What Is the Future of French Politics?

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IF INSTITUTIONAL STABILITY AND ECONOMIC PROGRESS ARE USED AS the principal criteria for judging a political system, the Fifth Republic is a success. Five decades after its inauguration, the regime has amply reflected the themes of "change within continuity" articulated by Presidents Georges Pompidou and Valéry Giscard d'Estaing. A remarkable balance has been achieved between French traditionalism and the spirit of innovation; the old institutions have been retained, but their functional relationships have been rationalized. The executive has sufficient unity and power to make decisions, and it has used this power fairly effectively.

Stability, Modernization, and Democracy

In the Fifth Republic, the political party system has been simplified, and political conflicts have been reduced, in part by the manipulation of the system of elections, but more important, by socioeconomic changes and a clear popular consensus about the legitimacy of the constitutional system. As a result of the decentralization reforms that began in the early 1980s and are still continuing, subnational (i.e., regional, district, and municipal) administration has been adapted to respond to new realities, and local communities have been given significantly greater powers of decision and revenue gathering. The voting age has been lowered to eighteen, and great progress has been made toward legal equality for minorities, homosexuals, children born out of wedlock, and for women in regards to wages and political representation. Institutions have been created to make the bureaucracy more accountable. Apart from occasional lapses, freedom of association, including the rights of workers to organize in factories, has been made more secure, although it has not given them more job security. There is a continuing (and seemingly never-ending) debate on reforming the school calendar and curriculum, especially in elementary and middle schools, and an ongoing experimentation is aimed at modernizing and democratizing the educational system and adapting it to the requirements of the job market, despite budgetary constraints and the opposition of part of the traditional academic establishment. The networks of national and urban mass transport have been modernized and are among the finest in existence. The social security system has responded fairly well to the needs of the majority, and it is holding its own despite the pressures imposed by the European Union and by globalization to hold the line in welfare state expenditures. In short, France has become a prosperous country oriented to mass consumption, and the living standard of its people corresponds to that of Americans.

Administration and Justice: Developments and Reforms

To many of the French, especially Gaullists, the "administrative state" has been preferable to the "regime of parties" because civil servants have been viewed as more professional, less ideology-ridden, and less particularistic than party politicians. Being less influenced by electoral pressures, the administrative bureaucracy is supposed to be better at making long-term policy in the public interest.

It is true that most upper-echelon civil servants are highly cultivated and public-spirited; moreover, the social esteem and excellent pay they have received have made them, by and large, immune to corruption (at least in comparison with elected politicians). But because of their bourgeois or upper-class origins, they have tended to be elitist and paternalistic. They are often too far removed from the people, and their actions are not subjected to adequate parliamentary surveillance. Citizens' means of redress against bureaucratic misbehavior are unreliable, despite institutions such as the administrative courts, topped by the Council of State and newer institutions such as the mediator.

The judicial system, whose essential features date to Napoleon Bonaparte's rule, needs liberalization. The network of courts is large; the appeals echelons are well distributed geographically; and most Western-type due process criteria are followed. Although Anglo-American–style habeas corpus provisions are omitted in the constitution, they have been introduced gradually by means of ordinary legislation. Yet elements of class justice persist; pretrial detention is often still too long, especially for suspects belonging to the working class and the peasantry. The police, the prosecuting attorneys, and the courts have dealt particularly harshly with immigrants from developing countries. For many years, the government hesitated to liberalize the penal code, a hesitancy attributed in part to continued fear (shared by large segments of the population) of disorder and violence. This fear had (until 1981) prevented governments from sponsoring legislation to abolish the death penalty; it also explained the retention of the State Security Court, which dealt with cases of sedition. That court had been set up in 1963 in the wake of a series of violent acts by opponents of Charles de Gaulle and his policies. Under François Mitterrand, the State Security Court was abolished.

In spring 1980 parliament passed a bill to reform the penal code. This bill, labeled "Security and Liberty," aimed at making the punishment for crimes of violence more severe and at reducing the discretion of judges in the imposition of sentences. At the same time, the bill reduced the maximum period of pretrial detention. During the first term of Mitterrand's presidency, the government initiated numerous measures aimed at reforming the legal system. The illiberal features of the security and liberty law were rescinded; prison conditions were improved; the indigent were guaranteed the right to counsel; the rights of immigrant aliens were more or less aligned with those of citizens, and aliens were given greater protection against harassment by public officials; and the power of the police was curbed—but not without opposition from the minister of the interior.[1]

Much remains to be done to deal with the problems of understaffed courts, underpaid police officers, overcrowded prisons, and the (still) inadequate protection of the rights of citizens against the state, the process of reforming the judicial system is continuing. In mid-1997 a blue-ribbon commission appointed earlier by President Jacques Chirac

recommended measures to modernize the judiciary and make it more independent. The rights of those detained for criminal investigation were enlarged, and legislation was adopted to make firmer the presumption of innocence of the accused.[2]

In recent decades, the judicial system has become overloaded because of increasing lawlessness, which has been reflected in the overcrowding of prisons.[3] Among the responses have been premature releases, suspended sentences, and the appointment of volunteer neighborhood judges (*juges de proximité*) to judge petty infractions and small claims of less than €4,000.[4] There also have been changes in due process, and, to lighten the load of the courts, steps have been taken toward simplifying penalties for traffic offenses. Christine Taubira, the current minister of justice, has been promoting alternatives to detention especially for juvenile offenders.

