Abstract

The rise in France over the last five years of counter-globalisation as the central unifying frame in social protest has been accompanied by an apparent diversification of protest repertoires. Protest events carried out by groups associated with a wide array of movements, but predominantly focused on issues of cultural and territorial integrity, now regularly feature strategies identified as hacktivism, artivism, situationism, hoaxing, and cultural jamming, whilst increasing press and academic attention has been paid to the emergence of a ‘neo’ civil disobedience in France, particularly associated with the ‘snowball’ protests carried out against GM crop plantations.

This paper seeks to map the contours of such forms of protest. Environmental protest has, traditionally, been structured around local resistance, combining legal challenge through the administrative court system with physical confrontation (violent and non-violent), most notably in the form of site occupations backed by large scale symbolic mobilisations. Drawing on a number of examples of contemporary protests on environmental issues, from anti-advertising to anti-nuclear to anti-GM protests, I will seek to provide answers to two questions: 1. to what extent can one talk of a transformation of environmental activist strategies in France? and 2. to what extent have transnational groups and action frames, and new technologies (mobile phones, internet...), influenced the form of these protests?

Preamble

This is a working paper in its very early stages of development. As such, I am not trying to offer a coherent, fully developed, systematic (or even reasonably finished) argument. Instead, what I intend to do in this paper is to set out a number of contexts which seem to me to be important for what they reveal about transformations in the strategies and forms of activism in France now (the rough temporal frame which I am using covers the last ten years, but has an emphasis on very recent developments and campaigns). As might be expected, these contexts have two broad sources: the empirical observation of specific campaigns and struggles; and a secondary literature which is at times descriptive, at times polemical, and which at times offers valuable theoretical advances by way of (part) explanation of observable trends. Some of this literature in particular is specific to France, some more general. Some of the campaigns discussed are identifiably associated with the organisations, issues and objectives of the environmental movement, or with closely related movements (such as the anti-nuclear movement). Some of them are more tenuously linked, or identified with other movements within the new social movement sector, or even with organised labour. This is deliberate: in part, it is the broadness of the parallels and emerging trends which I have found intriguing and which have motivated my research.

Because I am setting out a series of contexts and observations, the narrative of this paper is occasionally somewhat fractured (for which I hope you will forgive me). I hope that it will lead to a broad-based discussion of similar/contradictory trends in other social/political/cultural contexts and, especially, the passages between these different contexts. Moreover, I hope that such a discussion will both help me orient my discussion of the developments in France and enable me to refine my approach to the analysis of a number of case studies, as part of what I hope will be a substantial ongoing research project. The first of these case studies (the Grenoble protest given brief consideration in the first of the ‘short stories’ set out below) will form the basis of a paper included in a panel on local politics and transnational action frames, to be presented in the Environmental politics section of the forthcoming ECPR General Conference (Budapest September 2005).
Observing social relations in France could be forgiven for assuming that unions and unionisation are currently in vigorous health in the Hexagone. The roots of such an assumption might lie in the fertile ground provided by the generalised public sector strikes of 10 March 2005 called to protest against low pay, unemployment (which currently stands at just over 10% in France, or 2.8 million people), social security and education reforms, and the dismantling of the 35 hour week, which caused widespread disruption in fifty-five French cities – including, inevitably, Paris, where the strike was timed to coincide with the IOC’s inspection of the city as a potential host of the 2012 Olympics; or the memory of the strikes of November-December 1995 when 2 million took to the streets; or the highly-mediatised, persistent union interventionism of certain economic sectors (particularly hauliers and farmers); or the cultural legacy of May 1968, and so on. Yet the bigger picture of the state and form of unionisation in France reveals a somewhat different story. A recent report by the ministry of employment, labour and social cohesion (DARES 2004) points to a long-term decline in unionisation, with membership at comparatively low, if now stable, levels. Indeed, in 2003 only 8% of French workers were members of unions, half as many as in the late 1970s, with unionisation remaining comparatively strong only in the public sector (where unionisation stands at around 15%), and amongst white collar professionals in health and education. In contrast, there are especially low levels of unionisation amongst manual workers, in the private sector, and in small firms.

In part, the decline in union membership reflects the numerical decline in France’s industrial working class base, and is symptomatic of the impact, as elsewhere in western Europe, of the introduction of new technologies, of new competitors in globalising markets, of the drive to ‘flexible’ forms of employment, and of the structural shift from the conditions of collective manual labour to a compartmentalising service sector. The 1995 strikes, called in response to the Juppé government’s plan to cut public spending in order to meet the European single currency entry requirements, came after a decade of relatively low levels of industrial action, part of a broader demobilisation of the Left which included the abandonment of its formerly central transformative political programme. Moreover, a key characteristic of the 1995 actions is that they were not instigated by France’s major recognised unions; indeed, one of the most prominent, the CFDT, was broadly sympathetic to the government proposals. Rather, the strikes, predominantly based in the public sector, and demonstrations, which also featured private sector workers, were primarily organised within sectors and trades rather than along broad class lines by the union federations.

