotmans and René Kemp was able to captivate and expand its audience beyond the academic sector because it seemed to offer an integrating framework allowing the challenges to “sustainability” of development to be made accessible to a form of “governance” (a term that is more and more frequently used in this type of literature). At the same time, it can be applied to different domains and sectors. Applications of their reflections have been presented at the OECD (Organization for Economic Co-Operation and Development) as a part of a group of studies on climate policies\(^7\).

The line of reasoning behind this model is in such a position as to be able to echo the hopes and desires of moving towards “sustainable development”. The transition is designed as a process of continuous change, over the long term, and during which a society or a social subsystem is led to undergo profound modifications. In the proposed schema, these modifications must be able to mutually reinforce each other, even if they occur in different domains, such as the economy, the environment, technology, institutions, culture, behaviours and belief systems (Rotmans and Kemp, 2003, p. 9-10). It is at this level of the processes at stake that the model claims to intervene, thanks to management techniques that are more and more flexible than directive, and that allow the direction and the rhythm of desired changes to be influenced and adjusted (Rotmans and Kemp, 2003, p. 15).

The basis of the transition management approach is a series of fundamental orientations: a reflection that targets the long term (at least 25 years) and is likely to give a framework to policies on a short term basis; a systematically multidimensional, multi-actor, and multi-levelled understanding; the concern for learning; the search for (systemic) innovation; and an opening of a wide range of possibilities (Rotmans and Kemp, 2003, p. 17). To achieve this structural change, the actors and institutions concerned would have to utilise the existing dynamics and direct them towards collectively chosen goals (Rotmans and Kemp, 2003, p. 27). Therefore, this particular approach gives importance to the elaboration of long-term visions, which can be used as a framework to formulate intermediate objectives and continuously evaluate the existing policies. Not only would these visions enable transition itineraries to be outlined, but they would also facilitate the mobilisation of social groups. Governmental tasks would have to target defining essential objectives and regularly verifying that the processes of adjustment were functioning correctly (Rotmans, Kemp, van Asselt, 2001).

In any case, the main message is that the responsibility of this process of transition must be taken up institutionally by starting from appropriate approaches, precisely because a situation of “sustainability” would represent a challenge that presupposes the best possible management of specific “transition problems”, such as adaptation costs, the resistance of individual interests, and incertitude (Rotmans and Kemp, 2003, p. 27). Transition management, which has been proposed as the incarnation of a new form of “governance” that is supposed to be open and reflexive since it is more oriented towards learning and experimentation, could offer, according to its founders, the approach that many have been searching for: the approach that is capable of bringing together the advantages of incrementalism and planning. In other words, one that enables societies to transform themselves thanks to gradual processes of collective adaptation guided by long term objectives (Kemp, Loorbach, Rotmans, 2007).

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\(^6\) See in particular their article (Rotmans, Kemp, van Asselt, 2001), which is often used as a reference for studies that have adopted this perspective.

\(^7\) See Rotmans and Kemp, 2003. The workshop took place on December 12\(^{th}\) and 13\(^{th}\), 2002.
This line of research is indicative of the state of mind of a network that is being structured and extended. The terminology may be different, but the same state of mind can be found in other networks of actors, with more or less national frameworks of reference, and also with issues and reasoning that are in line with a perspective of transition management, as will be demonstrated below.

1.2) The perception of trajectories to be adjusted

If the problematisation found in the institutional spheres is observed, achieving a structural transformation oriented towards “sustainability” also means finding new trajectories of development and, in any case, correct and adjust the trajectories that are judged to be problematic. Such an approach implies being able to perceive the existing dynamics, and to restructure those that may have harmful effects. Herein lies the major difficulty of how to influence major tendencies, such as energy consumption, housing, city planning, and transport.

Beyond the image that can be all the more easily communicated since it is easy to understand, it is, along with the idea of trajectory, an element of reasoning that continues to settle in while gaining substance. In view of the threats of climate change, the objective to reduce greenhouse gas emissions by 25% in France by 2050 was presented by government supporters in this perspective of adjustment, in other words, as a correction of trajectory. This objective has led to operational changes, starting with the “Climate Plan”, proposed by the Raffarin government and made public on July 22nd, 2004 by Serge Lepeltier, Minister of Ecology and Sustainable Development. It received legislative confirmation by being included in the July 13th, 2005 law that set guidelines for the French Energy Policy Act (Loi de programme fixant les orientations de la politique énergétique française). In France, the November 2006 update from the National Sustainable Development Strategy took up this same direction: “Begin to put ourselves on the path to reach the objective of dividing by four the level of emissions by France […] »9. This objective was also put forward in the publications that came out of the “Grenelle of the Environment” (Grenelle de l’environnement) launched in 2007 as a multi-stakeholder policy-oriented forum.