The reform agenda of President Nicolas Sarkozy was particularly ambitious. He supported the introduction of plea bargaining (as in the United States) to lighten the dockets of criminal courts, and, following the recommendation of the Léger Commission, advocated the abolition of the office of examining magistrates (*juges d'instruction*), regarding it as too independent of the ministry of justice. He accepted the advice of other ad hoc committees on matters of law and justice. These included the Michel Darrois Commission, which recommended a common training for various magistrates, trial lawyers, and notaries public, at least in the first year of the Ecole Nationale de la Magistrature. Among the most contested proposals was the reduction of the number of local courts in the name of efficiency, which has met with citizen opposition. The majority of the members of the legal profession, however, have opposed all these reforms.

On occasion, governments have intervened in judicial matters, thereby degrading political democracy. Such intervention was sometimes inspired by foreign policy considerations. Examples include in 1977 the release, without trial, of an Arab suspected of terrorist action; in 1980 the physical interference by the (nationally controlled) Paris police in a peaceful demonstration in front of the Soviet embassy; and in 1987 the (unsuccessful) attempt by the Chirac government to interfere in the trial of another Arab implicated in the assassination of diplomats in Paris. Conversely, the judicial establishment has been more lenient in prosecuting and convicting members of the political elite, especially high government officials. Chirac was not subject to prosecution during the exercise of his presidency for corrupt behavior while he was mayor of Paris. Former prime minister Alain Juppé, while mayor of Bordeaux, was convicted for corrupt acts he had committed as deputy mayor of Paris, but he was handed an unusually lenient sentence, which would permit him to seek candidacy for political office after only a year's interruption. More recently, however, the judiciary has behaved in a more independent manner, even vis-à-vis prominent politicians. In 2009 Jean Tibéri, a former mayor of Paris, was convicted for the creation of phantom jobs at City Hall used to finance the Gaullist political party; and even Chirac, after the expiration of his presidential term, was asked to testify for the same malfeasance. That same year, Charles Pasqua, a former minister of the interior, was sentenced to a year in prison for arms trafficking, and in 2010 Dominique de Villepin faced charges of attempting to frame Sarkozy by implicating him in illegal transactions with a foreign country.[5] At this writing it is unclear to what extent Jérôme Cahuzac, the former Socialist minister of finance, and Claude Guéant, the minister of interior of the preceding Gaullist government, will face criminal charges for tax evasion.

The greatest challenge to due process and to public liberties has come from the threat of terrorism and domestic disorder. In the 1990s the government instituted the so-called *vigipirate* program, which has given the police greater leeway to make identity checks, often based on racial profiling, and Sarkozy, who was minister of the interior, proposed increasing surveillance of telephones and e-mail. These and other approaches have met with a reserved reaction on the part of the Commission Nationale de l'Informatique et des Libertés (CNIL), the major civil liberties watchdog. In response to massive violence by young slum dwellers of Arab and African origin in November 2005 that spread to many cities in France, the government, invoking a law passed in 1955, declared a state of emergency, which permitted departments and communes to institute curfews, conduct searches, ban open rallies, and detain suspects.[6]

Under the presidencies of de Gaulle, Pompidou, and Giscard d'Estaing, some constraints were placed on the expression of opinion in the mass media. Before the 1980s the television networks and most radio stations, which were public monopolies, were often used by the government to distort the news. The press was free and pluralistic, but governments would occasionally confiscate issues of periodicals that had published articles critical of the president, and in one case (under Giscard d'Estaing) even instituted legal proceedings against a newspaper. Under Mitterrand, such practices ceased; moreover, private radio stations were permitted, and the television networks were put under autonomous management and partly privatized. The content of news, especially relating to international issues, continues to be heavily influenced by the government (especially the Foreign Office) via Agence France-Presse, the major semigovernmental news agency. But in the electronic mass media there is now competition not only from private channels within France but also from abroad. Yet freedom of speech and press are not unlimited. A series of laws enacted between the 1970s and 2004 provide penalties for public speech disseminating ethnic, religious, or race hatred, or denying the historicity of the Holocaust.

Some of the impetus for improvement in the domain of human rights has come from the European Union. The constitutional amendment to grant alien residents the right to vote in municipal elections, passed in 2001, brought France in line with a supranational European standard (with some exceptions).[7] The same is true of gender equality with respect to working conditions.[8] Other pressures have come from the Council of Europe. In 1999 the European Court of Human Rights censured France for the use of torture.[9] Currently, there is European pressure on France regarding the expulsion of Romany (Gypsy) settlers in squatter camps and shantytowns without due process. Finally, France continues to be under pressure to conform to European norms regarding the support of minority languages.

Problems and Prospects for France

The problems that lie ahead for France are likely to fall into three areas. The first concerns the economic challenges of dealing with the welfare state that has been evolving since the Third Republic and the "neoliberalism" that took root in the 1980s. The second is foreign policy, which continues to center on Europe. The third relates to societal and systemic issues, among which the presence of several million immigrants and their impact on French society ranks high.

The Economic Challenge: Welfare Statism and "Neoliberalism"

For many years, most French citizens accepted their country's version of the "mixed economy" under which a large and pluralistic private sector coexisted with a significant array of nationalized industries. In addition, France has had a highly developed welfare state, reflected in a complex of redistributive policies that evolved gradually from the end of the Third Republic through the first years of the Mitterrand presidency. These policies include a progressive income tax; income supplements to families with several children; low- and moderate-rent housing; state-subsidized (and virtually tuition-free) higher education; and (compared with the United States) generous retirement, unemployment, maternity, and medical benefits and paid vacations (of five weeks) financed in large part by employers. In addition, there are government-imposed minimum wages (which are higher than in the United States), complemented, until recently, by a system of semiautomatic wage increases pegged to the cost-of-living index.

