

**THE INFLUENCE OF THE FRENCH PRIME MINISTER
IN THE POLICY MAKING PROCESS 1981-1991**

by

ROBERT ELGIE

Ph. D. Thesis

**London School of Economics
University of London**

UMI Number: U062736

All rights reserved

INFORMATION TO ALL USERS

The quality of this reproduction is dependent upon the quality of the copy submitted.

In the unlikely event that the author did not send a complete manuscript and there are missing pages, these will be noted. Also, if material had to be removed, a note will indicate the deletion.



UMI U062736

Published by ProQuest LLC 2014. Copyright in the Dissertation held by the Author.
Microform Edition © ProQuest LLC.

All rights reserved. This work is protected against
unauthorized copying under Title 17, United States Code.



ProQuest LLC
789 East Eisenhower Parkway
P.O. Box 1346
Ann Arbor, MI 48106-1346

THESES

F

6923

x211520836

ABSTRACT

The institution of the Prime Minister in France remains remarkably understudied. There are many personalised accounts of the work of individual Prime Ministers and their relations with Presidents and government ministers, however, there has been no rigorous attempt to analyse the Prime Minister's overall influence in the governmental decision making process. The aim of this thesis is to provide a systematic analysis of the Prime Minister's influence over the policy making process from 1981-1991. The first chapter examines the existing literature on the core executive in France and identifies six models of core executive operations. Under each of these models the Prime Minister's influence over the decision making process can be seen to differ. In order to determine the validity of these different models, eight public policy decisions are then examined and the role played by the Prime Minister in the preparation of each of them is identified. From this study, it will be argued that the Prime Minister's influence in the policy process was dependent upon his position in relation to three types of constraints: quasi-permanent institutional constraints, conjunctural constraints and momentary constraints. In the final chapter the six models of core executive operations will be reconsidered. It will be argued that, instead of there being a single model which accounts for the Prime Minister's influence over policy making, it is possible to move from one model to another. Each move being caused by a change in his relations with the three types of constraints identified previously.

Acknowledgements

My principal debt of gratitude must go to my supervisor, Dr. Howard Machin. He has been an indefatigable source of encouragement and support over the past three years. Without his help, this project would never have seen the light of day. More importantly, however, I thoroughly enjoyed my time at the LSE and the credit for all the pleasure that I derived from my work must for the most part be attributed to him.

I must also extend my thanks to Professor Patrick Dunleavy at the LSE for reviewing the first chapter and commenting upon it and to Dr. Desmond King for encouraging me in my first year. I would also like warmly to thank Moshe Maor whose own individual research style was the inspiration behind my merciless pursuit of interviews whilst in France.

I am especially grateful to the various politicians and administrators in Paris who took time off from their duties and allowed me to interview them. In particular, I must thank M. Bertrand Cousin for his invaluable help on several occasions and for commenting upon the first draft of chapter three. Likewise, I must thank M. Bertrand Delcros for his comments also.

Much of the research for this project was carried out in the British Library of Economic and Political Science at the LSE and at the library of the Fondation Nationale des Sciences Politiques in Paris. Thanks must go to the staff at these two institutions.

I would also like to thank the Economic and Social Research Council for their generous funding over the past three years. In particular, I should like to thank the ESRC for making it possible for me to spend a year in Paris conducting field work for this project. Additionally, I would like to acknowledge the support I received from the Philip Williams Memorial

Fund which provided me with much needed financial support for my stay in Paris. Specifically, I would like to thank Vincent Wright at Nuffield College, Oxford, and Serge Hurtig at the Fondation Nationale des Sciences Politiques in Paris for their help in enabling me to receive the above award.

Finally, I would like to dedicate this project to my parents for all their unfailing support and love over the years and to Etain Tannam, Táim i ngrá leat.

Robert Elgie

November 4th 1991

Contents

Abstract	Page ii
Acknowledgements	iii
Chapter 1, Models of Core Executive Operations in France	1
Chapter 2, The French Prime Minister and the Policy Process	36
Chapter 3, Broadcasting Policy	49
Chapter 4, Budgetary Policy	93
Chapter 5, Crisis Policy Making:	
i. The Devaquet University Reforms, 1986	138
Chapter 6, Crisis Policy Making:	
ii. The Politics of Devaluation, March 1983	168
Chapter 7, The Limits to Prime Ministerial Influence	196
Chapter 8, The Capacity for Systemic Dynamism	238
Appendix, List of Interviewees	266
Footnotes	269
Bibliography	282

Chapter One

Models of Core Executive Operations in France

The institution of the Prime Minister stands at the heart of the core executive¹ in France. As a result, it has been the object of a considerable amount of media, academic and public attention. Indeed, there are countless studies which deal either directly with the role of the Prime Minister in France, or which, more frequently, refer rather more tangentially to the office. In the main, however, these studies are academically unrewarding. In fact, the nature and influence of the Prime Minister's influence in the policy process is remarkably poorly documented.

In France, core executive studies tend to be of two types. The first type are journalistic studies and are particularly numerous. Naturally the Prime Minister is the focus of a great deal of attention in the national and weekly press. Such media scrutiny of the Prime Minister's role, however, tends to be highly personalised, anecdotal and lacking in analytical rigour. This situation is hardly surprising as the expectations and the constraints within which the press operates are not conducive to any other sort of study.

