

## The Demise of Statism?

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► **To cite this version:**

Cornelia Woll. The Demise of Statism?. Appleton, Andrew M., Mazur, Amy G., Brouard, Sylvain. The French Fifth Republic at Fifty: Beyond Stereotypes, Palgrave Macmillan, pp.226-246, 2009. hal-00972850

**HAL Id: hal-00972850**

**<https://hal-sciencespo.archives-ouvertes.fr/hal-00972850>**

Submitted on 21 May 2014

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## **The Demise of Statism? Associations and the Transformation of Interest Intermediation in France**

Cornelia Woll

Chapter prepared for Sylvain Brouard, Andrew Appleton and Amy Mazur (eds.) *The French Fifth Republic at Fifty: Beyond Stereotypes*, Routledge, 2009.

This version: April 2008  
7250 words

France has long been considered as the ideal type of statist interest intermediation, despite some elements of weak neo-corporatism. With a strong central government and a highly technocratic tradition, interest groups had but a marginal role to play in the policy-making process. Mistrustful of intermediary bodies that were considered to distort the expression of the public interest, France tellingly outlawed associations at the end of the 18<sup>th</sup> century and only re-established associational freedom in 1901. In tradition with Jean-Jacques Rousseau's beliefs in the nuisance of private groups to public life and with the negative experience of war corporatism under the Vichy Regime, the Fifth Republic was built around a strong executive removed from parliamentary pressures and with little interest in the consultation of non-governmental stakeholders. Many authors have labelled this particular type of state-society relations "statism".

Yet state-led and centralized policy-making came under pressure in the 1970s and 1980s. *Dirigist* economic policy-making broke down after François Mitterrand's failed Keynesian experiment in 1983. The concurrent drive towards decentralization that the new left government had undertaken in 1982-4 underlined the necessity to include local actors in the governance networks at the regional level. The late 1980s and 1990s were a period

marked by attempts by the French government to empower a diverse set of social groups as political actors in their own right. The simultaneous explosion of interest intermediation at the European level that followed the Single European Act in 1986 and the Single Market project in 1992 provided a further venue for interest groups eager to circumvent the tutelage of the French state. In particular regional and economic actors have been able to benefit tremendously from these new opportunities and to exert pressure on their home government by passing through the European Union (Ladrech 1994; Schmidt 1996b; Grossman and Saurugger 2004; Weisbein 2005). In line with developments elsewhere, “civil society” has become the *mot d’ordre* for politicians and bureaucratic decision-makers in France (see Smismans 2006). Grossman and Saurugger (2006) speak of the “participatory turn” to highlight how central the concept of “participatory democracy” has become in the discourse and initiatives of public decision-makers.

Over one hundred years after the law of 1901 and at the fiftieth anniversary of the Fifth Republic, we are at a good moment to evaluate these changes. What are the consequences of the re-shuffling of the state-society relations? Has the French government abandoned its statist relations with social actors and established more open and participatory policy regimes? Is statism still a pertinent category to speak of interest intermediation in France? In particular, one may ask if civil society groups have been able to rise up to the challenge and seize the new opportunities offered. While Vivien Schmidt (1996a) has demonstrated how economic actors and in particular entrepreneurs contributed to redefining the political economy of France, others remain more pessimistic. Jonah Levy’s (1999) study of regional economic policy-making shows that governmental actors tried to implement what he calls “associational liberalism” but largely failed. Indeed, compared to their European counterparts, even economic actors, such as the national employer association, the

*Mouvements des entreprises de France* (Medef), remain relatively weak policy-actors, despite intense public relations campaigns in recent years (Culpepper 2003; Woll 2006).

But this is precisely the paradox of the recent transformation of interest intermediation in France. While traditional groups such as trade unions and employers' organizations struggle to adapt to the new modes of representation and partially fail to do so, a multitude of new associations flourish and actively take part in policy deliberation and local administration (Saurugger and Grossman 2006). 1 million groups are estimated to be active in France today, twice as much as in the mid-1980s (Decool 2005). Opposition to established parties and new social values such as environmentalism, feminism, or personal liberties are fought for and defended by associations, which play a crucial role in organizing protests and shaping the atmosphere of electoral campaigns. In 2004, the French government assigned the first ever ministerial title for associational life to Jean-François Lamour and organized a National Conference for Associational Life in 2006 to decide on ways and means to support the participation of groups in policy-making. On a great number of issues and especially in regional governance, associational networks have become essential, but only if and when the government has invited them to take part in the policy process.

In the following, I argue that interest intermediation in France has transformed profoundly, but statism still remains a pertinent category to understand the range of these changes. Interest group consultation only supplements bureaucratic decision-making and the central government has considerable room for manoeuvre to escape pressures put on specific policy proposals. However, civil society groups do take part in the implementation of policy projects and contribute to the atmosphere in which the objectives become defined. Indeed, associations increasingly take over functions that were previously the domain of political parties (Manin 2007). They are the pillars of policy communities and create allegiances that allow for issue-specific identity politics. As such, the semi-institutionalized forms of

associational participation are part of the particular equilibrium that is slowly establishing in response to the representational crisis that has affected the Fifth Republic (Grossman and Saurugger 2006; Berger 2006) .

The chapter divides in two parts. A first section opposes the elements that earned France a reputation for being statist with the growth and vivacity of associational life. A second section then asks if these changes are only superficial. Despite the difficulties of the traditional social partners to drive socio-economic reform in France, I argue that groups have become an important part of the French system of representation, especially as forums for deliberation and the implementation of policy projects and institutionalized feedback mechanisms for governmental initiatives.

