The argument examines two contrasting views of state authority in France and reopens the question of "strong" versus "weak" states. To do so, it explores the traditional Rousseauian view of the strong state and contrasts it to an opposing view that emphasizes administrative heterogeneity even in so-called strong states. The argument applies these views to the French state and develops a reconciliation of them. I argue that it is useful to conceive of state authority and structures in terms of "tactical advantages" that states may or may not have at their disposal in relations with civil society. State traditions structure over time the tactical advantages states may have. Strong state structures and the tactical advantages these give to the state enable it to shape politics by employing more effectively policy instruments to induce and constrain political behavior and policy outcomes. The state's tactical advantages influence what interest groups do politically and their effectiveness. Thus the French state possesses tactical advantages that enable it to structure the role interest groups play. The "weaker" American state, by contrast, does not possess tactical advantages that give it a comparable capacity to dictate inducements and enforce constraints on politics. But there are also important limits to the French state's strength. One of the most important of these is the French state's vulnerability to direct action, or exit from normal politics.

TACTICAL ADVANTAGES VERSUS ADMINISTRATIVE HETEROGENEITY: The Strengths and the Limits of the French State

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The traditional strong state view, dating in France at least from Colbert and made intellectually congenial by Rousseau, takes the state as the sole embodiment of the public interest with commensurate

AUTHOR'S NOTE: *The author wishes to thank James A. Caporaso, Henry W. Ehrmann, Arend Lijphart, and Frank L. Wilson for their critical advice during the*

COMPARATIVE POLITICAL STUDIES, Vol. 21 No. 1, April 1988 126-168
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powers against political and social manifestations of private interests. An opposing view emphasizes that, whatever the theory of the state, the state bureaucracy is in fact so heterogeneous, embodying so many conflicting interests, that strong state power is a fiction. I will juxtapose these two views of state power and authority and then, addressing the French case, turn to a way of reconciling them that accords sufficient importance to the fact that "strong" states such as the French can indeed do things that "weak" states cannot, but that, equally, there are important limits to strong state power. We will see that one of the most important of these limits is the French state's vulnerability to direct action, or exit from normal politics.

ROUSSEAU AND THE STRONG STATE

"If the general will is to be able to express itself, it is essential that there should be no partial society within the State and that each citizen should think only his own thoughts" (Rousseau, cited in Ehrmann, 1983: 183). For Rousseau, people's principal problem is our inevitable disunity resulting from society. All intermediate associations—or partial societies—between individuals and the state are condemned as perverters of the general will. The state then becomes the only means—however imperfect—of overriding the divisive forces of particular wills and instituting a unifying general will. But to be unoppressive, the state must rely on the rule of law, failing the appearance of the legislator,the role of which resembles that of Plato's philosopher-king. The rule of law in turn depends on civic virtue, hence the importance attached by the Jacobins to state education. The state at once embodies and also induces the general will.

The idea of the strong state has proved compelling in French history and politics and dates from well before Rousseau. Tocqueville argued that the Revolution and then Napoleon completed the work of centralization begun under Richelieu and Mazarin (1967: 98-128). One reason was the persistent cultural and political opposition to the crown. Birnbaum (1982) argues that the presence of a state depends on resistance from the periphery during the emergence from feudalism. The stronger and more widespread the resistance, the stronger the central authority had to become to consolidate the realm (see also, Wilsford,

preparation of this article, as well as the French government for the privilege of serving as a Chateaubriand Fellow in 1985-86. The research reported here was undertaken during that period.

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1985). Indeed, one might distinguish between the rhetoric of absolutism and the reality of provincialism, resistance, and the constant problem of revolts (Dyson, 1980:153). Mousnier (1970) emphasizes the continuing vertical lines of loyalty under the *ancien régime* and considers them holdovers from feudal organization of authority relationships. Similarly, Goubert (1969) sees absolutism as a process of dialogue between (often) opposing social forces. There seems little doubt that ideal absolutist rule was severely mitigated in practice by conflicts and subversion. Further, as Bendix has argued (1978), in one important way absolutist rule of the ancien régime was not absolutist, nor centralized, at all: To consolidate the realm and control localities, the crown was dependent on a far-flung network of *intendants.* But to be effective, intendants had to be granted a large measure of independence, for it was they who ruled, administered, negotiated, and adjudicated on the spot. The contradiction of decentralizing to rule from the center parallels prefect-community relations in France today (see Grémion, 1976; Worms, 1966, 1968; Pitts, 1963).

In both the German and French conceptions of the state, a leading role has always been assigned to the public bureaucracy (Dyson, 1980: 157-158). Rousseau's notion of the general will as a social bond gave sovereignty to the nation through the state. Further, the Declaration of Rights, following Rousseau, stated, "The Law is the expression of the General Will." But operationalizing such slippery concepts poses problems. The lawmaking instrument, for example, whether an executive or a parliament, or whether a parliament that follows the will of the people or one that exercises independent judgment, has been a contentious question in French political history. Robespierre identified the general will as identical to the will of the Assembly. Its members, much like Burke's trustees, represented not individual interests, but the nation. The strong Assembly gave way to Bonapartist rule, which eliminated participation in favor of a chief of state whose power rested on the direct will of the people, excluding intermediaries. With Napoleon, the state becomes again identified with a single ruler, as it was identified under the ancien régime with the crown. And, of course, to rule over a large territory, the single ruler requires large teams of administrators and bureaucrats. The importance of the public bureaucracy as the chief agent of the state, in turn the embodiment of the public interest, becomes clearer. The state exemplifies that highest rationality.[1]

The French strong state tradition, as the German, views the public bureaucracy as the guardian of the public interest.[2] The administrative corps is to be devoted to public service and the needs of the nation, made up of nonpartisan actors in a politicized society, actors concerned solely

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with serving an enduring and definable public interest (Schonfeld, 1984: 235). The *hauts fonctionnaires* are to remain apart from politics and apply the law impartially. This view is perpetuated by a strong juridical administrative law tradition (see Schonfeld, 1984; Favre, 1981). It is not important how much the view corresponds to descriptive reality. It *is* important that the view is widely shared as desirable. It corresponds to normative reality.

The importance of guardianship to administrative thinking is illustrated in an early Fifth Republic report on the obstacles facing French economic expansion:

> In effect, under the current organization characterized by a division of administration into vertical cloistered compartments, a large number of functionaries, in spite of their intelligence, good conscience and devotion, see, in all good faith, the defense of the interests that they are charged to control as a natural and essential aspect of their function. This tends to eclipse and falsify for them the vision of the general interest. [Rapport Rueff-Armand, 1960; cited in Ehrmann, 1961b: 543]

Rousseau's thought captures the profound contradictions that many see in the French, for it argues simultaneously for both the state—an overriding central organization—and the individual—"each citizen should think only his own thoughts." The fabulous contradictory formula of anticorporatism, glorification of the state, and individualism had its origin in part in the oppressive guild practices of the ancien régime (Ehrmann, 1983: 182ff). The Chapelier law of the Revolution outlawed all associations. It was rescinded in 1901, but French associations—all interest groups—are still required to register with the Ministry of the Interior, though legal status is automatic once registered. Since 1936, the ministry may also dissolve certain associations that it deems a threat to the state. This power was freely used after the events of May and June 1968. What is important to note about the French associative law, compared to the American context, is that it exists in the first place. Freedom of association is guaranteed, but surveillance of groups by the state, through registration, is also considered essential. The law is at once enabling and limiting. By contrast, the control of private associations in the United States is confined to regulation of lobbying and political campaign financing—and of course to the occasional and not inconsequential red-baiting of movements such as McCarthyism.

The view of the state as the sole entity capable of embodying the collective interest is manifested in French language. *État* in French is the only word for state that normally begins with a capital letter (Nettl,

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1968: 567), in contrast to other political vocabulary. Further, the expression *interest group* (*groupe d'intérêt*) is seldom understood by the average French person, educated or not. Only in the academic worlds of French political science and sociology is interest group terminology used and understood. Its use there was borrowed from American academic vocabulary. Far more commonly used are *pressure group* (*groupe de pression*) and *lobby,* both pejorative expressions denoting a persistent action or influence that constrains or subverts. This pejorative view of interest groups changes the vocabulary used in describing what interest groups do, as well. In French, groups do not "articulate" their "interests," they *défendent leurs droits,* or defend their rights. Indeed, understanding politics in France necessitates understanding the importance of *droits,* or rights. The system of *droits acquis* means that interests are not interests but rights. Otherwise they would signify particular wills, partial societies, and a host of concepts tied to a state-of-nature, free market view of man and politics. But droits are acquired *by decision of the state* in its incarnation as the expression of the general will, or public interest. That is, they are given. As such, they may be taken away. Hence *défendre.* Interest groups in France must constantly justify their pursuit of interests. In the strong state tradition, justification is accomplished in part by this vocabulary.

ADMINISTRATIVE HETEROGENEITY

Perhaps the most influential recent critique of the received view of the French state is Suleiman (1970). The ideal-typical Rousseauian view of the strong state emphasizes the state's proper independence and autonomy in defining and defending the general will. This view is supported by the dominance of a highly sophisticated juridical tradition in French administrative science. This tradition places great emphasis on the study of formal rules and procedures. Suleiman argued, however, that this view of the French state was misleading and that the scholarly emphasis on the study of formal rules and procedures was misplaced. For Suleiman, the "sacrosanct state" constituted neither a good description of French administration nor a good prescription. In later work (1974), Suleiman showed that the French administration was not homogeneous nor nonpartisan, but made up of cross-cutting, conflicting interests. Hauts fonctionnaires are not impartial servants of infallible, uniform legal structure. Their views and goals conflict across ministries and *directions,* between *directions* and ministerial *cabinets,* and between *grands corps.* One locus of constant combat, for example, lies between

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the finance and other ministries (Ehrmann, 1961a).

Crozier (1963) had begun chipping away at the traditional, sacrosanct view of the French state with his argument that formal rules do not fully account for administrative behavior. While organizations such as bureaucracies have extensive, detailed rules to prescribe appropriate action for all situations, these rules inevitably fail because of unanticipated events for which the rules do not provide. The administrative machine breaks down, prompting a modification of the rules or the addition of new ones to take care of problems. But in a vicious cycle, unforeseen events continue to occur, leading to new crises. Routine, in which formal rules are valid descriptions of administrative behavior, alternates with crisis, in which innovation and adaptability—departure from formal rules—reign.