As a way to understand problems to make them governable, the idea of trajectories implies that choices are possible. It suggests that choices are not only possible, but must also be addressed with a high level of expertise, particularly because the effort needed seems to be critical and requires a high level of collective investment. To clarify the choices that should allow France to reach the goal of a “25% reduction” of greenhouse gas emissions, the official proposition put forward at the March 25th, 2005 Government Seminar on Sustainable Development was to officially entrust a “multi-disciplinary work group” with the reflection. The mission of this group was to “identify the trajectory to take in order to reach this objective”10. This work group, which was under the direction of Christian de Boissieu, president of the Council of Economic Analysis (Conseil d’Analyse Economique), approached its mission by adopting a prospective perspective and attempted to find support in existing scenarios. It also tried to take into consideration significant experiences from abroad when making its recommendations. The work group’s report11, which was symbolically presented on October 9th, 2006 at the “International Colloquium” organized jointly by the Ministry of Ecology and Sustainable Development and the Ministry of Economy, Finance, and Industry.

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8 See also the special issue of the journal Policy Sciences entitled “Designing long-term policy” (vol. 42, n° 4, November 2009).
11 Later published at La Documentation française : de Boissieu, 2006.
(“Climate Challenge for France: The factor 4”)), reinforced the idea of launching a movement of transition and in this perspective, presented a series of “propositions of public policy” to be put in place “as soon as possible”.

In discussions in the institutional sphere, this line of reflection is echoed in the increasingly popular idea of an energy transition that would need to be planned and organized. Equally, this idea has been present in spheres related to the politico-administrative sphere, and finds support, in more or less related perspectives, in a series of focus workgroups and official reports. In the first volume of their report on The contribution of science and technology to sustainable development, senators Pierre Laffitte and Claude Saunier, on behalf of the Parliamentary Office for the Evaluation of Scientific and Technological Choices (OPECST), address the question of the handling of climate change from this point of view (Laffitte, Saunier, 2006). Taking as a starting point the physical consequences of this phenomenon, as well as the economic and social threats that can be associated to it, they question the importance of energy sources that have been dominant up to this point, notably fossil fuels and petrol in particular, in order to encourage renewable energy sources. They justify their point of view by citing the scientific and technical progress that is already or close to being available as alternative (industrial) solutions. In a logic that is meant to be concrete, “successfully achieving the energy transition” was also the motive used to justify the measures brought together in the “National Plan for the Development of Renewable Energy” launched in November 2008 as an extension of the Grenelle of the Environment (MEEDDAT, 2008).

In a more or less close relation to the theme of “sustainable development”, the emergence and the use of the idea of trajectories indicate in another way that a reflexive consideration of the situation is occurring. Communities of specialists, who communicate more and more frequently on an institutionalized and even international level, claim to be able to identify trajectories, judge them, evaluate the way in which they can be modified, and propose strategies to carry out this task. This repositioning is accompanied by the onset of an argumentative process to justify both the analyses that are done and the corresponding perspective, and also to convince other actors of this perspective. At the same time, research studies are developing and are often considered to be a form of intellectual support that can be re-injected into collective reflections (see for example, Smith, Stirling, Berkhout, 2005).

1.3) A fundamental role conferred on collective learning

Among the factors of evolution that receive attention because it seems important to study them, collective learning is given growing consideration in the processes and initiatives that are considered in communities of specialists. Both at the French and European levels, the “strategies of sustainable development” have adopted a similar perspective. These programmatic documents, which are normally promoted by public authorities, have a tendency to be conceived as collective exercises that develop both by successive iterations and cycles of following up and evaluation. The latter allows the acquired experience to be re-injected into the process. Learning is thus supposed to be ongoing, precisely to accompany the dynamics of change. In France, it is this evolutivity that was displayed and even played out for the second “Government Seminar on Sustainable Development”, like for the more general progression of the process, similar to the presentation that Christian Brodhag, the interministerial delegate for sustainable development, made: “But the strategy is not limited to a list of actions, it constitutes a true process, in which learning and