A central characteristic of the strikes therefore is what Jacques Capdevielle (2001) and Jean-Pierre Le Goff (1996) have defined as their corporate aspect. By corporate, in this sense, both Capdevielle and Le Goff understand not a privileging of narrow particularist goals over the general interest, but rather a return to the métier (the specific set of skills associated with the exercise of particular trades) as the formative element of a progressive, collective identity. Demonstrations were remarkable for their organisation by trades, with protesters conspicuously wearing the uniforms and overalls of their professions, and the rallying cry of Tous ensemble! pointing to both the differentialisation of sectoral demands and the cross-sectoral solidarity of protest. For Capdevielle, this return to the métier is a consequence of the crisis in legitimacy of traditional collective labour structures, as both unions and parties have lost their aggregating function. A second symptom of this crisis is accordingly the emergence since the railway workers’ strikes of 1986-87 of the coordination, replacing traditional mediating structures within social mobilisation. The coordination rather than the syndicat is thus increasingly the focal mobilising body, and is differentiated by its claims to sectoral rather than general representativity, its refusal of wider political solutions to sectoral problems, and its self-limitation in the formulation of its demands (Capdevielle 2001: 91-4).

A second key feature of the 1995 strikes and demonstrations is that they are bound up with the emergence of a number of grass-roots campaigning movements articulating the plight and demands of the ‘sans’, or ‘exclus’, in other words those excluded from integrative social structures or left behind by the market economy. Chiefly, these movements represent the unemployed, non-regularised immigrants, and the homeless, as well as featuring counter-globalisation, aids advocacy and anti-racist groups. For Sarah Waters, this amounts to a political transformation, a new civic, rights-based activism structured around the marginalised and the disenfranchised. ‘To treat these as new social movements, that aspire to secondary post-material demands in a world where primary economic needs have been satisfied or met, is to miss the point of these movements, to deny their fundamental character and logic’, she argues; these movements are not ‘new social movements’ but rather
mobilise on ‘traditional issues rooted within political tradition and linked to demands for equality, freedom and solidarity’ (2003: 41, 42).

The third central feature of the 1995 mobilisations was the re-engagement of France’s intellectual class with social protest. For Pierre Bourdieu, for example, the public sector strikes and mobilisation of the sans could be seen together to represent a social movement capable of opposing dominant power systems in terms both of political authority and the production of discourse. Beyond Bourdieu’s analysis – and numerous observers have highlighted the apparent inconsistencies and incompatibilities between the aims of public sector workers and those of the sans – lies the importance of the fact of his intervention in defence of the strikes. Indeed, the mobilisation of intellectuals, though far from unified – rival petitions for and against the strikes were printed in the major newspapers – contributed directly to the structuring of the terms of the debate and the definition of its social objectives. Moreover, it highlighted the failure of the unions to fulfil this function. In this context, a little over a year later, it was a collective of film-makers – rather than parties or unions – which published a manifesto in Libération and Le Monde calling for a campaign of civil disobedience to counter the conservative government’s proposed introduction of a law requiring individuals to make a formal declaration to the local town hall when inviting foreign nationals to stay in their house. For the film-makers, this law was fundamentally anti-Republican, and marked a return to Vichy principles; the film-makers’ intervention was furthermore the result of a lack of their confidence in the political Left, and what they considered to be a generalised acceptance of the extreme right’s discourses on immigration (O’Shaughnessy & Hayes 2005: 9-11). Their call to civil disobedience was swiftly followed by similar calls emanating from other ‘collectifs’ of artists, and by a demonstration attracting over 100,000 people on 22 February 1997. For Tartakowsky (2004: 37), this was a demonstration

D’allure inédite, relevant d’une gigantesque promenade sans groupe de tête ni ordonnancement, sans banderole ni porte-voix, devenue l’éphémère mais claire image de la politique en crise, expression parmi d’autre, mais combien visible, du rejet des organisations traditionnelles.

It is in this context, therefore, that I wish to situate the apparent development of new forms of action, particularly the adoption in France of modular forms of action familiar elsewhere but previously marginal or unknown in France, and the increasing prominence of civil disobedience campaigns. The innovation in action repertoires cannot be considered to be unique to environmental protests, first because it is more widely found among the sans and rights movements discussed above, and second because it is often difficult to differentiate goals between counter-globalisation and environmental movements (the anti-GM crop destruction campaign discussed at length below is a case in point). Nonetheless, environmental protest appears to map broader shifts in national action repertoires, as the next section aims to illustrate.