Crozier's model of French administrative behavior emphasizes the heterogeneity of the administrators and their interests, depending upon their positions within the administration. While detailed and precise rules are persistently promulgated to govern behavior, and while decision making is in principle centralized, in fact, various strata of the administrative hierarchy are highly isolated from each other. Within each stratum a premium is placed upon egalitarianism, which leads to the refusal, or avoidance, of cooperation and participation in hierarchical decision making. Thus the bureaucratic system cannot cope with change and postpones change as long as possible. Only eruption of crisis forces change, which is imposed from the top, ensuring its inadaptability to individual requirements.

Dupuy and Thoenig (1983) criticized Crozier for neglecting the administrative organization's capacity to adapt. They argued that French administration has mechanisms that adjust decision- and rule-making mistakes to make them tolerable to outside actors who must interact with the administration. As Schonfeld (1984)[3] notes, their argument is less a critique of Crozier than an extension of his work, for theirs is a model of administrative interaction with the outside world, while Crozier confined himself to internal dynamics. Indeed, Dupuy and Thoenig follow Crozier and Suleiman in portraying a bureaucracy frequently at odds with itself and open to influences from outside.

THE STATE AND ITS TACTICAL ADVANTAGES

The traditional and opposing views capture two aspects of the French state. An exploration of the state's "tactical advantages" can reconcile

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the two views so that sufficient importance is accorded to the fact that strong states can do things that weak states cannot, but that equally there are important limits to strong state power. The French state, insofar as its authority is concentrated in bureaucrats and bureaucratic departments, supported by a strong state ideology, enjoys an upper hand in politics. *Impermeable,* often used to describe a strong state, is not right, for it denotes the impossibility of penetrating the state's structures.[4] But the strong state's tactical advantages over politicians and interest groups shapes politics in important ways. By contrast, the weak American state—with its dispersed authority structure (see Neustadt, 1960; Heclo, 1977, 1978; King, 1978; Rockman, 1981)—enjoys fewer tactical advantages. The state tradition and the mechanisms inherent in the state's organization of authority provide constraints and opportunities that structure *but do not determine* interest group behavior and policy outcomes.[5]

Tactical advantages are methods and procedures, and the capacity to employ them, that the state may use for short range objectives. They may or may not be combined over time in the planning or maneuvering to achieve long-range objectives, or strategy. When sufficiently numerous, they suggest the state's superior position in arranging relationships between the state and groups in civil society. The idea implies that states with tactical advantages may more easily arrange their relationships with interest groups and that strong states are strong in part because they have more tactical advantages at their disposal. Thus they may more often gain the ends *they* seek because of methods and procedures at their disposal that weak states do not enjoy, at least to the same extent.[6] The notion of tactical advantages avoids determinism wherein the various parts of the state are taken as a unit always acting in concert and wherein politicians and interest groups win only if the state wants them to, which is what *impermeable* implies. Tactical advantages possessed by strong states mean that, compared to weaker states, politicians and interest groups have to work harder or differently in pressing their case. This does not mean they will not win. Tactical advantages may also help to explain how certain groups in France are favored and others shut out, a state power of some consequence. In the United States, it is more difficult to favor or shut out interest groups, for there are always the alternative legislative or judicial arenas that may be resorted to. Indeed, changing arenas is often an explicit strategy in American interest group politics (see Wilsford, 1984). There is something different about the French state that is partially and imperfectly captured by the word "strong" and sometimes by the word "impermeable." This needs to be understood better because it is still difficult to grasp practically what a strong or a weak state is. Tactical advantages

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constitute an heuristic device for beginning to do this.

Katzenstein (1978, n.d.) tried to capture the ways states interact with interests, at least in part, with "policy networks" and "parapublic institutions," but this underplays the possibility of state capacity to act independently of interest groups, that is, to structure the context in which interest groups act politically—especially in France. For Katzenstein, policy networks and parapublic institutions are necessary for the successful implementation of policy and exist to aggregate sectoral interests for the state to act upon. This tends to reduce the state to a predominantly reactive posture once the initial arranging of interests is accomplished. It may also imply that the state does no more in arranging interests than respond to social imperatives. But in France, the state plays a more important initiating and structuring role and interest groups, by contrast, are reduced to a reactive posture. When true, this carries important consequences for policy outcomes that cannot be accounted for by Katzenstein's model.[7] Katzenstein's concepts may be more appropriate in depicting state-interest group cooperation in the West German, Austrian, or Swiss cases (see Katzenstein, 1984, 1985), in which, as Dyson notes (1980: 155-185), the state tradition is distinct from the French. The German state tradition places great importance on the state's responsibilities for seeing to it that essential social partnerships are healthy. The partners' legitimacy is not questioned. Further, the social partners *cooperate*. This is a crucial support that is regularly withheld by some French groups, such as the labor unions. In France, the Rousseauian view of the general will and the public interest pits the state against all entities, like interest groups, which represent "particular wills," or private interests.[8]

WHAT ARE THE FRENCH STATE'S TACTICAL ADVANTAGES?

> [The state] represents not only a particular manner of arranging political and administrative affairs and regulating relationships of authority but also a cultural phenomenon that binds people together in terms of a common mode of interpreting the world. [Dyson, 1980: 19]

Dyson distinguishes between "state" and "stateless" societies. By these he means no more than the difference between societies that have an historical and intellectual tradition of the state as the institution that embodies the public power and societies that lack this tradition. Dyson's distinction is analogous to that of strong and weak state used here.[9] *The*

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strong state is not omnipotent, nor is the weak one powerless. Rather, the distinction signifies varying conceptions and realities of general state authority vis-à-vis interest groups. The collective conception of a strong state, and the formal institutional arrangements that back it up, assign the strong state more tactical advantages than its weak counterpart. This does not mean that the strong state will always win its political battles against interest groups, nor does it mean that the strong state can even always or usually decide *within itself* upon a unified position to take with an interest group or set of groups on an issue. Nor does it mean that the state does not help interest groups or vice versa. Relations of mutual support abound in both France and the United States. But it does mean that the strong state has advantages against interest groups that the weak state lacks.

The importance of the state is not in acting homogeneously or monolithically in promoting or arranging at its will a universe of interest group activities and thus, perhaps, policy outcomes. This is the chief problem with theories of neo- or liberal corporatism. They too often take the state as a unit whose constituent parts act in concert. Even in the strong state, agencies and departments are often motivated by conflicting interests and pursue conflicting goals. And in the absence of conflict, they may simply be inefficient. Rather, the state is important as a collective concept that informs the way interest group *and* bureaucratic actors view proper relations between the state and groups. Thus, as Dyson argues,

> the values, beliefs and expectations characteristic of [a] state tradition of authority . . . affect *groups' perceptions of their interests*. . . . The idea of the state forms part of the considerations that groups have in mind when determining *where their interests lie* and *what types of conduct* will appeal to decision-makers and the public. [1980: 3; my emphasis]

One way of fixing empirically what the strong state in France is and what its consequences are for interest group politics is by examining what I have termed *tactical advantages.* The French state is—empirically—a specific formal organization of authority. This organization of authority is complemented by a specific—empirical—set of behavior patterns, of those who fill the roles of the state and of those, like interest groups, who interact with the state's officials in the hope of certain decisions. Behavior patterns plus formal organization of authority interact in complex ways. Behavior and attitudes inform authority's organization; similarly, the organization of authority informs behavior and attitudes.

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How does state organization of authority influence interest groups' behavior in France? It does so with inducements and constraints that structure political action. Its authority position gives the French state tactical advantages that enable it to induce and constrain types of political behavior. Claiming neither an exhaustive list nor that they work in the same way on every issue, some of the important tactical advantages of the French state are (1) the government's proposal and decree powers, (2) an arena legislature, (3) a strong executive independent of the legislature, (4) the tradition of powerful ministerial *cabinets,* (5) an extensive bureaucratic elite homogeneously trained, and (6) a judiciary of limited powers. We will also see subsequently that the French state is abetted in its use of these tactical advantages by both ideological and nonideological fragmentation of most interest sectors.

Some of these advantages derive from the constitution of the Fifth Republic. While a behavioral approach might tend to ignore formal legal arrangements, law and constitutions provide the larger settings for legal, institutional, and political relationships. As Collier and Collier (1979) observed, "adoption of laws is a major step in the decision process through which state intervention . . . crystallizes." Law and constitutions are highly visible policy statements "around which political battles are fought, won, and lost, and around which political support is attracted, granted, and withheld" (p. 971). This does not mean that concentrating on laws and legal relationships renders a full picture. Written rules do not obviate the necessity of adapting or applying universals to specific cases, nor do they avoid unintended consequences.

THE GOVERNMENT'S PROPOSAL AND DECREE POWERS

The 1958 constitution gives the executive the preeminent position in lawmaking. For example, all finance laws and constitutional laws are reserved to government initiative, as are almost all organic laws. Parliament is prohibited from initiating increases in government expenditures or reductions in government revenues. By contrast, the American constitution reserves this prerogative to the House of Representatives. Initiative on constitutional laws is reserved to the president, on the advice of the prime minister, and to members of parliament. Despite the latter provision, no constitutional law has been proposed by members of parliament. Similarly, organic laws are most often proposed by the government, though members of parliament occasionally propose organic laws without great hopes they will pass. Of 30 organic law bills by Assembly members from 1973 to 1977, only one

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became law. For the same period, of seven Senate bills, two became law (Massot, 1979: 116-132).

For the Fifth Republic, only an average of 15% of laws passed each year are of parliamentary origin. Success rates are another indication of the executive's supremacy in lawmaking. From 1973 to 1977, 90% of bills introduced by the government became law; only 5% of parliamentary bills became law (Massot, 1979: 129-130). Thus Avril argued that parliamentary initiative has become devoid of significance. Even under the Fourth Republic, 70.4% of the 2,655 laws promulgated corresponded to government proposals (Avril, 1972: 24, 101). In a similar estimate, Goguel (1954: 681) noted that only 27% of the laws passed between 1946 and 1951 were initiated by members of parliament.