## **1. The rise of associations in statist France**

### ***French statism***

Political thinkers from James Madison (2004 [1787]) to Alexis de Tocqueville (1966 [1835/1840]) recognized that associations promised the liberty of expression for individual citizens but also posed a threat to political stability, as they could turn into hotbeds or “violent factions”. Yet, for Jean-Jacques Rousseau (2006 [1762]), associations were undesirable even if they did not turn to violence. As “societies within society”, they affected the interests of their members and therefore prohibited the free expression of the general will. The state could not represent the public interest of all citizens, if several organized in groups and influenced public decisions. In the aftermath of the French Revolution, this philosophy was put into law through the Décret d’Allarde of 2 March 1791, which abolished corporations, the Le Chapelier law of 14 June 1791, which outlawed professional associations, and a decree on 18 August 1792 against religious groups. These restrictions were continuously debated in the later half of the 19<sup>th</sup> century, but it was not until 1884 that professional groups were allowed and until 1 July 1901 that associational freedom was fully re-established (Barthélemy 2000:

38-57; Belorgey 2000: 15-26). However, the authorisation of associations was not simply a liberal act meant to empower civic groups, but also a way of controlling those that have been properly registered and setting them apart from others, in particular religious groups (Belorgey 2000: 19).<sup>1</sup>

After a period of war-time corporatism under the Vichy regime, the Fifth Republic maintained associational freedom, but preserved a great degree of mistrust towards all forms of organized groups. Yet over time French law became increasingly supportive of associations. In 1971, the associational freedom granted in 1901 became a constitutional clause. Additional legislation followed, either to facilitate voluntary work or to help specific groups, such as associations of the elderly in 1977 or athletic school clubs in 1986. Associations of foreigners, the last remaining ones to be restricted under the Fifth Republic, became legal in 1981.

However, the deep-seated defiance against intermediary bodies in political life is not only manifest in legal arrangements concerning these groups directly; it also plays out in the organization of government. Frank Wilson (1987) argues that at several institutional arrangements contribute to the exclusion of intermediary groups in policy-making in the Fifth Republic. First, the strong role for the political executive allows the French president to control the legislative calendar together with the prime minister. Moreover, through the use of package votes (which do not allow for amendments) and votes of confidence (which require a motion of censure to block a government bill), the government can limit parliamentary control over its proposals and thus restrict the influence of lobbyists who seek to affect the wording of a bill.

Second, party cohesion in the legislative tends to insulate individual representatives from constituency pressure. Representatives often vote the party line, even if regional differences should lead them to disagree on policy content. Frank Wilson also highlights the

importance of ideological cleavages, which make it difficult to argue over the technical details. However, these voting patterns noted in the late 1980s may not persist over time or apply to issues with both high and low political salience. The attempt of the French legislative to propose a bill to regulate lobbying in the National Assembly indicates that interest group pressure on the legislature has increased considerably in recent years.<sup>2</sup>

A third element of French statism is the strength of state bureaucracy and technocratic policy-making. Traditionally, the generalist training of French bureaucrats in the *grandes écoles* made them somewhat hostile to external consultation procedures and counter-expertise provided by interest groups. The main policy orientation in the government bureaucracies springs from the educational backgrounds of individual administrators, their *corps*, and not their contacts with outside stakeholders. And yet, stable consultation procedures and institutions jointly managed by the government and the social partners exist within the French bureaucracy, especially in social policy areas or agriculture, which has led some authors to speak of corporatism “à la française” (Jobert and Muller 1987).

Finally, the centralization of the French political system is a fourth element weakening the role of political groups. As everywhere else, regional and departmental governments are generally more accessible for local stakeholder groups, but they have traditionally lacked power relative to the national government. The moves towards decentralization since the 1970s have therefore contributed to empowering local groups and led to a “more pluralist, competitive and negotiated polity” (Le Galès 2006).

This review of the traditional model of state-society relations in France highlights that many of the central elements of statism have evolved over time. Despite the deep-seated mistrust of the potential nuisance of groups, French law and the political institutions in France moved towards acceptance and incorporation of intermediary bodies into policy-making processes.

### *The associational explosion*

Decision-makers increasingly acknowledged the social benefits of associational life and started encouraging and promoting them. Whether they are politically active as interest groups or not, associations have become a visible feature of French society in the second half of the Fifth Republic. To begin with, the steep rise in the number of associations in France is striking. One million are estimated to exist in France today, which is twice as much as in the mid-eighties. Figures are most precise for the creation of associations, which are recorded to average around 60 000 annually in recent years, up from around 25 000 creations per year in the mid-1970s (see figure 1).<sup>3</sup> 21,6 million French aged 15 or older – over 45% of the population of France – held at least one associational membership in 2002. Due to multiple memberships, associations throughout France were able to count 35,6 million members (Febvre and Muller 2004).

FIGURE 1 ABOUT HERE

A break-down by sector of activity of associations created each year indicates that a large part of these associations are not primarily political groups but cover issues such as education and training (e.g. parent-teacher associations or specialized education), local social activities (e.g. family, health or old age), housing (e.g. neighbourhood associations), athletic activities or leisure activities (see figure 2).

FIGURE 2 ABOUT HERE

One may suspect that creations per year do not give a complete picture of the associational landscape, because these figures cannot indicate differences in longevity according to sector. Professional groups, for example, might have a longer life span than neighbourhood associations or sport and music clubs. But even when one looks at the membership percentages in French society, associations promoting leisure activities remain at the top. As



table 1 indicates, only 5% of all French aged 15 or older are members of a trade union or a professional association, while 19% belong to a sports club.

