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Task force or Super Ministry? Institutional models and transformations of environmental administration in France

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Introduction

In 1975, Robert Poujade, the first Minister of the Environment in France, published a book entitled *Le ministère de l'impossible*. He described his experience as a minister with no funding or staff and who tried to defend issues that amused his colleagues. Forty years later, in 2007, the small '*administration de mission*' (administrative task force) became a 'super-ministry' of ecology, development and sustainable development. How can the change be analysed ?

The history of the environmental administration is not linear and cannot be seen as a steady increase in momentum from a 'small' Ministry of the Environment to a giant of sustainable development. On the contrary, it reveals continuous political hesitation with regard to the scale and degree of priority to be attributed to this area of public administration. With little autonomy, an unstable perimeter of action and poor funding, the ministry is a mirror image of the uncertain status of ecological questions in industrialised societies. These suddenly become visible and dramatic when a crisis occurs (for example the explosion of AZF works in France, the death of the last bear in the Pyrenees or the windstorm Xynthia) and then soon lose their priority aspect and generally trail behind questions of employment, education, immigration and security.

The trend does not basically set the French administration of the environment apart from the other European countries, subjected to strong pressure for change, leading to a recurrent game of bureaucratic Lego (Weale *et al.*, 1996). As elsewhere in Europe, French administrators have to face the inertia of pre-existing administrative organisations; this often leads them to reducing intervention to the manipulation of symbols, in particular using a game of ministerial names.

However, the emergence of an administration devoted specifically to the environment brings governments face to face with the question of ministerialisation (Russel, Jordan, 2010): should they favour an institutionally and politically autonomous vertical administrative structure in charge of the entire process of public environmental action from conception to implementation or should the preference go to a transverse interministerial structure based on tools and mechanisms for the coordination of the ministerial players, each with the task of incorporating the environmental aspect in its policies ?

To show the historical evolution of environmental administration in France (1970-2012), our analysis focuses on the conflict between the two main models that emerged and then partially crossed in recent decades, without really attaining a stable institutional pattern. The models can be described as follows :

- transverse administration of the environment in 'task force' form with an interministerial character (Grémion, 1976 ; Pisani, 1956). This is light (in staffing, funding and authority) and centred on the promotion of issues. First reporting to the prime minister to affirm its interministerial vocation, it was subsequently associated with a sectorial administration that relayed its concerns (such as the *Ministère de l'équipement* in 1978) but over which it did not have management power ;
- a management administration with autonomous vertical organisation from the heads of central administrative bodies to outlying departments and public agencies or establishments under direct management with the Minister being the spokesman. The whole forms a specific sector of state administration with

priority competence in a problem, a sector of activities or resources, like the existing structure in other fields of public action.

The historical panorama reveals the permanence of these options that were defined during the first two decades (1970-1990). They seem to have been both complementary and in competition with each other in the construction of successive ministerial structures. They caused in particular the present hybridisation embodied by the Ministry of Ecology, Sustainable Development and Energy. The definition, establishment and then the hybridisation of these configurations form the backbone of the history of administration of the environment ; three significant periods can be identified. These are shown chronologically here, with a description for each of the institutional design of the ministry at the central level and that of the implementing departments. Administrative organisation and its changes in two specific sectors — water policy and the prevention of industrial risks — are also examined in order to complete the approach centred on ministerial players.

In short, the three historical markers are as follows. The first phase of institutionalisation of environmental questions took place in the 1970s and 80s. Starting with an administrative task force based on the work of a handful of militant senior servants strongly supported by associations, the foundations of a fully operational ministry were gradually constructed. In the 1990s, the Ministry of the Environment became an essential unit in the successive governments with an effort made on structure by means of devolved departments. The comparative failure of this project led to setting up numerous agencies that ensured the permanence of ecological stakes independently of political changes. In 2007, the now traditional Ministry of Ecology became a 'super ministry' of sustainable development handling the environment, transport and energy.

Although the general pattern of evolution displays a strengthening of the resources and staffing of the ministry, oscillation between the two configurations still exists and leads to seeing the result in relative terms. Present issues and possible lines of evolution are discussed in the last part of the paper.

1. From administrative task force to integrated administration (1968-1988)

The notion of environment had hardly emerged in France at the end of the 1960s. The handling of environmental problems was totally dispersed as regards the scientific, political and administrative aspects. This context meant that achieving coherent public action was very slow (Spanou, 1991 ; Lascoumes, 1999 ; Charvolin, 2003). In the early 1970s, preparation for the Stockholm Conference (the first United Nations Conference on the Human Environment, held in 1972) generated awareness and served as a catalyst for public action, even though this qualitative leap had been prepared by slower administrative changes in the preceding decade.