Apart from constitutional provisions and their application since 1958, an even more important advantage to the government is derived from its powers of intervention in parliament's consideration and adoption of legislation. First, the government fixes all agenda items and the order of their consideration. This permits the government to monopolize sessions of the Assembly and the Senate for the discussion of its own bills. Further, parliamentary committees, which study government proposals, cannot block their final consideration by refusing to report them, as can American Congressional committees. When committees refuse to cooperate, the government may proceed directly to parliamentary consideration and the text considered is the original text submitted by the government.

The government holds an additional advantage in the limited amending powers of parliament. If a committee amends a text before reporting it, the government may oblige consideration of its original bill. But the government itself may amend any text being considered. Further, the constitution provides for parliamentary votes on all or part of a text, retaining only amendments proposed by or accepted by the government.

Decrees are one important area of lawmaking reserved to the executive. Decrees permit the government to modify laws and are juridically binding. A law modified by decree is often decades old. Decrees in France are a combination of American implementation regulations and independent lawmaking. The 1958 constitution permits vast domains of policymaking to be regulated by executive decree.

These constitutional provisions give the government great advantages over the consideration and adoption of proposals in all domains of lawmaking. Nevertheless, they do not militate against government attention to coalitions and compromise. Alliances are still necessary because countervailing forces must be taken into account. But the

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tactical advantage of proposal and decree powers means that coalition and compromise assume less widespread importance in French politics than in American.

AN ARENA LEGISLATURE

Polsby (1975) has argued that a useful way of comparing legislatures is to place them along a continuum from transformative to arena institutions, expressing variations in the legislature's independence from outside influences (1975: 277). The transformative legislature puts its own imprint on legislation—by originating it, modifying it, or killing it. That is, the content of legislation and the outcome of the legislative process is in significant ways *transformed* by the legislative body. For Polsby, the American Congress is the epitome of the transformative legislature. By contrast, the arena legislature cannot place its own substantive institutional imprint on legislative outcomes because it lacks the powers—formal or informal—to do so. Rather, it serves as an arena for conflict between other power centers. In the arena legislature, political forces come together to hash out issues over time. The British House of Commons exemplifies this end of the continuum. The House of Commons may enjoy formal legislative powers, but in a responsible party system, it is in fact an arena for social and political debate. The party, not the legislature, controls legislative outcomes.

In these terms, the 1958 constitution transformed the French parliament from a transformative to an arena legislature. This has in turn transformed the policymaking process. In the Fourth Republic, interest groups pressured parliament, in particular individual deputies, as party discipline was weak. Some parties were in fact little more than electorally organized interest groups. Interest groups and political parties also collaborated for electoral purposes. Interest group pressure on bureaucrats was relatively inconsequential, for the administration was pressured by deputies in the place of—and on behalf of—interest groups.

The arena legislature of the Fifth Republic reversed these relationships. Since 1958, interest groups—who migrate to where power is exercised—concentrate on ministers and bureaucrats. The individual deputy is relatively less pressured than before, although under majority two-round voting he or she must establish a secure geographic constituency. Likewise, there is less collaboration between interest groups and candidates or political parties for electoral purposes (see Meynaud, 1962a; Wilson, 1983).[10]

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But even with the Fourth Republic's transformative legislature, functionaries became more important to interest groups as the state extended and its work became more technical. In economics and finance, for example, "complexity has reduced the role of Parliament [during the *Fourth* Republic] to the benefit of the executive" (Meynaud, 1957: 574-575). The phenomenon is the more exaggerated considering the instability of governments under the Fourth Republic. Governments rose and fell according to constantly shifting parliamentary coalitions. The high civil service was by contrast stable. "[Under the Fourth Republic] reasons for political disorder had not been removed and no disciplined majority emerged in parliament [so] constitutional provisions were flouted. Using only slightly different techniques than before the war, parliament found ways to surrender its sovereign powers as the law-making authority to the executive. Yet as if to compensate for such weakness, it continuously shortened the life span of succeeding governments" (Ehrmann, 1983: 304). In the Fifth Republic, parliament is restricted to meeting a maximum of six months of the year so that "the government has the time to reflect and to act" (Debré, 1966: 46). Not only have interest groups adapted to changes in institutional paths of access from the Fourth to the Fifth Republics, moving from legislature to administration, it is debatable how transformative the legislature of the Fourth Republic was. In both regimes, evidence suggests that the state administration held a preeminent position in policymaking.

A STRONG EXECUTIVE INDEPENDENT OF PARLIAMENT

Executive power is not just stronger due to the first tactical advantage (the government's proposal and decree powers), and not just by default of the second (a weak legislature). It is strong in its own right. The president in the Fifth Republic enjoys a power base independent of the legislature, for he is directly elected (Ehrmann, 1963) for a seven-year term. Deputies' terms may last no more than five years. (Senators serve nine-year terms, but are elected indirectly; in lawmaking, the Senate is less important than the National Assembly). The president may also dissolve the Assembly. In the Fourth Republic, parliament directed the state politically. By contrast, the Fifth Republic locates political control in an elected executive. This control is centered in the president. Despite the prime minister's strategic position and wide range of duties, throughout the Fifth Republic the president has controlled the cabinet in both its makeup and its action (see Massot, 1977).

The March 16, 1986, legislative elections gave a parliamentary majority to a RPR-UDF coalition opposing the president. The 1958

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constitution permits parliament to deny confidence to the government—that is, the prime minister and the cabinet—chosen by the president. To resolve an eventual impasse, the president—short of resigning—would presumably appoint a prime minister and cabinet acceptable to the opposing parliamentary majority. In a theretofore untried arrangement of *cohabitation,* Mitterrand appointed the RPR's Chirac prime minister and accepted his proposed government (with the exception of two portfolios, Foreign Affairs and Defense). This change in Fifth Republic institutional relationships damages the president's strategic position, although Mitterrand has conserved a great deal of influence in foreign policy decision making. Moreover, insofar as the prime minister under "cohabitation" is more clearly responsible for the successes or failures of government policies, Mitterrand has been able to skillfully place himself above the fray, avoiding identification with the failures of Chirac's government as 1987 wore on. The parliamentary role in votes of confidence will become important only as and if the governing RPR-UDF coalition begins to fall apart.

In spite of the uncertainties of cohabitation, however, the executive-centered strong state is perforce easier to direct politically than the true parliamentary regime because authority is not dispersed throughout a collective legislative body. The strengthening of the executive and the weakening of parliament by the 1958 constitution make the actions and decision making of the strong state more coherent and efficient. For the time being, cohabitation has merely transferred strong executive powers from the president to the prime minister.

THE TRADITION OF POWERFUL MINISTERIAL *CABINETS*

The tradition of powerful ministerial *cabinets* focuses the political direction of French administration more than the American. The French *cabinet* should not be confused with the English "cabinet," or the group of all secretaries or ministers chosen by the executive to head bureaucratic departments. The second institution, in French, is the *Conseil des Ministres,* or Council of Ministers. There is no strict American equivalent to the French ministerial *cabinet* as a cohesive decision-making and policing unit serving the minister and apart from functional units in the ministry. In American departments, the secretary's top associates are generally institutionalized in the deputy, under, and assistant secretaries, at once political appointees of the president (who sometimes but not always follows the recommendation of the secretary they will serve) and heads of functional units. The French minister has more freedom to compose his cabinet as he wishes

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and its members work for him on constantly changing tasks. They also check on heads of functional departments, or *directions,* trying to ensure that directors act in the minister's interest, political or other. Further, fewer American civil servants serve in the high echelons surrounding the secretary than French civil servants serve in the ministerial cabinets.

The Fifth Republic cabinet, or Conseil des Ministres, like its British and unlike its American counterparts, constitutes a generally effective decision-making team under the direction of the president (or prime minister, if the two are cohabiting) and adheres to a doctrine of cabinet responsibility. Aberbach et al. (1981) argue that both British and French cabinet members tend to better resist the bureaucratic interest of their departments compared to their American counterparts. The ministerial *cabinet*, a mix of political and technical brains chosen by the minister, serves to focus the minister's directives in a more effective way than any American counterpart. It also serves as the center for interministerial bargaining.

During the Third and Fourth Republics, with frequent changes of government in a parliamentary-dominated system of weak parties and constantly shifting coalitions, the ministerial *cabinet* was viewed as lending stability to the political administration of the bureaucracy (Ehrmann, 1983: 282). Suleiman (1974: 187ff) argued, however, that administrative instability during the Fourth Republic was more apparent than real. While coalitions and governments changed frequently, many ministers retained their portfolios across several changes of government. Nevertheless, under any republic the ministerial *cabinet* has been "at once the brain of the minister and, with regard to the administration, the eyes of the master. A study group on the one hand, a means of supervising on the other" (Massigli, 1958: 25; cited in Suleiman, 1974: 187). The problems of bureaucratic politics and responsiveness to political directives exist most everywhere. But by contrast with the American state, in which unclear boundaries of authority and fragmented power centers (Rockman, 1981: 914) accentuate the difficulties of political direction of bureaucratic policymaking and implementation (see also Heclo, 1977), the ministerial *cabinet* gives the French minister an instrument of focused control over bureaucrats.[11]

AN EXTENSIVE BUREAUCRATIC ELITE HOMOGENEOUSLY TRAINED

The French bureaucratic corps—especially in its higher incarnations, or *grands corps*—generally shares a homogeneous elite training and

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many of its highest members combine administrative and political perspectives. Ninety percent of the members of ministerial *cabinets*, a political position, belong to grand corps. The importance of this bureaucratic corps and its common training in the *grandes écoles* is that administrators—bureaucratic, political, and the combination found in the ministerial *cabinets*—share a common view of the *role* of the state, its mission and its options, even if there are different interests and conflicts over them from one ministry to another, from one *direction* to another, or between a *direction* and a *cabinet*. The values, beliefs, and expectations characteristic of a state tradition of authority and its training grounds (the grandes écoles) affect bureaucrats' perceptions of their interests and of the state's interests. Indeed, it gives them a perception of the state having an interest that is definable and defendable. The idea of the state shared by bureaucrats who staff its positions shapes their judgment of where interests lie, which of these are compatible with the state's interest, and what types of conduct by decision makers and the public are appropriate to the administrative-political universe.

An extensive bureaucratic corps of homogeneous elite training and the tradition of powerful ministerial cabinets combined even under the weak executive to the Third and Fourth Republics to make the French state stronger than the American. The strong state does not necessarily have to be centered in an elected political executive. The bureaucratic aspects of the strong state may work as well in conjunction with a strong parliament, even if political parties are weak, as they were under the Third and Fourth Republics.