Academic accounts, which form the second type, also tend to be disappointingly incomplete. Amongst these accounts there is a well developed juridical literature based on the Prime Minister's place in constitutional and administrative law. This literature, however, naturally tends to underestimate the political climate within which the Prime Minister operates. Of the rest, there are only a small handful of studies which focus upon the Prime Minister directly.² Whilst these studies are no doubt useful, they are also out of date and in the main concentrate on the Prime Minister's administrative resources, rather than his influence in the policy process. The remaining academic accounts refer to the Prime Minister only indirectly, usually in the context of presidential studies.

There are three main reasons as to why rigorous studies of the French Prime Minister's influence remain underdeveloped. The first is due to the political supremacy of the President for much of the Fifth Republic. Both journalistic and academic accounts will naturally focus their attention upon the perceived centre of power in the country. In the French case this attention has led to presidential studies since 1958. The result has been that prime ministerial studies have been seen to be of only secondary importance. It is also the case that, since the 1962 constitutional reform which instituted the direct election of the President, French politics has become more personality orientated. Individuals are judged on their capacity to hold the top office. This situation has served to personalise both the journalistic and academic literature. Emphasis, therefore, has been placed upon the individual strengths and weaknesses of the President and his main rival, the Prime Minister, rather than on an analytical appreciation of their influence in the policy process.

The second reason for the lack of prime ministerial studies is due to the high level of secrecy which surrounds the workings of the core executive. Secrecy is clearly not a problem confined to France and similar problems have hampered work on the core executive in, for example, the UK and Ireland.³ In France, all government documents are classified as secret and do not reach the public domain until years after the event. Moreover, even when minutes of past Conseil des ministres, or committee meetings do appear, there is no *procès-verbal* from which a full picture of the governmental debate could be reconstructed. Instead, there is only a general résumé of the meetings' conclusions. Such secrecy fosters the impressionistic, anecdotal accounts which characterise journalistic studies of the core executive. These anecdotes

are fascinating precisely because of the high level of secrecy and they have the advantage for the journalist that they are hard to contradict.

The third reason is because of the normative element upon which many studies are based. Whilst in the UK this normative element is largely confined to the belief in some quarters that there ought to be cabinet government, in France the doctrinal aspect is much stronger. Mainly because of the institutional shortcomings of the Third and Fourth French Republics, the debate surrounding the organisational structure of the Fifth Republic has been particularly doctrinaire. This debate has typically centred around, on the one hand, the notion supported by the gaullists that there ought to be presidential government and, on the other, the communist (and previously socialist) belief that there ought to be parliamentary government. Much academic and journalistic writing is either consciously or subconsciously imbued with these normative elements, once again, to the detriment of analytical work on the nature of the core executive.

Therefore, neither the role of the French Prime Minister in the policy process nor the workings of the French core executive as a whole has been the subject of a great deal of systematic research. The core executive in its entirety remains the 'black box' which translates policy inputs into outputs, but in a mysterious and unidentified way. The aim of this thesis is to examine one element within the 'black box', the institution of the Prime Minister. By examining the nature and extent of his influence in the policy process, it is hoped both to fill a gap in the existing literature and to suggest some ways forward in the classification of core executives generally.

To this end, the first task is to outline the state of core executive studies in France to date and, in particular, prime ministerial studies. As was stated

earlier, even if the French Prime Minister has been the primary subject of only a few studies, his role has been discussed tangentially on countless other occasions. From the existing literature it is possible to identify six distinct models of core executive operations in each of which the Prime Minister is said to play a particular role. These models can be classed as, presidential government; segmented decision making; executive co-operation; prime ministerial government; ministerial government; and the French variant of the bureaucratic co-ordination model. Each of these different variants will now be examined in turn.

Models of Core Executive Operations in France

Presidential government

The existence of presidential government in France has always been based on the perceived practice of core executive operations. Presidentialisation began in the Fifth Republic under de Gaulle. It was then consolidated and even extended under Pompidou and Giscard d'Estaing. Moreover, fears or hopes that the system would change under Mitterrand proved to be premature. On numerous occasions policy leadership was as presidentialist under Mitterrand as under his predecessors. The belief that there has been presidential government is supported not only by journalists and academics, but also by the public. In public opinion polls, outside of the period of *cohabitation*, the President was regularly seen to be the one who controlled public policy in the country.⁴

In France, the phrase 'presidential government' does not have the meaning that it has in the United States. It is not used to describe the

situation where the President is at the head of an executive which cannot be dismissed by Congress. In fact, France can technically be classed as a semi-presidential régime.⁵ That is to say, a régime where there is a President with a certain set of constitutional powers who is elected by universal suffrage and cannot be dismissed by Parliament and where there is a Prime Minister who also has certain powers who leads a government which is responsible to Parliament.

In France the phrase 'presidential government' could be defined as 'the exertion of monocratic authority by the President'.⁶ That is to say, the President takes the responsibility upon himself to initiate policy. He decides the content of public policy. He also fulfils the role of statesman that is characteristic of heads of state in most other countries. In the execution of the first two functions at least, the President seemingly goes beyond a literal reading of his constitutional powers.