Although most citizens accepted these features as almost inalienable rights, they were not regarded as solutions to some persistent problems such as the inequality of incomes, housing shortages, unemployment, and large-scale tax fraud—compensated only in part by the more or less automatic (but regressive) system of value-added taxes required for all members of the European Union. Moreover, the government's heavy involvement in social and economic matters was thought to have a stifling effect on private initiative in general and industrial (and employment-creating) investment in particular, and the existence of a large nationalized sector was held responsible for impeding productivity and competition. Responding to the pressures of the international and the European market—and inspired to some extent by the presumably successful examples of the United States (under Reagan) and Germany—French governments—especially under prime ministers Barre, Fabius, and Chirac—discovered the virtues of the marketplace and promoted policies of selective denationalization and deregulation. Such "neoliberal" policies continued under the Gaullist governments of Balladur and Juppé, but they were subjected to modification under electoral pressures and the threat of massive strikes, and they were partially reversed when Jospin became prime minister, only to be resumed under Jean-Pierre Raffarin and Dominique de Villepin.

Many of France's economic problems persist; they are manifested by a low annual growth rate, thousands of bankruptcies, and high unemployment. Despite the introduction of measures to promote greater labor-market flexibility, job creation has been impeded by the mandatory costs of layoffs to the employer and a relatively short workweek.[10] Today (2013) the rate of growth is zero, and unemployment has reached nearly 11 percent; the national debt (nearly 2 trillion euros) has risen to more than 90 percent of the gross domestic product (GDP), and the budget deficit (which includes a deficit €2.6 billion family income supplements and one for unemployment funds €4.8 billion) to 7 percent. Social spending accounts for 32 percent of the GDP.

Much of this situation must be attributed to France's social model. Although this model has been called into question by an increasing number of observers,[11] governments have found it difficult to tamper with it.[12] The only short-term way to stabilize the debt associated with it was an infusion of capital from massive privatizations of state

enterprises, such as the national superhighway network and the maritime ferry between the mainland and Corsica.

The previously mentioned problems were aggravated by the global financial meltdown that began in 2008. They posed a challenge to President Sarkozy, who had campaigned on a platform of liberalizing the market and revalorizing the work ethic. His policies have turned out to be a mixture of welfare state and market-oriented policies—what has been called "buttressed liberalization"[13]—the groundwork for which had been laid a decade earlier. It included tax concessions to small business and the gradual abandonment of the thirty-five-hour workweek, which would allow greater flexibility to enterprises and unions in collective contract negotiations. It would enable more individuals to work overtime, in conformity of Sarkozy's call to individuals to "work harder to earn more."

Because of France's aging population, both its medical insurance funds and retirement pension funds are threatened with depletion—indeed, the medical insurance funds are running a deficit of more than €10 billion—but it is not certain that recent government measures[14] will be sufficient. The pension funds are in even worse shape because the average retirement age which, at age sixty for public service workers and even earlier for workers in the national railroad system, is the lowest in Europe.[15] Like his predecessors, Sarkozy tried to raise the retirement age, but that effort continued to be resisted by the general public and especially by public-service employees, all of whom believe that such measures would spell the end of the French social model.[16]

Sarkozy used government funds to bail out a number of large banks and helped to save the French auto industry by subsidizing the purchase of French cars. He continued the privatization policy by proposing that the post office be turned into a publicly owned corporation (*société anonyme*), which would permit it to modernize operations and raise its own capital (and would also conform to EU rules). This idea has been opposed by the General Federation of Labor (Confédération Générale du Travail [CGT]) and the left, which fear that it will lead to complete privatization and loss of jobs. Furthermore, Sarkozy's government introduced various environmental measures aimed at reducing energy consumption (by 20 percent over a ten-year period) and increasing the use of renewable energy sources, measures adopted almost unanimously in special session of parliament in 2009.

At the same time, the Sarkozy government introduced legislation to curb bankers' profits and raise taxes steeply on bonuses of corporate executives, especially those who benefited from the government bailout. He continued the policy of raising the minimum wage (salaire minimum interprofessionnel de croissance [SMIC]) in line with the rise in the cost of living and supplemented it with the Active Solidarity Income (Revenu de Solidarité Active [RSA]), to be funded by a special tax on capital.[17] This policy, and especially its extension to youth under twenty-five, was criticized by organized business and part of his own majority but welcomed by the left.[18] Sarkozy's critique of "finance capitalism"[19] and his insistence that the financial crisis proved the soundness of the French model of social protection and that the state must continue to play a major role raised the question among some whether he was really a leftist after all.[20]

This was the situation faced by Hollande upon taking office. The socialist program on which he had campaigned included the maintenance of the French social model, which meant the retention of the basic features of the socioeconomic safety net; more

progressive taxation, including a rate of 75 percent on incomes of more than a million euros; vague promises of job protection; the creation of new public-sector positions in education; and the retention of a relatively low retirement age. He had also promised to undo Sarkozy's acceptance of the austerity policy promoted by Angela Merkel, the German chancellor, under which France was committed to fiscal discipline, and to replace it with a program of growth. But faced with growing unemployment, youth unemployment of 24 percent, a budget deficit of over 5 percent, and continuing shutdowns of French factories, he embraced the main features of Sarkozy's policies, including a freeze of salaries of civil servants. He also ordered a 30 percent salary cut for his ministers. In order to put France's finances in order he secured a reprieve from the European Union, which permitted France a grace period of two years to achieve a deficit limit of 4 percent by 2014. Shortly after the onset of his presidency, Hollande had Sarkozy's increase in the value-added tax (VAT) annulled, but he continued to adhere to many other policies of his predecessor, including tax incentives and reductions in social security contributions for employers.