Reflection started in particular at the regional economic development agency DATAR (*Délégation à l'aménagement du territoire et à l'action régionale*) when certain officials were concerned about the growing disappearance of rural land and the effects of large-scale urban development. A conference on forecastable ecological changes to 2050 was held in 1968. The impact of infrastructure of many kinds, urban development and industrialisation — what we would refer to today as the anthropisation of natural environments — served as an indicator, encouraged forecasting and made anticipation possible.

Similar evolution took place in other ministerial sectors in the 1960s. As early as 1959, in the wake of the emergence of the Fifth Republic, a think tank was set up at central administration level (the permanent secretariat for the study of questions of water, or *SPEPE*) to manage questions concerning water resources subjected to increasing demand and to handle increasing pollution. The work of this body led to the drafting of the first law on water with the establishment of overall management of water resources and based in particular on financial mechanisms of the 'polluter pays principle' type (1964). Later, the Ministry of Industry set up an Industrial Environment Bureau (1969) after the accident at Feyzin (1966). The bureau aimed at re-drafting the regulations concerned (the

existing legislation had been promulgated in 1917) in the light of the changes in industry since the end of World War 2 (Lascoumes, 1994). This first reflection led to a new law in 1976 on installations with environmental protection classification. A section in charge of the protection of nature at the Ministry of Agriculture since 1961 gained directorate status in 1970. In the same year, an environment mission was set up at the *Ministère de l'équipement* (public works, planning and territorial administration), where it reported to the Director of Development and Town-planning. Finally, the Ministry of Health took a position with regards to questions of noise and air pollution and attempted to become a coordination structure of environmental questions.

In addition to work at ministries, innovative structures were also set up in the form of public establishments to manage nature protection issues (the national parks whose status had been set by a law of 22 July 1960) and water (from 1966 onwards, water agencies financed water purification using fees approved by six 'basin committees' that corresponded to hydrographical perimeters). These organisations at the local level associated in an original manner the representatives of the various interests (local elected representatives, economic stakeholders and environmentalists) in the management of these much sought-after resources (Barraqué, 1999).

A continuously remodelled Ministry of the Environment

This mixed bag of changes was grouped in 1969 as a list of public actions and institutional changes ('100 measures') requested by the Prime Minister Jacques Chaban-Delmas and carried out at the DATAR. A new step forward was made in 1971 during a cabinet reshuffle. A Ministry for the Protection of Nature was set up by shifting two departments (Protection of Nature and the Industrial Environment Department that became the Pollution and Nuisance Prevention Department in 1973). The French government used the 'task force' model here. The organisation was a light structure present almost only at central administration level. Its first aim was to promote awareness in other ministerial sectors and it had no hierarchical power on the state apparatus. Robert Poujade,

the first holder of the portfolio, stated that it was above all a '*... ministry for coordination and incitement [whose] own management assignments in clearly defined sectors are at the service of the whole, that it must handle at Government level*'.

The ministry thus had an essentially interministerial role in its early years and was centred on the dissemination of the new environmental approaches in the state and society. At a central level, its competences were gradually extended and the ministry became structured in departments (protection of nature, industrial risks, water, noise, quality of life and activities of associations). But it remained fragile with weak legitimacy, as is shown by the numerous reorganisations subsequently carried out. From 1971 to 1988 it was thus paired with various other ministries (culture, tourism, quality of life, public works and planning) or reported directly to the Prime Minister.

A major break in its evolution occurred in 1978 with its incorporation in a large Ministry of Public Works and Living Environment (*Equipement et cadre de vie*), made up of departments drawn from public works and from culture. A new feature was that it was run by a national political figure, Michel d'Ornano, who had been minister of industry and was close to the president of France, Valéry Giscard d'Estaing. For the first time, the structure assembled the administrations handling public works and infrastructures, town planning, housing, the environment, architecture and the protection of natural, cultural and historical sites. However, it did not cover the management of roads and land transport ; these were handled by an independent Ministry of Transport. This was the political sign of the recognition of an area of intervention covering the various aspects of territorial management : environment, living environment and housing. For one of the directors who were for this experiment, the aim was '*... a ministry for fashioning space, including everything contracted in it, that respects the environment*' (Pierre Mayet, Director of land development and town planning).

Few major changes occurred in the following years. The political alternance that started in 1981 in the favour of the socialist and communist left resulted in the

return to an autonomous Ministry of the Environment with a reversion to the reduced scope of pre-1978. Conversely a large Ministry of Public Works, and territorial administration (*Ministère de l'équipement*) was created again from 1986 to 1988 during a fresh period of political alternance favouring a right-wing government. Environmental competences and skills remained within the *Ministère de l'équipement*, that also grouped the services handling housing, regional planning and transport. However, the small weight of environmental preoccupations in the mid-1980s (before Chernobyl) limited the government's institutional ambitions. The word 'environment' disappeared from the title of the large 1986 ministry, with a minister delegate taking responsibility for this.