Nowhere in the Constitution is the President ascribed any responsibility for policy making in normal times. He does have the right to appoint the Prime Minister, but not the power to dismiss him. He negotiates treaties and is the commander-in-chief of the armed forces, but these powers are hardly the basis from which constitutionally he would have the right to govern the country. The President only seems to have a constitutional right to intervene in the policy process in exceptional circumstances. This is the case for the emergency powers that he can assume for a limited period according to Article 16.

Nevertheless, in practice the President has had a major role in policy initiation. His influence was particularly apparent during the Giscard presidency when the President would issue '*lettres directives*' to his Prime

Minister at six monthly intervals in which he outlined the timetable of government legislation in the period to come. Mitterrand held good to this practice too for a time, even if the directives were more vague and the governmental involvement in their elaboration more noticeable.

Presidents have also regularly intervened in the details of policy making. Individual Presidents have each been seen to have had their own particular policy interests. Pompidou, for example, personally oversaw the decentralisation reforms during his period as President. Mitterrand has paid more than close attention to matters architectural. This exercise of policy leadership, however, has gone far beyond sectors in which Presidents have had a personal interest. They have intervened in all areas of policy in the minutest of details. One measure of this has been the increase in the number of *conseils*, policy elaboration meetings chaired by the President, during the course of the Fifth Republic. This increase was particularly noticeable during the Giscard presidency, yet was also marked under de Gaulle as well.⁷ Moreover, Presidents used their influence over appointments to ensure that '*fidèles*' were placed in key positions in the administration at the head of interministerial co-ordinating structures. These included defence and military institutions. In this way the President colonised the different components of the core executive.

So great has been the perceived extent of presidential government that a whole range of convenient epithets have been conjured up to characterise his position in the system. For some he is a king at the head of "*la monarchie républicaine*".⁸ He is said to exhibit "*regal*"⁹ characteristics at the head of a country over which it is said that he "*règne et gouverne à la fois*"¹⁰. Giscard d'Estaing was called a "*Prince-Président*" and one who belonged to the *ancien*

régime at that: "la France est gouvernée par un souverain élu, un monarque républicain, presque un despote éclairé"¹¹. For others he is not so much a king as an emperor. As Suleiman as noted:

If the term 'imperial presidency' can be applied with any degree of validity, one might choose to apply it to the President of France rather than to his counterpart in the United States.¹²

The apotheosis of the presidency under Mitterrand has led to him being addressed as 'Dieu' at least in popular parlance. Whatever the preferred epithet may be, the implication is the same, namely, that the President controls public policy. As Duhamel has noted:

Les Français ne le savent guère: leur Président de la République est, de très loin, le chef de l'exécutif le plus puissant de l'Occident, celui qui dispose les pouvoirs les plus étendus au sein de son système politique national ... son influence, une fois élu, devient littéralement hégémonique.¹³

In essence, the President is seen as the "chef réel du gouvernement"¹⁴.

If the President has been classified in a number of different ways, then so too has the Prime Minister. He has been variously described as the President's "chef d'état-major"¹⁵, "l'homme lige du Chef de l'Etat"¹⁶, an "executive assistant"¹⁷ and the President's effective "directeur de cabinet"¹⁸. The role of the Prime Minister as implied in these phrases is twofold. Firstly, the Prime Minister shows absolute loyalty to the President. Secondly, the Prime Minister has no powers of policy initiation himself and only the slightest powers of decision taking. Instead, he faithfully executes decisions which have previously been taken by the President. He has the task of co-ordinating the government's activity, but the government's activity will be decided by the President.

Under this situation the Prime Minister's personal set of advisers, his *cabinet*, do not serve as a power base for the Prime Minister. Instead they too are faithful executors of the presidential line. In policy preparation meetings they kow-tow to presidential advisers. It must also be noted that under presidential government the Prime Minister only remains in office for as long as the President thinks it propitious. The President reserves the right to sack the Prime Minister at a moment's notice. Moreover, Prime Ministers recognise this, completely unconstitutional, right of the President to dismiss them. Debré's situation applies equally to other Prime Ministers:

The prime minister knew that his tenure of office depended entirely on his president's pleasure, since he himself could not make any claim to leadership of a parliamentary majority except as de Gaulle's spokesman and assistant.¹⁹

Subsequent Prime Ministers have reiterated their dual responsibility before both the President and Parliament.

Whilst the notion of presidential government was derived from observed practice, there has also been a normative element involved as well. Much of the ruling political élite backed by public opinion felt strongly that such leadership was a good thing for the country. Others to be found in the political opposition felt equally strongly that it was bad. The former argued that the humiliation suffered in 1940 and then the subsequent institutional failure of the Fourth Republic was due to the lack of executive leadership. Order was not brought out of chaos. The presidentialism of the Fifth Republic supposedly allowed order to reign.

This positive view of presidentialism was espoused by de Gaulle and his followers. In so far as gaullism was ever a coherent set of ideas, the role of the President as the incarnation of the nation and of the Prime Minister as his

loyal servant were part of such a set of ideas. De Gaulle first expressed this belief in his Bayeux speech in 1946. His role in drawing up the Fifth Republic's constitution in 1958 and his decision to assume the presidency gave him the opportunity to put his ideas into practice. The ultimate expression of de Gaulle's theory of presidentialism came during a 1964 press conference:

Mais, s'il doit être évidemment entendu que l'autorité indivisible de l'Etat est confiée tout entière au Président par le peuple qui l'a élu, qu'il n'en existe aucune autre, ni ministérielle, ni civile, ni militaire, ni judiciaire, qui ne soit conférée et maintenue par lui, enfin qu'il lui appartient d'ajuster le domaine suprême qui lui est propre avec ceux dont il attribue la gestion à d'autres ...²⁰

Such was the force of the general's ideas and such was the zeal with which he practised those ideas from 1958 to 1969 that both the doctrine and the practice of presidential government became firmly entrenched amongst the Fifth Republic's most hallowed principles.