The revenue augmenting measures were included increased wealth and corporate taxes. Furthermore, in October 2012, France, along with several other EU countries, agreed to impose a financial transaction tax—about 0.1 percent of each transaction. Meanwhile, the original versions of Hollande's proposed tax on millionaires had been nullified by the Constitutional Council because they would have affected different households unequally, and they had to be reconfigured. An immediate consequence, however, was that a number of French millionaires moved to neighboring countries.

Hollande was unwilling or unable to renegotiate Sarkozy's accord with Merkel and replace the emphasis on austerity by fostering growth; and he refused to bail out unproductive firms with government subsidies. But his biggest challenge remained: to make French industry more competitive in the international market. Because of high labor costs, French exports, except for aeronautics and cosmetics, were falling behind, and many firms were forced to close. In order to address this problem, Hollande hesitantly embraced a number of measures, based essentially on the recommendations of the Gallois Commission on Competitiveness of French Industry (a body appointed soon after his election).[21] These measures aimed at loosening the labor market and making layoffs less cumbersome by instituting a two-track hiring system including part-time or short-term employment. The reforms, as enacted by parliament in 2013, would make it easier for employers to bargain with unions to cut wages and make working hours more flexible in return for job guarantees. Some of the short-term and part-time jobs would be subsidized by the government. They would include 10,000 part-time positions in education. The CGT and Workers' Force (Force Ouvrière [FO]) opposed these measures, but with the Mouvement des enterprises de France (MEDEF) in agreement Confédération Française Démocratique du Travail (CFDT) and two minor unions supported them. One of the decisions causing trade union resentment was the government's refusal to impose limits on executive salaries in the private sector.

Among the high-cost items of France's social model were the income subsidies for families with children. These included well-to-do families who did not need them; the suggestion that they be excluded from the list of recipients was rejected in the name of "republican equality," but discussions were underway to adopt a differentiated system based on family income.

A more serious challenge has been the system of retirements. Abortive attempts to reform it had been made by a number of governments, but these had caused political problems and were aborted. In this instance, as in several others, Hollande was continuing the policies begun by Sarkozy; whereas Sarkozy had proposed gradually advancing the retirement age to sixty-two, Hollande wants to retain the legal retirement age of sixty for full pension payouts to those who have contributed to the pension fund for forty-three or forty-four (instead of the current forty-one-and-a-half) years; for others, it might be extended to sixty-two or sixty-three over a number of years. There was also a continuing debate about counting pre-retirement wages for calculating pension payments.[22]

Hollande has approached these problems with hesitation because he has been subjected to multiple pressures and criticisms. He has to face the left of his party, which accuses him of abandoning socialism; national civil servants, who see a threat to their generous salaries and pensions; local administrators, who worry about losing their jobs due to cost-cutting; and the trade unions, which threaten general strikes that might escalate to more serious sociopolitical instability. He must not offend the EU leaders in Brussels, who had given France a two-year respite for reducing its fiscal deficit of 7 percent to 4 percent. But in return they demanded proof of fiscal responsibility and more serious progress toward deficit reduction.

In November 2005 riot police stand guard outside the National Assembly while Prime Minister Dominique de Villepin addresses the deputies. The violence by young slum dwellers of Arab and African origin that prompted Villepin's address spread to many cities in France, spurring the government to declare a state of emergency.

Source: AP/Images/Michel Euler.

Hollande's political position is made difficult also because of opposition within his own majority and within Ayrault's cabinet and also because of scandals involving socialist politicians. In early 2013, in order to "moralize" politics (and in response to the Cahuzac scandal) he asked all members of his government to disclose their personal incomes and financial worth, and he introduced a bill to require this of members of parliament as well. This measure met with little enthusiasm and was regarded by the opposition as a publicity stunt. He made vain attempts to persuade European governments of tax havens to disclose their names and accounts of tax evaders. His cost-cutting measures, including the reduction of the excess number of civil servants and restrictions on the number of ministerial staffs, have been insufficient.

Foreign Policy: Europe and Beyond

At the end of World War II France, one of the victor nations, was no longer a major actor on the world stage. During the 1950s and 1960s, it achieved decolonization without undue bloodshed (except for Indochina and, later, Algeria) and without tearing French society apart, and the North African "repatriates" were, for the most part, successfully integrated. The French economy adapted with remarkable success to the challenges of the European Union, and France reached the status of the world's fifth-largest industrial power.

Under Charles de Gaulle, France's foreign policy was inspired by dreams of grandeur. Because of the limitations of the country's economic and military power, however, these dreams could not be realized. Unable to be influential in the international system, de Gaulle instead pursued a policy of symbolism and rhetoric that expressed itself in hostility to the two superpowers, in opposition to the institutional development of a supranational Europe, in futile attempts to interfere in regional disputes outside Europe such as in the Middle East, and in efforts to mediate relationships between industrialized Europe and the developing countries, notably in Africa. An important element of de Gaulle's policy was his resentment of the "Anglo-Americans," reflected in his hostility to the North Atlantic Treaty Organization (NATO). Such attitudes were in part determined by fears of US economic domination and of US cultural hegemony and by doubts about the reliability of the US commitment to defend Europe in the face of Soviet aggression.