Devolved task forces

The Ministry of the Environment has practically no devolved executive arms in the task force model chosen in 1971. It is by definition strongly dependent on the staff of other ministries for the execution of its programmes and policies (industry and mines, departmental public works, agriculture) that are 'placed at its disposal', to use the official term (meaning with no hierarchical power). Although Ministry of the Environment 'regional delegates' were appointed in 1975, they had only an advisory capacity and were under the attentive supervision of prefects. The minister Robert Poujade described the objectives : *'I have never had and do not have the intention to create new external departments ; I continue to believe that the state services placed at my disposal [...] form the best way of devolving environmental policy without isolating it from the other aspects of government policy ...'*¹

From 1971 to 1978, the central administration of the environment thus had hierarchical control of only a very small vanguard consisting of 20 'regional environment delegates' originating mainly from technical corps (Roads and Bridges, Rural Engineering, Water and Forests, state Architects and Planners). Their main task was to pass on the minister's viewpoint and environmental values in the French regions, 'excluding any management tasks'. In this first

¹ Parliament, full minutes of the debates, 20 November 1973, page 6064.

phase, the territorial administration of the environment thus remained strongly marked by its 'missionary' orientation and by the limits resulting from the recent emergence of the ministry, which had to set up its means of action with a very limited budget.

After 1978, the creation of a large Ministry of Living Environment (*Cadre de vie*) had marked consequences. A fully-fledged regional department was set up with regional delegations for architecture and the environment by the merging of other environmental and cultural departments. In addition to direct political support from the minister, the DRAEs (*Délégation régionale à l'Architecture et à l'Environnement*) benefited from an increase in their means of intervention thanks to budgets of various origins (national and regional funds, partnerships). In contrast with the situation in other sectors (public works, industry), the directors recruited were more rarely engineers and more frequently architects, geographers or landscape specialists recruited on a contract basis. This trend for recruiting contract public servants with atypical profiles continued during the main wave of recruitment after the victory of the left in 1981. This recruitment policy dictated the identity of the department and its relations with the other administrative sectors whose staff had more classic backgrounds. The minister Michel d'Ornano succeeded in setting up an autonomous unit and in giving the environment public sector its own 'troops', these now had their own position in the territorial administrative panoply.

The positioning of some devolved departments 'placed at the disposal' of the Ministry of the Environment, changed during this period. The decentralised services of the Ministry of Industry (les "services des Mines") became focused on questions of the industrial environment after the explosion of the Feyzin plant in 1966 and as mining work decreased (Bonnaud, 2002). The heads of these regional departments observed the scheduled closure of mines and saw a favourable field for the maintaining and development of the organisation (with a total staff of about 600) in questions of the industrial environment. In 1983, these regional and interdepartmental units were given the name of *directions régionales de l'industrie et de la recherche* (DRIR), thus marking the change in

focus of their tasks, even though they still handled industrial development and metrology. They were staffed mainly by engineers and highly qualified technicians and managed by one of the oldest and most prestigious corps of the French administration, the *corps des Mines*, created in 1794. The involvement of these officials in public action for the protection of the environment was local first of all. France has defined an 'integrated approach' in questions of industrial environment since 1810. This means that the administration (the *Service des mines* from the end of the 1960s) issued a single licence to companies for all damage to the environment. This procedure means that *Service des mines* engineers can address questions of samples in the natural environment and discharges into the air and water. They thus have considerable leverage with regard to the state of the environment in France. With strong support from the central authority for the prevention of pollution and nuisances, the staff of the *Service des mines* set local standards (thresholds, technical facilities) that are not always compatible with environmentalists' approaches (in associations or departments like the DRAEs). For example, there may be a disparity between the standards set for a certain factory and the objectives for the improvement of the environment in which the factory is sited. Although the two bodies are often in rivalry, DRIR and DRAE personnel describe their work experience in a similar way today. They considered that their mission consisted above all in promoting awareness — awareness by industrialists so that would take better account of environmental protection for the DRIRs and awareness by developers and the population as a whole for the DRAEs.

