

“The state can’t do everything any more”: understanding the evolution of civil defence policies in France

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This article looks at how the French national authorities have recently initiated the promotion of a discourse on resilience and business continuity in the domain of civil defence through the passing of laws and decrees, the publication of white papers and a business continuity manual. This discourse expresses the will of the national authorities to reform the highly state-centred approach to French civil defence by empowering the private organisations in charge of the former public services, local governments and the population itself. Beyond this discourse, however, local authorities and individuals remain, in reality, very dependent on the state’s crisis response capacities, whereas the government itself is in practice reluctant to delegate its crisis management prerogatives to private organisations. This gap between the official claims and the reality illustrates the paradoxical and ambiguous position of the state which, while facing a loss of its crisis management capacity and becoming increasingly dependent on the private sector, maintains in practice its central and *dirigiste* role.

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Introduction

Throughout the twentieth century, civil defence in France was almost exclusively a state prerogative. The government took responsibility for protecting people from disasters, and little of its authority was delegated to local authorities or private organisations. Being the owner of most of the infrastructures and services for energy, communication and transports, the state also had the responsibility for providing these vital needs to the population, in normal times as well as in times of crisis.

However, in the wake of national and European governance reforms over the past two decades, successive French governments have progressively privatised these infrastructures and transformed them into large companies with specific obligations of service delivery. In the case of man-made or natural disasters, these private companies now have the duty to insure the continuity of their activity and to recover as quickly as possible, in order to maintain the satisfaction of the people's needs. In the face of disaster, the state has lost an important part of its crisis intervention capacity, and would rather take on the role of coordinator for these different vital service providers. Civil defence is therefore moving from an issue of territorial integrity (protection of the state, public infrastructures, the citizens and their belongings, etc.) to an issue of logistics, business continuity and vital networks and infrastructure preservation. To justify and legitimate this evolution, the French public authorities are developing a discourse on resilience and the need to enhance public-private partnerships in the field of risk and crisis management, arguing that 'the State can't do everything anymore'.

In the 2008 White Paper on Defence and National Security, the President of France with the special committee charged with the drafting of this official document thereby introduced resilience as

the will and the capacity of a country, of the society and of the public powers to resist the consequences of an aggression or a major disaster, and then to quickly recover their capacities to function normally, or at least in a socially acceptable way.

The 'enhancement of resilience' has been said to be a 'fundamental objective of the national security strategy' and a matter of cooperation between the state, local governments and private companies in 'strategic sectors' such as energy, communication, health services and food supply (Présidence de la République & Commission chargée du livre blanc sur la défense et la sécurité nationale, 2008, p. 64).¹ The objective of national resilience as the need to better involve local governments, individuals and the companies owning or managing critical infrastructures has been reaffirmed in the 2013 White Paper on National Security and Defence (Présidence de la République & Commission chargée du livre blanc sur la défense et la sécurité nationale, 2013).

Although discreet,² the introduction of an institutional discourse on resilience and business continuity has met with enthusiastic approval from national research institutes, such as the Institute of Advanced Studies in National Defence (Laborde, 2009) and the High Council for Strategic Education and Research (Conseil Supérieur de la Formation et de la Recherche Stratégique, 2011, p. 69) and from think tanks that specialise in security issues, such as the French High Committee for Civil Defence (Haut Comité Français pour la Défense Civile, 2010) and the Foundation for Strategic Research (Coste, 2011). On the opposite side, reactions from the academic community have been rather sceptical about the relevance and the potential consequences of this shift in French civil defence policymaking. Galland (2010) has discussed the vagueness of the concept of 'vital infrastructure' both from a research and a policy perspective,