Responding to the pressures of the Gaullist party and reflecting the outlook of much of the French intellectual elite, Pompidou and (to a lesser extent) Giscard d'Estaing continued the main lines of de Gaulle's foreign policy but with considerably less hostility to the United States or to the development of European unity. Under Mitterrand, France continued to develop its national nuclear deterrent and, on a cultural level, to foster as much as was still possible cultivation of the French language abroad. At the same time, the country abandoned the Gaullist illusions about its international power and became more favorably inclined toward NATO. Henceforth, France's foreign policy was increasingly marked by concern with its economic aspect, such as global and regional competitiveness. This aspect, however, could not be separated from France's role in Europe. As of the early 1970s, it had become clear that Germany was the economic powerhouse of Europe. As long as Germany was divided, however, France retained a degree of political dominance on the continent. With the reunification of Germany, French fears of that country were revived, mixed with resentment and admiration. To compensate for

their reduced weight in Europe, the French have utilized various opportunities for asserting their role in world affairs, whether military (such as peacekeeping in Bosnia and elsewhere), economic (aid to Russia and developing countries), humanitarian (such as French medical missions around the globe), and symbolic (such as participation in the Gulf War). Furthermore, France has continued to maintain a presence in francophone sub-Saharan Africa, especially in its former colonies, which are considered by many as the country's "backyard." It has exercised its influence by means of banking connections, technical assistance, a military presence in selected countries, and occasional political interference.

Some of France's foreign policy moves have been indicative of a hard-nosed realism tinged with cynicism. These moves have included, in particular, the country's dealings with tin-pot dictators and an almost automatic pro-Arab position, especially with respect to the Arab–Israeli conflict. Other moves have been little more than efforts to maintain France's presence on the diplomatic stage and shore up its cultural influence—efforts manifested in President Jacques Chirac's frequent (and often maladroit and futile) travels to the Middle East, China, Africa, and Russia. A more recent policy—France's participation in the creation of a sixty thousand–member European rapid intervention force—is designed both to retain the country's military "parity" with a reunited Germany and to assure its autonomy in relation to NATO.

The major focus of French policy beyond its borders continues to be Europe. France had been a major proponent of European integration, from the European Coal and Steel Community (ECSC) in the early 1950s to the adoption of the Maastricht treaty in 1992, which established the European Union. It is under EU auspices, and, more specifically, the Common Agricultural Policy (CAP), that France has enjoyed a strong system of protection and subsidy for its farm products. In 2005 CAP accounted for 43 percent of total EU expenditures, and in 2005 France received 22 percent of them. Nevertheless, between 1992 and 2002, France paid €300 million to fruit and vegetable farmers in aid, supplementary to what the European Union gave them. In 2009 the European Union demanded reimbursement of €500 million, including interest, a sum the government of France hoped to extract from its farmers.

France has played an important role in EU institutions, such as the European Commission, the European Bank for Reconstruction and Development, and the European Parliament. Although there is no binding European institution to decide on a common foreign policy, French pressure has been crucial in shaping a "European" policy for the Middle East; sub-Saharan Africa; and, via the World Trade Organization (WTO), international trade, including limits on Chinese imports. Most recently, France has used its position in the European Union to promote a policy of global-level "cultural pluralism"—that is, the protection of the French language and culture against American "cultural imperialism" by means of controls on imports such as movies and television programs.

France had been one of the major promoters of a common currency, and it replaced the franc with the euro without problems. But soon thereafter, France, like Germany, ignored the mandatory limit of 3 percent on deficit spending. Moreover, French governments have had difficulties in adhering to EU rules providing for cross-border competition in transport, telecommunication, and other sectors. The transnationalization,

privatization, and delocalization of industries associated with these rules have been opposed especially by the trade unions, which fear competition from cheap labor.[23] This fear, as well as a widespread worry about a threat to the French model of social protection, was one reason for the rejection of the EU constitution in the May 2005 referendum.[24] That rejection, however, served to reduce France's influence within the EU institutions, a fact that will weaken its position in its fight with Great Britain over the EU budget and with Germany over the admission of Turkey to EU membership.[25] Europe continues to have an important place in the consciousness of the French, even as their faith in it declines: in 1987, 74 percent thought that EU membership was a good idea but only 47 percent in 2008.

One of the first foreign policy measures under Sarkozy's presidency was the adoption of the Treaty of Lisbon, accompanied by the appropriate constitutional amendments. Like his predecessors, he hoped to promote a united EU foreign policy (preferably under French leadership), including a common energy policy and a united approach to fighting terrorism. But the European Union was not united enough, except in the area of international trade.

Sarkozy reduced France's presence in sub-Saharan Africa but did not abandon it. He tried to set up a corollary relationship by creating a Mediterranean Union, which would promote collaborative projects among European, North African, and Near Eastern countries, but little if anything came of it due to the unwillingness of Arab countries to collaborate on common projects with Israel.

An important change was the improved relationship with the United States, especially since the departure of President George W. Bush and the election of Barack Obama. One of the first steps in this direction was France's decision to rejoin the integrated command of NATO and to contribute more soldiers to the war in Afghanistan. For its part, the United States provided support when France decided to intervene militarily in Libya. Finally, there has been considerable agreement on imposing economic sanctions on Iran. Conversely, disagreements persist with respect to global warming and the Middle East conflict, and there is a continuing rivalry between the two countries over the sale of arms and civilian aircraft.