In contrast, the regional public works departments did not succeed in changing trends and habits. At the local level (*département*), the DDE (*Direction départementale de l'équipement*) were amply staffed but since 1969 their work had been focused mainly on the project for the modernisation of the country ; this involved the building of roads and motorways, the development of urban centres and large-scale building of dwellings. At a higher level, the regional public works services consisted of light structures reporting to the prefects of the regions and performing scheduling and studies for development purposes. The

testing of a specific departmental authority (*agence locale de l'équipement et de l'environnement* — local public works and environment agency) was unsuccessful, as was the appointment of 'Department environment project managers'. The ambition of the Ministry of the Quality of Life ran up against strong scepticism in departments staffed by people whose specialisation and professional identities did not cover the protection of the environment : *'the DDEs, whose activities and esprit remained strongly focused on roads, would report mainly to a minister whose main responsibility was the environment. One can imagine all the questions that could shake up the administration and especially its corps of engineers that displayed little enthusiasm for the idea of switching to a protection approach'* (Billon, 2004).

The picture remained practically unchanged in the 1980s. Decentralised departments were not subjected to structural reforms when the left came into power and a Ministry of the Environment was created once again or when there was a return to the large ministry option (1986-1988).

2. The road to autonomy (1988-2007)

A second period strongly marked by the choice of successive governments for the increased ministerialisation of the environment started in 1988. The ministry handling the environment was adjusted structurally and became a vertical organisation that could compete with the other ministries.

The constitution of environmental bureaucracy

The evolution was the result of a change in the political context in the second half of the 1980s. Environmental questions gained the forefront of the social and political scene with the strengthening of ecological forces and their audience, resulting in voting percentages and elected mandates (scores of 3 % to 8 % in the various elections from 1988 onwards). Political and social pressure culminated in 1988 with the presidential election and appointment of Michel Rocard's government, in which Brice Lalonde, leader of a green party (*Generation*

écologie), was appointed Secretary of State for the Environment. It was the first time that an ecologist became a member of a government. He received support from its party and an electorate large enough to carry weight in decision making. He also had a special relation with the prime minister, to which this secretariat of state reported, who was for '*a change in scale in environmental policies*' (Michel Rocard, 1989, Prime Minister's circular concerning the national plan for the environment). The increase in European pressure in favour of the environment was also used strategically by senior ministry staff to ensure the transposition and implementation of directives. Finally, the environmental cause benefited from numerous actions taken by associations in French courts and before the Court of Justice of the European Union.

Supported by this mobilisation, a national plan for the environment was prepared in 1990 and submitted to Parliament. It scheduled the restructuring of the administration with, in particular, the creation of three new institutions in 1990 and 1991:

- The *Institut français de l'environnement* (IFEN), with the task of production of knowledge about natural environments and risks, industrial pollution and also the assessment of the effects of environmental policies. It soon became famous for its 4-yearly report on the state of the environment in France and for its independence: its data were frequently used by the European Commission, sometimes for notifications to the French government. However, its staff was small (about 70 people), which limited it to an alert role.
- The *Agence de l'environnement et de la maîtrise de l'énergie* (ADEME) resulted from the merging of existing agencies handling air quality, wastes and control of energy (geothermics and the use of heat). It covers energy management and a broad spectrum of environmental policies: wastes, soil pollution, transport, air quality, noise and environmental quality. However, it is not involved at all in water, risks and landscapes.
- The *Institut national de l'environnement industriel et des risques* (INERIS) was part of the movement involving the conversion of the Services des mines into

industrial departments overseeing industrial environments. It performs and coordinates research on accidental or chronic risks related to industrial installations, chemicals and underground operations.

Finally, the central level was strengthened by the creation of an economic and social authority (*Direction de la recherche économique et sociale*) and another handling the international dimension. The ministry was thus no longer marginal and set up a strong bureaucracy inspired by the model of traditional administrations.

The emergence of a regional administration for the environment

During this phase, the Ministry of the Environment became a vertical structure active from Paris to the French regions. This large-scale change affected external departments with the creation in 1991 of *Directions régionales de l'environnement* (DIREN, Regional Environmental Services) that form true regional entities that are comparable with equivalent structures in other ministries (Lascoumes, Le Bourhis, 1997). Indeed, the DIRENs include the DRAEs and two departments addressing questions of water: these came from the Ministry of Agriculture (in charge of irrigation water) and the Ministry of Public Works (flood monitoring, river hydrology). They supervise the implementation of the programmes decided by the ministry (water, landscapes) and coordinate operations with other ministries at geographical *département* level (sites, nature reserves and quarries).

Traditional technical administrations (public works, industry) were used as the model for the creation of the DIRENs. This consisted of creating a vertical environmental administration with a strengthening of management capacities. The return to a traditional administration model was found partly in the appointments at the new DIRENs, with a tendency for more classic recruitment: only 11 of the 21 directors appointed had previously worked at a DRAE. Seven were from *Génie rural et des Eaux et forêts* (Rural engineering, Water and Forestry) and two from the *Ponts et Chaussées* (Road and bridge engineering

corps). There was also an agronomist, a divisional public works engineer, a sanitary engineer, a sub-prefect and a civil administrator (Romi, 2004).

