

Democracy

A long-lasting undemocratic choice

“Since forty years the big decisions concerning the development of the French nuclear program are taken by a very restricted group of personalities that occupy key positions in the government or in the top administration of EDF, CEA and the few companies involved in the program. The approach remains unchanged in spite of the change of ministers thanks to the permanence of these personalities (...).”

Georges Vendryes, former French representative on the International Atomic Energy Agency (IAEA) Board of Governors, IAEA Bulletin, autumn 1986

France’s ‘choice’ of nuclear power has been anything but democratic. Such fundamental decisions as the launching of a massive programme of pressurised water reactor (PWR) construction, given the go-ahead in 1973-74, the development of breeder reactors with the ordering of Superphénix in 1976, and the establishment of spent fuel reprocessing and the 1985 decision to extend it with the reuse of plutonium in MOX fuel, have all been taken on the basis of internal work by senior civil servants and the industry, without any procedure of public evaluation or debate.

With the notable exception of the presence of a Green Party environment minister in the Government from 1997 to 2001, the ministers in charge of the nuclear portfolio, the economy, industry, health and the environment have invariably proclaimed their unfailing support for the nuclear industry, so ensuring that the sector’s industrial ambitions are promoted on every front.

Without going into a detailed historical analysis, this situation has its roots in the particular political context of France after the war, which saw the coming together, in a way unique in Europe, of the Gaullist right and the Communist-dominated left over the principle of national independence. Nuclear technology, first in the military, then the civil sphere, has become one of the main vehicles for this principle. The main parties of government, ensured overwhelming domination of parliament by virtue of the electoral system, have remained unanimously faithful to this pro-nuclear policy for over 60 years.

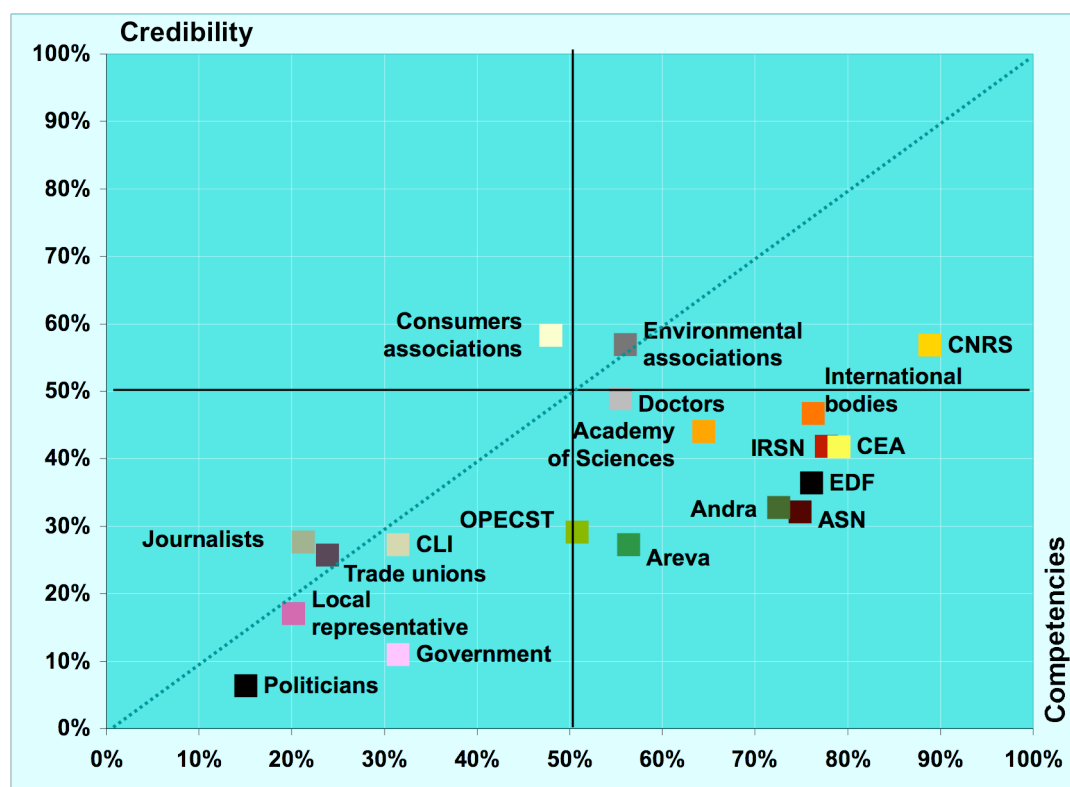
As a result, the rare parliamentary debates enshrine the illusion of a national consensus (with a few variations) on the pursuit of the nuclear programme. The same arguments around energy independence, the price of energy and (nowadays) greenhouse gas emissions are trotted out again and again without ever being seriously analysed. The rare evaluations conducted by parliamentarians, in particular through the Office Parlementaire d’Evaluation des Choix Scientifiques et Technologiques (OPECST – Parliamentary Office for the Evaluation of Scientific and Technological Decisions) have certainly noted gaps in safety or the management of nuclear material and waste, but with very few exceptions they maintain an explicit, preconceived support for the French nuclear programme.

Public mistrust

The attitude of the political establishment, and in particular that of parliamentary representatives, contrasts very strongly with the state of public opinion – at least as measured by the various surveys that have been conducted on this topic. The nuclear industry sometimes boasts that it has the support of the French people, especially when it comes to selling the French nuclear model abroad. But the reality is quite different.