A JUDICIARY OF LIMITED POWERS

In conflicts with groups, the French state, like the British, enjoys an advantage that its American counterpart has lacked since *Marbury v. Madison:* a judiciary of limited powers with little tradition of judicial review. This subordinate and often downright weak judicial power dates from the French absolutist state (see Anderson, 1974). The Revolution strengthened the asymmetry between judiciary and executive or parliament, even though it put forth certain citizen rights in the Declaration of the Rights of Man. Freedom of thought and expression, freedom to own property, freedom from arbitrary detention, and the presumption of innocence until proven guilty were all mentioned. Article 2 carried citizen rights furthest by proclaiming that the fundamental purpose of political organization was to preserve the individual's natural rights, including the right to resist oppression. But absent were any provisions

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for judicial appeal when these rights were violated. In general, the executive or the legislature as the sovereign incarnation of Rousseau's general will both determined the general interest *and* protected individual rights. But protecting individual rights was secondary. This led to many contradictions, for the sovereign power often proclaimed that the general will, or public interest, superseded individual rights. This problem is compounded by the Rousseauian view of rights, inalienable in the American vocabulary, as fosterers of disunity.

Not until the Third Republic were individual liberties extended in more specified ways with guarantees of right of assembly and press freedom in 1881, of formation of trade unions in 1884, of association without prior government approval in 1901,[12] and of religious freedom in 1905. The Constitution of the Fourth Republic in 1946 added equal rights for women, the right to employment, to collective bargaining, and to strike (Hayward, 1973: 199).[13]

No institutional enforcement of these rights was provided as they were enacted. There is no independent, sovereign agency that protects them for the citizen *from* the state. Rousseau's heritage inhibits division of state sovereignty, along the American pattern. The strong state is antithetical to Montesquieu's thought. Separation of powers and checks and balances to safeguard citizens' rights are incompatible with a view that assigns the state the principal and positive role for determining the citizen's interest *through* the collectivity. For Rousseau and the strong state tradition, to divide the state (whether embodied concretely by parliament or executive) is perforce to weaken it and open it to the attacks of particular wills. But in American thinking, the particular wills must be *protected.*

The institutional asymmetry of French regimes and the philosophy underlying this asymmetry lead to limitations of civil liberties in France that would be less tolerated in Britain or the United States. As Hayward (1973: 121) notes, the French believe that civil liberties have eroded *since* World War II, but they also tend to believe that censorship and telephone taps are the normal order of things and, in some vague ways, do serve a national interest—at least sometimes and under the condition that oneself is not the subject of censorship or tapping. French law provides for no *habeas corpus,* police tap telephone lines and open mail, and the government pressures in various ways newspapers and magazines that it considers threats to the public interest. Such threats may be no more than publicizing a scandal involving a government official. In such a case, the government has occasionally intervened with (nationalized) banks to cut credits to the offending organization. Despite constitutional guarantees against arbitrary detainment, the celebrated

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garde à vue permits police to hold suspects up to 48 hours without charges.[14]

The 1958 constitution continues the tradition of limited judicial review. A constitutional council was established to pass on the constitutionally of parliamentary laws. But the executive is not subject to review by the council and originally only the president, the prime minister, and the presidents of the Senate and the National Assembly could refer questions of constitutionality to it. In 1974 a provision was added permitting 60 deputies or 60 senators to submit cases.[15]

Executive behavior is the preserve of the Council of State, a multifunctional institution. The government consults the council on bills it wishes to submit to parliament and on more important decrees and regulations as they are prepared. The council also advises on the interpretation of the constitution. While the council's advice is not binding, Ehrmann notes (1983: 334) that "its prestige is so high that its recommendations are seldom ignored." The council also rules on claims of the citizen or groups against the administration. The council may find official acts illegal—whether those of a minister or a mayor—and annul them and grant damages to plaintiffs. While this function has led the council to be described as "the great protector of the rights of property and of the rights of the individual against the State, the great redresser of wrongs committed by the State" (Barthélemy, 1924: 199; cited in Ehrmann, 1983: 334), it is nevertheless limited. Enforcement of its decisions depends on the very administration that may be the object of the ruling. The government often validates questionable administrative acts by legislation during or after the Council of State's consideration of them. Hayward (1973: 127) also noted that administrations, particularly the Ministry of Finance, are skilled at circumventing decisions. He estimated that a third of council decisions remain unenforced. Further, delay is significant. The council's case backlog is estimated at three years. Currently, 17,000 cases await judgment. Yet government reforms aimed at expanding the council's juridical capacity have met opposition from the council's own members, who jealously guard their elite status (*Le Monde,* March 15, 1985).

Citizen rights are especially problematic in France because of the state's strong police powers and the close institutional links between the police, prosecutors, and judges. The French judicial system is characterized by executive control at all levels (see Ehrmann, 1983: 178-179; Hayward, 1973: 128-132). While entry is by examination, promotion is frequently political, as the executive seeks to consolidate its influence on judicial decision making by promoting those that agree with it politically and moving those that disagree to less desirable posts. The

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Ministry of Justice also directly controls public prosecutors.[16] Lack of judicial independence was institutionalized in the 1958 constitution. Article 64 makes the president the sole guarantor of judicial independence. For de Gaulle, judicial power was part of the "indivisible authority of the state" and was entrusted "in its entirety to the President of the Republic by the people who have elected him" (cited in Ehrmann, 1983: 178). Limited judicial access and limited judicial powers give the state greater autonomy in its relations with civil society, both individuals and groups.

IDEOLOGICAL FRAGMENTATION OF INTERESTS

Ideological fragmentation of interest sectors in France abets the state's use of its tactical advantages. From labor unions to medical associations, the lines of demarcation that distinguish interest groups from each other within an interest sector tend to fall not according to functional categories, although these exist as well, but along ideological cleavages. For example, while less than 20% of the French industrial work force is unionized, at least three major unions, the *Confederation Générale du Travail* (CGT), the *Confédération Francaise Démôçrâtique du Travail,* (CFDT) and the *Force Ouvrière* (FO), compete for members in each plant. Ideological fragmentation constitutes an opportunity, a consistent one, presented to the state and used in conjunction with its tactical advantages to structure politics.

Many other interest sectors in France, such as agriculture or medicine, are also ideologically fragmented, presenting consistent opportunities to the French state for domination. Physicians fragment ideologically over *political* issues. In the small but influential subsector of medical professors, three associations compete to represent the subsector's interests. They are distinguished by ideological politics. Indeed, there are no medical *associations* in France, only medical *unions* (*syndicats*). The difference in terminology points to a more political defense of sectoral professional interests in France compared to the ostensibly apolitical nature of many American associations that base their claims of representativeness in part on neutral technical issues.

Ideological fragmentation of most interest sectors contributes to the lack of legitimacy of interest groups in state-dominated French society. It is difficult to convincingly claim representativeness for an interest when your group is not the only one making the claim and when all claims are colored ideologically. French directors (agency heads) commonly distinguish between the legitimate and illegitimate interests they must deal with (Suleiman, 1974: 337-340). For the state admin-

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istrator, lobbies and *groupes de pressions* represent a private interest within an interest sector. These groups are not *sérieux,* an important concept to the French (see Wylie, 1957). Administrators prefer "professional organizations" and contacts with them are considered valuable because these groups are sérieux, meaning reasonable, sincere, and able to be counted upon—in short, "responsible."[17] One director in Suleiman's study explained the distinction (1974: 338): "An interest group—that is, a lobby—is one that defends its specific interest. A professional organization is one that defends not a private interest but a group [sectoral] interest." Another director noted: "An interest group or a pressure group has very limited interests, whereas professional organizations represent the interests of a whole profession." In the health care sector, for example, for negotiations over the 1985 *convention* (fee agreements), Georgina Dufoix, minister of Social Affairs and National Solidarity, *designated* two medical confederations as representative of the profession (the *Confédération des Syndicats Médicaux Français* and the *Fédération des Médecins de France*) and *conferred upon them* the right to negotiate with the *caisses d'assurance maladie* (*Le Médecin de France,* November 29, 1984: 18). Groups that are sérieux seek the public interest, not the private. The state determines who is sérieux and therefore a legitimate partner in the search for the public interest. For the state, groups that are not sérieux are by its own definition seeking a private interest that obviates the collective good.

THE SYMBOLISM OF CONSULTATION

Ideological fragmentation of interests enables the bureaucracy to consult different interests as policy is formulated, giving the appearance of substantive input into decision making. But this consultation takes on a superficial significance, for it enables the state to simultaneously find support for its own view while ignoring or diffusing opposition. Consultation often amounts to no more than a symbolic benefit to interest groups (see Edelmann, 1964).

Contacts may be frequent, especially with "legitimate" groups, but there is no pattern of necessarily substantive consultation such as that between the American administration and interest groups (see Chubb, 1983). Suleiman's respondents (1974: 333ff) argued that consultation served an informative and persuasive function—from the administration to interest groups: "My job is to explain and to inform. . . . Contacts [with interest groups] are necessary. But I think I can say that we always

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manage to have our view prevail," argued one director. Another reported: "We always consult. It doesn't mean that we listen, but we consult. We don't always reveal our intentions. We reveal only as much as we think it is necessary to reveal." Thus Suleiman argued that one important function of consultation was the opportunity it gives the administration to present interest groups with *faits accomplis,* that is, decisions it has made before consultation.

Consultation tends therefore to occur late in the administrative decision making process, in contrast to the frequent American practice of early consultation as proposals are formulated (Chubb, 1983). Suleiman (1974: 335-336) described a typical policy process: The preparation of texts, whether laws, decrees or reforms, begins in secrecy within a small administrative group. Gradually, the initial group seeks the agreement and cooperation of other groups within the ministry and then from other ministries. Once a final text is agreed upon by the administration, interest groups are approached and informed of the proposed policy. A closed approach is essential, one director reported to Suleiman, "because otherwise there will be opposition over every provision and the text will never get drawn up" (1974: 335-336). Another director commented, "We ask for [interest groups'] advice only *after* we have a completely prepared text. And we do this just to make sure that we haven't made some colossal error" (1974: 336).