Hollande appears to be retaining Sarkozy's foreign policy. Initially, Hollande had a more relaxed position on terrorism—but after the assassination of several Jews in Toulouse by Mohammed Merah in the summer of 2012 and the discovery of Islamist terrorist cells later that year he promised more energetic action to prevent terrorist acts in future. Hollande is maintaining his predecessor's relatively friendly attitude toward the United States. Under Sarkozy, the focus on Africa as a sphere of influence had weakened. Nevertheless, just as Sarkozy had sent troops to the Ivory Coast, Hollande in early 2013 sent French troops to Mali at the invitation of its government to help repel Islamist troops from the north of that country; France is continuing its efforts to liberate French citizens held hostage by Mali's neighbors.

Under the Hollande presidency France has maintained its pro-NATO position and has supported many Western policies, including economic sanctions against Iran and opposition to Bashir al-Assad's rule in Syria. France has also continued the *politique arabe* initiated by De Gaulle, but the anti-Israel and anti-American rhetoric of Gaullist nationalism and the extreme left has been muted by the fact that Gaullism has been banalized

and the Front de Gauche does not figure in French politics. The French Foreign Office considers PKK, a pro-autonomy Kurdish party, a terrorist organization but not Hezbollah, for fear of losing influence in the Middle East. In any case, France lacks the power to exert influence in the Arab-Israeli conflict. Under Hollande, much of France's global activity has been focused on efforts at gaining export markets for the country's products and job-creating investments. Culture remains a factor in French foreign policy; it is reflected in the continued importance of *francophonie,*[26] the promotion of the French language internationally and its protection against external challenges. The most recent expression of this position is the French insistence that in any agreement on free trade between the United States and the European Union that there be a "cultural exception" for France—a limit on the import of English-language films and TV programs.

Societal and Systemic Issues

The problems that preoccupy the majority of French citizens are domestic in nature. Chief among them is the presence of several million immigrants and their impact on French society. Progressive elements, led by Mitterrand and other moderate Socialists, had tried to fight racism and speed the process of integration and cultural assimilation of immigrants, and to that end they promoted a liberal approach to naturalization. But opponents fear that easy acquisition of French citizenship would hamper the assimilation process and that ultimately French society would be changed beyond recognition. Meanwhile a growing sensitivity has been evinced toward both internal ethnoregional minorities such as Bretons, Alsatians, and Basques, and those of immigrant origin, including Arab Muslims and Southeast Asians. This has been reflected in decentralization policies, a greater tolerance of cultural diversity, and the grants of autonomy to Corsica and some overseas territories, including New Caledonia. Some measures have been symbolic, such as the appointment of descendants of African immigrants to minor ministerial posts, but other measures may be more substantive, such as limited affirmative action. Several years ago, the prestigious Institut d'Etudes Politiques began to admit some young people from ghetto neighborhoods on a special basis, and in 2004 thirty-five major private firms signed a "charter of diversity" committing themselves to hiring members of ethnic and racial minorities.[27] In 2008 Sarkozy established the Commission on Diversity and appointed an Algerian-born businessman to head it. Nevertheless, some observers fear that excessive attention to the claims of minorities might weaken France's cultural and political unity and undermine its national identity.[28]

Governmental and public responses to the problem of national identity have been ambiguous—in particular to the question of how it relates to racial, religious, and ethnic minorities. In the early 1980s socialist governments accorded de facto legitimation of ethnoregional languages by subsidizing their teaching, but this policy was followed in 1992 by a constitutional amendment inserting the statement that "the language of the Republic shall be French" and the continued refusal to ratify the European Charter on minority languages. In 2008, however, a constitutional amendment specifically acknowledged that regional languages are part of "the patrimony of France." Laws exist to protect minorities against discrimination in employment and housing, but they are difficult to enforce.[29] Political leaders have made numerous commitments to reduce continuing inequalities between "visible minorities," such as Beurs (North African Muslims) and

blacks, and the rest of the population, but no precise statistical data have been gathered on these groups for more than a century. Some have suggested listing questions on race, religion, and ethnicity in the census, but the Council of State has opposed this idea on the grounds that it would violate the principle of equality of individuals, and others (especially socialists) have argued against it for fear that it would "ethnify" social policy.[30]

National identity became an important issue during Sarkozy's campaign for the presidency, in part because he wanted to appeal to the xenophobic elements of the electorate, in particular the traditional supporters of the National Front. The public debate on the issue (see Chapter 2.2) was undertaken at the end of 2009 in part to divert the electorate's attention from growing economic problems as well as from Sarkozy's declining popularity. The debate had spread to political parties, parliamentary deputies, and academics. It was part of the reaction to public concern about the large number of immigrants, especially "visible" minorities, whose presence attested to the increasingly multiethnic, multiracial, and multicultural texture of French society. It was probably also motivated by a desire to prevent the growth of extreme-right organizations, which have profited from the spread of urban violence, much of it attributed (rightly or wrongly) to immigrants. The debate went hand in hand with the continuing campaign against *communautarisme* and with a parliamentary inquiry into the wearing in public of the *burqa,* a cloak that covers strictly observant Muslim women from head to toe, with only slits for eyes. Sarkozy favored banning it, arguing that it was not an expression of religious liberty but of women's subservience, and parliament enacted the ban. Since the election of Hollande this approach has continued; although under Manuel Valls, the new minister of the interior, official xenophobic rhetoric has subsided, there have been more expulsions of radical imams and illegal immigrants. Valls also hardened the government's approach to naturalization. While in favor of reducing the years of residence required for citizenship, he issued a memorandum that posited as a requirement for naturalization a readiness for integration, marked, inter alia, by years of residence in France, family stability, employment, a knowledge of French, and adherence to the values of the Republic;[31] at the same time, he prepared a bill to ban dual citizenship for newly naturalized citizens.