**Repertoire Innovation and Civil Disobedience**

**The Grenoble Tree Protest**

In November 2003, a small group of activists took to an avenue of trees in Grenoble’s central public gardens, the Parc Paul Mistral. The trees were amongst over two hundred which had been earmarked for destruction to make way for a new stadium for the city’s football team, to replace the one built on the same site in the 1930s. The activists remained in the trees throughout the winter, constructing shelters and tree houses, supported by residents from the local quartiers, who brought the protesters food and other materials; an improvised postbox at the foot of the plane tree chosen for the central camp was even officially recognised by the state postal service. The protest was ended in February 2004 as the tree-squatters – or accro-branchistes – were first barricaded off and eventually removed by specialists from the CRS (riot police) alpine climbing unit. Ultimately, the occupation saved only two trees from being felled. Two months later, in April 2004, a number of the accro-branchistes repeated the feat at nearby Ferney Voltaire, where the destruction of 4500 trees was underway by order of the French transport ministry for security reasons, in order to expand Geneva-Cointrin airport on the French side of the border. The occupation of the forest forced suspension of felling to enable a legal appeal by a local environmental and residents association; the appeal was ultimately successful, this time saving around 400 of the trees.
The Robert Johnsons

In October 2003, Stopub, a then little known group, placed a manifesto on the internet calling for resistance to the marketisation of the world and advocating the targeting of advertising on the Paris metro. The manifesto was followed by commando actions in October, November and December 2003 when over 9000 adverts were defaced with paint and marker pens by activists identifying themselves only as Robert Johnson. Rather than a real identity, the name of the legendary 1930s American blues guitarist famously rumoured to have made a pact with the devil functions as a collective identity which can be claimed by any activist at any time, and reflects the anti-hierarchical and playful nature of the organisation. The RATP was unimpressed, taking 62 activists to court in spring 2004 and demanding damages of one million euros. In the event, nine activists were fined the smaller yet still substantial sum of 16,800€.

Locking On

In the afternoon of 7 November 2004, a group of ten anti-nuclear activists set out to block a rail shipment of vitrified nuclear waste at Avricourt in Lorraine, en route from COGEMA’s nuclear re-processing plant at La Hague, near Cherbourg, to the Gorleben waste storage facility in Germany. Four of the activists were to chain themselves to the tracks, using metal tubes already placed under the rails in the early hours of the morning. According to the group’s established procedures, a forward party, placed 1500m further up the line, was to use smoke grenades to warn the convoy of the presence of the activists, ensuring that the train would stop in time. However, unbeknownst to these activists, another – unconnected – group had succeeded earlier in the day in stopping the train for about two-and-a-half hours between Nancy and Luneville, also in Lorraine, whilst the CRS cut protesters free from the tracks. Due to this delay, the police helicopter monitoring the train was forced to make an unscheduled refuelling stop, depriving the warning party at Avricourt of its main means of establishing that the nuclear train was approaching. Subsequently cut off from the train by gendarmerie outriders, the forward group was unable to warn the locomotive. As a consequence, the train was still travelling at around a reported 100km/h when it reached the activists, who were lying on the tracks at the end of a curve, in a spot chosen more for the cover provided by surrounding woodland than for the visibility it afforded down the line. Though three of the activists successfully cleared the rails, the fourth was hit by the locomotive and died later the same day from his injuries.¹

The disruption of nuclear waste trains in northern France has become a staple feature of anti-nuclear activism since shipments between Germany and Italy and the re-processing facilities at La Hague in Normandy (and Sellafield in the UK) were re-started in March 2001. In part, the concentration on civil disobedience in action repertoires reflects a change in emphasis: whilst mass demonstrations remain a staple element of activism, opposition to waste trains has not mobilised the same numbers as it has in, for example, Germany (though one should also bear in mind that as recently as 1997, between 30 and 40,000 mobilised near Nantes in Brittany against the prospect of an EPWR nuclear plant). Yet low mobilisation figures against waste transit also reflects the historical specificity of French mobilisations: in the 1970s high-point of mobilisation, opposition to anti-nuclear protest events were most successful when reacting to concrete land use projects, combining identitarian regionalist, autogestionnaire, participative democracy and environmentalist demands. The apparent completion of the state nuclear power expansion programme in the 1980s has thus found a corollary in the lack of site identification, and thus of a key mobilising factor; in lieu of mobilising large numbers, activism has consequently concentrated on symbolic protests.

In order to draw attention to a transport that they see as unjustified and dangerous, protesters have pioneered new forms of disobedience designed to stop the trains for as long as possible; tactics particularly involve activists chaining themselves to the railway track with their arms encased arms in steel tubes coated with tar. This tactic, known as ‘locking-on’ (in French, simply as ‘les tubes’), was unknown in France before summer 2001 (despite having been introduced into the UK via Earth First! some ten years previously), and was imported through the influence of German activists, the Sortir du nucléaire network and, crucially, Greenpeace, which organised the first such actions, and which held a

training camp for anti-nuclear protesters at Bure in the spring of 2001. Greenpeace reports that when an activist in Normandy first used this tactic in August 2001, the police resorted to beating him until he freed himself;\(^2\) a group of five activists in Alsace, two of whom had chained themselves to the track, had avoided the same fate earlier the same night by inviting the regional media along.\(^3\) Waste convoys have since been systematically targeted by anti-nuclear groups, often unconnected and unknown to each other, operating in small ‘guerrilla’ groups. Policing responses to the systematically inflicted delays have since become more preventive, patient and sophisticated: waste convoys are preceded by track sweeps and helicopter surveillance, and freeing activists has become less manifestly brutal (even though for many activists involved this has not appeared immediately to be the case). Most sweepingly, anti-terrorism laws introduced in July 2003 have made divulging information on the itineraries of nuclear waste convoys punishable by up to five years imprisonment and a fine of 75,000€.