claiming that literally anything could be considered as a vital infrastructure because even a small local incident could potentially cause unanticipated side effects leading to a major disaster. Gilbert (2010) has interpreted the emergence of an institutional use of resilience as the sign of disengagement of the state from its civil defence prerogatives. He has also shown, with Steyer (2013), that public–private partnerships in crisis management were in practice poorly managed, as both parties (public authorities and private organisations) were reluctant to share responsibilities and initiatives when a major crisis occurred. Steyer and Gilbert raise the unresolved question of the nature of the commitment of the private companies owning or managing vital infrastructures because business continuity and resilience in the case of major crisis would not necessarily represent an acute problem for them, apart from the possible reputational or legal repercussions. Moreover, as non-elected actors, such companies do not have the legitimacy to assume complete responsibility for the security of the population in case of disaster. In fact, some researchers, such as Quenault (2014) and Joseph (2013b), have more explicitly criticised the emergence of a French discourse on resilience for being the mark of a neoliberal turn in French civil defence policies, insofar as resilience would mainly mean the transfer of state responsibilities for society’s protection and defence to market forces.

In this article, I seek to empirically analyse the discourse on resilience and business continuity as articulated by French governance actors and the related initiatives and policy context in which this has emerged. I argue that while it may appear that the emergence of the resilience discourse is an expression of the public authorities’ desire to retreat from their formal responsibility for the protection of the population in the case of disaster, empirical analysis of this process reveals that it is shaped by a variety of policy drivers. Thus, the resilience framework appears to lack the coherence and the consequences often implied by critical analysts who argue that the rise of resilience expresses a strategically well-organised tactic of state disengagement and consequently is indicative of a neoliberal transformation in civil defence policies.

I argue that it should rather be seen as an adaptation strategy of the main French civil defence actors (the public administration, firefighting services and the army) to a new situation of dependence on the companies owning the former public services, which is itself the result of successive heterogeneous governmental decisions of privatisation taken since 1986. In practice, however, private companies, local government actors and individuals have, up to now, shown little demand for any shift towards real decisionmaking autonomy, whereas state actors have been equally reluctant to delegate their crisis management prerogatives. This strategy could therefore potentially weaken the whole organisation of civil defence as public authorities appear to be delegating their powers while, in reality, the responsibility for risk and crisis management in France still rests upon them. Therefore, while it is problematic that researchers like Quenault and Joseph should choose to take the French public authorities’ declarations on resilience and business continuity at face value, my analysis is centrally concerned with highlighting the problematic nature of French civil defence policies, which fail to address the consequences which the privatisation of the public services has on the organisation of civil security.

The first section of this article shows how the traditional state-centred organisation of civil defence has been challenged over the past 10 years, in order to better involve the private sector, local governments and individuals through the development of new contractual forms of commitments and the adoption of a new administrative status of ‘vital infrastructure’. Then, it shows how this evolution can be understood in relation to the different decisions on the privatisation of public services undertaken by

the successive governments over the past three decades. The second section describes the recent initiatives (including conferences, manuals, rewards, training sessions, etc.) related to resilience and business continuity and engaged with by public organisations or organisations closely linked to the state. It shows that they commonly seek to better involve the private sector, local governments and individuals in civil defence issues in response to the growing lack of public means and resources, which would enable the state to manage civil defence by itself ('the state can't do everything anymore') and the illusory expectations of people regarding the state's capacity to protect them in case of disaster (people expect too much from the state). The third section explains that although the expressed will of the public authorities to delegate more civil defence prerogatives to nonstate actors can be comprehended as a neoliberal evolution of civil defence policies, the French civil defence organisation remains, in reality, still state-centred. The concluding section argues that if the institutional discourse on resilience and business continuity remains an ambiguous one, it has however highlighted the dependency of society on a wide variety of private actors (from supermarkets to internet providers), which is a problem that has barely begun to be addressed.

The state-centred approach of French civil defence

'Civil defence' is a broad term covering all the activities dealing with risk and crisis management, from prevention and surveillance to the rescue and emergency services. From a French administrative point of view, civil defence is a coherent set of human, organisational and technological public means. It is managed at a national level by a central agency³ attached to the Ministry of Interior, which executes different kinds of supervising missions, such as risk surveillance and monitoring, training, crisis management planning or fire-security regulation, and also executes different field operations like helicopter rescue or bomb disposal. However, most of the civil defence tasks are operated daily on a local basis by the firemen who are directly managed by local administrations.⁴