12 Or the adopting of this idea, since in this dynamic, forms of reminiscence of the economics of development (in which development tends to be seen as a trajectory) and economics of technical change (which includes the notion of “technological trajectory”) can be found. See Benhaim, Schembri, 1995.
continuous improvement have an important place. This is why the government decided on 29 new measures that were added to those from 2003 during a second seminar, held on March 23rd, 2005.\[13\]

Administrative reflections are undertaken in order to strengthen the process of transition, with the claim not only to favour but also to organize the dynamics of learning. For example, concerning “national strategies of sustainable development”, the European Commission, in the framework of its own strategic process, encourages a harmonization between the different initiatives of the member states to compare their different initiatives, so as to favour a common dynamic of learning.\[14\]

In the politico-administrative networks that are mobilized, the desire to make the transition towards “sustainable development”, a fortiori for more operational aspects, appears to be accompanied by an increased concern for the capitalization of knowledge, particularly questions of experience that could be considered to be positive or profitable. According to the supporters of these ideas (both inside and outside of institutional spheres), fostering a dynamic of learning seems to allow a permanent capacity of adjustment to be maintained, which therefore helps preserve the momentum towards the goal to be reached. Learning tends to be integrated as one of the factors that are likely to animate a virtuous circle, in this case, by enabling a continuous movement to be constructed in which the examination of successful experiences could contribute to building future experiences. The next step, which represents an additional degree of reflexivity, could even consist of encouraging and developing strategies of learning in a voluntaristic way.

The dynamics of learning, which are associated with the condition of “sustainable development”, can therefore be problematized and benefit from a reflexive consideration by being seen from the outside, like a lever that is also worth taking into account. Such an orientation allows for institutional work to be put in a process that is related to reflexive learning. Such a process presupposes that information and knowledge will be organized for their possible or planned future use. This logic is visible in part in the establishing and maintaining of information systems.\[15\] Indeed, behind the encouragements for learning lies the need to have a record of what has been done. If mistakes are made, a lesson must be learned from them in order to avoid the same type of errors being made. Such a task encourages the development of an administrative infrastructure to ensure the follow up. The scientific community is heavily solicited to carry out this project (Clark and Dickson, 2003).

What appears to be targeted in a growing number of institutional discourses is a generalization of the learning potential. In the United States, a report published in 1999 under the auspices of The National Research Council encouraged “sustainable development” to be approached not only as a destination for societies, but as a process of continuous and adaptive learning, thus justifying a renewed research agenda.\[16\] However, predispositions for these learning opportunities are still needed. They do not seem to be completely available yet, and currently certain collective efforts tend to be devoted to the development of organizational capacities which should allow evaluations to be done and ensure the communication of their results.


\[15\] See for example Lavoux, 2003. The author also highlighted the importance of efforts that still need to be made.

\[16\] See National Research Council (Board on Sustainable Development), 1999, in particular “The Transition to Sustainability as Social Learning”, p. 48-50.
2) Expounding on the transition to provoke the desired changes

If the idea of launching a transitional dynamic is gaining ground in the discourses supporting “sustainable development”, it proves to be mobilized with a form of implicit conviction according to which not only action must follow, but, in fact, will follow. This discursive position is symptomatically found in legal measures that are supposed to extend the declared ambitions.

2.1) The enunciation of the transition as a discourse of conviction

The growing number of discourses that make reference to “sustainable development” could suggest that the transition has already begun. The propositions that claim to delineate and shape this transition to be achieved often tend to resemble a discourse of conviction. The discursive assemblage claims to make the transition that it enunciates exist. It claims to modify the world by defining the dynamics to be corrected and announcing the adaptations to be made. This discursive voluntarism does not simply lie in enunciations in particular, but also to a large extent in their combining, which gives substance and cohesion to the demands of general adaptation. For a large number of institutional supporters of “sustainable development” (European Commission, national administrations, etc.), the enunciation of the transition and the conditions for achieving it tend to function as a way of acting, even a way to show that an action is being undertaken. This tendency has proven to be accentuated by an effect of repetition. Each document, even if it is slightly programmatic, is a way of going back over the need for this transition. Therefore, the repetition actualizes and reactualizes a substantial share of the aspiration for a general mobilization, which is widely present in these discourses.