**Bounded Innovation**

These ‘short stories’ set indicate considerable repertoire innovation in protest events across the social movement sector in France. Indeed, following the emergence of the ‘sans’ movements, and the catalysis of the counter-globalisation movement after Seattle, numerous commentators have considered the significance of civil disobedience in France: Waters, for example, highlights the prominence of civil disobedience strategies in the action repertoires of the sans movements, whilst the monthly *Le Monde Initiatives* recently published a dossier on the rise of a ‘neo’ civil disobedience.\(^4\) Some organisations specialise in developing eye-catching and novel protests: in December 1993, Act Up placed a giant condom over the obelisk in the place de la Concorde to raise AIDS awareness, has staged staged die-ins in central Paris, and to coincide with the 2003 Paris G8 summit, constructed a symbolic cemetery under the Eiffel Tower, with a counter totalling the number of people to die of AIDS during the summit. Les Casseurs de Pub, one of the more prominent movement organisations involved in anti-advertising, produces a magazine (La Décroissance) and an annual dossier of ‘subvertisements’, and organises annual campaigns such as Buy Nothing Day (Journée sans achat), Don’t Watch TV Week (Semaine sans télé), and – in an echo of the opposition to the Paris-Dakar rally which has been a feature of the French Green movement since the early 1970s – a campaign against the French Formula 1 Grand Prix.

The campaigns which have perhaps most energised this analysis are those of the *les intermittents du spectacle* and *les faucheurs volontaires*. The former are contractualised artists and technicians in the entertainments industries, protesting against the June 2003 reform of their social security regime by the Raffarin government; their actions have been creative, spectacular and media-friendly, whether occupying the roof of the Hotel Matignon (the official residence of the French prime minister) and the headquarters of the MEDEF (the French employers’ association), or taking television and radio programmes ‘hostage’ (disrupting high ratings talent show *Star Academy*, or the morning programme on *France Inter*), often in conjunction with activists from unemployed rights group ACI (Agir contre le chomage).\(^5\) The latter are the ‘voluntary harvesters’ of actions against genetically modified crops. This campaign, launched at the counter-globalisation festival at Larzac in August 2003 against the Raffarin government’s decision to licence open field trials of genetically modified crops in 15 départements, is closely associated with peasant farmers’ union the Confédération paysanne, and one of its leading members (and France’s best known activist) José Bové. Though the campaign deploys some of the key tactics commonly used by ACI, such as the mass shoplift,\(^6\) the *faucheurs volontaires* are most widely known for the crop-destroying actions begun in summer 2004, backed by the publication of José Bové and Gilles Luneau’s *Pour la désobéissance civique*, which traces a history of civil disobedience since Thoreau and calls for a radical, citizen-based politics of disobedience against the spread of GMOs. In Bové’s celebrated phrase, ‘civil disobedience is democracy breathing’. For one

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\(^3\) Personal email correspondance with Christian S., one of the five arrested activists, August 2001.


\(^6\) A shoplifting campaign removing foods with genetically modified ingredients from the shelves of hypermarkets is currently being waged in the south-west of France on the first Saturday of every month. It should be noted that *faucheur* is a play on words, as it has two meanings in French: a harvester/reaper, but also a petty thief.
activist involved in the campaign of crop destruction, disobedience is the only means of expressing the 'blocked' nature of the political system and creating the solidarity integral to a new civic politics:

la démocratie est bloquée et la seule façon de faire bouger le système, c'est de franchir la limite de la loi, collectivement, visiblement et sans violence. Refuser la violence du système, le désespoir du terrorisme, l'impuissance de la lutte sociale. Ce qui s'est passé pendant les fauchages a été pour moi une expérience de la révolte et de la peur, de la solidarité, du courage, de la fierté, de la victoire et de la défaite, bref de la vie. Jamais je ne remercierai assez la Confédération, l'Arche et Ghandi de m'avoir poussé à franchir le pas et de m'avoir permis de sortir de l'impuissance dans laquelle les citoyens sont bloqués à l'heure actuelle.7