Since 1952, France has adopted and regularly updated a crisis management strategy,⁵ which hierarchically distributes emergency responsibilities between the local and the national administrations depending on the level of severity of the disaster. The response to disaster and the treatment of casualties would ordinarily remain with the local-level actors, and municipalities are supposed to act autonomously with their own resources (i.e. police, shelters, technical equipment, transportation and municipal human resources) and with the support of the firemen and the emergency services. If the disaster exceeds the response capacities of the municipalities, the state takes the lead in the management of response operations, through the authority of the departmental prefect (the state's representative at the departmental level), and if the disaster is of even more dramatic proportions (on a regional or national scale), a zone prefect takes control of the operations over an extended territory (a 'defence and security zone').⁶ If the disaster directly threatens the state's integrity, the government can choose to directly handle the crisis management operations, with the support of the army and can even call upon neighbouring countries and the European Union (Direction de la sécurité civile, 2008).

The prefects who have a leading role in this strategy are usually high-ranking officials from the national administration and are directly nominated – or removed – by the national government and the president of the Republic, without any need for formal consultation with the local authorities. The prefects can take control of the crisis

management operations whenever they or their monitoring and surveillance services deem it necessary, or they can act under the request of the national government. This historically dominant position of the prefect in the French administration explains in large part why French civil defence responsibilities have been structured in such a strong top-down hierarchy. Even in the case of a small-scale crisis, the state remains, in fact, the main actor with the legitimate authority, the necessary means and the level of expertise, to intervene, whereas the contributions of the local institutions, the private sector and the citizens remain at the margin of the operations.

The adaptation of civil defence policies to the progressive privatisation of the public services

In 2004, the Parliament passed a law reforming the civil defence organisation in order to allow a greater involvement and input from different non-state actors (Loi no. 2004-811, 2004). First, the law sought to unify the different crisis management procedures, which were until then divided according to the scale and the type of hazard (natural, industrial, type of location, etc.). Second, the law sought to empower the municipalities by letting them organise and decide for themselves what their own crisis management procedures should be, and legally obliging municipalities facing high risks (earthquakes, industrial hazards, floods, etc.) to develop an emergency action plan. Third, the law aimed to develop and spread a risk culture among the population, institutions, civil society and the private sector, by intensifying communication on risk and increasing crisis management exercises throughout the territory.

According to the national civil defence agency, this reform would turn crisis management into an ordinary procedure known to every citizen, rather than an exceptional and state-centred measure (Direction de la sécurité civile, 2004). The law acknowledged that the state has lost the direct control of a large part of the infrastructures providing vital services such as transport, communication or energy. Indeed, since 1986, successive national governments have conceded important shares of state-owned and publicly owned services and industries for different reasons, including regulatory changes (the European Commission obliges the Member States to open up ‘services of general economic interest to competition’), the search for management improvement (competition and the quest for profitability are supposed to lead to a better management efficiency) and budgetary savings (Marty, 2007).

In 1987, for example, the government (led by the conservative Prime Minister Jacques Chirac) allowed competition in the telecommunication sector, which would progressively lead to the transformation of the national administrative body, the ‘general direction of telecommunications’,⁷ into an operator under public law, renamed France Telecom. In 1998, the European Commission decreed the complete opening up of the telecommunications market, and, in 2004, the state sold more than 50% of France Telecom’s shares until finally reducing its participation to 27% (Pelletier, 2010). Following the 1996 European directive on the establishment of a common electricity market, (European Parliament and Council, 1996) the Parliament passed a law opening up the French electricity market to competition, in 2000 (Loi no. 2000-108, 2000). Consequently, Electricite de France, the state-controlled electricity utility became a private limited company with the state and the public institutions holding the majority of the shares (Coulomb, 2007). Partly under the influence of the 1979 European directives imposing binding water quality standards on the Member States, many local communities have decided to delegate water management and distribution to private companies (Desmettre, 2007).

As these three examples show, the privatisation process, which has removed vital activities from the public sector, has been a heterogeneous process, which has led to the creation of multiple companies of different forms. Public monopoly implied that only one organisation for each vital service needed to take responsibility when crisis management was needed. Privatisation has thereby resulted in the creation of multiple private organisations providing the same service on a single territory, and therefore needing to be committed and well coordinated in the case of a disaster.

