



ELSEVIER

Journal of Hazardous Materials 86 (2001) 245–248

**Journal of
Hazardous
Materials**

www.elsevier.com/locate/jhazmat

Present challenges to risk governance

Gilles F. Heriard-Dubreuil*

Mutadis, 14 rue de Belzunce, 75010 Paris, France

Abstract

The purpose of this short paper is to present the main challenges to risk governance in the today democratic context. The first part describes briefly the main characteristics of the approach to collective decision-making grounded on the scientific rationality, dominant in Europe for about two centuries. The second part describes the current difficulties encountered by the traditional decision-making processes when confronted with complex situations in area such as risk management but also in the management of other collective issues such as unemployment or urban violence. This description is notably based on the conclusions of the TRUSTNET European concerted action on risk governance issued in 2000. From the interdisciplinary analysis of some 11 detailed case studies of diversified risk governance contexts, the concerted action conclusions propose a model of the existing patterns of risk governance. The emergence of new co-operative processes of decision-making (Mutual Trust Paradigm) is reported in contexts where the traditional approach of collective decision-making are meeting difficulties. The third part of the paper describes the profound changes required by the adoption of co-operative decision-making processes and the main conditions for their development in the future. © 2001 Elsevier Science B.V. All rights reserved.

Keywords: Risk; Governance; Trust; Democracy; Decision

1. The traditional approach to decision-making

At the end of the 18th century, during the French revolution, de Staël [1] a well-known writer stated that: “The analysis and progression of ideas in a mathematical order provides an invaluable advantage for it takes away even the idea of opposition. What becomes evident leaves the domain of passion”. From this idea derives the old objective of developing a rational and scientific approach to decision-making in order to provide society with a durable order.

This approach to public decision-making has been dominant in Europe for about two centuries. Collective issues are classified according to specialised categories, a powerful

* Tel.: +33-1-45-96-09-19; fax: +33-1-45-96-07-26.

E-mail address: mutadis@wanadoo.fr (G.F. Heriard-Dubreuil).

process of complexity reduction. Qualified in this way, the initially complex and intermingled problems of the real day-to-day life become economic, medical, agricultural, social, security, etc., issues and problems. As a result, the problems of our communities are taken in charge by the corresponding compartmentalised public administration. The scientific background of decisions is a key component of the credibility and legitimacy of the public authorities decisions.

This approach to public decision-making is however confronted to growing difficulties in many areas, among them the management of risks but also the management of other issues such as for instance unemployment, urban violence, environment, poverty, sustainable development. Complexity is a common characteristic of those issues. Whereas a complex problem can be addressed by several categories of administrations, none of them are in the position to solve it. Specialised actions and strategies tend on the contrary to aggravate the problem. Neither can co-ordinated actions of different departments of administrations solve the problem for it requires the empowerment and involvement of the relevant actors of society in the decision-making process if it is to be accepted by them.

Several factors are at the origin of this new context. A first one is the disclosure of the real nature of decision-making and the limited role of science in decision. As Hume [2] stated in the 18th century: "From what there is one cannot conclude what ought to be". A characteristic of decisions is to strongly rely on values and not only on science. The disclosure of uncertainty as an unavoidable component of the context of decisions also is at the origin of growing concerns and anxiety of non-expert people. A collective reflection on the practical implementation of the precautionary principle produced the conclusion that "Deciding can therefore no more be presented as demonstrating" [3].

We are therefore moving away from what de Staël called the "geometric evidence" and back to what Arendt [4] describes as the "human condition" in action, which is characterised by uncertainty, irreversibility and plurality. If it is not to be a return to the domain of passion (an actual risk however), decision-making would have more to do with achieving a reasonable [5] co-operative decision involving the concerned actors than with making a purely rational decision optimised according to scientific criteria. If good science remains a key component of decisions, the latter cannot be fixed by science alone.

2. The TRUSTNET European concerted action

The 80 participants (decision-makers and experts) of the TRUSTNET European concerted action on risk governance (1997–1999) [6] have outlined the difficulties currently encountered by the risk regulation systems in Europe from the detailed analysis of some 11 diversified case studies of risk governance of hazardous activities (industrial, natural and medical risks).¹ As the purpose of risk assessment and management is to control the risks associated to hazardous activities, many difficulties arose from the absence of clear justification of the activity by the society as a whole or in the eyes of certain categories of

¹ TRUSTNET is a European network of some 80 regulators, experts and stakeholders with experience in industrial, natural and medical risks. From 1997 to 1999, a series of four seminars were held within the network with the support of the European Commission in order to carry out a collective reflection on risk governance.

stakeholders. For liberal societies implicitly allow “what is not forbidden”, a strong claim of the stakeholders of an hazardous activity is that this activity is to be clearly justified in their eyes if the related risks are to be acceptable when properly controlled.