#### TABLE 1 ABOUT HERE

Grouping associations according to the motivation of the participants, the National Institute for Statistics and Economic Studies (INSEE) distinguishes between groups formed in the pursuit of specific activities (sport and culture), social interaction between like-minded groups (elderly, church, local, alumni, veterans and retired people) and the defence of interests (unions and professional associations, humanitarian, parents-teacher or housing). In 2002, sport and cultural associations accounted for 37% of all membership, principally from the young parts of the population, associations aiming for social interaction accounted for 27% of memberships and interest representation amounted to 36% of all membership (Febvre and Muller 2003). To be sure, these distinctions are somewhat artificial, as the defence of interests presupposes the existence of a group of like-minded people. Most prominently, Mancur Olson (1965) has pointed out, that lobbying is often a side-effect of groups constituted for an entirely different purpose. With its 38 million members, the American Association of Retired People (AARP), for example, has often been called one of Washington's most powerful lobbying groups (Morris 1996). One should therefore be careful not to dismiss the associational explosion as a phenomenon that might improve only the French social tissue but which has little political consequences. Since political activity is quite hard to separate from other associational activities, we will deal with associational life as explicitly or implicitly political, even if a majority of groups engage primarily in leisure activities (Lelieveledt and Cainani 2007).

The political aspects of associational life become evident when one considers the new political discourse on democratic policy-making. Politicians today appeal explicitly to associations as the legitimate setting of deliberation, arguing that they give a voice to different

sectors of French society. The centennial anniversary of the law of 1901 was an occasion to publicly praise the benefits of associational freedom.<sup>4</sup> In 2004, the Ministry for Youth and Athletics became the Ministry for Youth, Athletics and Associational Life, giving France for the first time in history a minister charged with the development of associations, Jean-François Lamour.<sup>5</sup> In a speech to the Economic and Social Council, Lamour interprets this decision as a desire by the President and the Prime Minister to acknowledge publicly that intermediary groups have become “essential to the exercise of democracy and the development of social ties.” His mission is thus to “make participatory democracy meaningful, by going beyond strictly administrative debates in order to create a true civil dialogue in the public interest.”<sup>6</sup> These declarations epitomize a turn-around in French attitudes towards associations that began over two decades ago. Already in 1983, the National Council for Associative Life (*Conseil national de la vie associative* – CNVA) was created as a consultative body under the auspices of the Prime Minister to survey and facilitate the work of associations in France. In a speech at the CNVA in 2004, Prime Minister Jean-Pierre Raffarin had expressed his belief that decentralization needed to be accompanied by the social cohesion that association can provide. According to him, “the legitimacy of civil society” is crucial for a “representative and participatory democracy.” This implies “not only to consult, but also to share the public interest.” In opposition to traditional French thought, he stresses that “the state does not have the monopoly of the public interest.”<sup>7</sup> This is a remarkable break with the past, where French politicians insisted that groups are a threat to democracy and the expression of public interest.

Indeed, public administration under the Fifth Republic has put an increasing emphasis on group consultation. Consultation happens not only in the Economic and Social Council, which Appleton (2005: 57) calls the “lynchpin of the Gaullist vision of a political process of *concertation*,” but also in an impressive number of councils, commissions and committees

open to participation from representatives of different stake-holder groups. In 1971, the number of consultative organs was estimated at 500 councils, 1200 commissions and 3000 committees, whereas a recent government estimate that Appleton cites put the total number at 20 000, including 645 national councils. In line with this new vision, French politicians set out to clarify and institutionalize the role of associational participation in politics. In January 2003, the French government organized the first ever National Conference of Associational Life, which aimed at recognizing the role of associations in the civil dialogue, institutionalizing relations with public actors and facilitating voluntary service within associations.<sup>8</sup>

The associational explosion and the new discourse on participatory democracy indicate that France has indeed undergone a “participatory turn”, much comparable to other European democracies (see Maloney and Roßteutscher 2007). However, this does not mean that France has adopted a pluralist model of state-society relations. In fact, not all groups have been able to benefit from the new political opportunities. As Saurugger and Grossman highlight, the “participatory turn” in France comes with a paradox: while many new associations find an open political opportunity structure, traditional groups such as employer organizations or trade unions have not be able to expand their role in policy-making (Saurugger and Grossman 2006).

## **2. Tocqueville’s revenge?**

For Jonah Levy, the passiveness of the social partners in shaping regional policy responses was due to the burden of history: after decades of excluding intermediary groups for policy-making, decision-makers were unable to mobilize their relevant partners in the last part of the 20<sup>th</sup> century. He called this phenomenon “Tocqueville’s revenge”. Although Tocqueville advocated the benefits of groups, it was the Rousseauian rejection of groups that

was implemented in French history. According to Levy, this now comes to haunt French politicians who would like to rely on strong social intermediaries to coordinate and implement policies.

The analysis proposed in this chapter is more nuanced. Associations have spread and play an important role in French politics, but not all of them and not everywhere. Levy is therefore right to insist on the legacies of statism, which help in particular to understand the weak role of the social partners that are so central to the neo-corporatist arrangements of other European countries. The rise of associational liberalism in France nonetheless transformed policy-making and opened up new political opportunity structures for previously marginalized groups of French society.