On the other hand, there were those who held a negative view of presidentialism. The most outspoken of these figures in the 1960s was Mitterrand whose book, *Le Coup d'Etat Permanent*, was the most eloquent expression of this. Mitterrand argued that the exercise of presidential power had cut the democratic link between the policy makers and the public. This link could only be restored if the Prime Minister was in charge of policy preparation and if the Parliament were more fully involved in this process. Since Mitterrand's own election and his assumption of the presidentialist mantle the critique of this form of leadership has been confined to the communists:

La concentration monarchique du pouvoir entre les mains d'un seul homme a été conçu pour accroître l'emprise du grand capital sur toute la vie du pays et des gens.²¹

Whilst, therefore, the doctrinal aspect has diminished over the years it still complicates the debate over the presidentialisation of the régime.

For many academic commentators presidential government was a matter of observable reality. In their study of the Fifth Republic under de Gaulle, Williams and Harrison could only conclude that there was "no dyarchy at the top"²². Moreover, de Gaulle's successors have all been seen to continue with the presidentialist tradition. Massot has quoted Giscard d'Estaing as saying: "Mon interprétation est l'interprétation présidentielle de nos institutions"²³. Even Mitterrand well into his second term in office has been said to be following in de Gaulle's footsteps: "Sa boulimie de pouvoir n'a plus de limites. La monarchie absolue est bel et bien instaurée"²⁴.

Segmented decision making

As with the previous approach, the segmented decision making model is derived from observations as to how the régime operates. Here, responsibility for policy making and for the control of the services of the central state is not held by a single individual, be it the President or the Prime Minister, rather it is divided sectorally between the two. Each has his own particular sphere of competence and there is little interaction between the two. As Maus has noted: "En réalité, il existe un savant partage de compétence et de responsabilité entre le Président et le gouvernement"²⁵. The identification of such a distribution of responsibilities dates back to the early years of de Gaulle's presidency and has been a constant feature of the Republic ever since.

There are two variants of this model, the traditional domain and the President's extended domain.

i. The traditional domain

The first presentation of the segmented decision making model was given by Chaban-Delmas to the gaullist party congress at Bordeaux on 17th November 1959. Chaban-Delmas identified a presidential policy making sector and a governmental one. The governmental sector comprised those areas in which the President chose not to intervene. The President's areas conformed to what Williams and Harrison have described as "noble politics"²⁶. Chaban-Delmas stated:

Le secteur présidentiel comprend l'Algérie, sans oublier le Sahara, la Communauté franco-africaine, les Affaires étrangères, la Défense nationale. Le secteur ouvert se rapporte au reste. Dans le premier secteur le Gouvernement exécute, dans le second il conçoit.²⁷

The areas under the President's control were known collectively as his '*domaine réservé*'. In the areas which Chaban-Delmas identified the President was wholly and individually responsible for policy making. The role of the Prime Minister and Ministers therein was simply to carry out presidential decisions faithfully. Thus, Debré was publicly faithful to de Gaulle's Algerian policy despite his personal opposition to it and Foreign and Defence Ministers, such as Couve de Murville and Messmer, were loyal presidential acolytes. If necessary, the President could rely on their support in order to push through an unpopular policy in these areas. In addition, de Gaulle ensured that he controlled the administrative structures which coordinated policy. So, he chaired the *conseil de défense* and in 1962 streamlined its secretariat (the Secrétariat Général de la Défense Nationale, SGDN) placing a loyal general at the head of the new organisation.

Outside of these areas, in the sphere of what Williams and Harrison called "common politics"²⁸, the Prime Minister was particularly influential. Not only did the initiative for policy making in these other areas lie, by and large, with the Prime Minister, but he was also responsible for decision making as well. Maus described this situation with regard to Debré:

Dès 1959, le général de Gaulle laisse M. Michel Debré donner les impulsions nécessaires pour toutes les matières qui ne relèvent pas de l'Algérie, de l'Etat ou des Affaires étrangères.²⁹

In practice this meant that the Prime Minister was largely responsible for all aspects of domestic policy making. As Cohen described:

Le Premier ministre, quant à lui, joue un rôle marginal dans la définition de la politique étrangère et militaire, alors que dans les domaines économiques et sociaux il est en première ligne ... pesant d'un poids considérable.³⁰

The 1961 Education Act, for example, was called the Loi Debré. So, the Prime Minister was free of the President's '*tutelle*' and he enjoyed considerable freedom of action vis-à-vis his Ministers who rarely questioned the Prime Minister's authority to decide. In non-presidential areas the Prime Minister also controlled governmental services, such as the Planning Commissariat and DATAR, the regional planning body.