However, the preceding discussion does not mean to suggest that rapid tactical innovation and alternative forms of political expression have simply replaced the (mass) demonstration within French social movement repertoires. Far from it: police figures indicate that, in Paris alone, there were an average of 429 demonstrations per year over the fourteen years 1975-1988, but 1338 per year between 1989-2002. For Tartakowsky (2004: 11-23), this is one of three broad trends. First, demonstrations are increasingly prevalent; second, this increase is counterbalanced by a declining number of participants per demonstration, with the proviso that large demonstrations – attracting a million or more demonstrators – are increasingly prevalent, most notably on 1 May 2002 against the Front national, of 15 February 2003 against the invasion of Iraq, of May and June 2003 against public sector pension reforms, or the recent demonstrations and strikes of 10 March 2005. Third, the rapid increase in associations formed during the 1990s has created a new set of political actors unable to fall back on the withdrawal of labour as a bargaining/protest tool, and thus lending greater weight both to the demonstration and alternative forms of mobilisation, creating a more diverse set of protest initiators and actions. Here, two counter-dynamics appear to be in play: such is the dominance of the demonstration within the national action repertoire set that new forms of action have struggled to constitute themselves in the public arena. Yet, paradoxically, the current prevalence of mass demonstrations also raises the bar for other protests, which must either mobilise broadly comparative numbers of people or gain attention through imaginative and innovative mise en scène to demonstrate newsworthiness.

Clearly, physical manifestations of the extent of support remain both important constituents of social movement activity and key identity-forming strategies, central to the constitution of what Charles Tilly (2004: 4-5) calls the WUNC (worthiness, unity, numbers, commitment) of any oppositional campaign, and thus to the legitimacy and representativity of movement demands. Even within the brief outline of the campaigns set out in the second section of this paper, it is apparent that innovation in protest repertoires not only exists alongside the established national demonstrative mode of contentious expression, but in many cases remains conditional upon the continued existence of the latter. The very mention of the protest events in the preceding paragraph should be enough to persuade us that the street demonstration remains in vigorous health in France, as does, more generally, the rally and its counterpart the kermesse, or activist festival; in August 2003, 200,000 people congregated on the Larzac plateau to celebrate the thirtieth anniversary of the original Larzac protest (and the birth of the environmental movement), and rehearse arguments for the forthcoming WTO Cancun meeting and European Social Forum in Paris.

Moreover, we may draw a preliminary conclusion from the consideration of the Grenoble tree protest regarding the relationship between public space and popular legitimacy. The demonstration is a specifically urban phenomenon, regularised as the pre-eminent form of public contestation around 1890, and which along with strike and the petition has since dominated the action repertoires of legitimate dissent in France. Its form is embedded in cultural conceptions of public space, public action, and historical legitimacy. Indeed, Tartakowsky (2004: 59-60) points out that the demonstration is overdetermined in France by the relationship between the French Revolution and street protest, such that contemporary demonstrations remain embedded within a matrix of cultural meanings constituted in the eighteenth century, whether as festive procession, as petition, or as insurrection. It is central to its capacity to reactive and transmit meaning that it is conceived as a physical movement, a narrative flow which simultaneously refers forward and back: back to the founding events of the

Republic (hence the symbolic importance of the occupation of specific, historically constituted urban spaces, particularly the places de la Bastille, de la République and de la Nation for the Left); and forward, as a metonym of progress, to the new dawn and the revolutionary moment to come.8

Public, urban space is therefore appropriated to a narrative of transformation which is also contained by the historically-constituted cultural meanings of that space. It is significant then that, unlike the ostensibly similar protest subsequently carried out at Ferney Voltaire by many of the same activists, and unlike the British anti-roads campaigns that may (or may not) have inspired it, the occupation of the trees in Grenoble took place in the centre of the city. In struggles specifically staged over land-use, the occupation and control of geographical terrain clearly has symbolic importance, and it is important to point out that the value of such terrain is often derived precisely from its remoteness to urban space (on the basis of the beauty or uniqueness of the landscape, or the importance of the fauna and flora which inhabit it). Moreover, the choice of terrain on which to fight is often not made by protest groups, but is conditional on the initial choices made by the developers, particularly where protesters aim to physically inhibit the progress of construction work. Nonetheless, there is also a qualitative difference between, on the one hand, the strategy of occupying a forest to stop a motorway construction project in rural Lancashire (the M65 protest), or the decision of activists protesting against the construction of a second runway at Manchester Airport to dig themselves into tunnels in the Cheshire countryside, and, on the other hand, the occupation of an avenue of trees in a busy municipal park in the heart of a medium-sized provincial city’s middle-class residential neighbourhood. On the one hand therefore, not only does the Grenoble tree occupation supplement rather than replace the demonstration within the environmental movement’s protest repertoires, but it also, crucially, aims to achieve the same procedural goals as the demonstration: a public, open display demonstrating the legitimacy of the campaign, through both the readiness of the campaigners to endure physical hardship (enjoying only rudimentary shelter through the winter), and through the capacity of the protest to attract large numbers of supporters – in this case indirectly, with local residents demonstrating moral solidarity, bringing food, etc (or, if you will, the C and the N of the WUNC). On the other hand, it proposes a radically different set of meanings from the street demonstration: where the demonstration is in movement and has typically functioned in its petitionary form as a means to an end, new forms of activism appear to view the occupation of public space as an end in itself. The next section will argue that this occupation of public space is considered by protesters to be integral to the creation of a civic, democratic politics.