The most interesting opinion polls from this point of view are those which compare the state of public opinion on the nuclear issue in various countries. In 2005, a study by the IAEA found that only 25% of French people questioned were in favour of new nuclear power stations (compared to a figure of 40% in the USA, for example, although on a par with the Germans at 26%), with 50% in favour of the retention of the existing power stations with no new ones being built, and 16% for the closure of the existing ones. A poll published by the European Commission in 2007 confirmed these findings: only 28% of French people came out in favour of an increase in the role of nuclear energy in order to combat climate change, as against 59% in favour of a decrease in the nuclear industry’s share of energy production. Interestingly, the French are very close to the average figures for the 27 countries of the European Union (30% and 61% respectively).

Figure 22 Credibility and competence index^a of the main actors in the French nuclear industry^{b,c}



- a. ‘Credibility index’ here denotes the percentage of positive opinions recorded in response to a question as to whether the various actors tell the truth about nuclear power; similarly, ‘competence index’ denotes the percentage of positive responses recorded to a question as to whether the various actors are competent with regard to nuclear power.
- b. Under this heading are grouped a very diverse range of bodies (institutional and otherwise) and of professions or functions, either specifically active in the nuclear field or involved in it as part of a broader field of activity.
- c. CLI: Commission locale d’information; CNRS: Centre national de la recherche scientifique; OPECST: Office parlementaire d’évaluation des choix scientifiques et technologiques.

Source: Based on 2007 IRSN Barometer (survey of November 2006)

This situation is all the more remarkable in that the dominant pro-nuclear discourse is only weakly counterbalanced. Numerous groups and associations, united in coalitions opposing specific projects (the EPR reactor, burial of waste) and more widely since 1997 in the Réseau Sortir du Nucléaire (Get Out of Nuclear Network), oppose the nuclear industry domestically. But their media influence and their political importance remain very limited. France is desperately short of critical, independent expertise on the whole range of nuclear issues: organisations such as Global Chance that produce counter-analyses of the official evaluations can be counted on the fingers on one hand.

The ‘barometer’ of French public opinion on the risks that is published regularly by the IRSN repeatedly shows that the numerous official sources of thinking and analysis favourable to nuclear power suffer from a chronic lack of public confidence (see Figure 22.) None of the institutions promoting nuclear power achieves a public opinion rating of over 50% in terms of both competence and credibility.

A closed institutional framework

How can we explain this disconnect between the wishes of the people and the direction taken by policy? One of the main reasons is the existence of an institutional system which actually allows these decisions to evade any democratic scrutiny. Apart from a handful of targeted laws, the most important of which, in 1991, focused on the focus of research into the management of radioactive waste, the entire development of the nuclear industry took place without any specific legal framework until legislation on nuclear transparency and security was adopted in June 2006. None of the major decisions about the programme between the 1960s and the 1980s was even put to a parliamentary vote, to say nothing of specific public consultation processes.

On the contrary, all the key decisions were taken behind closed doors by the country’s technocratic elite, with the Corps des Mines (Corps of Mines) playing an especially key role. This state body, comprising around 700 engineers selected from among the best students of the most prestigious technical institutes, is well placed to fill all the key positions relating to the nuclear portfolio, whether as ministerial advisers, senior civil servants or managers of the sector’s businesses. Those in charge remain in post when the political leadership changes, or else are replaced by another member of the Corps. In this way the direction of nuclear policy – whether in terms of nuclear power’s central role in the country’s energy policy, choices about the development of different nuclear technologies, or decisions on the opening, closing or development of facilities – is never exposed to the winds of political change, but goes on following the long-term vision set out by the Corps des Mines.

Recent developments, but no real progress

Nevertheless, nuclear power could not remain forever protected from the gradual rise of the principles of freedom of information and public participation in decision-making that has occurred across environmental issues as a whole. The nuclear sector’s encounter with the procedures established under the aegis of the Commission Nationale du Débat Public (National Commission for Public Debate) raised many people’s expectations, with two dossiers put out to national debates in 2005-6. Unfortunately, these hopes were dashed. While the organisation and the content of the debates confirmed the potential value of open procedures in improving the analysis and common understanding of the dossiers, the arrangements betrayed their limitations as regards any real influence on decision-making mechanisms.

In the first debate, which focused on EDF’s projected construction of an EPR reactor at Flamanville, the situation was very straightforward. The construction of this reactor, the first of its type and supposedly a necessary preparatory step in the renewal of the French nuclear fleet, was included in energy blueprint legislation which Parliament had voted through even before the national public debate began. In the second debate, focusing on nuclear waste management, the period of public debate seemed to produce great advances towards a shared vision of the problem – a necessary precondition for the identification of genuinely acceptable solutions. But the process culminated in legislation adopted in June 2006 which, although it represented some progress by comparison with the

bill as it existed prior to the debate, nevertheless represented a retreat from the conclusions that emerged from the debate.

The two debates also highlighted the nuclear field's unique approach to freedom of information principles. After the progress of the debates ran into difficulties caused by the lack of precise replies to some key questions raised by those involved and the public, a working group was set up, comprising representatives from the administration and the companies concerned, along with a few independent experts. This produced several proposals to improve the definition of the scope of commercial and defence secrecy, along with the justification for it and the explanation of its application; but as far as we are aware these proposals have had no concrete repercussions.

The most recent developments confirm that, beyond peripheral improvements and some fine words about the implementation of transparency, at a fundamental level the situation has hardly improved at all. The obstacle to making any progress is exemplified by the consultation set in motion by the French President in summer 2007 in the context of the Grenelle Environment Forum, which brought together the administration, communities, employers, unions and environmental protection groups. Although energy policy and climate change clearly form one of the main fields of work which need to be brought to a legislative conclusion in autumn 2008, from the outset the President deliberately excluded from this any discussion of the nuclear aspect!