The *domaine réservé* continued after de Gaulle's departure and it has become an abiding feature of core executive operations throughout the Fifth Republic. During the recent Gulf War, for example, relations between the President and the Prime Minister were said to follow this schema. Here, the President was responsible for deciding all substantive policy matters with regard to the crisis:

Toutes les grandes orientations, tant diplomatiques que militaires, ont été arrêtées à l'Elysée et seulement à l'Elysée.³¹

The Prime Minister, by contrast, was responsible for ensuring the efficient execution of those decisions:

A lui appartient ... la charge de gérer les conséquences économiques et sociales de la crise. De lui aussi dépend la coordination interministérielle de la mise en oeuvre des décisions concernant le Golfe ... C'est enfin au Premier ministre qu'il appartient, conformément à la Constitution, d'assurer la liaison avec le Parlement.³²

Once again, therefore, the Mitterrand presidency can be seen to be a continuation of the traditional practices of the régime, rather than a break with the past.

The motivation behind this division of responsibility between the President and Prime Minister is twofold. Firstly, the President's staff is relatively small and he does not have enough time to oversee any additional policy areas. Secondly, there is the constitutional aspect. Article 15 states that the President is the commander-in-chief of the armed forces; Article 52 says that he negotiates and ratifies treaties; Article 5 declares that he is "le garant de l'indépendance nationale, de l'intégrité du territoire, du respect des accords de Communauté et des traités"; Article 16 states that he may assume emergency powers for himself in times of national crisis. Thus, it appears that the President does have the right to intervene in a limited set of policy areas.

ii. The President's extended domain.

Over the years, although the notion of a presidential reserved domain remained plausible, the policy sectors in this domain have changed. With the end of the Algerian conflict and the decline in the salience of the French Community, these two areas no longer figured among the President's policy

sectors. Instead, Wright has argued that there are now five components to the President's reserved domain. These components are: the traditional domain, less Algerian policy; economic, financial and industrial matters; social and environmental issues; questions which suddenly appeared on the political agenda because they were politically delicate or explosive (crises); and matters which attracted presidential attention for purely personal reasons.³³

Economic policy and financial policy has been a part of the President's reserved domain since the end of the Algerian conflict in 1962. At that time de Gaulle felt able to intervene more broadly in the affairs of government. Economic independence was seen by him and subsequent Presidents as being as of equal importance as territorial independence. Thus, it became part of the reserved domain. So, for example, de Gaulle took the decision not to devalue the franc in 1967, while Mitterrand decided not to devalue in May 1981.

Presidents have also seen European Community (EC) policy to be of such national and international importance that they have felt it necessary to oversee the country's policy towards it personally. For example, de Gaulle vetoed Britain's entry to the EEC in 1961, while Pompidou reversed this decision in 1971. In 1986, Mitterrand also placed one of his closest advisers, Elisabeth Guigou, at the head of the permanent interministerial secretariat which coordinates the French response to EC policy initiatives (the SGCI). This appointment was judiciously timed as it came just before the period of *cohabitation*. It was a sign that EC policy was an area that the President was unwilling to see directed by the Prime Minister alone.

Presidential intervention has also traditionally been seen during times of crisis. Crises are threats to the stability of the state and, as such, the President as constitutional guarantor of state continuity is naturally led

towards dealing with such problems when they arise. After an initial hesitation, therefore, de Gaulle dealt with the government's response to the events of May 1968.

The motivation behind the other two sectors that Wright identified is more personal. Wright argues that Giscard was particularly sensible to social and environmental questions and that Mitterrand has followed his lead. In addition, all Presidents have had certain areas in which they have personally been interested. For example, Pompidou intervened in broadcasting policy. Mitterrand has been keen to take decisions in the areas of culture and television policy.

This version of the segmented decision making model has been promoted by various observers. For example, Massot has noted that:

Sous Georges Pompidou, on a noté que le 'domaine réservé' du chef de l'Etat débordait largement les questions de défense et de relations extérieures pour s'étendre au développement industriel, aux questions de réforme du système éducatif, aux grands équipements urbains et, surtout, à l'ORTF. Comme si le général s'était jamais interdit de contrôler de très près les décisions prises dans ces matières!³⁴

Moreover, Gaborit and Mounier have argued that the notion of the traditional reserved domain is outdated and that presidential interventions have occurred over a much wider range of areas. They have stated:

It would be more accurate to say that the president has at his disposal a power of strategic intervention which allows him to take up any governmental matter which seems to him to require a decision at the presidential level.³⁵

Thus, the notion of the segmented decision making model in France is synonymous with the concept of limited presidential government.

Executive co-operation

The executive co-operation model is derived from both constitutional theory and practice. According to this account, neither the President nor the Prime Minister is in a position to dominate the policy process, nor is there a clear division of responsibilities between the two institutions. Instead, in all policy areas responsibility for policy making is shared. In this sense the two institutions co-operate together in the formulation of policy.

The Constitution was devised so as to force even unwilling Presidents and Prime Ministers to work together. Duhamel has described this situation: presidential and prime ministerial powers are inextricably intertwined. The Prime Minister must countersign the President's ordinary acts, and those few that are especially exempted never concern, except for Art. 16's emergency powers, matters of public policy decisions.³⁶

The Prime Minister proposes the names of future government Ministers to the President. The President chairs meetings of the Conseil des ministres and in this way is inescapably associated with the government's policies. The President's countersignature is needed for most prime ministerial decisions of any import while the reverse is true for presidential actions. Even in the cases where the Prime Minister's approval is not formally necessary, the dissolution of the Assemblée nationale, for example, the President is obliged to consult him.