The growing sensitivity toward minorities and provincial aspirations constitutes evidence that the traditional Jacobin ideology of republican regimes—the idea of France as a culturally homogeneous and centralized nation-state—which has been an important aspect of French exceptionalism, is being called into question and that pluralisms of all kinds are developing. This development is seen not only in the existing rivalries between political parties and interest groups, and more specifically between the various trade unions, but also in the more assertive behavior of parliament; in the greater government readiness to grant a degree of legitimacy to regional ethnic languages; and in the competition between private and public educational systems and mass media, between national and subnational centers of decision making (albeit stopping short of federalism), and between the state and the market.[32]

The social problems faced by France today are plentiful: overcrowded and often unsafe secondary schools and an insufficient number of teachers, environmental pollution, the persistence of unemployment and its corollary, the risk of depleted social security funds. Finally, there is widespread recognition of the need for strong measures to curb delinquency, urban violence, and terrorism and to protect society from the spread of disease, but without infringing on civil liberties.

In recent years, citizens' loss of interest in traditional forms of political participation has raised concerns. Greater numbers of citizens are abstaining from voting. The abstention rates were 42.78 percent in the first round and 44.59 percent in the second round of the 2012 National Assembly elections, compared with abstention rates of 22.8 percent in the first round and 25.2 percent in the second round of the assembly elections of 1958. In the crucial referendum of 2000 to reduce the president's term of office, the abstention rate was nearly 70 percent.[33] In presidential elections, however, abstention rates have been consistently lower; thus in 2012, they were 20.5 percent in the first round and 19.7 percent in the second round.[34] Nevertheless, citizens' identification with political parties has declined steadily, as reflected in the loss of dues-paying membership in all the major parties, with the sole exception of the National Front (which at this writing is said to have 65,000 members). This situation is only partly compensated by the growing memberships of interest groups, especially on the local level.

These phenomena attest to impatience with mainstream political parties and distrust of politicians. The fact that in recent national elections marginal parties, including the National Front, garnered more than one-third of the vote does not, however, mean that the French want to replace the existing democratic system with another one. On the contrary, there is a widespread consensus about the regime itself. To be sure, disagreements continue on the best ways to reduce the budgetary deficit and to administer the welfare state, about how to reform the educational system, about how to stem the delocalization of industries, and about which policies should be adopted to deal with immigration. There continue to be disagreements about specific institutional questions as well: whether there should be a full or partial return to proportional representation for National Assembly elections; whether the practice of holding more than one elective office simultaneously should be maintained or abolished; whether the government should resort to the referendum more often or less often; and to what extent the relationship between the judiciary and the executive should be redefined. Moreover, proposals continue to be advanced about reforming the relationship between the legislature and the executive, reconfiguring the relationship between the president and the prime minister, and restructuring the distribution of power between the central government and the regional and local authorities.[35] There are even proposals to replace the existing constitutional system with a new one, a Sixth Republic.[36] But there is little doubt that the political system as a whole is sound and well enough designed to meet France's future challenges.

FOR FURTHER READING

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NOTES

1. See William Safran, "Rights and Liberties under the Mitterrand Presidency: Socialist Innovations and Post-Socialist Revisions," *Contemporary French Civilization* 12 (Winter/Spring 1988): 1–35.
2. At the end of 2000, members of the judiciary, while fully supporting such a policy, went on strike to obtain an addition to the panels of investigating magistrates needed to deal with the added caseload required to implement it.
3. In 2013 nearly 68,000 men and women were in prisons, but those prisons had places for only 57,000.
4. Professional judges have complained about the lack of training of these volunteers, who numbered more than three thousand in 2003.
5. The "Clearstream" affair reflected an intense rivalry between the two verging on mutual hatred. In 2010 the charges were dismissed for insufficient evidence.
6. After the mandatory limit of twelve days as an executive order, the measure was extended by legislative action for three months.
7. The right of foreigners who are citizens of other EU countries to vote in municipal elections was established by the Maastricht treaty of 1992, which France ratified. While accepting this right, France does not permit foreigners to occupy the positions of mayor or deputy mayor, as these officials participate in the election of senators.
8. In order to provide such equality, the French government has introduced a bill to change the labor code, under which "women may not be employed in any job that requires night work." Clarisse Fabre, "Le travail de nuit des femmes divise la majorité," *Le Monde,* November 23, 2000.
9. Services France et Société, "La condamnation de la France pour 'torture' embarrasse le gouvernement," *Le Monde,* July 30, 1999. After the mandatory limit of twelve days as an executive order, the measure was extended by legislative action for three months.
10. These measures include taking a more flexible approach to the thirty-five-hour workweek; introducing rules that make layoffs of workers easier, especially for small enterprises; encouraging businesses by giving them subsidies to hire unemployed workers for a two-year period; and reducing benefits for unemployed workers who refuse to accept jobs offered them by the national employment office. Rémi Barroux, "Des sanctions renforcés pour les demandeurs d'emploi," *Le Monde,* July 23, 2005.
11. See Roger Fauroux and Bernard Spitz, *Etat d'urgence: Réformer ou abdiquer, Le choix français* (Paris: Laffont, 2004). See also Nicolas Baverez, *La France qui tombe* (Paris: Perrin, 2004).
12. On the contrary, the government increased the income supplements for families having more than two children—both in order to appease the electorate and to promote a natalist policy.
13. Mark Vail, "Rethinking Social Protection in the Fifth Republic: 'Buttressed Liberalization' in an Age of Austerity," in *The French Fifth Republic at Fifty,* ed. Sylvain Brouard et al. (New York: Palgrave Macmillan, 2009), 192f.