### *Weak social partners*

Assessing the role of employer associations and trade unions in France has always been difficult in international comparisons, particularly those that sought to rank countries on a scale from pluralism, where many groups compete for influence, to neo-corporatism, where the social partners enjoyed privileged ties to the government and played a central role in the coordination of socio-economic institutions. Depending on the measures used, France appeared as moderately to weakly corporatist and sometimes fell off the scale altogether (Siaroff 1999). The contradictory picture led many authors to put France in a category of its own: even though the social partners are able to determine wage levels and other aspects of labour issues since the 1950 law on collective bargaining, the French state maintains a strong role in the coordination of socio-economic issues. What characterized industrial relations in the first half of the Fifth Republic was, first, the predominance of protest politics: labour relations were represented and experienced a class conflict in mass actions organized by trade unions. Second, the high institutionalization of the social partners in consultative committees

and joint management councils (*paritarisme*) that govern important aspects of social policy such as unemployment, retirement or social security. Despite the lack of consensual policy-making at the national level, individual policy sectors therefore display a very high degree of corporatist management. A third feature of the French model is the firm-level management of job stability and career advancement (see Van Ruysseveldt and Visser 1996; Lallement 2006). With heavy government intervention in socio-economic areas, associations of employers and workers concentrated on labor law and protest movements rather than collective negotiation capacity.

Starting in the 1980s, this post-war order was challenged by political and market pressures for greater flexibility. French firms lobbied individually for new policy solutions at the European and the national level and partially circumvented both the bureaucratic state and the encompassing employer organizations (Schmidt 1996b). French trade unions, which had always been ideologically divided into several competing organizations, were unable to respond to these changes collectively. Trade union density, traditionally one of the lowest in European comparison, fell from 20% in the early 1970s to 8% in the present (see Ebbinghaus and Visser 2000). What is already a low figure hides important disparities: over half of the unions are in the public sector, which has a unionization level of about 15%, while only 5% of workers in the private sector (which accounts for 70% of employment) are unionized. In other words, trade unions have almost no influence over important parts of the French economy, but remain strong in distinct “fortresses” of unionization, such as the transport sector (Andolfatto and Labbé 2006b: 290). The privatization of public companies during the 1980s was therefore a further blow that contributed to the fall of trade union influence (Culpepper 2006). Figure 3 shows that strikes in the private sector have fallen sharply since the 1970s. Although strikes remain a feature of French politics, they now affect mainly the public sector.<sup>9</sup>

FIGURE 3 ABOUT HERE

The reform of working time in the 1990s revealed the weakness of the organized social partners. Both the Robien Law of 1996 and the Aubry Laws of 1998 and 2000 encouraged firm-level negotiation over working time. Moreover, the government imposed 35-hour week implemented by the Aubry Laws was experienced as a political embarrassment to employers (Woll 2006). Trade unions, in turn, found it difficult to organize effectively at the firm level: most of their past efforts had gone into the institutionalized bi-partite institutions and large-scale protest. A set of legal exemptions introduced in the 1980s and capped by the 2004 law on social dialogue steadily replaced sectoral negotiations with firm level negotiations, which experienced an important increase in the late 1990s (Jobert and Saglio 2004), as figure 4 shows. Although the number of national and branch agreements has remained stable over the last thirty years, this development profoundly undermines the importance of collective bargaining in French labour relations.

FIGURE 4 ABOUT HERE

A financing scandal of over 19 million € withdrawn in cash by Denis Gautier-Sauvagnac, president of the Union des Industries et Métiers de la Métallurgie (UIMM), to “smooth social relations” sheds further doubts about the capacity of the traditional social partners to renew themselves and reinvent their role in the social dialogue.<sup>10</sup> The battle that has broken out between the peak organization Medef (*Mouvement des entreprises de France*, formerly the *Conseil national du patronat français*) and UIMM over the consequences of this scandal illustrates how central the reform of industrial relations is to the cohesion of the French business associations. Unity among trade unions is no less difficult. Since the 1980s, new unions and associations were created to challenge the old pillars of French industrial relations system. The state-recognized representative unions *Confédération générale du travail*, *Confédération française démocratique du travail*, *Force ouvrière*, *Confédération française des travailleurs chrétiens* and *Confédération générale des cadres* now compete with

others that have split away, such as the *Union nationale des syndicats autonomes*, the *Fédération syndicale unitaire* and a group of 10 trade unions under the label G-10 SUD.<sup>11</sup>

The diversification on the employer side is comparable, even though the Medef can claim to represent about 60% of French firms (see Woll 2006).

However, while internal fragmentation and de-unionization has undermined the collective bargaining capacities of the social partners, it has not kept them from contributing to public debates and challenging government initiative. The most noted initiative of Medef, the “social refoundation” launched in 1999 and the successful large-scale protests orchestrated by trade unions against a new employment contract (the *contrat première embauche*) in the fall of 2006 even led Mark Vail (2007) to speak of “competitive interventionism” in France, where the state competes with the social partners for control over the direction of socio-economic reform. Whether the social partners compete indeed on equal footing with the state is doubtful, but it is true that the French government focuses on structured dialogue with societal stakeholders in recent years and delegates parts of its programs to societal groups for implementation. It is now more and more likely that governmental projects will be submitted for discussion with the social partners to assure some sort of consensus, but many observers highlight that “discussion” does not imply “negotiation” (e.g. Andolfatto and Labbé 2006b: 285). By controlling policy initiatives and shifting its actions from direct intervention to enabling policies, the government remains central in shaping socio-economic institutions in France. The social partners have largely failed to become institutionalized pillars of some form of neo-corporatist governance at the national level. However, as forums for dialogue and deliberations, the traditional trade unions and employer associations, just like their new competitors, have become part of the policy networks that influence the evolution of individual issues. To see how this is possible, we have to turn to the new role of associations in French politics more generally.