Finally, privatisation has transformed the nature of the commitment required of these organisations during a crisis: whereas in the context of a state monopoly, vital service delivery during a crisis was understood to be an obvious extension of the public service mission, and as a formal part of the state's duty to protect its citizens, it is now comprehended through a contractual form of business continuity and partnership with the public authorities. Reciprocally, the usual public civil defence services must now consider the territory in terms of vital operating concerns, where it is necessary to ensure that supply lines are preserved and coordinated (such as water, energy, communication, transport and food), rather than in terms of full territorial protection and control. From this last point of view, the 2004 law can be seen as the reconfiguration of the civil defence strategy in order to adapt to the progressive privatisation of public services.

In 2006, the state consequently identified 12 'vital activity sectors', including energy, transport, water management or food supply (Arrêté, 2006). Inside each of these sectors, the government designated a few companies as 'vital importance operators', which would receive special security instructions in order to give public guarantees that their internal organisation would be able to keep providing their services to the population in the case of a crisis, and to recover their full ability to function in a reasonable time (Secrétariat Général de la Défense et de la sécurité Nationale, 2014a).

This commitment implies a new form of contractual collaboration between these operators and the state administration. While the company must provide an internal crisis management plan for responses to hazards, the government provides an external protection plan for giving operational support (logistical, human and material resources) and intervening if the disaster exceeds the response capacities of the company. The company must nominate a special representative in charge of supervising the coordination between its own services and those of the state. Potentially, one single representative for all the companies in a vital sector can be responsible for coordinating with the state. This collaboration implies the production of a new type of administrative documentation: reports from the public authorities expressing what the critical stakes are (what should be considered as 'vital' and what should not), and reports confirming the validity of the response capacities of the operators (Code de la défense, 2014). In the meantime, crisis management exercises must be performed to test the quality of the cooperation between the state services and the operators (Direction Générale de la Sécurité Civile et de la Gestion des Crises, 2013a).

The evolution of the French civil defence network

The administrative procedures, the legislation and the regulations represent only the most official dimension of this collaboration. In the meantime, professional networks, think tanks, councils or study departments of the state and the companies organise events such as conferences, research projects, training sessions or meetings in order to allow these civil defence stakeholders from different professional and cultural backgrounds (private, administration army, etc.) to get to know each other in depth.

Among the few French networks and think tanks specialising in civil defence issues, the organisation that has most directly addressed the question of the dialogue between the public and the private sectors is the ‘French High Committee for Civil Defence’.⁸ The French High Committee for Civil Defence was founded in 1982, and is financed in part by public subsidies, member subscription fees, and in majority by remunerations for their services, such as training sessions, event organisations (conferences, meetings) or council activities. Over the past decade, the French High Committee for Civil Defence has deeply addressed the question of private participation in civil defence action. Indeed, the work of the French High Committee for Civil Defence is well recognised by officials of the public institutions and the army (the French High Committee for Civil Defence’s chairman being a senator, regular conferences are organised in the premises of the Senate in Paris and a former Army General is a member of its staff), which allowed the organisation to develop its function of intermediary between the public and the private worlds. On a regular basis, the French High Committee for Civil Defence organises conferences where representatives from companies providing vital services, insurance or security expertise and officials from the state or the army express their views on topical civil defence issues.

The French High Committee for Civil Defence also provides a security label for the municipalities that manage to successfully develop an efficient crisis management plan, and ‘societal resilience trophies’ are given out to reward risk and crisis management initiatives undertaken by public administrations, private companies, non-governmental organisations or emergency services (Haut Comité Français pour la Défense Civile, 2013). Last but not least, the French High Committee for Civil Defence organises an annual training session on civil defence management for public and private executives entitled ‘societal resilience and security’. The auditors get to gather at least every month for 2–3 days to attend conferences and to visit France’s main vital infrastructures (airports, train stations, nuclear plants, ports, etc.) (Haut Comité Français pour la Défense Civile, 2014b). The French High Committee for Civil Defence creates or reinforces the links between these different professions and contributes to the development of a civil defence network, allowing its members to informally discuss and debate civil defence issues.