Republican legitimacy

A key element of the civil disobedience strategies discussed here is that public action engages personal responsibility. Thus anti-GM protests are publicly advertised in advance, are not covert, and undertaken in broad daylight à visage découvert (though there have been isolated examples of clandestine operations under cover of darkness). Faucheurs must sign a written oath committing themselves to being held legally responsible for their actions.9 Green MEP Gérard Onesta demanded the suspension of his parliamentary immunity following his arrest in August 2004 so that he could be tried for his part in crop destruction the previous month; over three hundred less well-known activists have filled in forms denouncing themselves to the judicial authorities, demanding to be judged in various trials alongside the small number of leading movement figures that have been arrested. Other actions, such as anti-nuclear lock-ons and the Grenoble campaign, depend on arrest to reach resolution. And self-denunciation and submission to arrest have continued to be part of the MO of anti-GM protests even when – as at Solomiac and Valdivienne in September 2004 – policing departed from the filming and monitoring employed in early summer in favour of a deliberately muscular agenda. On these occasions, attempts to destroy GM crops were met with a combination of barricades, tear gas, stun grenades and baton charges by a squadron of gendarmes in the first action,

8 Hence the symbolic shock when, in February 2004, anti-nuclear demonstrators marched backwards through Paris.
9 For Bové, ‘même si nous ne connaissons pas un par un tous les participants à nos actions de désobéissance civile, ceux qui sont là se sont engagés par écrit pour assumer pleinement leur geste. Je crois beaucoup à cet engagement écrit que nous demandons avant tout à chacun. C’est une sorte de serment citoyen, de charte amenant au respect de ce fameux collectif. Il induit une très grande responsabilisation’. José Bové expose les risques et les devoirs qu’impliquent les actes de désobéissance civile: «C’est le collectif qui fait notre force», Libération 8 November 2004.
and several hundred soldiers in the second; injuries sustained by activists at Solomiac include burns, broken bones, metal shrapnel wounds, and punctured eardrums.

In his discussion of environmental and peace protest events in the UK, Derek Wall (2000: 82-5) points out that such ‘snowball’ actions as causing symbolic damage (cutting fencing, pulling up crops, ethical shoplifting) before participants give themselves up to the police have the advantage of responsibility, immediate accountability, non-violence, and inclusiveness. Yet it is also true that there is no inherent reason why strategies of deliberate trespass need necessarily to be followed by immediate (and punitive) accountability; rather, the decision to submit to the police needs also to be seen as deliberate, rational and ideological. As Noam Chomsky argued in his famous 1971 piece On the Limits of Civil Disobedience, in which he discusses the burning of draft files by anti-Vietnam war protesters in Milwaukee and Catonsville and the refusal of two protesters to subsequently give themselves up to the police, there is no automatic reason why transgression should entail acquiescence in arrest. Chomsky writes

I have not discussed the question of willing submission to arrest. It is often maintained that this is a necessary component of legitimate civil disobedience. I simply do not see the logic of this claim. There is no moral compulsion for one who seeks to prevent criminal actions of the state to submit voluntarily to punishment for his actions. Refusal to submit to punishment does not, in itself, imply a refusal to recognize the general legitimacy of the government (often proposed as the criterion to distinguish civil disobedience from rebellion), just as a refusal to contribute voluntarily to criminal acts by the payment of war taxes does not, in itself, challenge the legitimacy of the government. Rather, it is a challenge to the legitimacy of specific actions taken by what may or may not be a legitimate authority, on other grounds. (Chomsky 2004: 295)

We should therefore see submission as a key but not necessary component of civil disobedience, dependent on ethical and tactical choices. Pragmatically, voluntary arrest ensures that the struggle will be carried into a further arena, that of the civil and penal courts, further attracting, of course, high-profile media attention, and where delaying tactics can be applied to ensure that such attention continues as long as is possible. It is also, in the French context, central to the construction of public legitimacy, on three levels. First, through the staging of civil disobedience as a public act signalled in advance (in contrast, say, to the burglary and destruction of draft files). Second, through the automatic acceptance of the legal consequences of trespass and destruction of property; this is what we might call the ‘fairplay’ aspect, and which is also a key aspect of the construction of the heroic character of a central figure such as José Bové. Indeed, Bové’s public notoriety, and his wide public approval, stems largely from his willingness to serve time in gaol for his principles and actions (notably including his role in the destruction of the Millau McDonald’s, a cornerstone of the CP’s high-profile campaign against la malbouffe, or junk food). Third, and perhaps most profoundly, submission positions civil disobedience as legitimate through the appropriation of the discourses of Republicanism. Campaigns such as the anti-GM protests do not seek to bring the legitimacy of the state into question, but rather to place action within the legitimate traditions of Republicanism and by extension underline the illegitimacy of the alien, neo-liberal origins and practises of such (American) companies as Pioneer and Monsanto. In this way, the dominant social and cultural discourses of French Republicanism are mobilised to counter the dominant economic and political discourses of the globalised free market. It is notable, for instance, that both the calls to civil disobedience of the film-makers in 1997 and the attempt to theorise civil disobedience by Bové and Luneau make specific reference to Republican values, with Bové and Luneau (2004: 46-7) legitimising acts of rebellion by reference to the Convention montagnarde of June 1793.