### *The functions of associational representation*

In his survey of the evolution of industrial relations in France, Michel Lallement (2006: 50) highlights that recent changes are based on a trend towards the “contractualization of society”. By this he means that the French government no longer prescribes policy solutions, but oversees the negotiations between stakeholders over the rules, practices and relationships that define social life. With the aim of a consensual outcome, these procedures encourage stakeholders to be constructive and autonomous, but nonetheless bind them by contractual solidarity. This trend towards consensus-oriented negotiations applies not just to industrial relations, but to state-society relations in France in general. To avoid extensive protest and ensure effective governance, the French government increasingly privileges stakeholder groups as partners in the elaboration and implementation of policy initiatives. In this framework, associations play an important role as forums for deliberation, as identity communities and as implementation networks. Let us consider each of these in turn.

Numerous scholars have pointed out the rising importance of deliberation as an element of democratic decision-making.<sup>12</sup> By emphasizing inclusion, compromise and transparency, deliberative decision-making implies greater openness to groups that can define themselves as stakeholders. In doing so, the consultation with associations increases the legitimacy of the policy process and appears to provide a partial remedy to the ‘crisis of representation’ noted by many observers of the French political system (e.g. Berger 2006).

However, deliberation does not mean that outcomes are necessarily consensual. Grossman and Saurugger (2006) distinguish between competitive and cooperative deliberation to clarify this point. Under competitive deliberation, associations express their often conflicting opinions on a policy issue in a public debate and use media or mass communication strategies to sway public opinion. Ultimately, citizens or their elected



representatives act as judges in determining the public interest. The new strategy of the employer association Medef epitomizes this trend. Breaking with its rather secretive and informal public intervention of the CNPF, Medef has concentrated on extensive media campaigns and outreach programs aimed to affect public opinion.<sup>13</sup> Other social actors actively contest the propositions made by Medef on socio-economic issues in equally public campaigns. The objective of these campaigns is not to reach a compromise, but to make one's opinion heard and to determine the terms of a debate, with the ultimately goal of swaying legislators by means of public opinion pressures (see Manin 2004).

Cooperative deliberation describes procedures that aim to define a policy strategy which all actors can agree on. Grossman and Saurugger (2006: 311) note that cooperative deliberation was the objective of two series of legislation in France in the 1990s. Consultation with and information of local stakeholders became central to urban and regional policy in the early 1990s. In 1995, the Barnier law makes consultation obligatory and creates the National Commission for Public Debate (*Commission nationale du débat public* - CNDP). In the late 1990s, several government bills open up policy processes to interest groups, in particular regional and sustainable development and urban policy. Associations become thus an increasingly institutionalized part of public deliberation procedures, even in areas that were not marked by sector-specific corporatism.

A second function of associations in political life in France comes with the first. Since associations now participate in politics on behalf of very diverse sets of groups in French society, they act as identity communities that allow for a heterogeneous representation of French citizens. Political parties no longer contribute to the mass integration of well defined social groups. As they have turned into parliamentary and campaign organizations that are largely candidate-centred, identification with political parties and party loyalty are declining (Manin 1997: 193-235). In this context, associations seem to provide an alternative to what

some criticize as outdated ideological cleavages. Participation in sector and issue-specific groups is seen as an instrument to “modernize politics”, to bring it closer to citizens and their preoccupations (Barthélemy 2000: 92). Put differently, associations allow for a representation of what is experienced as the new structure of French society. According to Alain Touraine (1991), the vertical organization of society around the capital/labor conflict is being replaced by a horizontal organization of society around a centre of insiders that are integrated into the labour market, surrounded by a periphery of excluded outsiders. Unlike the traditional social partners and political parties that are still marked by the vertical cleavages of society, associational representation promises to give a voice to those that would otherwise be left out of the system of representation. The associations of “withouts”, those without citizenship rights (*les sans papiers*), employment or housing, are an example of this trend. Just like economic exclusion, political exclusion is one of the primary reasons for political engagement: in many cases, associations form to politicize issues that its members consider to be insufficiently treated in the established political process, such as gender relations, racial discrimination, homosexual rights, child protection or ecological issues.

However, while associations serving as identity communities perform an important function, one should be careful not to overestimate their capacity to create trust and civic engagement more generally (see Mayer 2003), a hypothesis often put forward by the social capital literature. Where political representation is experienced as a failure, associational participation does little to remedy political conflict, as one might argue in light of the recurrent outbreaks of violence in the French suburbs.

A final function of associations is their role as local networks to which the French government delegates important implementation and surveillance tasks. As Grossman and Saurugger (2004: 211) note, the new state-society equilibrium results in “increased auto-regulation of a number of public policies.” Depending on the sector and the issue, it is not

uncommon to see private actors govern different elements of public policy without any or with only limited intervention from the state or the traditional social partners. In the context of decentralization, Le Galès (2006: 203) highlights that associations act as quasi-services for local government by running festive or social services, and that private-public partnership are common in the provision of environment, transport or housing services. This echoes Lallement's insistence on the contractualization of French society: where they appear to represent legitimate stakeholders in a policy process, associations may be called upon to assure new forms of regulation for the issues that concern them.

### **3. Conclusion**

The rise of associations clearly responds to changes in the French state-society relations. Many of the central elements of statist policy-making are transforming and have moved towards greater inclusion of non-governmental actors. While Levy (1999) rightly noticed the partial incapacity of the traditional social partners to rise up to these new opportunities, it is difficult to argue that the statist tradition has stifled associational participation in all aspects of French political life. On the contrary, associational life is thriving and non-governmental groups participate actively in both the elaboration and the implementation of new policy initiatives.