Aside from the French High Committee for Civil Defence, executives and risk managers from the financial and insurance sectors initiated the ‘Business Continuity Club’, in 2007.⁹ This club aims to be a professional network allowing risk managers and executives from all kinds of companies to exchange information and best practices on crisis management and business continuity, mainly from a human resources approach. The ‘Business Continuity Club’ organises conferences on topics such as the specificity of business continuity for small- and medium-sized companies or the juridical aspects of crisis management, and produces pedagogical documentation (lexical, best practices manual, etc.). The organisation introduces its members to more specific and technical topics such as the development of International Organisation for Standards norms on business continuity and seeks to establish professional status and recognition for business continuity management (Tête, 2013).

On the public side, two institutions have developed substantial discourses and activities addressing the need for a further involvement of the private sector and local governments in civil defence issues. The first one is the Secretariat-General for National Defence and Security, which works directly under the authority of the Prime Minister and has notably taken part in the writing of the 2008 and 2013 White Papers on Defence and National Security. Since 1906, the Secretariat-General for National Defence and Security has under various forms provided information and advised the

government on defence issues. In the wake of the 9/11 attacks, the Secretariat-General for National Defence and Security has partly redirected its focus to internal security issues, and especially to critical infrastructures and sensitive networks protection. For instance, its analysis work formed the basis of the 2006 State decree on the protection of vital infrastructure, described above (Président de la République, 2006). In 2014, the Secretariat-General for National Defence and Security also introduced the need to protect vital infrastructure in the new version of the national security alert system against terrorism, commonly known as Vigipirate (Secrétariat Général de la Défense et de la sécurité Nationale, 2014b). In 2013, the Secretariat-General for National Defence and Security published a manual for company executives on how to develop a business continuity plan (Secrétariat Général de la Défense et de la sécurité Nationale, 2013).

Since October 2013, the Secretariat-General for National Defence and Security has had co-responsibility for leading the 'Industrial Cluster on Security Committee'.¹⁰ This committee was established by the Prime Minister in order to strengthen the competitiveness of French companies in the international security market and to enhance public partnership for security research and development projects. Therefore, one of the primary aims of this new group is to bring the different public organisations and private companies working in the security sector together, and to engage them in a discussion in order to identify the strengths and weaknesses of the French market, as well as the specific needs of the vital infrastructures.

The second institution, the Ministry of the Environment, through the lead of the 'General Commission for Sustainable Development',¹¹ in 2012, launched the 'Territorial Resilience Integrated Assessment'¹² initiative, which aims to identify and strengthen the capacity of local governments, local infrastructures and local communities to cope with disasters. In 2012 and 2013, the Ministry of Environment mandated its own research departments to develop case studies on different territories affected by different kinds of hazards (floods, hurricanes, industrial hazards, etc.), in order to understand the local strategies and reactions when disaster occurred. Since 2013, the General Commission for Sustainable Development has been developing a manual based on the results of these studies, to help local governments to enhance their own capacities to cope with disasters and to recover more easily from hazards through a better mobilisation of local resources (municipal services, local firefighting services, citizens, vital networks and infrastructures) (Commissariat Général au Développement Durable, 2013a). The General Commission for Sustainable Development has also launched a call for an academic research project, 'territories' resilience to risks', which aims to develop a better methodology that can be used by institutions to improve local territories' crisis management capacities and to better understand how economic, social and industrial concerns influence risk management policies and decisions (Commissariat Général au Développement Durable, 2013b).

The emergence of a discourse on the limits of the state's protection capacities

Altogether, these different public and private organisations constitute a world (Becker, 2008) of actors sharing a common language, common concepts and common values. They attend the same events and invite each other to their meetings and conferences, and some of them belong to several of these organisations at the same time. In the end, they produce a common discourse on civil defence, which becomes visible through the reports, drafts and websites that they produce.