14. Among them, the mandatory use of generic drugs, increased copayments, and the end of reimbursement of more than 200 medications by the social security funds.
15. The retirement age had been lowered from 65 to 60 by President Mitterrand in 1981 in part in order to firm up the support of the Communists.
16. According to a poll conducted by SOFRES at the end of 2004, 75 percent of the respondents believed that it was up to individuals more than the state to move society forward. At the same time, however, they opposed the privatization of hospitals (74 percent); an increase in cost sharing by patients for medical care (85 percent); the raising of the retirement age to sixty-five (78 percent); and an easing of protection against layoffs by employers (81 percent). Reported by Sylvie Pierre-Brossolette, "La fin des tabous?" *Figaro-Magazine,* January 17, 2004, 41–50.
17. The RSA replaced the Minimum Insertion Income (RMI), a minimum monthly income guarantee introduced by the Rocard government in 1988.
18. Claire Guélaud, "M. Sarkozy taxe les revenus du capital pour financer le RSA," *Le Monde,* August 28, 2008. See also Michel Delberghe, Christophe Jakobyszyn, and Patrick Roger, "Malgré les protestations, Nicolas Sarkozy assume la nouvelle taxation du capital," *Le Monde,* August 29, 2008.
19. At an international meeting in Davos, Switzerland, in January 2010.
20. Saïd Mahrane, "Sarkozy: est-il de gauche?" *Le Point,* August 20, 2009, 16–21.
21. Louis Gallois was the national commissioner of investments.
22. The method of calculating the number of years of pre-retirement salaries in determining retirement pensions greatly favored the public over the private sector. In its report to the government, the Moreau Commission on Retirements proposed making the calculations of the two sectors more uniform. Valérie Mazuir, "La réforme de la réforme des retraités," *Les Echos,* June 8, 2012; Maxime Vaudano, "Retraités: comment le PS a évolué sur la durée de cotisation," *Le Monde,* February 27, 2013; and François Lenglet, "Régimes spéciaux: ne pas battre en rétraite," *Le Point,* June 13, 2013, pp. 9–10.
23. The partial privatization of Air France, maritime transport, and the electricity supply has provoked particularly sharp opposition.
24. One of the contributors to this fear was the Bolkestein directive issued by the European Commission early in 2005, which proposed that an EU member country having a plant in another country could apply its own rules on wages and social protections in that country.
25. An example of France's reduced influence in European institutions was the summary rejection by the European Commission of Chirac's demand in 2005 that it bail out those French workers being laid off by the American company Hewlett-Packard.
26. The club of Francophone countries includes Qatar, which has few speakers of French but is an important market for French products and technology, but excludes Israel, which has several hundred thousand speakers of that language.
27. See *Discrimination positive: Donner ses chances à l'égalité,* special issue of *Le Monde de l'Education,* February 2004. Affirmative action had been advocated by Sarkozy when he was minister of the interior but firmly opposed by President Chirac and Prime Minister Villepin.
28. See William Safran, "State, Nation, National Identity, and Citizenship: France as a Test Case," *International Political Science Review* 12 (July 1991): 220–239.
29. For example, racial profiling of blacks and Arabs is illegal, but it is practiced regularly by police.
30. Bariza Khiari, "Statistiques ethniques: contre l'ethnicisation de la question sociale," *Regards sur l'Actualité* 327 (January 2007): 65–70.
31. "Valls réforme les conditions de naturalisation," *Libération,* September 28, 2012.

32. See Vivien A. Schmidt, "The Changing Dynamics of State-Society Relations in the Fifth Republic," in *The Changing French Political System,* ed. Robert Elgie (London: Frank Cass, 2000), 141–165. See also William Safran, "Institutional Pluralism and Multiculturalism in France: Post-Jacobin Transformations," *Political Science Quarterly* 118 (Fall 2003): 437–465.
33. Rates of abstention in other recent elections are 37.9 percent in the first round of the 2004 regional elections, 39.1 percent in the first round of the cantonal elections that year, and 57.2 percent in the 2004 elections for the European Parliament. In the 2007 presidential elections, the abstention rate was only about 16 percent in both rounds, but in the ensuing parliamentary elections it went up to 40 percent.
34. Pierre Martin, "Les élections présidentielles des 22 avril et 6 mai 2012," *Commentaire* 138 (Summer 2012). See also Pierre Martin, "Les "elections législatives des 10 et 17 juin 2012," *Commentaire* 139 (Autumn 2012).
35. See, for example, Jack Lang, *Changer* (Paris: Plon, 2005). See also Jérôme Chartier, *Le lifting de Marianne* (Paris: L'Archipel, 2005).
36. See Olivier Duhamel, *Vive la VIe République* (Paris: Seuil, 2002). See also Bastien François and Arnaud Montebourg, *La constitution de la VIe République* (Paris: Odile Jacob, 2005).