Yet consultation is frequent, much of it institutionalized in advisory commissions, which meet regularly. Mignot and d'Orsay (1968: 92) estimated the number of commissions at over 15,000. Ehrmann (1983: 204) estimated 500 councils, 1,200 committees, and 3,000 commissions that bring together members of organized interest groups and the bureaucracy at the national level. Ehrmann notes that the Ministry of Finance alone consults more than 130 committees. If consultation means as little as some directors and interest group leaders claim, with different reasons, why does the state engage in it?

First, consultation in France differs from that in America in important ways. In general, the state initiates more contacts in France and creates or facilitates the creation of more groups, suggesting that consultation is often part of a formal strategy by the state to control interest sectors. Second, consultation often serves as a symbolic benefit that administrators use to forestall interest group opposition, particularly of protest and direct action common to France. Even such supposedly pacific groups as physicians or hospital interns are quite willing to exit traditional political channels and engage in demonstrations and strikes. Since 1981, French physicians have mounted five large demonstrations aimed against proposed government reforms and

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hospital interns have struck twice. Threatened or actual social disturbances are a powerful influence on the administration to preserve at least the formalities of consultation.

Groups of course are not fooled by the formalities of consultation. They realize that in normal politics the administration has an upper hand in policymaking and that their influence in the consultative process is often minimal. In reforms of health care, private education, and a host of other policies, conservative interest groups were regularly consulted by the Socialist administration. But in a curious paradox, both sides knew that conservative group views would be taken into account almost not at all by the Socialists. Why the minuet? Because the Socialists, like all administrators, were influenced by persistent false hopes of forestalling opposition to reforms; likewise, conservative interest group leaders were influenced by persistent false hopes that their opinions might make a difference. In the end, consultation served no substantive purpose. The administration promulgated reforms; conservative groups organized demonstrations and boycotts. Abuse of consultation has reduced even its symbolic benefits.

Faced with protest, administrative symbolism persists. The government may publicize symbolic concessions to protesting groups "only to retract or deform them after the demonstrators have demobilized" (Wilson, 1983: 906). With striking hospital interns, the government first satisfied interns' demand for restitution of prestige titles. Only after the strike continued and it was clear that symbolism would not suffice to diffuse protest in a strategic policy area did the government satisfy interns' second demand, for pay increases. Another reason for substantive government concessions was its new sensitivity to fighting too many public battles at once. For the government, the truckers' strike of February 1984 was easier, for it responded more easily to symbolic concessions. It is difficult for independent truckers ("owner-operators") to remain organized over time. The government conceded several demands, but then waited for the situation to diffuse. The state's tactical advantages often enable it to retract or not implement concessions that are not symbolic.

THE TRIUMPH OF CONSENSUS OVER CONFLICT IN FRENCH ADMINISTRATION

The executive and bureaucratic powers and advantages of the French state make it stronger than many of its Western democratic counterparts.

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But these tactical advantages do not mean that either the executive or the bureaucracy always acts homogeneously. Even within the more purely bureaucratic parts of French administration, strategic positions and resources differ. For example, *directions* and ministerial *cabinets* are one important locus of administrative conflict.

Bureaucrats of the French state, in political and administrative incarnations, may be thought of in terms of Rockman's (1981) analysis of American "regulars" and "irregulars." Regulars in France, like their American counterparts, are viewed as advocates of parochial interests. They want rational policies. They tend to think small, incrementally, and do not see the world in manipulable terms. They are cautious and balanced in their approach. Irregulars, like their American counterparts, are viewed as generalists working in the presidential or ministerial interests. They want action, that is, presidential or ministerial decisions rationally managed. They tend to prize innovation, aggressiveness, and enthusiasm for presidential or ministerial directives. They are more ambitious and purposive.

French irregulars may be divided between (1) floating hauts fonctionnaires and (2) politicians brought in by ministers. Both serve in the ministerial *cabinet*. Floating hauts fonctionnaires share similar elite training (usually *Polytechnique* or *ENA,* both grandes écoles) and have come to dominate the *cabinets* by about 90%. Their similar background and training give them similar views of their appropriate roles and of the role of the state. That they staff the ministerial *cabinets* enables them to provide the essential institutionalized link between generalized administrative expertise and the political needs of the moment, for the *cabinets* are powerful operating bases. Further, many of the more political appointments to the *cabinets* are "politicians" who started as *polytechniciens* or *énarques*. Their early government service was spent in the normal bureaucracy. Increasingly in the Fifth Republic, civil servants launch political careers in order to work their way to the top. Giscard, Chirac, Fabius, Rocard, Chevènement, Jospin, and Joxe are notable examples. Thus there tends to be a homogeneity (which nevertheless should not be exaggerated) to the political aspects of French state administration that is lacking in the United States.

There is also more floating of high civil servants in France than in the United States. Evidence suggests that regular and irregular characteristics are more attached to role position and, because of greater floating, an individual French political or administrative bureaucrat changes his or her own behavior from job to job (Suleiman, 1974: 222ff). Members of ministerial *cabinets* become directors, and vice versa. In general, the most important difference between regulars and irregulars in France

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compared to Rockman's observations in the United States is that irregulars across ministries are tied more closely together and more closely with the president's and prime minister's personal offices. One reason is the more tightly organized character of the French cabinet, or Council of Ministers. Compared to its American counterpart, the cabinet is a cohesive decision-making body, much more responsive to the president's wishes and/or those of the prime minister.[18]

The operational tool for the effectiveness of cabinet decision making is the ministerial cabinet. The complex, interlocking nature of the hauts fonctionnaires and their floating among cabinets, in and out of high politics, and back and forth between administrative units (*directions*) and cabinets, combine with their increasingly specialized administrative training (the *École Nationale d'Administration,* or *ENA*)[19] to make the separation of politics and bureaucrats less problematic than in the United States. There is more overlap between high civil servants and politicians. This in turn gives the state greater capacity for coherent decision making, even if it is mistaken, and ensures greater bureaucratic implementation of political decisions, other things being equal.

But while the extensive bureaucratic corps generally shares a homogeneous elite training and many of its highest members combine administrative and political perspectives, this does not mean that bureaucrats and politicians don't fight, between and among themselves, between cabinets and directions, between vertical and horizontal administrations, or between the finance ministry and everyone else. But the French state's heterogeneity is qualified by the strong state tradition. We have seen that bureaucrats—and politicians—hold a common view of the *role* of the state, its mission and its options, even if these are manifested in different interests and conflicts over them from one ministry to another, from one direction to another or between a direction and a cabinet. Perhaps the most important tactical advantage available to the French state is the tradition of state power that gives it a preeminent role in state-civil society relations. With the establishment of the École Nationale d'Administration, Debré wrote:

> The training—one need not hide this—also has a moral objective. It is not one of the missions of the school to play politics or to impose a particular doctrine. But the School must also teach its future civil servants *'le sens de l'État,'* it must make them understand the responsibilities of the Administration, make them taste the grandeur and accept the servitudes of the *métier.* [1946; cited in Suleiman, 1978]

The values, beliefs, and expectations characteristic of a state tradition of authority and its training grounds (the grandes écoles) affect

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bureaucrats' perceptions of their interests and of the state's interests. They believe that the state has an interest that is definable and defendable. A common idea of the state shapes administrators' judgment of where interests lie, which of these are compatible with the state's interest, and what types of conduct by decision makers and the public are appropriate in this administrative-political universe. French administration is obviously heterogeneous, thus permeable to interest group pressures and susceptible to internal conflict. But one consequence of the state tradition informing French administration is that permeability and conflict are of secondary importance to overarching consensus.

INDUCEMENTS AND CONSTRAINTS ON FRENCH INTEREST GROUP POLITICS

The French state uses its tactical advantages to administer inducements and constraints on interest group politics. The state structures the game interest groups play. Fewer alternative arenas within the state (i.e., an independent judiciary) places its executive and bureaucratic institutions in a preeminent strategic position to structure interest representation.

First, the French state officially recognizes groups, thus sanctioning them; but it may also withdraw recognition (in extreme cases, groups may be outlawed by the state). Second, the state subsidizes many groups. These funds often provide crucial resources for offices, personnel, equipment, and research, all indispensable to organizing and articulating interests. In this way, the state serves much the same function as private foundations in the American group system (see Walker, 1983). But the state can and does withdraw subsidies, making organization and articulation of interests more difficult, as happened to some conservative groups when the Socialists assumed power.

OPENING AND CLOSING POLICY ARENAS

One important way the state uses its tactical advantages to structure, that is to induce and constrain, interest group activity and policy outcomes is by opening or closing policymaking arenas. As Schattschneider (1960) argued, the scope of conflict—in his terms "private" or "social"—is important in determining what decisions are made, that is, the winners and the losers. An open arena has many participants; a closed arena has few. The character of the French political system and

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the tactical advantages of the state mean that it can open or close policymaking arenas more easily than its weaker counterpart. That is, it induces wider participation by involving more interest groups, as in agricultural policymaking in France after 1981 (see Keeler, 1983). Or it constrains participation in policymaking by closing out interest groups, as in agricultural policymaking in the 1960-1981 period (see Keeler, 1981a, 1981b).

One way the state opens and closes policymaking arenas is by the discretion ministers and bureaucrats enjoy in deciding whom to consult and whom to listen to among the consulted. Wilson reports one interest group leader complaining that too often formal consultation is just that: formal but not substantive. His respondent recounted discussing a proposed measure in a ministerial committee meeting, then seeing the final text of the measure printed the next day in the *Journal Officiel* (1983: 900). Similarly, with the reorganization of medical education and hospital administration, one medical association leader reported: "Of course, we and other medical associations were invited to the ministry. But in the end, and even during discussions, the outcome was clear. The government had made up its mind and therefore 'listened' only to those medical groups that shared the government position." We have seen that consultation is frequent, but that there is no substantive pattern to it. Access does not necessarily equal influence, even if it is structured and regular. Consultation does not necessarily equal negotiation.