They therefore regularly discuss the limits of the state's protection capacity, noting the increasing scattering of the means and resources between the national, local and the private actors and their lack of coordination. They regret the lack of preparedness and awareness of the population, which generally is seen to rely too much on the state's reaction in the case of disaster (Sommade, 2010). On the other hand, they blame public authorities for developing plans confining the population to a passive role without considering its ability to take initiatives (Boucher, 2010). This discourse also emphasises how interdependencies between the different vital infrastructures have progressively increased the vulnerability of the entire society. A report from the Ministry of the Environment explains for instance how a flood in Paris could damage or render unusable the telecommunication systems of the transport network, which in turn would mean that people were unable to go from their home to their workplace and could have massive consequences for the national economy (Durville, Flury-Herard, Rimoux, & Winter, 2014).

Finally, they commonly express the need to increase resilience as a capacity for social and public authorities to resist the consequences of a disaster and to recover shortly afterwards. Resilience is mainly introduced as a response capacity issue, which implies comprehending crises and disasters as events that will happen instead of events that could happen. Moreover, resilience is viewed as a matter of behaviour and adaptation shared by everyone, from individuals to organisations, whether public or private, rather than a matter for public planning and policy-making alone. Through the discourse of resilience, the debate on civil defence, therefore, shifts from risk protection as a state prerogative to crisis and emergency management as a general public requirement. Over the past decade, resilience has appeared as a leitmotiv in these discourses and reports: the Secretariat - General for National Defence and Security has engaged a 'resilience national effort' (Delon, 2013), which brings together its different initiatives related to resilience and business continuity, the French High Committee for Civil Defence and the Ministry of Environment have co-developed a 'territorial resilience indicator' for local governments and communities (Haut Comité Français pour la Défense Civile, 2014a) and the General Commission for Sustainable Development is developing a manual to help local governments to evaluate and reinforce their own resilience, as described previously.

A neoliberal discourse but not the reality

Joseph has described the resilience discourse as an indication of a neoliberal shift in the security policies undertaken by the French government and administrative institutions. He therefore considers the emergence of a national discourse on resilience as reflecting the desire of the French state to step back from its responsibilities to ensure the security and protection of the population during crisis and to delegate to private companies and the individuals themselves. From this point of view, Joseph argues that resilience (as an Anglo-Saxon concept) contradicts the centralist and egalitarian traditions of French republicanism (Joseph, 2013a). He shares with Zebrowski, who also studied the case of British civil defence (Zebrowski, 2013) a Foucauldian interpretation of the resilience discourse, which argues that resilience, as an injunction made to individuals to autonomously act in the face of a crisis or a disaster (whether natural, industrial, sanitarian, financial, etc.), is part of a wider emerging governmentality (or 'conduct of conducts') enjoining individuals to behave and adapt according to the standards of an entirely market driven society.

Along with the French and the British cases, Christian Fjäder has described how similar ‘critical infrastructure resilience’ strategies and policies were adopted by several other national institutions and administrations (e.g. the USA, Canada, New Zealand, Australia and the Netherlands) in order to address new security threats (international terrorism, organised crime, pandemics, natural disasters, drug trafficking and human trafficking) and to adapt their national security policies to the increasing privatisation of critical infrastructure (Fjäder, 2014). He explains how such strategies and policies potentially challenge the role of ‘sovereign governments in the provision of security’ (p. 128) because resilience implies that states provide greater autonomy to critical infrastructure operators for risk and crisis management, rather than critical infrastructure security being considered as a central national security issue handled primarily by the public authorities (p. 125). Furthermore, resilience, as the capacity to adapt and recover from a crisis, would not necessarily fit with the nation state-based conception of security, which calls for the engagement of prevention and protection measures before a crisis happens. According to Fjäder, critical infrastructure resilience strategies encourage states to adopt ambiguous positions, on the one hand, acknowledging the need to delegate their security prerogatives while, on the other, being simultaneously reluctant to give opportunities to non-state actors to develop their own risk management processes and to have any real freedom to take decisions in this field.