The creation of DIRENs strengthened the management capacities of the department, although it did not abandon its former administrative task force vocation. There was thus a new form of hybridisation between the two approaches, with features drawn from both models. The creation of a department with substantial personnel drawn from other ministries was a specialisation approach. The DIRENs each have about 40 personnel, making a total of 1050 at the national level. However, they must implement numerous tasks and policies in coordination with other departmental services at the local level (Public Works and Agriculture in particular). Environmental administration was thus redeployed with greater autonomy, although it kept part of its traditional transversality. The portrait of a typical DIREN reveals composite missions : some 50 % to 55 % of the personnel perform knowledge gathering tasks concerning the state of the environment (with priority going to water) while the others handle monitoring of regulations (focusing mainly on natural and cultural sites) and a set of actions involving defense and promotion of environmental values (participation in local planning, activities and teaching operations, etc.).

The creation of the DIRENs stimulated change in the DRIRs : in 1992 they added the word '*environnement*' to their name, thus marking a determination to keep their environmental missions (classified installations and the prevention of industrial risks). However, the work of the DRIREs remained limited to the industrial environment, even if in the 1990s they made timid incursions in the promotion of environmental management (promoting company awareness of ecological certification). The field broadened as a result of a series of laws transposing European directives after the setting up of the Common Market, and their skills became more varied in spite of everything : licences regulating withdrawals from the environment, releases in air and water, noise, impact on landscapes and also channels for wastes, the fate of polluted sites and soils and then, from 1997 onwards, the impact of installations on health. This substantial

personnel was devoted to inspection work. In 1998, the DRIREs had 730 inspectors, together with 360 inspectors working for veterinary services specifically assigned to the inspection of agricultural installations and especially livestock operations, and 235 personnel from other government departments. Even if these inspectors did not report strictly to the territorial departments of the Ministry of the Environment, they nonetheless formed a substantial body of troops in both numbers and their leverage with regard to actions. Whereas initially their work had been focused on the regulation management of dangerous and pollutant establishments, their work turned more towards inspections and sanctions.

At the territorial level, the Ministry of the Environment thus made progress in the affirmation of its regional departments (DIRENs) even if there was no major changes in competences. As a result, its own administration operated side by side with personnel from other ministries needed to implement environmental policies. The impression of scatter was enhanced by the fact that the ministry was unable to obtain means of action at the level of *départements* where it remained totally dependent on other ministries, and especially Public Works, Agriculture and Industry. A project for the creation of a departmental environment service was envisaged but did not succeed as it became bogged down at the interministerial negotiation stage. A functional approach experiment was attempted in 1993 between departmental agriculture and public works services but this ground to a halt in the 1990s (Duran, 2006). Interdepartmental missions were set up in the field of water only, combining the policing and environmental surveillance competences of the two administrations.

In the context of new public management and a quest for effectiveness in the early 2000s, pressure increased for the reorganisation of state services (Bezès, 2009). The ministry made several attempts at simplifying its structures but without success. For example, an attempt was made to link the DRIRE and DIREN at a regional level in 2004, but this came up against statutory and organisational questions and ran into very strong opposition from the field personnel in each organisation. Against this backdrop, the campaign for the 2007 presidential

election was the occasion for numerous stakeholders in favour of reform to make their proposals heard — between mission administration or management, between a perimeter centred on the environment and a broadening to include sustainable development.

3. The strong return of the integrated model (2007-2012)

In May 2007, the election of Nicolas Sarkozy as President of the Republic resulted in a new break in the administration of the environment in the form of a return to the 'integrated model' that had been rejected since 1988. Soon after his election, the president took the initiative of implementing a vast administrative reorganisation that led to the creation of a 'large' Ministry of Ecology and Sustainable Development by the merging of the administrations handling public works, transports, the environment and part of the Ministry of Industry. Thirty years after the failed attempt at creating a Ministry of the Quality of Life in 1978, the administrative departments handling transport, housing, regional development, risk prevention and the conservation of nature and landscape were combined in a single unit. The energy sector was also added (and subsequently withdrawn) to address the increasingly important issues of climate change and energy transition. In contrast, the name '*équipement*' (public works) disappeared and the some 50,000 personnel concerned formed the major part of the new ministry. In comparison, the merger concerned 3,650 personnel from the old Ministry of the Environment (IFEN, 2006) and 1,500 from industrial environment departments.