We have also seen the limits of recourse to the judiciary. Changing arenas, when possible, is an important resource the interest group may use to open a policymaking arena (Wilsford, 1984). But the legal avenue is heavily circumscribed by the constitution in France, and a different ethic of the law and judicial review permeates French thinking. As a labor leader said, "We have no illusions about the effectiveness of legal action. We believe the strength of the social forces is more influential and that it even influences the judges as they render their decisions" (Wilson, 1983: 904).[20]

Similarly, legislative support is generally useful only in the long term. We have noted that the 1958 constitution grants most substantive lawmaking powers to the executive. Many areas of policymaking are regulated by decree and many decrees cannot be changed or may be modified only slightly by the legislature. In 1984, some conservative groups expended great efforts lobbying members of the Senate, held by the conservative opposition. Their aim was a series of votes opposing various Socialist reforms. Yet under the Fifth Republic constitution, Senate votes are not very significant, as the government may return a bill to the National Assembly for final determination. Why lobby the

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Senate? One conservative group leader answered, "As a last resort. There was nothing else to do. And it is important to keep the opposition involved for when they return to power." Legislative support is often confined to preparing the ground for future changes of government. The Senate voted its opposition to the proposed reforms; the government proceeded to implement them.

THE FRENCH STATE IS VULNERABLE TO DIRECT ACTION, OR EXIT FROM NORMAL POLITICS

The French state is a very strong state. It is autonomous and skilled at avoiding capture in many policy areas. But, paradoxically, in its strength lies also its weakness. For the French state, by dealing highhandedly with its opponents, cuts them off from normal avenues of political negotiation. In doing so, it forces its opponents to exit normal politics. They go to the streets in demonstrations, strikes, boycotts, and sometimes riots. Opponents of state decisions—like students opposing university reform, like interns opposing reforms of medical education, like physicians opposing departmentalization of hospitals, like shopkeepers opposing the spread of supermarkets, or like farmers opposing changes in agricultural policy—have no alternative.

Direct action is characteristic of most all interest sectors in French politics. Milk producers block roads (*New York Times,* May 10, 1984; May 13, 1984). Farmers and wine growers block roads, demonstrate, tear up street surfaces, and harass occupants of public buildings (*New York Times,* March 27, 1984). Pork and poultry farmers block railway lines, hijack trucks carrying imports, and battle riot police in small towns (*New York Times,* January 25, 1984). Public workers strike (*San Diego Union,* March 9, 1984). So do steel and shipyard workers (*New York Times,* March 31, 1984). Steelworkers sack courthouses and tax offices (*New York Times,* March 30, 1984) and cut railway lines (*New York Times,* April 3, 1984). They burn buildings, smash bank windows, and battle police with acid and steel bolts (*New York Times,* April 5, 1984; April 6, 1984). Tens of thousands march in Paris (*New York Times,* April 14, 1984). Throughout Spring 1984, both Catholic and non-Catholic groups, including both conservatives and socialists, protested the socialist government's proposed reforms of private education. The protest culminated in one of the largest demonstrations in postwar France on June 22, 1984, when well over 500,000 gathered to

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march in Versailles. The movement forced the government to withdraw its program entirely and it provoked the resignation of prime minister Pierre Mauroy.

Again in November-December 1986, massive student protests—attended by some violence—forced the conservative Chirac government to completely withdraw its proposed university reforms. His higher education minister, Alain Devaquet, resigned. In December 1986-January 1987, the French national railroads (the SNCF) were reduced to 25% service during the peak Christmas-New Year's holiday period by a series of wildcat strikes, which various union leaders struggled to control. By most any index, direct action occurs more often in France than in the United States. This characteristic of French politics is general and recurring. The recent student demonstrations are a telling example.

The central issue in this replay of the 1968 student strikes and riots was how to make the necessary tradeoff between high quality universities and egalitarian access to university education in a system crying for innovation and improvements. Long before the March 16, 1986, election, Chirac pledged to reform French universities by giving them more autonomy to run their affairs, by allowing them to issue degrees under their own names, by encouraging them to hustle private financing for crucially needed new programs, and by permitting them to be selective in choosing which students to admit. Three weeks of violence—involving hundreds of thousands of students and including demonstrations, strikes, and rioting—forced Chirac to withdraw his full program of reforms.

Traditionally, of course, French universities have always been closely controlled from Paris by the Ministry of Education: In the Jacobin state tradition, all degrees are issued in the name of the French Republic, financing comes solely from the state with numerous restrictions and limitations, and all students who have passed the high school *bacca*-lauréat must be admitted if they apply. Chirac thought that such an educational system stifled innovation and lowered quality overall. In one sense, he was correct. French universities have long suffered abominable budget shortfalls, lack of basic equipment and personnel, seriously deteriorating physical plants, severe space shortages, and low technical and professional salaries. Essentially open enrollment policies meant that many students, especially in the first undergraduate years, have no business pursuing a higher degree but were rather in the university because of lack of employment opportunities elsewhere. Unemployment in France has hovered above 10% for many years; proportionally it is concentrated in the younger age groupings. Further,

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talent is drained off by the prestigious grandes écoles, where entrance is by competitive examination and postgraduate job opportunities are numerous and lucrative.

Chirac aimed his neoliberal reforms in higher education at these problems. By most measures, the proposed reforms were relatively weak. Permitting universities to establish and administer their own degree programs and encouraging the competitive hiring of teachers and enrolling of students were ideas not incompatible with Chevènement's socialist "elite republicanism," a euphemism for improving quality by stressing competition and high standards. And these reforms certainly would not have made the French university system over into the image of the American.

But a vast student movement sprang up against the reform proposals, which had been subjected to rather lackadaisical debate in the National Assembly and the Senate. The movement mobilized hundreds of thousands in a week's time and sustained a program of strikes and demonstrations over three weeks. The movement was so strong and sometimes so violent—riot police injured dozens, one died, and highly valued property was destroyed in some rioting—that Chirac was forced to withdraw his program, not in part but completely.[21]

Four factors characterize the development of these student demonstrations and the government's eventual capitulation to student demands. These factors are also common to direct action that arises in other sectors of the French state's policymaking.

First, the movement exhibited a spontaneous character. The demonstrations and strikes began at the grassroots, well outside the normal channels of the national student organizations. Second, consequently, traditional student leadership was taken by surprise by these events and struggled throughout the three weeks to catch up. In fact, the grassroots directed the events from the beginning and in this case never permitted the traditional leadership to coopt the movement. Third, the state was not only taken by surprise by the movement—as it is so often by the spontaneous character of much direct action—but it found itself without an interlocutor with which to negotiate a settlement, this given the grassroots character of the movement. Traditional leaders were shunted aside. The grassroots never permitted a new leadership to form and replace the old. With whom can the state negotiate when no one has the authority or legitimacy to speak for the movement?

Last, Chirac committed the same error in the name of ideological principles as did the socialists upon assuming power in 1981: He interpreted his election victory of March 16, 1986, as a mandate by the French people for a sweeping series of neoliberal reforms. Throughout

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the spring, summer, and early fall 1986, French administration worked overtime to enact measures that privatized many industries and banks, set in motion the privatization of the largest state-owned television network, liberalized currency and trading regulations, eliminating some of them entirely, reformed sections of the tax code, especially reducing taxes for higher income brackets, enacted a variety of policies designed to encourage more private investment—in general, a French turn toward neoliberalism and Reagan-style rhetoric. Yet the French no more voted for these policies than they did for an extreme Socialist platform in 1981. Rather, they voted in protest against the incumbent government. Although not exploited by the political parties in France, there is a large center in ideological politics. There was thus no widespread support in public opinion *in favor* of the higher education reforms.

We have seen that the French state's authority is concentrated in bureaucrats and bureaucratic departments. They embody the Rousseauian view of the general will that pits the state against all entities, like pressure groups and labor unions, which embody or epitomize "particular wills," or private interests. They also share Colbert's view of how to use state instruments to seek policy goals. They exercise broad control over many aspects of French life, like the country's educational system or its health care system, that in the United States are more or less autonomous. We have seen the numerous advantages that the French state's structure gives these civil servants and their political leaders in day-to-day decision making. We have seen that the state's use of these advantages severely handicaps outside groups, like students, teachers, physicians, shopkeepers, farmers, or many others, who are concerned.

In this system, the French state is vulnerable to direct action and violent protest. One reason is the way laws and decrees are formulated. Outside input into administrative decision making tends to occur late in the French political process—if it occurs at all. Warning signals of possible or probable opposition and violence are often ignored. The closed policymaking process characteristic of French administration avoids the problems of opposition and delay, but is also dangerously vulnerable to protest.

When conditions are ripe, direct action can be extremely effective. Naturally, the student uprisings of 1968 are an example. They wrought sweeping reforms in the same university system that Chirac wished to reform in 1986. And in 1984, massive, nonviolent demonstrations by Catholics and non-Catholics, conservatives and socialists forced Mitterrand's socialist government to withdraw proposed reforms of private schools. Direct action often stalls the state's plans.

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Crozier identified alternating periods of routine and crisis in the French bureaucracy. The rigidities of the strong state and its use of tactical advantages make change hard to come by. As Hayward noted (1973: 11), "a regime organized to minimize the impact of change postpones and accumulates a backlog of overdue business." Nevertheless, change cannot be forever postponed, almost no matter how strong the state is. Exit and direct action are recurring themes in French politics and they sometimes succeed in bringing about crises that force the state to change its planned course of action. The vulnerability of the French state lies in its encouragement of the buildup of overdue business. This makes massive resistance paradoxically more likely than in other regimes that are better at accommodating dissent through strategic change or cooptation. In May 1968, spontaneous alliances arose between students and workers, neither particularly well organized, and strikes and demonstrations spread extensively across France, prompting a series of sweeping reforms. We have seen that the November-December 1986 student protests also arose spontaneously from the grassroots, persistently threatening to entirely bypass traditional student leaders. The December 1986-January 1987 train strike also began as a series of wildcat actions. Paradoxically, the strong French state is sometimes weak indeed.[22]

CONCLUSION

In a range of policymaking areas, the French state engages in broad discretionary decision making. Zysman (1978), for example, argues that the French state was the main force in postindustrial modernization and the restructuring of industrial sectors, that it was able to protect its farmers by negotiating effective subsidies from German industry in European Community pricing, and that it supports certain French industries by playing trader of package deals with other countries in the international marketplace. Hall (1986) argues that nothing short of an economic miracle in the postwar transformation of France was due to extensive state intervention in the society and the economy.

The character of the French state's intervention in the economy and the society is also evident historically. Consider that in the seventeenth century, shops for making saltpetre (essential to the manufacture of gunpowder) were set up all across France, but only with the help of capital supplied directly by the crown. The French kings subsidized and otherwise encouraged large, capital-intensive ventures in many new

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industries. They participated in the formation of enterprises by grants of special privileges and grants of land, buildings, and advances of cash. They also enforced enactments that determined the overall shape of new industrial sectors, such as how concentrated they would become (Nef, 1957: 58-88).