With regard to the previously analysed French discourse on resilience and business continuity of vital infrastructures, the findings of this study are much closer to those of Fjäder. The emergence of such a discourse as the will of the French institutions to develop public–private partnerships and to better empower – or to give up to, depending on the point of view – local government and individuals in the field of civil defence can indeed be perceived through the neoliberal shift that Joseph and Zebrowski have described. However, this discourse bears little relation to the French reality of civil defence, which remains heavily guided by state institutions.

First, despite reforms announced through the 2004 law, local governments and individuals remain only marginally involved in civil defence organisation. A 2013 report of the national civil defence agency Direction Générale de la Sécurité Civile et de la Gestion des Crises admits that only 15% of municipalities have developed a thorough local emergency plan, and less than half of the municipalities legally obliged to create one actually have a plan at all (Direction Générale de la Sécurité Civile et de la Gestion des Crises, 2013b). Yet, while the report deplores the lack of risk awareness on the part of local governments and the population, it fails to question the causes of this gap, such as the lack of local equipment and financial means, or the need for local governments to address more urgent matters such as employment, education or housing. The national civil defence organisation remains state-centred since the prefect, as the representative of the state, can still take control of crisis management operations without the need for any consent on behalf of the local representatives and administration.

The topic of civil defence remains quite a marginal concern for public opinion, when compared with other related issues such as delinquency and insecurity (Institut de Radioprotection et de Sécurité Nucléaire, 2014). Furthermore, the management of vital infrastructure remains a contested issue between civic movements and the state authorities, as the recent case of the new airport construction project in the west of France, which led to a strong local opposition (Guibert, 2013), shows very well. A 2012 national report on the Xynthia storm, which occurred mainly in the West of France in February 2010 and caused 64 deaths as well as hundreds of injuries and evacuations,

revealed not only the lack of risk awareness of the local population and authorities, but also the state administration's failure to comply with legal obligations to properly inform citizens and local representatives of the risks they faced with regard to land use, notably regulations which would prevent constructions in areas at risk (Cour des comptes, 2014). Second, the private sector remains only partially engaged in the policy process and plays a largely passive role – guided by the state through regulations, white papers or business continuity measures – rather than being truly integrated in the development of civil defence initiatives.

The 2014 governmental instructions addressed to vital infrastructure operators are legally binding and are very far from the *laissez-faire* approach of resilience as described for instance by Aaron Wildavsky in his book *Searching for Safety* (2011). Although Wildavsky argues that allowing private organisations to take risks and to make errors is the only way to let them learn how to effectively manage their own security and cope with surprises (in other words, to become resilient), the 2014 governmental instructions restrains their autonomy through a complex set of administrative measures. Steyer and Gilbert (2013) have shown the limitations of public–private partnerships during the 2009 H1N1 pandemic, especially highlighting the failure of public authorities to provide business continuity managers with the necessary information and contacts. Non-state actors were reluctant to take responsibilities that exceeded their powers and that were not directly linked to their company interests. In fact, business continuity managers blamed the public authorities for not ‘assuming their leadership role’.

It would appear that there is a major paradox at play: the bottom-up approach to civil defence that the state services declare they wish to implement across civil society is stymied through the growing burden of top-down measures such as state decrees, national laws, or guidance manuals explaining exactly how a company or a municipality should develop its emergency plan, as described above. None of these civil defence initiatives comes from a local or a private demand. Furthermore, most of the private companies attending the events (conferences, meetings, etc.) organised by the civil institutions are former public services with management regimes, which remain strongly attached to the state, or whose capital financing remains partly or fully owned by the government.

Conclusion

Analysing the emerging institutional discourse on business continuity and resilience allows us to understand how the French state authorities undertake to progressively include non-state actors in civil defence issues while disengaging from their previous responsibilities. Reciprocally, this discourse acknowledges how the roles played by civil society, the private sector and the economy have become absolutely essential for civil defence. The stability of the country has become highly dependent on the proper functioning of privately owned vital infrastructures and vital services, whereas the historical public actors (the prefect, ministry, municipalities, etc.) have substantially lost their control over, and their detailed expertise and understanding of these technical systems. Desmetre (2007) has explained, for instance, how difficult it was for the municipalities to take back the control of a water supply system once it had been delegated to a private operator.