At the same time the government launched the '*Grenelle de l'environnement*', a national consultation that was to lead to a series of public actions — like the environmental plans of the 1990s — and provide a 'road map' for the new ministry. From July to October 2007, the consultation involved representatives of the state, associations, local authorities, industry and unions, aiming at '5-way governance' (Boy *et al.*, 2012). Often conflictual, the discussion led nonetheless to the passing of two laws (3 August 2009 and 12 July 2010) and the

promulgation of more than 200 new measures concerning areas as varied as the reduction of greenhouse gas emissions, the enhancement of the energy quality of buildings, the conservation of biodiversity, the development of public transport, the recycling of domestic refuse and the implementation of 'new ecological governance'.

An integrated ministry in charge of sustainable development

Although it was handled in parallel with the *Grenelle de l'environnement*, the creation of the new Ministry of Sustainable Development did not have precisely the same objectives. It was based above all on criticism of the preceding model, that of a Ministry of the Environment acting as a counter-power in the face of ministry/lobbies that favoured development operations that destroyed natural environments. According to those pushing for reform in the Sarkozy government, the history of the Ministry of the Environment had been a vain struggle between a green Tom Thumb on one side and industry and energy on the other. The creation of a large Ministry of Sustainable Development was aimed at breaking with these conflicts and integrating contradictory issues from the initial conception of public policies. The underlying idea was that a unified approach would necessarily go further than three competing, frequently antagonistic views. From the political angle, this also meant embodying more confident neo-liberal political ecology that was reminiscent of the decisive role of conservative governments in the building of environmental institutions and policies². The new approach was aimed at 'effective ecology' that was no longer just militant and forming opposition (Barbet, 2010). Even before this took the shape of administrative mergers, the doctrine was symbolised by the support of the candidate Nicolas Sarkozy for the so-called "Ecological pact" of television

² Mention can be made of the following examples of progress made in environmental policies by conservative governments: the creation of national parks (1963), water catchment agencies (1964), the ministry of the environment as such (1971) and the passing of several major laws concerning the protection of nature and the monitoring of classified installations (1976), the protection of mountain areas (1985) and the coast (1986) and the prevention of natural (1995) and technological risks (2003).

presenter Nicolas Hulot who proposed the creation of a post of 'vice-Prime Minister' in charge of sustainable development.

The changes made after the 2007 presidential election were not only justified by a search for greater coherence in favour of sustainable development. The economies of means imposed by a 'general revision of public policies' aimed at the combined reduction of ministry operating budgets and staffing also formed a powerful force for reform (Dreyfus, 2010). For those behind this, merging enabled the refocusing of the Ministry of Public Works, whose historical missions were dwindling, on the sectors developing strongly at the new ministry (renewable energy sources, green growth, conservation of biodiversity and the prevention of industrial risks). The trend was all the more interesting in that public works staff were qualified technicians and engineers who strengthened a ministry where such personnel had always been in short supply. By combining several state technical corps (*Mines, Ponts et chaussées, Eaux et forêts*) in the same administration, the reform also meant that merging them could be envisaged, and this would also result in economies of scale. For these two reasons, the Ministry of Sustainable Development was often quoted as an example to illustrate the changes expected in state administration and also a desirable evolution of the ways of doing things.

As regards the organisational aspect, the reformulated ministry grouped a dozen central administrative departments in five main areas covering energy and climate, public works, transport and the sea, civil aviation, development, housing, nature and risk prevention. The whole was completed by two transverse units : a general commissariat for sustainable development handling studies and forecasting and a general secretariat grouping support functions. These departmental groupings were intended to give financial room for manoeuvre through the pooling of functions common to the three original ministries (personnel management, communication, information technology, accounting, financial affairs, etc.).

However, these potential gains for public finances did not involve in return an increase in operating and investment budgets. This was not the aim of the

reform. In spite of much talk vaunting the priority nature of its mission, the new ministry still had a small budget. The proportion allocated to the environment by the civil budget of the state has always been close to that of culture, that is to say less than 1 % (Prieur, 2012). Even though it was increased tenfold in 40 years — from 0.03 % in 1971 to close to 0.3 % in 2011, this is still very far from the allocation to large ministries such as education and defence that together still form 40 % of the state budget. But the figure should be increased to allow for two types of funding. First, the budgets of the numerous public establishments reporting to the ministry and making a large contribution to its missions without being financially linked to it (water agencies, the *Agence nationale pour la gestion des déchets radioactifs* (National agency for the management of radioactive waste), the *Institut national de l'environnement industriel et des risques* (National institute for the industrial environment and risks), the *Office national de la chasse* (National hunting board), the *Office national de l'eau et des milieux aquatiques* (National water and aquatic environment board), etc.). Second, certain funding from the Ministry of Public Works should also be counted as part is inevitably redistributed to environmental departments. Thus in 2012, mission related to ecology strictly speaking attained 5.5 % of the overall budget (nearly a thousand million euros³).