French administrators have long used state power to shape the economy and protect France's interests as they perceive them. Colbert executed a policy of mercantilism to protect domestic industries. He also used central power to break down internal tariffs, improve roads and canals, and reform commercial codes. Napoleon mounted an extensive continental blockade using centralized state power. During the 1896 depression, Méline, the minister of agriculture, pushed through a series of tariffs blocking agricultural imports in an effort to use the state to protect French farmers. More recently, Edouard Balladur, minister of the economy and finance in the 1986 Chirac government, intervened in the bidding for the privatization of the Compagnie Générale de Constructions Téléphoniques, a major switching manufacturer, and awarded the purchase to a consortium led by the Swedish firm L. M. Ericsson over a superior offer—both technologically and financially—which had been put together by AT&T. Balladur and others who were part of the French state felt that Europeans should be careful not to allow too prominent an American presence in a technological industry crucial to advanced communications (*New York Times,* April 30, 1987).

There is of course no guarantee that a strong state, operating with maximum autonomy, will make the right decisions. The strength of a state is measured by how effectively it may implement its chosen policies and how effectively it may cope with domestic or international opposition. But the inherent correctness or viability of policy is another matter entirely. The French state, for example, has traditionally played a great role in structuring the character of its high-technology sectors. In computers, it quite easily blocked the sale of Machines Bull to General Electric in 1964. The state did so because it considered the sale counter to the general interest and because it possessed the tactical advantages necessary to execute this decision. Bull continued to lose money and a year later the state concluded that the sale would have to take place after all. Yet because of steadily deteriorating performance, the terms arranged with GE were significantly less advantageous to the French state. For example, it had to cede GE complete instead of partial control of Bull. Later the state launched a new computer firm, *Compagnie Internationale pour l'Informatique* (CII), which quickly turned into a financial abyss, swallowing state subsidies as fast as they could be

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granted (see Zysman, 1978: 285-287).

But in nuclear energy, in contrast to these apparent failures, the French state not only developed a comprehensive and cohesive plan for development of reactors, it executed this plan with a speed and thoroughness that contrasts directly with the American state's role in developing nuclear energy and with the subsequent character of the American nuclear power industry. Of any Western industrialized state, the French set the most ambitious development targets for nuclear power. The Messmer government in 1974 planned that by 1985, nuclear power would provide 25% of France's energy needs and 70% of its electricity (Cohen, 1982: 34). The goal was met. France is currently the leading nation in per capita nuclear power and second in total capacity. The French state executed a program based on a uniform reactor design (the conventional light water reactor) and speedy approvals for construction. Consequently, in contrast to the United States, where delays result not only from differences and experimentation in design but also from environmental groups' challenges to construction permits, the French can build many more reactors more quickly and more cheaply per unit. In addition, the French state has incorporated the whole nuclear cycle in its development plan. It has the world's only major reprocessing plant and went forth with a breeder reactor when all other countries were canceling theirs (Cohen, 1982: 34-40).

But of course the full consequences of this extraordinarily effective decision making are not always clear. The French state wished to develop its nuclear energy sector to reduce its severe dependence on oil and gas imports. It did so effectively. On the other hand, France's gigantic investment in nuclear development makes it the hostage of downward oil prices. The potential danger of nuclear power could also conceivably demonstrate that the French state was wrong to proceed so fully.[23] Likewise, the state chose to commit enormous resources to the Concorde supersonic transport plane and to the construction of a third international airport at Roissy. Both were successfully completed, but the Concorde was clearly a financial albatross. Many argue that the Charles de Gaulle facility was also not only not needed but excessively expensive in economic and social costs.[24] *The effectiveness of state decision making is in no way logically related to the correctness or desirability of subsequent policy outcomes.* Sometimes it is and sometimes it is not.

In an important and elegant study, Feigenbaum (1985) argues that in fact the practice of *pantouflage*—or the ongoing exchange of high functionary and high management personnel between the public and private sectors—mitigates the effectiveness of the French state's decision

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making. Based upon his investigation of oil politics and the French state, Feigenbaum concludes that the interests favored by state policymaking after the oil shocks of the 1970s were those of high state and corporate administrators—essentially one and the same socioeconomic elite. However, not only is Feigenbaum's argument about oil policymaking not generalizable to many other policy areas, he does not recognize the distinction between *effectiveness* on the one hand and *correctness or desirability* of various policy outcomes on the other. The French state's decision making in response to oil shocks was extremely effective. By Feigenbaum's own evidence, it was at once rapid, coherent, and comprehensive. That the resulting policies imposed severe and lamentable economic and social costs on certain groups cannot be challenged, as Feigenbaum argues with great sensitivity. But this in no way constitutes evidence that the French state is either weak or ineffective. Describing elite decision making that favors itself and judging normatively who should pay social and economic costs of a policy are not inhabitants of the same logical plane.

The strong state tradition in France serves as an overriding factor of consensus in an otherwise extremely plural society. The French state's ideology protects the state's interests. These are sometimes perceived as those of functionaries or as those of privileged groups in the economy or the society. But just as often, or perhaps more often, the state's interests are perceived as the amalgam or distillation of the interests of all, the community, the whole which is France. This state ideology protects the role of the functionary, and it protects the centralization of the system. But it does not protect political institutions such as those that make up the régime type. To the contrary, the régime type is highly vulnerable in France to passing crises and humors. A succession of political régime changes ranging across all types litters the landscape of France's political history.

There is such high politicization over issues and between political parties in France, charged by an all-encompassing and violent polemic, that it is difficult for the institutions of a political régime type to become anchored solidly in French political culture. There has never been a *political* consensus in France, which, like Americanism in the United States (see Hartz, 1955), could serve to bind elements together in agreement over the modalities and institutions of governance and change. In France, the strong state bound the fractious society together. The strong state itself was all that warring elements could agree upon, each hoping it would serve its own purposes.

The overall relations between society and the state in France are characterized by what may be termed *state-dominated pluralism*. In a

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system of extreme pluralism of groups, the focal point of both policymaking and interest group activity is found in the bureaucratic departments. This gives the French state, through its bureaucratic institutions, more capability for control over interest group activity than is found in the "neutral" state of traditional pluralist theory, wherein policy outcomes are sometimes characterized as the "sum of vectors" pushing in upon the state from society.

Of course, in state-dominated pluralism, the state and its structures are by no means homogeneous. The "strong" state is by no means all powerful. Centers of power compete within the vast French bureaucracy. Perhaps some groups can play opposing centers of power off one another, thus enhancing their own maneuverability in the bureaucratic universe. However, the strong French state is strong in part because it eliminates much access to alternative arenas of policymaking and influence, such as a powerful legislature or judiciary. When groups cannot play conflicting interests within the bureaucracy against each other, they have little other recourse but to exit the political system altogether. This feature points to the French state's high vulnerability to direct action—walkouts, boycotts, demonstrations, strikes—and other forms of sometimes violent protest. The state in state-dominated pluralism is more effective at policymaking than its American pluralist counterpart, but it may not necessarily be more successful and it is clearly ineffective at absorbing protest.

NOTES

1. The French view of the state is also informed by the Roman model. Peyrefitte (1976), for example, indicted the French for an excessive love of centralized power, which he attributed to both Catholicism and the Latin heritage of "Caesarism without Caesar." For a critique of Peyrefitte's view of *le mal français,* see Dumont (1979).

2. This of course assumes that there can be a single public interest and not an inevitable plurality of public interests, a major difference between continental and Anglo-Saxon traditions that affects politics.

3. See Schonfeld's excellent review of French administrative studies (1984).

4. The permeability of French administration is another way of looking at unified versus heterogeneous state structures. The best discussions are Meynaud (e.g., 1957, 1961a, 1961b, 1962a, 1962b) and Ehrmann (e.g., 1957, 1958, 1961a, 1961b). They argued that technocrats split between horizontal and vertical administrations and between the finance ministry and all others. Concerns were twofold: First, does the technocrat deal from a superior position with underfinanced and poorly (technically) trained interest groups? Does this harm the representative capacities of the administration? Second, do interest group pressures and pantouflage cloud the technocrats' vision of the general will, or public interest?

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Ehrmann (1961a) argued that vertical administrations (organized according to a single sector, such as agriculture) were more permeable to organized interest group pressure than horizontal administrations, like finance, whose responsibilities cut across interest sectors. On the other hand, the concentration of authority in bureaucratic departments can lead to intense interest group pressure on bureaucrats and pantouflage, or the switching between bureaucratic and business or other private sector posts; thus interest groups often exert more influence on bureaucracies than is good for the public interest, particularly in a postwar setting requiring radical policy changes to promote sorely needed economic growth. In *Organized Business in France* (1957), Ehrmann argued that the state directs far less than it protects. In an interest sector lacking a countervailing force (such as unified labor), business succeeded in demanding protection from competition. Ehrmann accounted for problems of economic development in postwar France in more general interest group-society terms: "In France, social and political values, aspirations and ideologies have been divisive for so long that there has rarely existed substantial agreement on the 'rules of the game' determining the administration of the *res publica.* A political vacuum has resulted into which the interest groups have extended their activities and their intransigence, while the machinery of the state has veered uneasily between collaboration with and submission to the groups" (1957: 475).

Meynaud (1961a) saw that administrative permeability to interest groups is complex and that some bureaucrats want only the maximum for their clientele groups regardless of the public interest. But he argued that many bureaucrats bring a larger view to administrative questions. Further, group cooperation is often indispensable to implementing public policy. Both sides profit. In the end, both views are correct; it depends, as both noted, on which part of the bureaucracy we talk about. There is always a difference between ministries and between issue areas, and these not only cross-cut but are also unstable. That is, they change over time.

5. Naturally, there are often important differences between issue areas, or policymaking arenas. The dynamics of a state's relations with organized groups in agriculture, energy, health care, foreign affairs, or many other sectors respond to varying imperatives (see Krasner, 1977, 1978; Katzenstein, 1976).

6. The idea is not the same as corporatism, meaning a particular way of arranging state-industry-labor relationships (see Schmitter, 1974). That is strategy, or the long term, ongoing organization of relationships.

7. As with much work on corporatism, Katzenstein concentrates on state-industry-labor relations. Most often, the concepts developed are not applied to other interest sectors, with the exception of agriculture (see Keeler, 1981a, 1981b).