Announcing the advent of pluralism and a retreat of the state would nonetheless fail to capture the current French model of state-society relations. By organizing and monitoring the contractualization of society, the French state remains in control over socio-economic reforms and paces both the agenda-setting and the schedules of reform. This applies to associational participation as well as the relationship with the traditional social partners. A recent reform proposal of French labour contracts was given to the social partners for discussion, but

Nicolas Sarkozy tellingly announced that the French government will take over the policy initiative if the negotiating parties failed to develop an agreement by the end of 2007.<sup>14</sup>

Furthermore, by decentralizing negotiations and multiplying the forums for deliberation, the French government has actually increased its autonomy from societal groups. If negotiations advance at different speeds in separate forums, it becomes much harder to organize nation-wide resistance, even on issues which apply in a similar manner to a diverse set of stakeholders. By orchestrating protest into competitive or cooperative deliberation and by including associations as stakeholders that it can partially delegate policy tasks to if it so chooses, the French state firmly remain in the driving seat of socio-economic governance.

In comparison, the developments in France illustrate two more general trends that have been observed in a number of countries. First, governments now orient their policies to encourage associations in order to foster social capital. Despite the traditional mistrust in France towards all forms of civil groups, the French government now supports associational life and increasingly consults with stakeholders and interest groups. This participatory turn leads to an extensive and lively association tissue and presents a move towards pluralist policy-making. Second, neo-corporatist institutions are increasingly under pressure, even in a country which was always a mixed case with a special emphasis on jointly management sectoral governance. The paradox of the participatory turn comes from these two simultaneous movements. The social partners are least able to benefit from the changes in French state-society relations, because they have to straddle an old system that many argue should be reformed and new opportunities, which they will only be able to seize if they can reinvent themselves.

## Endnotes

- <sup>1</sup> The heated debates surrounding state-church relations explains why over 30 proposed laws on associational freedom had failed to pass between 1870 and 1901. Four years later, France formally separated state and church through the law of 9 December 1905
- <sup>2</sup> See Assemblée Nationale, « Proposition de résolution tendant à modifier le Règlement de l'Assemblée nationale pour établir des règles de transparence concernant les groupes d'intérêt, » 13eme Législature, No. 156, 29 octobre 2007.
- <sup>3</sup> Since no information is supplied when associations cease to operate, the total of existing associations in France relies on various estimation procedures. See Decool (2005: 9-12).
- <sup>4</sup> Summaries of events organized at the National Assembly, the Senate, the Economic and Social Council, the Constitutional Court, the European Parliament or at regional institutions in 2001 can be found in Conseil national de la vie associative (2003: 11-38).
- <sup>5</sup> This arrangement only lasted until May 2007. Following the merging of several responsibilities, the Ministry is now in charge of health, youth and athletics.
- <sup>6</sup> Jean François Lamour's speech of 8 July 2004 is reproduced in Conseil national de la vie associative (2007).
- <sup>7</sup> Jean-Pierre Raffarin's speech of 10 March 2004 is reproduced in Conseil national de la vie associative (2007).
- <sup>8</sup> The measures adopted or initiated at this conference include an increased reliance on consultation and information, increased financial aid to associations, as well as recognitions and rewards for voluntary service. A complete list can be found in Conseil national de la vie associative (2007: 65).

<sup>9</sup> Working days lost to public sector strikes have now overtaken private sector strikes, with much noticed peaks in 1989, 1995, 2000 and 2007. Starting in 1996, transport sector strikes are excluded from the private sector statistics and grouped with public sector transport strikes. For further discussion, see Lallement (2006: 63).

<sup>10</sup> « Patronat et organisations syndicales: un système à bout de souffle », *Le Monde Economie*, Dossier Spécial, 30 octobre 2007, p. i-viii.

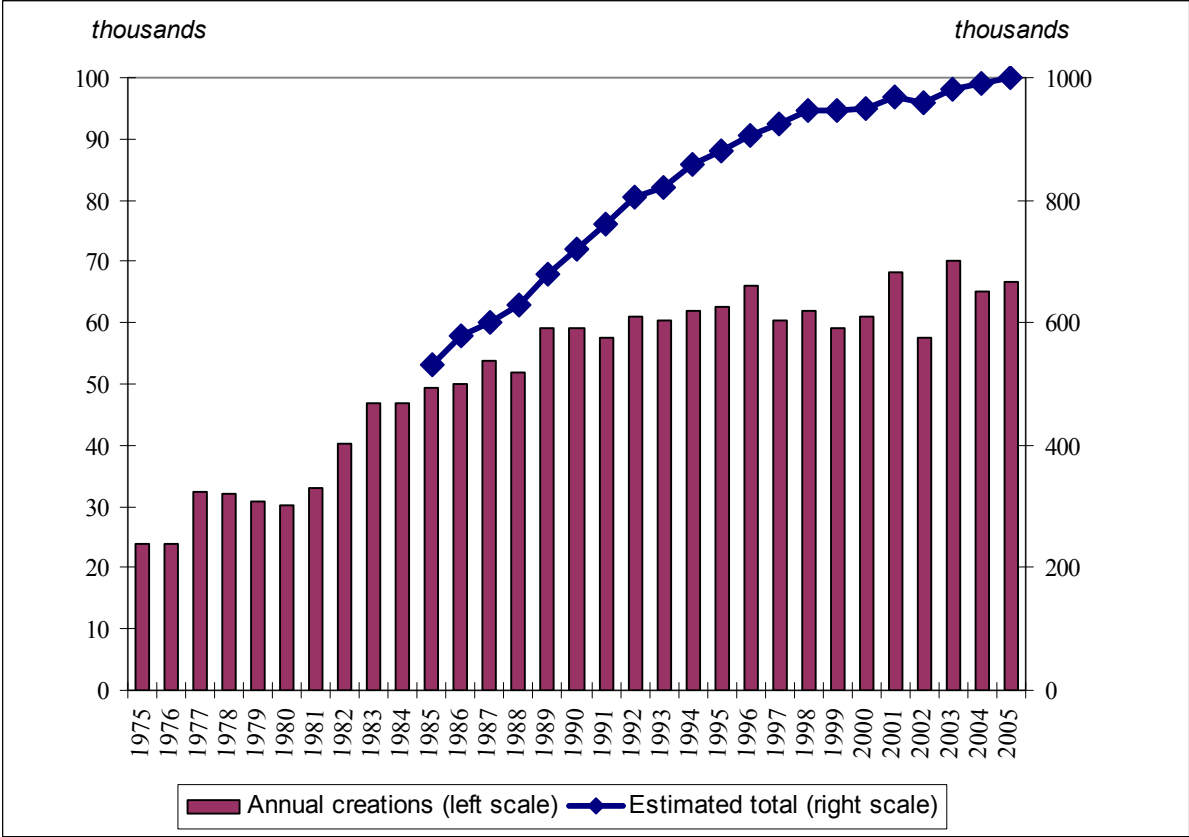
<sup>11</sup> All of the new unions are not recognized as representative organizations, even though each of them represents more members than some of the smaller recognized ones. See Andolfatto and Labbé (2006a).