For Bové and Luneau, then, non-violence is an ethical choice, and it is one that is motivated by national Republican values. Disobedience in these terms is not civile but civique, differentiated from the specific campaigns mounted against a militarised or securitised state which inspired it (in particular, resistances to armed intervention and colonial occupation from Henry David Thoreau, to Mohandas Gandhi, Vietnam, and in France, the original Larzac campaign of 1971-81) to stand as a generalised mode of Republican civic politics in current-day France. Innovation in protest repertoires is therefore clearly bounded both by the historical legitimacy of dominant modes of action and by the prevailing social and cultural constructions of what constitutes legitimate contentious behaviour. One of the strongest critics of the Faucheurs Volontaires campaign from within the wider Green movement is Corinne Lepage, former environment minister in the Juppé government of 1995-97, president of
conservative environmentalist organisation CAP21 (Citoyenneté Action Participation pour le 21ème siècle) and specialist in environmental law, in which guise she has notably represented the victims in such high-profile cases as the 1978 Amoco-Cadiz and 1999 Erika oilspills, and whose chamber has been at the forefront of developing law in GM trials. For Lepage, if civil disobedience is acceptable where the law is incompatible with prevailing mores, the actions of the faucheurs volontaires are incoherent and self-defeating, because they support judicial attempts by numerous municipalities to ban crop trials whilst declaring the law to be illegitimate:

Si la désobéissance civile, acte grave s’il en est, est admissible lorsque la loi est en désaccord total avec la morale et ce qui est considéré, à l’époque visée, comme légitime, il n’en va pas de même lorsque la preuve de l’illégitimité de la loi n’est pas faite. On ne peut en même temps, sans tomber dans une confusion complète, prétendre soutenir des arrêtés anti-OGM et détruire des cultures transgéniques au motif que la loi est illégitime. En effet, ou la loi permet des cultures et les arrêtés sont illégaux, ou la loi peut interdire et elle n’est pas illégitime.10

One might object to this line of reasoning that environmental protest in France has always typically combined judicial approaches with both legal and illegal, violent and non-violent direct action. Environmental protest repertoires have typically included street demonstrations and, perhaps less predictably, marches (notably the Larzac and Superphénix campaigns in the 1970s), which distinct from the urban demonstration, are more generally characteristic of rural protests, and function to construct unity of territorial space and of identity rather than to directly address the political authorities (Pigenet & Tartakowsky 2003).11 Alongside such staples, more extreme acts – including various forms of sabotage and arson, destruction of property, and physical conflict with police – have been particularly prevalent in anti-systemic, counter-cultural mobilisations, and where the central State is closely identified as the instigator of contested land use projects (such as the nuclear reactor expansion programme of the 1970s). Yet even where environmental protest has been most conflictual, movement repertoires have typically also included participation in public enquiries and judicial challenges through the administrative courts, yielding a number of successes on procedural grounds. In the case of the Loire anti-dam protests, groups such as SOS Loire Vivante specifically pursued a policy of civil disobedience through a five-year occupation of the proposed construction site of the Serre de la Fare dam, whilst challenging the legal basis of the construction permit and undertaking numerous institutional and extra-institutional mobilisations. Indeed, strategy learning was a key factor in this combination, as SOS Loire Vivante had noted that successive judicial victories in the 1980s had ruled the construction of the Île de Ré bridge near La Rochelle illegal – whilst having little effect on the physical fact of the bridge’s construction (Hayes 2002: 132-54).

The occupation of the trees at Ferney Voltaire follows a similar logic: though the Collectif pour la sauvegarde de Ferney Voltaire lodged a legal challenge with the Lyon administrative tribunal alleging the tree-felling to be disproportionate, such challenges do not automatically entail the suspension of the challenged activity. Protesters considered that a legal victory would be meaningless unless accompanied by direct action to thwart further felling.12 As at Ferney, the existence of separate organisations mobilising alongside each other often simplifies this logic; in Grenoble, judicial means of protest were the preserve of SOS Parc Paul Mistral. And in contrast to the subverting and defacement practised by Stopub and Les Casseurs de Pub, Résistance à l’Agression Publicitaire and Paysages de France, the first of the anti-advertising organisations to be established in France (both were formed in 1992), have espoused explicitly legal means of action (with PdF gaining over 9000 legal victories against constructions in breach of planning and environmental laws). Feminist group La Meute even awards an annual prize for non-sexist advertising (thus attracting the ire of Les Casseurs de Pub, which sees this as a legitimisation of advertising).