The merging of regional departments

However, after 2007, reform of the environmental administration was not limited to the regrouping of central administrations and budget redistribution between its various components. It was also deployed at territorial scales leading to the merging of devolved departments within the perimeter of the new Ministry of Sustainable Development. Performed from 2008 to 2010, this reorganisation of implementing units had the same objectives of integrating state missions and rationalising public accounts. As at the central level,

³ The proportion of funding under the heading 'ecology' is shared out as follows: €347 million for town planning, landscapes, water and biodiversity, €299 for the prevention of natural and industrial risks, €99 million for energy and climate and €207 million for meteorology, €97 million for cartographic information. This also includes the €571 million budget of the ADEME.

departments that traditionally competed or that were systematically opposed to each other on certain subjects, were grouped to generate synergy, to improve the performance of public services and also to make economies of scale. The bodies handling the environment (DIREN), public works (DRE) and industry (DRIRE) in each region were merged to form in each case a *Direction de l'environnement, de l'aménagement et du logement* (DREAL, Environment, development and housing department).

With hardly any differences, the organisation of these new bodies was modelled on that of the central administration. Awarded considerable freedom to construct the organisation of their choice, regional directors often preferred to juxtapose the former departments in the new organisation chart rather than perform a complete merger. The pattern of organisation of the DREALs sought to reproduce the main management divisions as those of the central administration in order to ensure a minimum of coherence between grades and to conserve the verticality required for the implementation of public policies. In most regions, six departments were formed, mirroring the central level: 'theme' departments devoted to transport and infrastructure, risk prevention (natural and industrial), the conservation of nature and landscapes, development and housing (generally including energy and climate) and also a department devoted to environmental knowledge and assessment and a general secretariat handling all the logistic functions of the new administration.

Examination of the organisation patterns chosen locally also shows how it was difficult for the reform to reach the heart of their existing administrative structures, beyond the grouping of the previous departments on the same hierarchical level. Integration of sectors remained partial or even superficial at most DREALs, leaving whole sectors of the regional administration unchanged. This was particularly the case for transport and infrastructure departments, remaining a perfect reproduction of the corresponding DRE units, natural environment units that came straight from their DIREN equivalents and risk prevention units that generally merely juxtaposed the DRIRE industrial risks unit and the DIREN natural risks unit, without any creation of synergy between the

two activities. Under these conditions, the transversality and integration of missions with focus on sustainable development was hard to achieve or was local or cosmetic. The 'integrated model' promoted by the central level thus took very varied forms according to the region : a mission consisting of a small staff and a director in some cases, an ad hoc department handling transverse missions requiring the participation of several DREAL components (production of authorisation and mandatory consultation, environmental assessments, studies and forecasting, regional scheme for ecological coherence, etc.) or, more rarely, a unit combining 'enemy' departments of the original administrations. Clearly innovative, the latter configuration was an exception rather than the rule. As an example, a department of the Rhône-Alpes DREAL called 'Development, landscapes, infrastructure' combined a unit from the former DIREN, whose ethos was marked by protection of the environment, and two ex-DRE units, 'highways' and 'planning', that backed interests of local development.

In their present configuration the DREALs thus harbour the two administration modes that have characterised the environment sector since the 1970s, without it being known which is the dominant one. Meanwhile, the coexistence of the vertical structuring of departments and more transverse principles of organisation show that the reform is unfinished. The situation leaves scope for many forms of hybridisation that will lead to the forming of the environmental administration of the future.

4. Present issues

It is still too soon for an accurate assessment of the impact of these restructuring programmes. They are also subjected to the effects of new political alternance since 2012 that may change the orientation in the medium term. But the administrative and environmental policy landscape was changed profoundly in 5 years : two programme laws were passed (*Grenelle 1* and *Grenelle 2*), an enlarged ministry was created whose overall perimeter has not been called into question in 2012, administrative presence has been strengthened at the regional

level with increased policy-guiding capacity and influence on local decision making. Merging at both national and regional levels has been accompanied by various initiatives to bring together staff from the former ministries: the formalisation of contacts between departments (working groups, inter-departmental management committees, working procedures for dossiers and authorisations), the training of personnel in 'sustainable development' themes, use of '*Grenelle de l'environnement*' decisions as a joint road map in order to mix and blend the professional and organisational approaches inherited from the three ministries.