8. In fact, as Kvistad (1986) argues compellingly, at least three important concepts of the state can be found in the German tradition. Two of these emerge from nineteenth-century German political thought: the *Beamtenstaat* and the *Rechtsstaat.* The *Beamtenstaat,* or bureaucratic state, identified the bureaucracy as embodying the "spirit" of the state. Bureaucrats held a preeminent and arbitrating position over other politically interested actors, such as parties, corporations, and organized groups. The *Rechtsstaat* emphasized the rule of law, subordinating political rule to legal codes that embodied consistent and finite sets of maxims. The state bureaucracy in this system served as a formal unitary moral agent whose responsibility it was to impose political order onto a partial, divided, conflict-ridden society. Both maintained a strict separation of state from society. Both are similar in many respects to the French tradition wherein public power is entrusted to a high civil service that is viewed as superior to always suspicious private or societal interests.

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In twentieth-century Germany, the rise of the *Parteienstaat* mitigates the traditionally crucial state-society distinction because catch-all parties are seen not as political organizations of society set against the universality of the state, but rather as legitimately assuming the duties of the state and providing the personnel for its offices. The party serves as the bridge between the state and society. Naturally, in France, political parties compete for power through both presidential and legislative elections, and, especially with *cohabitation,* the importance of the majority parliamentary parties is signified. But philosophically and empirically, French parties still do not serve as a replacement for the high civil service, its training grounds in the grandes écoles and the importance of the state as a unitary entity that overrides and overarches private interests. Rather, if anything, we will see, the hauts fonctionnaries and the grand corps members populate the parties instead of the other way around, as in West Germany.

9. Nettl (1968) captures some of this distinction by explicitly approaching the state as a conceptual *variable:* "more or less stateness is a useful variable for comparing Western societies and . . . the absence or presence of a well-developed concept of state relates to and identifies important empirical differences in these societies" (1968: 591-592).

10. The electoral incentives for deputies changed with the 1985 reform law instituting proportional one-round voting in departments for National Assembly seats. The most likely long-term effects of this change would have been a weakening of the importance of the geographical constituency base and a strengthening of the party's role in drawing up the electoral lists. On the other hand, parties may have been weaker inside parliament, for it would have been more difficult to establish a majority and coalition politics could have assumed more importance. But the 1986 Chirac government fulfilled its campaign promise to reinstitute (by ordinance) the previous system, two-round majority voting in individual geographic constituencies.

11. For a history of the *cabinet's* development, which may be traced to Louis XIV, and a detailed account of its functioning, see Searls (1978).

12. In 1971 the Constitutional Council ruled unconstitutional a law—passed in the wake of May 1968 and mounting social unrest on the left—permitting the government through the prefect to refuse registration to groups *suspected* of objectionable activity. Hayward's account (1973: 123) is instructive, not only for the state's view—and the view of the political class—of its proper authority, but also for the state's advantages in lawmaking: "[With the law t]he government would thus be in a position to decide in advance whether an association should be presumed to be illicit and even in the event of a contrary decision by the courts, delay the association [from] acquiring legal personality meanwhile. [With case backlog, the government would benefit from delay in the association's appeal.] Having initially intended to proceed by decree, the minister of the interior accepted the council of state's advice that a Bill would be necessary and secured parliamentary permission to discuss his Bill as a matter of urgency. It was rushed through the assembly between 2 a.m. and 4:30 a.m. on 24 June 1971, at a period when the parliamentary timetable was particularly congested." The essential point is that very recently—even though in the end it lost—the state attempted to curb individual rights, guaranteed by the constitution, in the name of the public interest. It almost succeeded. At least one could argue for the deterrent effects of the state's boldness and tenacity. How much were other groups thereby intimidated? (See Ehrmann, 1983: 330-331, Hayward, 1973: 122-124.)

13. But French labor unions are as ambivalent about collective bargaining and negotiations as management. The anarcho-syndicalist tradition means that, despite the political differences that divide the major labor confederations ideologically, unions are

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united by reluctance to abide by contractual obligations to not strike before the expiration of a negotiated agreement (see McCormick, 1981).

14. The *garde à vue* provision was originally established to allow rural police time to contact the *préfecture,* a purpose now obsolete. It is now often used to interrogate suspects in the hope they will confess (see the film *Garde à Vue,* 1981).

15. Especially useful summaries may be found in Ehrmann (1983: 328-333) and Hayward (1973: 121-124). There is important evidence to suggest that the Constitutional Council may be coming to play a more important arbitrating (or moderating?) role between left and right since 1981 (see Keeler, 1985; Keeler and Stone, 1987). Nevertheless, the Constitutional Council in no way approaches the importance of the Supreme Court in the American political system. Keeler may overstate his case, for despite the fact that especially after 1981, the Constitutional Council became much more significant as a check on government power, it remains that its jurisdiction is far narrower than the American Supreme Court, far fewer people or groups may bring cases to it, and the whole area of decrees is outside its purview. Further, the indisputably increased activity of the Constitutional Council since 1981 may be partially epiphenomenal: Not since the initial government of the Fifth Republic had any government gotten so many substantive and far-reaching reforms through the parliament as did the socialists from 1981 through 1983. Conservatives direly needed an avenue of recourse; they used the available one to the fullest.

16. However, the recent sentence of life imprisonment to Georges Ibrahim Abdallah, the Lebanese terrorist leader, surprised many French and foreign legal observers. The prosecutor, following government instructions, asked for "moderation" in the form of a maximum sentence of 10 years. It was widely known that the Chirac government feared renewed terrorist attacks on French territory and in Paris especially, such as those that wounded more than 150 and killed 10 in bomb explosions during September 1986. But such judicial independence from the government is still very rare; the Abdallah case does not in itself constitute a new pattern (see *New York Times,* February 23, 1987; February 24, 1987; March 1, 1987).

17. Of course, definitions of *sérieux* and *responsible* depend upon one's view. For administrators, groups seen as *sérieux* tend to be those that are helpful and therefore liked. The important point is that the French ideology of the state supports such rationalizing evaluations. American bureaucrats, lacking such a supporting ideology, must at least pretend that all groups have equal access and are subject to evenhanded decision making. Traditions of the state inform not only what are acceptable group demands and activities; they inform how the bureaucrats interact with the groups.

18. Or to the wishes of the prime minister alone in an arrangement of *cohabitation.* But of course in any of these variations, the cabinet, or Council of Ministers, also serves as a locus of bargaining within the governing party of coalition.

19. This training is ironically generalist rather than specialist, for the graduate of ENA is expected to be a fast learner and to perform many different tasks in widely differing sectors in the course of his or her career (see Suleiman, 1977).

20. Despite limits, the Council of State's authority to rule on citizen or group claims against the state sometimes proves useful. Groups subject to government decrees may oppose them wholly or in part at the council. Groups representing professors protested the government's decree establishing elections to organize *conseils supérieurs* that control the nomination and promotion of university faculty. The council ruled illegal the decree's provisions for representation on these *conseils* (April 19, 1985).

21. The first strike movement began among a very small number of students at the Paris XIII campus, well outside of Paris and not particularly known for its radical or

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activist students. *Le Monde* (November 21, 1986) headlined a short article in its back pages, "Students Against the Devaquet Law: First You Have to Know How to Start a Strike," referring with some derision to the dismal and isolated results of the first day. By November 28, the movement had spread to most of the Paris campuses and to some of the larger provincial universities. On November 29, 200,000 students marched in Paris, 400,000 marched at various demonstrations in the provinces. The majority in the National Assembly, and indeed the government itself, had already divided on how best to handle the crisis. On December 1, the government withdrew several of what it considered the most objectionable features of the reforms. By December 5, most teachers in France had come to favor the students demands. On December 8, the student was killed by the riot police and Alain Devaquet, the Higher Education minister, resigned from the government. Finally, on December 9, the government withdrew the reform bill entirely (see especially *Le Monde,* November 22, 1986; November 28, 1986; November 29, 1986; December 2, 1986; December 3, 1986; December 5, 1986; December 7-8, 1986; December 9, 1986).

22. Clearly, direct action, particularly concentrated and coordinated action from a relatively strategic group like physicians or train workers, sometimes reduces the effectiveness of the state. But several conditions may be required: First, the group or groups must be relatively strategically placed in society or the economy. Second, unified, concerted action must characterize the movement. Physicians, interns, the events of May 1968, the student protests of late 1986 all exhibit this element. By contrast, the December 1986-January 1987 train strikes were plagued by differences between the principle unions—the CGT, the CFDT, and the FO—that permitted the state to play a waiting game and finally settle for a symbolic 2% pay raise. Further, the *école libre* demonstrations in 1984 are instructive: Massive numbers of citizens were involved; they crosscut many social and political categories. Much of the Socialist electorate was involved. But third, demonstrations may not suffice. Particularly from smaller but strategically placed groups, a concerted strike or boycott may be more effective. Economic action, not demonstrations, worked for hospital interns.

23. Recently, two accidents occurred at the Tricastin enrichment plant and at the Superphénix breeder reactor. In the first, uranium hexachloride gas escaped from a faulty valve. The gas is only moderately radioactive, but is highly toxic. In the second, about 25 tons of sodium coolant were discovered to have leaked from the breeder reactor. The sodium is not radioactive but ignites on contact with water (*New York Times,* April 15, 1987).

24. Feldman (1985) is one to argue this point. In a study comparing planning in Britain and France, he wishes to revise the view of French central planning as superior to British "pluralist decision making." He examines two cases, the Concorde project and the construction of third international airports outside London and Paris. In the case of the Concorde, both French central planners and British administrators subject to pluralist pressures stuck to the money-losing project to the bitter end. The French did so because their technocracy is autonomously capable of doing so if it wishes despite any societal pressures. The British did so because labor unions objected to the loss of jobs that would attend the project's cancellation. (French labor unions objected also, but according to Feldman's logic, the opposition was irrelevant to the planners' strategic calculations.) With the third international airport, French planners proceeded in the face of societal opposition and imposed great economic and environmental costs to achieve completion of the Charles de Gaulle facility at Roissy. But completion they did achieve. The British administrators, on the other hand, never managed to overcome opposition, and chose instead to expand Heathrow, the existing facility. In retrospect, this alternative was far less costly and more than sufficient to resolve the problem at hand.

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