<sup>12</sup> For discussion and a French perspective, see Blondiaux and Sintomer (2002)

<sup>13</sup> The election of Laurence Parisot, CEO of a French public opinion research institute, as president of Medef in 2005 confirms the importance of this strategy.

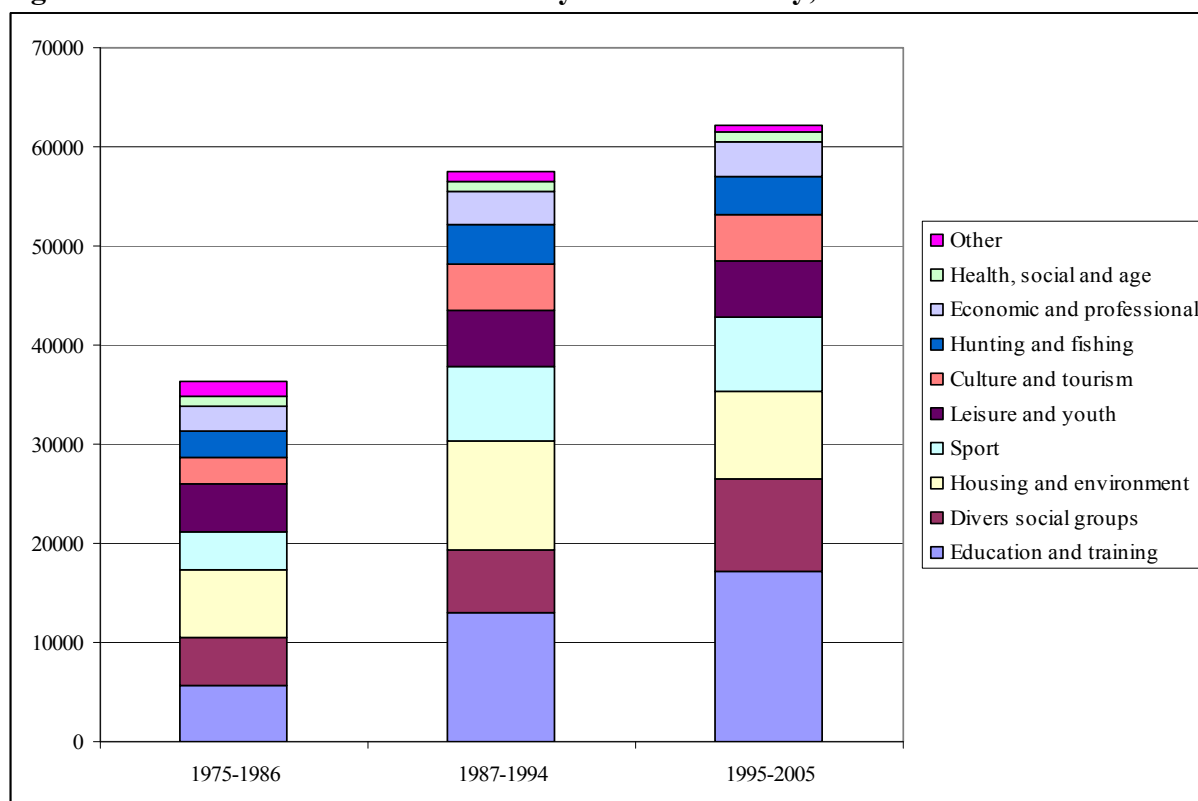
<sup>14</sup> Remi Barroux, « Contrat de travail unique : la négociation ou la loi », *Le Monde*, 7 septembre 2007.

Figure 1: Associations in France, 1975-2005



Source: CNVA (2007) and Decool Rapport (2005) for estimation of total number of associations