In addition to these explicitly constitutional requirements, the President and Prime Minister will be obliged to co-operate with each other on many other occasions. A good example of this cooperation is the *conseil de défense*, the permanent standing committee which formulates defence policy and supervises its execution. Whilst the President is commander-in-chief of the armed forces and while he chairs the *conseils de défense*, the Prime

Minister is formally and closely implicated in the elaboration of defence policy within these meetings. The official decree dated 7.1.59 states:

[le Premier ministre] exerce la direction générale et la direction militaire de la défense. A ce titre, il formule les directives générales pour les négociations concernant la défense et suit le développement de ces négociations. Il décide de la préparation et de la conduite supérieure des opérations et assure la co-ordination de l'activité en matière de défense de l'ensemble des départements ministériels.³⁷

Prime ministerial involvement, according to this view, however, goes beyond simply the administrative preparation and execution of presidential decisions. The Prime Minister is present at the *conseils*, he intervenes in the debate and his contribution to the formulation of defence policy is considerable. Similarly, the responsibility for appointments is shared between the two institutions. Moreover, the interministerial coordinating structures, such as the SGCI and the SGDN, will report to both the President and the Prime Minister.

Saves has argued that such co-operation only exists at the administrative level and that in practice the President is the dominant political figure. He has stated:

Quelle a été la portée pratique de ce dualisme? Il semblerait qu'il ait été bien plus administratif que politique.³⁸

However, Debbasch has argued that the administrative co-operation is reinforced by the high degree of practical co-operation:

En définitive, on est amené à conclure tout naturellement que ce bicéphalisme à la tête de l'exécutif se traduit par un partage de pouvoir de décision qui n'a pas d'équivalent aux Etats-Unis. Le partage de pouvoir en France a été inscrit dans la Constitution. Il s'est également traduit dans la pratique par la création d'un certain nombre

d'institutions d'arbitrage ... 25 conseils interministériels ont été organisés en moyenne chaque année par le chef de l'Etat.³⁹

Thus, for example, the Secrétariat général du gouvernement (SGG), one of the Prime Minister's services, is obliged to collaborate with the Secrétariat général de l'Elysée in the elaboration of the agenda for the Conseil des ministres. Moreover, the President's advisers and the Prime Minister's advisers will meet along with ministerial representatives in the vast array of policy preparation meetings which are needed to prepare any government bill.

The preparation of the annual Finance bill is one area in which the Prime Minister's influence is particularly strong. Dreyfus and d'Arcy, however, have argued that the President is bound to be brought into the elaboration of the bill by the very nature of the policy process itself:

Le poids d'un ministre peut peser dans les décisions. D'autre part, certains ministres peuvent entretenir des relations privilégiées avec le Président de la République et faire contrepoids au pouvoir du Premier ministre. La collaboration entre le Président de la République et le Premier ministre s'impose.⁴⁰

Thus, on occasions the Prime Minister will be faced by a powerful coalition of Ministers and the President against his policies. On other occasions, however, the Prime Minister may be able to ally with the President against senior Ministers. Similarly, at other times, the Prime Minister and Ministers may find themselves in agreement against the President. The outcome of these situations will depend upon the prevailing political climate, but in all of them there has to be co-operation between the different components of the core executive and particularly between the President and the Prime Minister as the two senior arbitrating instances.

According to its proponents, this executive co-operation has characterised the operations of the Fifth Republic to date. It has been argued that, even under the supposed presidentialisation of the régime after 1958, co-operation was the order of the day. One of de Gaulle's closest advisers has argued that during Debré's premiership:

il n'y a pas de dyarchie à la tête de l'Etat. En d'autres termes, il n'y a pas partage de compétence entre le Président de la République et le Premier ministre, chacun campant dans son champ clos, mais exerce en commun de pouvoir.⁴¹

Moreover, even during the most presidentialised period of the Republic, under Giscard d'Estaing, the Prime Minister was closely involved in all aspects of policy. One of the most famous examples of presidentialisation were the *lettres directives* that Giscard sent to his Prime Ministers. Debbasch, however, has argued that even these letters should be seen as an example of collaboration and not domination:

Quand on examine comment est élaborée cette lettre, on s'aperçoit qu'elle reflète globalement les aspirations du Premier ministre (ou de ses propres services), puisque 80 pour cent des projets sont inscrits à sa demande.⁴²

Debbasch himself was one of Giscard's closest advisers and it is noticeable how those involved in the process have tended to emphasise this co-operation, whereas those observers outside have caricatured the system as being presidentialised.

Thus, the nature of the French semi-presidential system and the political environment that it produces naturally entails executive cooperation. President and Prime Minister are forced to collaborate precisely because they are rivals and because they are senior political figures. This situation is as true for the nomination of the Prime Minister as it is for the

conduct of policy preparation after his appointment. Debbasch has noted elsewhere that:

L'environnement politique joue, tout d'abord, lors du choix du Premier ministre. Le problème majeur pour le chef de l'Etat est de choisir un Premier ministre qui dépend totalement de lui. Or, le Président de la République n'a pas un pouvoir total de choix du chef du gouvernement. Cette observation est particulièrement exacte au début d'un septennat.⁴³

Even after the Prime Minister's appointment the two will work together, because if they did not then the system would break down, or at least it would find itself becalmed in the doldrums. It is in the interest of both actors to avoid this scenario as it is unlikely to be rewarded at a future presidential election. When the strains between the two protagonists become too great and co-operation is no longer possible, then the Prime Minister usually leaves. This is the escape valve that relieves the political pressure.