The notion of “sustainability” being adopted by larger and larger spheres (with all the adaptations that this could represent) has in fact been accompanied by a redeployment of discursive strategies. From an institutional point of view, certain strategies used to justify this programmatic idea anticipate the objections against the lack of effectiveness of the corresponding propositions. When programmatic documents are published, it is a common practice for supporters to precisely try to show that it truly is a question of a concrete action. In France, when the Interministerial Committee for Sustainable Development met on June 3rd, 2003 to adopt the National Strategy that had been re-launched the year before, Tokia Saïfi, the secretary of state for sustainable development insisted on communicating the message that it was a question of “going beyond good intentions”. This justifying dimension was equally present in Roselyne Bachelot’s comments regarding the government’s reasoning; the minister of ecology and sustainable development highlighted that the document had to give “substance to the concept of sustainable development”.

Each presentation of overall initiatives allows government representatives to put intentions forward. This same attitude was shown at the second Government Seminar on Sustainable Development held on March 23rd, 2005. This act was also meant to be a demonstration of activity: “The Prime Minister convened his government for a seminar about sustainable development on Wednesday, March 23rd, 2005. The debates about each minister’s action in this domain demonstrated that the government remains mobilized concerning this priority, as the measures that came out of this seminar have shown”.

These institutional forms of rallying, which affirm engaging the transition, are not without a share of symbolic politics (Baker, 2007), in which the initial pretentions seem to be more invested in “the
construction of gestures as solutions” to use an expression coined by Murray Edelman (1991). In view of the exuberant discursive production, scepticism sometimes reaches certain parts (albeit rather peripheral) of the politico-administrative sphere, like the European Economic and Social Committee: “As the Committee has repeatedly pointed out, sustainable development policy is not measured by the number of documents produced by government or policymakers but by tangible and effective action”\textsuperscript{19}.

2.2) Incorporating “sustainable development” into the legal field as an enunciative step

Using law as a lever of intervention is another way that proves the existence of the quest of persuasive force that underlies the various ways to launch the transition towards “sustainable development”. This is why it seems to be useful to adopt the perspective of Bruno Latour (2004) in “distinguishing law as a system of enunciation from law as an institution”. On a French, European, and international scale, initiatives and approaches to incorporate “sustainable development” into the legal corpus have increased. Gradually, groups of measures are taking shape that contribute not only to the early stages of a legal framework, but are also supposed to have effects.

The trajectory of the notion of “sustainable development” in the legal corpus is revealing. Indeed, its content has been marked not only by variability, but also by an ambiguous (Pieratti, Prat, 2000) and mostly proclaimatory (Cans, 2003) insertion. In French law, introducing a reference to “sustainable development” has usually been done through principles that introduce justifications in the preface of legislative texts, in particular in the environmental field. However, ways of including “sustainable development” in these texts are hardly distinguished by precision, and this weakness conveys the frequent difficulties that occur when these attempts were meeting political, economic, or technical considerations.

Different ways of including the problematics of “sustainable development” in the legal field are also related to interactions between institutional levels of normative production. In terms of international law, the notion of “sustainable development” has gained recognition, but in a specific way. According to Vaughan Lowe, the normative status of this notion can be more precisely qualified as “a metaprinciple” or “a interstitial norm”, insofar as it can act on other legal rules and principles and shift the borders between already existing norms (Lowe, 1999, p. 31). Indeed, this conceptual tool seems to be able to be used to weaken conflictual relationships between rules from domains in which compatibility can not automatically be assured, especially for domains at the crossroads of environmental, economic, and social stakes. However, studies of specialists in international law have demonstrated that apparent normative developments do not necessarily guarantee corresponding progress in effectiveness (Maljean-DuBois, 2002). Discourse and comments from their supporters can appear to emphasize certain steps, whereas these steps are essentially symbolic. Thus, the World Summit on Sustainable Development held in Johannesburg in 2002 only made a small-scale contribution to international law (Pallemasts, 2003).

In Europe, “sustainable development” has benefitted from an affirmative form of enunciation by its inclusion in European treaties. The idea of “sustainability” appears in the Treaty of Maastricht, but in an ambiguous way along with the notion of “sustainable growth”\textsuperscript{20}. On the other hand, in the Treaty of Amsterdam signed in October 1997, it is the notion of “sustainable development” that appears to be confirmed. It was introduced in the objectives of the European Community in the environmental domain (article 2 of the Treaty establishing the European Community), in the preface

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\textsuperscript{20} The Treaty on the European Union thus replaces article 2 of the Treaty of Rome, which had established the European Economic Community, and proposes to promote “sustainable and non-inflationary growth respecting the environment”.