In practice, however, the state authorities do not necessarily take responsibility for the consequences of such a loss in terms of power, credibility and legitimacy,

and are, in the end, reluctant to truly delegate their authority and prerogatives. The companies, the local governments and the population remain insufficiently aware of the risk they face and thereby lack the means to manage a crisis on their own. This unbalanced situation eventually leads to a paradoxical position for the state, which effectively expresses its will to step back from its historical protective role, while remaining the first authority in the case of crisis. Strangely enough, what appears to be – and is announced as – a disengagement of the state from civil defence issues to the benefit of the private sector is in fact a process mainly supported by actors with a weak liberal culture (public administration, army, organisations closely linked to the state) and in which private companies remain only marginally involved.

From the civil defence institutions' point of view, the discourse promoting resilience and business continuity can be interpreted as a strategic wish to redefine their function within this new situation of dependency: leaving their historical role of security and protection planners to become instead civil defence coordinators and advisers. This might undermine part of their own legitimacy, but it could insure their role and existence in the long term. In fact, the discourse on the increased 'complexity' of risks and crises expressed by these institutional actors, which Joseph has understood merely as a pretext for introducing more 'neoliberal practices of governance' (Joseph, 2013a), might be a raw reality for them after all: by losing their control over and their knowledge of the functioning of the infrastructures maintaining the stability of the country, insuring civil defence becomes indeed a more complex and uncertain task to achieve.

Of course, this does not mean that the involvement of local and private actors in civil defence issues is not a legitimate need. For instance, the 2006 state law on vital activity sectors emphasises acute issues, such as food supply during a crisis, and highlights the crucial roles of non-state actors such as supermarkets and stock suppliers for security, which were barely addressed until then (Président de la République, 2006). Nor does it necessarily mean that privatisations have disturbed some kind of established or obvious order because privatisations today, just as nationalisations in the past, have been the result of specific political choices. What may be more problematic is that these institutional actors assume as taken for granted that private companies would be genuinely willing to assume such a 'vital' responsibility for society.

Nevertheless, what the discourse on resilience and business continuity eventually shows is that the French public authorities are not willing to meet the expectation of the myth of a *protecting state* anymore. A simple comparison with the past security procedures highlights the depth of the recent evolution of the discourse on civil defence: in 1965, the French civil defence manual edited by the Ministry of Interior was in great part dedicated to the risk of a nuclear attack, and explained to the population how to shelter from a nuclear fallout (Service national de la Protection Civile, 1965), while awaiting the instructions of the government. Almost 50 years later, the national civil defence services enjoin companies to create business continuity plans against a crisis of any kind, from natural hazards to terrorist attacks.

Notes

- 1 'La résilience se définit comme la volonté et la capacité d'un pays, de la société et des pouvoirs publics à résister aux conséquences d'une agression ou d'une catastrophe majeure, puis à rétablir rapidement leur capacité de fonctionner normalement, ou a` tout le moins dans un mode socialement acceptable' (English translation by the author).
- 2 As Joseph (2013b) has noted, the use of the word 'resilience' remains limited in the 2008 White Paper on Defence and National Security.
- 3 The *Direction Générale de la Sécurité Civile et de la Gestion des Crises*, which could be translated as 'General Department of Civil Defence and Crises Management'.
- 4 The *Service Départemental d'Incendie et de Secours*, which could be translated as 'Departmental Fire and Rescue Services'.
- 5 *Organisation de la Réponse de Sécurité Civile*, which could be translated as 'Civil Defence Response Planning'.
- 6 However, the civil defence of Paris and its close suburbs represents a special administrative case: a special *police prefect* directly leads the police and the firefighting services, and permanently manages the emergency relief operations. Another territorial exception is the sea, where a special *maritime prefect* leads the emergency relief operations.
- 7 *Direction Générale des Télécommunication.*
- 8 *Haut Comité Français pour la Défense Civile.*
- 9 *Club de la Continuité d'Activité.*
10. *Comité de la Filière Industrielle de Sécurité.*
- 11 *Commissariat Général au Développement Durable.*
- 12 *Analyse Intégrée de la Résilience Territoriale.*

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