However, it is seen that changes in the actual work carried out by the departments are much more limited. The merging first led to an upheaval that caused delays in routine jobs as staff were busy moving, attending training sessions and learning new notions and working procedures. Once the merging was complete, observation of the work performed by staff revealed strong lines of continuity with the pre-merger situation. This is made clearer by focus on the two sectors that have been monitored in more detail — industrial environment and water.

In the first case, the merger caused disorganisation in the first year and field inspection objectives were not always met. The work was subsequently performed in much the same way as it had been before: inspectors talked to the same persons and their problems and the regulations to be applied did not change (Bonnaud, Martinais, 2010). Working methods also changed little insofar as the changes had been made before the reform: making information about risks available to the public and discussion of risk sites had been strengthened gradually since the end of the 1990s (the Aarhus Convention in 1998, a law on the prevention of technological and natural risks and the prevention of damage in 2003) and ongoing procedures concerning a quality assurance approach that is fairly independent of the new context.

The picture is little changed overall in questions of water quality, with some isolated modifications. The protection and management of water resources are still handled by ex-DIREN services, grouped mainly in a single DREAL division. This

also works in close collaboration with the central administration managing nature protection. These departments still have a monopoly in the exchanges with the water agencies, other major institutional stakeholders that control funding of water policies. There have been two minor marginal changes. The monitoring of natural risks — mainly flooding — has been combined with the management of technical risks under the authority of the same division at many DREALs ; this has created a mixture of backgrounds that is proceeding with difficulty. Previous collaboration between departments has been increased for several specific water-related policies that require joint work by the three administrations (the monitoring of quarries for example).

Our research shows that the progressive, gradual nature of the changes observed, that contrast greatly with the 'break' approach of the Sarkozy presidency that was reminiscent of an 'administrative big bang' with regard to the creation of the Ministry of Ecology. The future of this large ministry is now an open question. To what extent has the 2007-2012 episode combined with a special political situation effectively changed the administrative structures created and helped to implement a sustainable public development operation ?

Although the 2012 presidential debate touched little on environmental questions, discussion of the administration of the environment was lively behind the scenes and numerous proposals for reform were put forward. Some people were for the return of a task force administration dedicated to sustainable development and reporting to the Prime Minister, the argument being that the large ministry was too cumbersome and slow to react. In contrast, others considered that agriculture should form part of an authentic Ministry of Sustainable Development because of its impact on the environment. Health and women's rights could also join this super-ministry. In short, there is still tension between task force administration and management administration. Although the present government has opted so far for a ministry that is similar to the previous one overall, its future is uncertain nonetheless. Here, three remarks can be made as a conclusion.

First, everything leads to thinking that the scope of the ministry will continue to change according to the choices made and political opportunities, with instability remaining the watchword. During Nicolas Sarkozy's five years of office there were four major changes of name that each integrated different fields of competences. The ministry was initially the MEDAD (ecology, planning and sustainable development), then the MEDDAT (ecology, energy, sustainable development and planning), then the MEEDDM (ecology, energy, sustainable development and the sea) and finally the MEDDTL (ecology, sustainable development, transport and housing). This configuration then lost control of energy and planning, two of the innovations made to the ministry in 2007. Today (summer 2012), the ministry is called the MEDDE (Ministry of Ecology, Sustainable Development and Energy). It incorporates transport and the sea but no longer administers housing as the government set up a *Ministère de l'égalité des territoires et du logement* (Ministry of the Equality of Territories and Housing) run by a representative of the green party Europe Écologie Les Verts. The two ministers thus share the administrative structures that were merged by the preceding government. 'Sustainable development' still has very great malleability as an administrative category.

Second, the context of economic downturn is maintaining a strong constraint for a reduction of ministry staffing and its operation capacity, prolonging the 'general revision of public policies' undertaken by the preceding government. In order to respect its international undertakings and fund policies earmarked as priority (education, police and justice), the present government must switch to the non-replacement of two civil servants out of three in non-priority administrative fields that include ecology and sustainable development. But the volume of missions is unchanged and even increasing as a result of the gradual implementation of the *Grenelle de l'environnement*. This indicates difficulties to come for the ambition for broad dissemination of sustainable development to all public policies, whatever the scope of the ministry.

Third, the government's programme includes a reform of decentralisation involving all ministries including that of sustainable development. With this

prospect, ministry staff, and especially former Public works personnel, could be transferred to local authorities. The future of the environmental administration would then be in the local powers area in the coming years. Some senior civil servants at the Ministry of Ecology consider that public environmental action in France is based on two parallel implementation structures : the first is on the traditional French model and combines the central and local state, departmental authorities and communes. The second, more recent structure links the European Union, regional authorities and inter-communal structures. After state restructuring operations from 2007 to 2012, the central question for the years to come may therefore be the redistribution of competences and means between the state and local authorities in their various forms.

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