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of the Treaty on European Union, and recognized among the objectives of the European Union as a whole (article 2 of the Treaty on European Union). The European Constitution project was supposed to confirm the inclusion of “sustainable development” (See article I-3, 3rd paragraph). Margot Wallström, the Environment Commissioner had proposed that a special protocol on “sustainable development” be annexed to the European Union Constitutional Treaty. The intention was to promote a protocol “underlining the importance of the principle and setting out firm measures to ensure that it was not overridden in favour of other factors”\(^21\). This subject gave rise to heated discussions at the Convention presided by Valéry Giscard d’Estaing and unfavourable reactions from the member States. The protocol was therefore rejected, however after tense negotiations, what had been decided in existing treaties was able to be maintained.

In France, the normative production has at least allowed a growing symbolic impact to be given to the notion of “sustainable development” over the last decade. In particular, it had begun to benefit from different forms of integration in the legislative corpus in 1995. The February 2nd, 1995 law regarding the reinforcement of environmental protection (Loi relative au renforcement de la protection de l’environnement, known as the “Loi Barnier”, since Michel Barnier was then Minister of the Environment) adopted this perspective in its first article by including the canonical definition of “sustainable development” from the Brundtland Report. It was also included in article 2 of the February 4th, 1995 law guiding planning and land development (Loi d’orientation pour l’aménagement et le développement du territoire).

The Environment Charter, which has been part of the French Constitution since its March 1st, 2005 revision, was able to be presented as an additional development by making “sustainable development” appear as the common background to all the public interventions, almost a societal choice. Article 6 of the text states that “Public policy must promote sustainable development. For this purpose, it works out a balance between emphasizing and protecting the environment, economic development, and social progress”. This article comes after a series of considerations, the last of which includes the definition of “sustainable developments” that is commonly taken from the Brundtland report. Whereas including “sustainable development” in the French Constitution seems to strengthen the institutional foundation of the idea (French president Jacques Chirac even made it “an unrivalled advantage in international competition”\(^22\)), it has also contributed to producing a host of questions about the legal reach of this type of measure of enunciation, similar to what Senator Patrice Gélard’s report pointed out about the constitutional bill related to the Environmental Charter: “In this case, it is a question of political obligations and not legal obligations”\(^23\).

In these different domains, incorporating “sustainable development” into the legal field is therefore another expression of attempts to expound the transition to be achieved. This anchorage is important for the evolution of institutional arrangements, but the way in which this anchorage is done is also significant. The including of “sustainable development” tends to be done most often in a context in which there is hesitation between a proclamatory and a procedural register. Laurence Boy (2004) had noted that the increase in the publication of international texts since the Rio Conference in 1992 often have a declaratory rather than an obligatory value. However, on different levels, it is also important that the progress made tends to also favour a procedural logic: rather than taking substantial measures with pre-defined content, the prevailing orientation consists more of giving frameworks of action to the different actors concerned. The legal declination of the problematic of “sustainable development” would therefore reinforce what Gunther Teubner called “reflexive law”, in other words, a law that “has a tendency towards more abstract procedural

\(^21\) “A place for sustainable development in the Constitution”, Environment for Europeans, n° 15, February 2004, p. 10. It is symptomatic that this episode be put forward in this type of communication document from the DG Environnement. Behind this, strategies of legitimization are perceptible.


programs that bend towards the meta-level of process and organizational structure regulation, as
towards the division and re-definition of laws of control and decision-making competence”
(Teubner, 1996, p. 16, present author’s translation).

3) Management of the transition as a reflexive confrontation with practices

Promoting a general adaptation to achieve “sustainable development” inevitably leads to
intervening in different types of human activities, in the range of activities that form the social
fabric. When translated into government activities, the challenge becomes not only to separate the
good practices from the bad ones, but also to assure that the progress made does not disappear as
time passes. For this dynamic of adaptation to be maintained, a collective work is to be added and
transforms the desired change into an object to be governed, by leading interested actors to find
appropriate capacities (monitoring, analysis, evaluation, appraisal, etc.), which are not simply
informational capacities, but also in this case reflexive capacities.