Another difficulty is encountered as risk analysis remains a reduction of complex contextual situations of risk exposure to a simple figure (the measurement of risk). Such reduction often makes it impossible to issue a decision as risk is never acceptable in itself but in a specific context where the activity at the origin of the risk is clearly justified. What people think about a hazardous activity is not reducible to a single number of estimated risk. To ignore risk information is as much disproportionate as making it as sole basis for decision-making.

In the complex decision-making contexts where traditional decision-making processes meet difficulties the TRUSTNET participants have noted the appearance of new patterns of decisions where the categories of actors involved (public authorities, experts, stakeholders) play a different role. Whereas the classical approach (the Top–Down Paradigm) is characterised by a dominant role of the public authorities, the emerging decision-making processes (the Mutual Trust Paradigm) are characterised by a broad involvement of the stakeholders. Being pluralistic and available to all parties involved, the scientific expertise is no more presented as an exclusive determining factor of the decision. The uncertainties, conflicts, trade-off and residual risks of the decision context are disclosed to the actors involved. Autonomy, accountability and responsibility of the stakeholders are key values of “Mutual Trust” decision processes.

Each approach brings specific complementary advantages from the point of view of society as a whole. In the continuous social dynamic, Top–Down and Mutual Trust approaches operate successively in order to preserve social cohesion and social trust [7] while allowing activities entailing risk. The Top–Down approach is efficient in contexts characterised by absence of complexity. Where a Top–Down governance is facing difficulties a shift to a Mutual Trust approach will make it possible to maintain public confidence or to create the conditions for society to authenticate or rebuild the common values which ground social trust and social cohesion.

There are however many factors precluding more co-operative decision processes when difficulties arose. The TRUSTNET conclusions have described as the “vicious circle of scientific decision-making” the situations where public authorities seek to legitimate [8] decisions which do not encounter public support by reference to science contributing to evacuate the political dimension of the issues at stake and reinforcing the public loss of confidence.

“Mutual Trust” decision processes require profound changes in mentality and attitude of all categories of actors involved, be they public authorities, experts or stakeholders. They require mutual understanding and respect. Weak actors need to be empowered and provided with adequate competence. Such changes usually occur in contexts where no other solution exists, but it is not a sufficient condition as the actors may radicalise their position. Specific mediation skills and know how are required which need to be developed among society.

Although updated legal frameworks and institutions may create favourable conditions for the required changes, the concerned actors must realise that their personal and human involvement is necessary. As stated the representative of a local NGO located near a hazardous facility: “The real life is more than the application of rule. We (local actors) are in the position to define and manage the problems beyond the simple enforcement of regulation”.

References

- [1] M. de Staël, *De la littérature considérée dans ses rapports avec les institutions sociales*, Paris, 1800.
- [2] D. Hume, Enquiry concerning the principle of morals (1751), quoted by Wene C.O., A meaning for transparency in decision processes, in: Andersson (Ed.), *Proceedings of the VALDOR Symposium*, Stockholm, June 1999.
- [3] Cahiers du Groupe Epistémologie des Cindyniques No. 4, Une pragmatique de la précaution: du rationnel au raisonnable, Janvier 1998.
- [4] H. Arendt, *La condition de l'homme moderne*, Calman Levy, Paris, 1983, pp. 153–154.
- [5] S. Latouche, Le rationnel et le raisonnable. Les antinomies du postulat métaphysique de la raison économique, in: *Revue du M.A.U.S.S., A qui se fier?, La découverte/M.A.U.S.S., Vol. 4*, 1994.
- [6] European Commission, *The TRUSTNET Framework: A New Perspective on Risk Governance*, DG RTD (2000), EUR 19136 EN, Brussels: European Commission.
- [7] T.C. Earle, G.T. Cvetkovich, *Social Trust, Toward a Cosmopolitan Society*, Praeger, Westport, 1995.
- [8] J. Bacon, *Scientific judgement: contribution to or substitute for policy*, Royal Society Foundation for Science and Technology, 11 February 1997, London.