11 A recent example being the August-September 1992 ‘water-carriers’ of the Loire dam protest, where a march from the source of the river to its seaboard estuary had at once a didactic (to demonstrate the degradation in water quality) and identitarian (unifying physical and social space) purpose.
Conclusions and perspectives

Recent evidence suggests both that there is considerable innovation and strategy learning within the action repertoires used in environmental protests, as in the repertoires of more recently constituted movements such as the counter-globalisation movements and the sans. Yet civil disobedience and other more innovative forms of protest have not entirely displaced established modes of action within movement repertoires; it may be the case that the spectacular and the novel are a substitute for the weight of numbers central to the attraction of media attention and the construction of the necessary rapport de force with an identified adversary. Certainly, civil disobedience is a potent weapon for actors for whom the strike is an unreasonable or unfeasible proposition, and has been prominent in the campaign repertoires of the ‘sans’ movements which emerged in the early to mid-1990s.

The argument here therefore is not that civil disobedience is novel in French protest (environmental or otherwise), but the deliberate law-breaking it implies may seem rather more significant because trespass and violence is most closely associated in France with mobilisations in specific industrial sectors in economic decline, most prominently agricultural workers, road hauliers, miners, fishermen and metalworkers (see Fillieule 1997: 149-53). The novelty in the adoption of illegal direct action – albeit as passive targets rather than perpetrators of violence (except to property) – may reside therefore in the identity of the goals and the actors rather than in the actions per se. A key question emerging from this discussion centres on the extent to which the development of action repertoires is a. transformative and b. influenced by external forces. We know already that the appearance of some of these forms of activity can be identifiably traced to the influence of external movement agents: Greenpeace, directly, in the case of ‘locking-on’ in anti-nuclear protests; Les Casseurs de Pub is directly modelled on the influence of the ‘culture jamming’ Canadian group Adbusters Media Foundation, engaging in what Adbusters’ founder Kalle Lasn terms ‘meme warfare’ (Lasn 1999: 99ff); further research will tell if the use of tree-houses in the Grenoble protests was imported from or inspired by protests outside France, or whether it was more directly dependent on the precise concrete opportunities provided by the issue and the terrain.

Yet as Alexandra Plows, Derek Wall and Brian Doherty point out, ‘to substantiate a thesis of transnational direct action repertoires, it would also be necessary to look beyond the form of action to the specific rationales for action and the tone of activist discourse’ (2004: 214). As I have argued in this paper, the prominence of civil disobedience in contemporary action repertoires needs to be seen within the conjunction of a series of national and sectoral structural factors. For many of these actions, there is clear precedent: Act Up’s die-ins, for example, echo that staged by Lorraine miners and metalworkers in front of the Hotel Matignon in 1984, whilst the influence of Guy Debord and Situationism is clearly apparent in the cultural jamming of anti-advertising protests and the intermittents. Often, the precedent is linked to existing activist networks and cultural antecedents; José Bové’s espousal of civic disobedience is clearly contextualised both by international campaigns and his own formative experiences in Larzac and the anti-nuclear protests of the 1970s; the Confédération paysanne has, since its formation in 1987, pursued a deliberate policy of ‘connectionism’, seeking links and common actions with the sans, Greenpeace, Sortir du nucléaire (Franquemagne 2003). The call to civil disobedience by the film-makers’ collective in February 1997 to oppose the Pasqua-Debré Act can be explained in terms of structural change by the long-term decline of the organising role of unions in industrial action and the rise of professionally-based collectives, and the perceived incapacity of the political left to carry a transformative political project; yet it is also important to underline that the film-makers were working in a tradition both of previous interventions by cultural actors (against the Algerian war, against abortion). Crucially, the terms of civil disobedience are set in both cases by the dominant, nationally-constituted discourses of French civic politics and Republican values.

I should re-iterate that this is simply a first draft attempting to piece together a number of issues and research questions around the resurgence of civil disobedience in France. Questions remain: are we dealing with a new form of activism strong enough to constitute a national repertoire set? Is it limited to specific action campaigns, such as the anti-GM protests; is it generalisable to environmental protest as a whole; or is it more widely symptomatic of new social movements in France? Or are we simply dealing with transformations on the margins of social protest and of action repertoires? I should be grateful for further discussion on the points it makes – and on those it doesn’t.
References

Kalle Lasn (1999), *Culture Jam. How to Reverse America’s Suicidal Consumer Binge – And Why We Must*. New York: Quill.