3.1) Identifying bad practices to eliminate them, identifying good practices to keep them

In the communities concerned, both institutional and militant, the change necessary to achieve
“sustainable development” has also been problematized in such as way that it has led to considering
forms of intervention in practices. Fields of practice to be mastered are considered through the
evolutions to be undertaken, potentially for all the dimensions of human activities: production,
consumption, agriculture, transport, and city planning. In the networks that attempt to elaborate on
propositions and frequently share experts, government officials, association representatives, and
professionals, a field of reflection and a discursive repertoire have thus taken shape to respond to
the need to identify, support, and communicate what would be considered as “good practices”. In a
growing number of propositions, these “good practices” are seen as one of the ways to get to the
core of change.

This discursive repertoire is not limited to “sustainable development” and it can be found, even in
an expansive way, in other domains of public action and at different institutional levels. It is
supported by a generally accepted implicit hypothesis in which it is possible to identify certain
practices that are better than others and thus those that should be favoured. The meliorist logic of
“sustainable development” has proven to be in accord with this type of proposition and can ensure
its receptivity. Wanting to assure this “sustainability” leads to trying to identify and eliminate bad
practices. Similarly, the challenge also becomes to find substitutes for certain practices so that
certain processes can continue to operate without negative side effects. Hence the necessity, most
often presented as logic, to find other practices that can be put forward and cited as examples.

The question that can be asked in the wake of this issue concerns the replication of what is judged
to be recommendable. The actors who show an interest in “best practices” commonly have a
concern of mutualising and promoting them. Hence the frequent and joint use of the network
metaphor, like Christian Brodhag used when he was president of the French commission for
sustainable development: “Connecting similar experiences in a network on a worldwide level would
facilitate their generalization” (Brodhag, 1997, p. 30, present author’s translation). Since these “best
practices” are judged to be more acceptable, their transmission is more often considered, and in
particular, the conditions in which this transmission would be possible. Behind this desire,
propositions are equally founded on the search for a cumulative effect.

However, a reorganization around “best practices” can not be done without certain foundations: this
type of reorganization presupposes that capacities and methods of evaluation are available, as well
as ways to define criteria (for appreciation and eventually for selection). It encourages the development of a way to measure results in order to attempt to evaluate the efficiency of undertaken actions and programs. This line of reasoning to support “best practices” therefore functions as a call for more reflexivity, thanks to information being communicated, its analysis to identify possible lessons to be learned, and the encouragement to make good use of the lessons learned. The knowledge produced is supposed to be communicated in order to be re-inserted into the decision-making process.

This type of approach has found important support from international institutions, even to the extent of ending up with a true rhetoric in many cases. The OECD (Organization for Economic Co-operation and Development) is well-placed among them, and has, for example, assured the promotion of this approach in the development of “national strategies” (OECD, 2006). As in other domains, the OECD can rely on the expert competence that it usually puts forward and position itself as an institution that is capable of understanding and promoting “best practices”. A compilation of experiences has allowed the organization to formulate a list of “successful practices in the national sustainable development strategies of the OECD countries”: “policy integration”, “intergenerational timeframe”, “analysis and assessments”, “co-ordination and institutions”, “local and regional governance”, “stakeholder participation”, “indicators and targets”, and “monitoring and evaluation”.

The challenge surrounding the promotion of “best practices” enables public institutions to take on a renewed role. They tend to express a certain level of confidence in their ability to understand these “best practices” and develop competences for this type of task. Despite the difficulties encountered to put evaluation processes in place, this task does not appear to be insurmountable for the specialists concerned. According to the way in which it is defended, it seems possible to access a form of apprehension of social interactions, so that they can be made comprehensible and modifiable.

In accordance with this logic, the “National Observatory of Local Agenda 21 and territorial practices for sustainable development” was created by the Association 4D (“Dossiers et Débats pour le Développement Durable”—Dossiers and Debates for Sustainable Development), the Association of mayors of France, the Committee 21 (“French committee for the environment and sustainable development”), and the Ministry of Ecology and Sustainable Development. This initiative, which began on February 2nd, 2006, was presented as being driven by a concern not only for information dissemination, but also for “a construction of references”. Its mission is to study the actions and experiences of French local governmental authorities and relies on a database made accessible thanks to an internet site (www.dd-pratiques.org) that is managed by the Association 4D. The logic is also one of exemplarity and the capitalizing on initiatives considered to be advantageous for others, but also an attempt to network those who have had this experience.