Duhamel has proposed a law whereby the President's first prime ministerial appointment is bound to be motivated by political reasons (the political environment), while his second appointment, once the strains of co-operation have seen the departure of the first, will be a technocrat. Co-operation will be possible with the second where it was no longer possible with the first. This law is said to have held good for Pompidou's appointment and then his replacement by Couve de Murville once the former himself became a political figure. It also held good for the replacement of Chaban-Delmas by Messmer; Chirac by Barre; and Mauroy by Fabius.⁴⁴ The political system, therefore, imposes co-operation between the President and Prime Minister. When this is no longer possible a new face is required who will allow normal service to be resumed.

The strength of this approach lies in the way in which it places the core executive within the wider political system and the constraints of that system. Other theories tend to view the President and Prime Minister as if the black box is hermetically sealed from the constraints that are imposed by the system in general. It also has the advantage of being espoused by former presidential and prime ministerial collaborators. Assuming these analysts are not disingenuous, this can only strengthen the validity of the approach.

Prime ministerial government

In the UK, the notion of prime ministerial government was developed in the 1950s and 1960s as a reaction to the perceived increase in prime ministerial influence in the policy process and the consequent inadequacy of cabinet government theories to explain contemporary core executive operations. Therefore, British theories of prime ministerial government were based on the observed practice of executive institutional behaviour. By contrast, in France the prime ministerial government view was originally to be found not in observed practice, but in juridical accounts of core executive behaviour. Such accounts were derived from studies of constitutional law and administrative law. However, this situation changed with the arrival of *cohabitation* in 1986 when the Prime Minister became the chief policy maker in the country.

Prime ministerial government has been defined as “the exertion of monocratic authority by the premier”⁴⁵ and as where the Prime Minister exhibits a “personal predominance in decision making”. In theory, the French constitution seems unambiguously to provide for a system of prime ministerial government. Article 20 states that: “le Gouvernement détermine

et conduit la politique de la Nation”, whilst Article 21 states that: “le Premier Ministre dirige l’action du Gouvernement”. The Prime Minister, therefore, is constitutionally placed at the head of a government which is responsible for policy making in the country.

In addition, the Prime Minister’s constitutional powers are increased by the subordination of the Parliament to government. As a direct result of the perceived parliamentary excesses of the Third and Fourth Republics, the Constitution of the Fifth Republic deliberately set out to control parliamentary influence in the policy process. For example, the areas in which Parliament is competent to legislate are designated. Outside of these areas the Prime Minister has the power to issue decrees which have the force of law. The government controls the parliamentary timetable. Deputies and senators are restricted in the amendments that they can propose and Parliament’s capacity to bring down a government is severely limited in comparison to previous régimes. The result of all these measures was constitutionally to reinforce the Prime Minister’s position as head of government.

The only other source of presidential authority to intervene in the policy process is the highly ambiguous Article 5 which states: “Il assure par son arbitrage le fonctionnement régulier des pouvoirs publics ainsi que la continuité de l’Etat. Il est le garant de l’indépendance nationale, de l’intégrité du territoire, du respect des accords de Communauté et des traités”. At no point, therefore, in the Constitution is the President given any explicit responsibility or co-responsibility for day-to-day policy making. There is no overt constitutional legitimization of presidential leadership. Instead this ^{belongs} ~~belongs~~ to the Prime Minister.

However, in practice, as was described above, for reasons historical, political and conjunctural, the President has been seen to be the *de facto* head of government and has exerted policy leadership. As a result, the literature which has emphasised the role of the Prime Minister has tended to be that which has been divorced from the realities of the political situation and which has concentrated on a literal reading of the Constitution. A prime example of this was Lascombe:

Le Premier ministre peut, *en réalité*, être autre chose que le 'second' du Président de la République. Il dispose pour cela, *dans la Constitution*, d'éléments de première importance qui lui permettent, *s'il le veut*, de tenir un rôle primordial dans la politique nationale. L'analyse que nous venons de mener de l'article 49 alinéa 3 montre à l'évidence que le Premier ministre, maître absolu de la procédure législative, peut *facilement lutter* contre un Président recalcitrant ...⁴⁶

It is difficult to imagine an analysis which took less account of the political constraints preventing the Prime Minister from assuming policy leadership for himself.

Similar accounts which ignored political realities were particularly prevalent in 1985-86. The reason for this was the spectre of *cohabitation* which hung over the political system and which threatened to denude the President of his previously dominant role. A good example of the juridical view of prime ministerial influence came at this time with the debate surrounding the issue of whether or not the President had the right to refuse to sign a governmental ordinance. Such ordinances are enabling bills by which Parliament, in a single vote, allows the government (the Prime Minister) to legislate across a range of issues without subsequent parliamentary deliberation.