**Figure 2: Total of association creations by sector of activity, 1975-2005**



Source: CNVA (2003) Bilan 2000-2002

Note: Metropolitan France, with the exception of the Alsace-Moselle region

**Table 1 : Membership by association, 2005**

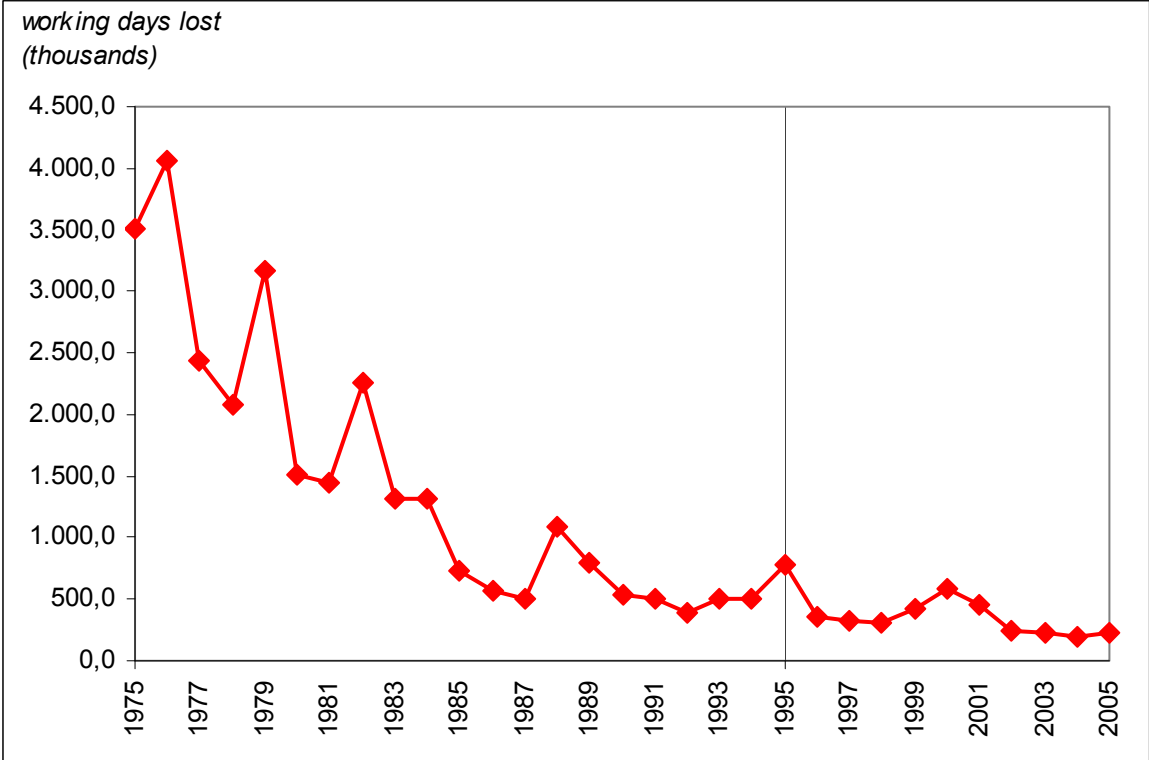
Associations	%
Sport	19
Culture	9
Trade unions and professional unions	5
Elderly	4
Alumni and veterans	3
Town and local	3
Leisure / party	3
Parents-teacher	3
Church	2
Health	2
Community service	2
Humanitarian	2
Education	1
Political parties	1
Consumers	1
Environment	1
Other	3
<b>Total</b>	<b>43</b>

Source : INSEE, permanent survey on life conditions, 2005.

Note : Metropolitan France, age 15 or older. Percentages do not add up due to double membership.

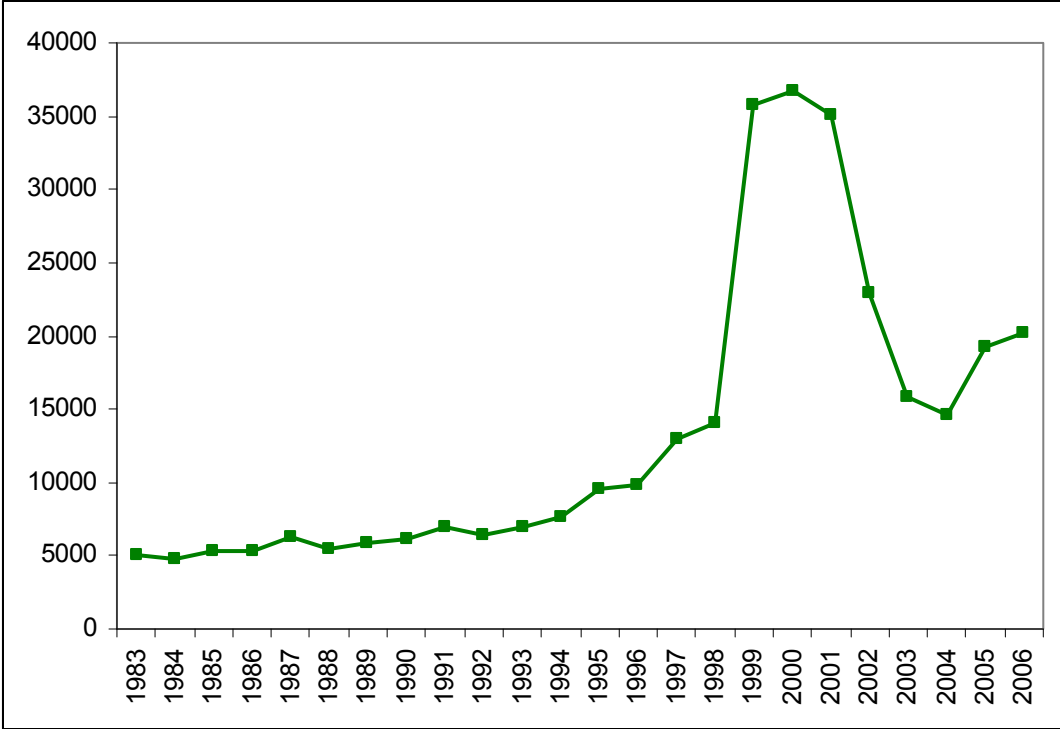


**Figure 3: Strikes in France in the private sector**



Source: French Ministry of Employment / DARES

**Figure 4 : Evolution of collective agreements at the firm level**



Source: French Ministry of Employment / DARES

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