These collections of “best practices” are more than a simple assemblage of recipes. In the end, they tend to function both as frameworks of reference and government devices. As a product that is both reflexive and discursive, they convey not only knowledge, but also a form of understanding and way of comprehending problems; it is especially for this reason that the actors concerned can see in this product a way to make the desired change more easily accessible to a form of government. Measures related to social engineering and a whole field of expertise were able to develop in this domain, in the wake of the repositioning of actors linked to the institutional sphere and with the concern of giving “sustainable development” an appropriate “governance”. All of these factors participated in a rearrangement of interests, which was particularly visible on a local government level (Goxe, 2007).

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3.2) Maintaining positive effects and progress made: paying attention to results

Supposing that “bad practices” could be corrected or eliminated, it is also necessary to successfully maintain the progress that has been accomplished over the long term in order to achieve “sustainability”. Therefore, the desire to achieve “sustainable development” put governmental activities into a never-ending process, since the actors and organization that are committed to it find themselves constrained to prevent any eliminated difficulties from coming back. From a governmental point of view, there is not only a transition to manage, but also its continuity, in other words, maintaining its positive effects. Considering this additional dimension means there is an obligation of vigilance and following up. For those who claim to make “sustainable development” a reality, the challenge lies not only in guaranteeing the effectiveness of the precepts, but also guaranteeing it over time.

To reach this objective, there is growing support for surveillance and verification capacities in order to detect the possible (re)appearance of problems. Public institutions are showing an engagement in the development of such capacities. Various methods (peer-reviews, annual reports, external audits, etc.) have been developed with the intention of following up on and revising the national strategies for “sustainable development” (Dalal-Clayton and Bass, 2007; Rumpala, 2008). And at the European level, the “progress report” and “review” published by the European Commission in 2007 and 2009 on the European Union Strategy for Sustainable Development are supposed to show what has worked and what has not worked and allow the strategy to remain efficient and adapted to the situation (CEC, 2007; CEC, 2009).

This attention not only to results, but also to verifying their positive effect, creates an important need for information. It also encourages reflecting on the way to develop or strengthen measures that enable this information to be brought in and analyzed (Rumpala, 2009). Statistical or even less quantitative information has a tendency of being perceived as being an increasingly essential resource (Lavoux, 2003), or, as certain specialists in fields related to economics and social sciences would say, a “global public good”. In this logic, the efficiency of governmental systems tends to find itself linked to the productivity of information systems and it even becomes increasingly dependent on it.

CONCLUSION

The rise of issues about “sustainable development” has been accompanied by not only a line of reasoning whose objective is to show that a transition is necessary, but also by efforts of reflection that are more or less sparse and more or less defined. These efforts have developed to try to identify the processes that could contribute to change. Institutional actors are looking for societal actors who could play the role of a lever thanks to their resources or their position. A growing number of interventions have been developed with the goal of coordinating different types of existing actions in order to give them a part in a wider movement of transformation. What is taking shape, even though it is admittedly still in the preliminary stages, is a collective representation of tasks to be accomplished in the framework of a collective logic. As pointed out above, practices and interests tend to enter into a process of problematization, since they seem to have to be influenced.

The desire to launch a transitional process has a tendency to stimulate forms of reflexivity, and the efforts of conceptualization about this idea of transition (using this term or another) are themselves an expression of this tendency. This reflexivity contributes to redefining objects of government, assembling them cognitively and discursively, reworking them as they circulate in discussions about them, and finally identifying government tasks (for example, managing the “energy transition”).

At the most developed levels of reflection, this collective reflexivity even seems to be able to be organized. Reflections on practices (production, consumption, etc.) and the means to correct them give hope that the processes of learning could take place in social groups with specific roles. At the same time, intellectual postures are built, putting forward the ideas of anticipation, correction, and direction.

This logic favours a tendency to transform the organization of collective affaires into technical questions. The deployment of repertoires of terminologies which include the terms “transition” and “trajectories” are beginning to be revealing. It reveals not only this tendency towards rationalisation, even technicisation, but also a form of understanding that tends to approach the challenges and their processing conditions in a rather overhanging and exogenous way.

This transition thinking, whose different forms of development and extensions were identified in this article, is not only the mark of an institutional reflexivity: it is simultaneously its product and its vector. But it is especially the direction it will take that will be interesting to follow because if a reflexive form of government does develop, justified and fuelled by the objective of “sustainable development”, it will be necessary to see what socio-economic logics and what political order will contribute to structuring it by this intermediary whose substance has proven to still be eminently malleable.

References