In the run up to and the immediate period following the 1986 legislative elections a series of articles appeared in which the President's obligation to sign or his right to refuse were publicly debated.⁴⁷ The consequences for prime ministerial leadership during *cohabitation* were not lost on the participants in this debate. The assertion of the duty to sign was often a covert call for the Prime Minister to be allowed to play as full a role as possible in the policy process and sometimes came from figures identified with Chirac, or the right in general. The assertion that the President had the right to refuse came from those hoping to avoid presidential effacement and came from people some of whom were personally identified among Mitterrand's supporters. In fact the debate was purely academic. Mitterrand's eventual refusal to sign the privatisation ordinance was arrived at through an appreciation of the political expediency of the action, rather than from an analysis of his constitutional right.⁴⁸

In fact, however, the period of *cohabitation* did see the exercise of prime ministerial government. For the first time in the history of the Fifth Republic to date the President was faced with a parliamentary majority which was hostile to him and which supported the Prime Minister. As a result, the Prime Minister was able to exercise political leadership in the country. He assumed control of the policy process and made full use of the wide range of constitutional prerogatives which were provided for him. He allied with government Ministers against the President so that the latter was unable to intervene in policy preparation. Chirac increased the administrative resources of his office by creating a seven strong diplomatic cell within his *cabinet*. Moreover, he utilised the resources of the permanent administration to pursue his policy goals. He also ensured that the secret services worked

under his orders, rather than those of the President. This was seen most clearly with the events in New Caledonia in 1988.⁴⁹

So, even if it is not possible, as it is in the British case, to distinguish between monocratic variants and clique variants, the experience of cohabitation being too short, the notion of prime ministerial government is relevant to theories of core executive operations in France.

Ministerial government

Dunleavy has described the notion of ministerial government as one in which the government "has remained a federation of departments, each of which jealously guards its own political and administrative autonomy"⁵⁰. In this case, the Minister is the chief policy maker in his\her particular area and, compared with the variants analysed previously, the role of the President and the Prime Minister is much reduced. Rigaud has argued that the presidencies of de Gaulle and Pompidou saw the golden age of ministerial government in the Fifth Republic.⁵¹

In France there is little collective Cabinet authority.⁵² The two institutions which could, in theory, serve as the basis of a system of Cabinet government are, in practice, peripheral to the policy process. The first of these institutions, the Conseil de Cabinet (meetings of the government chaired by the Prime Minister in the absence of the President), used to meet regularly under Debré's premiership, but has met only rarely ever since. A short-lived attempt by Fabius and Chirac to revive it was quickly abandoned. The second institution, the Conseil des ministres (meetings of the government chaired by the President), is mentioned in the Constitution and meets weekly. However, meetings are short; there is little majority voting; Ministers rarely intervene

outside of their portfolio areas; and substantive policy decisions are rarely taken. It ratifies policy decisions taken elsewhere.

In contrast to the situation of weak collective Cabinet authority, Ministers are in a relatively strong position to influence policy in the areas for which they are responsible. This situation is partly the result of the country's Jacobin tradition and partly the legacy of the system which was introduced under Napoleon Bonaparte and extended after his demise. Ministers have the support of a *cabinet*. They also stand at the head of Ministries which are generally characterised by a strong central permanent administration. These two organisations help the Minister to formulate policy. In addition, some Ministers enjoy the support of a highly developed system of field services which play a major role in policy implementation. Other Ministries without these services can rely on the support of departmental Prefects to assist them in their work.⁵³

Ministers also enjoy certain legal powers. For example, they appoint the departmental *directeurs d'administration*, although these appointments have to be made in the Conseil des ministres and need the approval of the President and Prime Minister. Nevertheless, Chenot has argued that, although Ministers inherit a powerful permanent administration when they come to office, with the help of their *cabinet*, a little experience and a few judicious appointments, they are in control of their department:

le ministre, quand il veut assumer ses responsabilités et s'engager personnellement par une décision administrative, reste le maître de son ministère.⁵⁴

In addition, Ministers are rarely subject to parliamentary scrutiny. For example, the Foreign Affairs Ministry is able to prepare treaties without

parliamentary interference. Also, Ministers enjoy the right to make delegated legislation in areas agreed by Parliament. Thus, they can issue decrees which have the force of law. Whilst these decrees are scrutinised by the SGG and the Conseil d'Etat, Ministers generally control the content of the decree.

The potential for ministerial government in France has also been helped because of the political stability of the Fifth Republic, at least when compared with its Third and Fourth Republic counterparts. Governments have remained in power for longer in the Fifth Republic and some Ministers have been able to develop a certain expertise and authority by remaining at the head of a Ministry for considerable periods of time. For example, apart from the two year gap during *cohabitation*, Lang has been Culture Minister since 1981, Bérégovoy has been Finance Minister since July 1984 and Dumas has been Foreign Affairs Minister since December 1984.

Moreover, although in any political system Ministers use their positions as stepping stones to higher office, the presidentialisation of the Fifth Republic has personalised politics to an even greater degree than is witnessed elsewhere. Ministers use their time in office to forward their personal careers so as to be seen as candidates for Prime Minister and even for the presidency. Therefore, they have to be seen to be active and successful. One manifestation of this phenomenon is the scramble for administrative resources during the first few days of any new government. For example, senior Ministers try to maximise the number of Junior Ministers (*secrétaires d'Etat*) who are attached to their department. Similarly, Ministers battle for their department's right to control various public organisations. Frèches has described this situation well at the time of the formation of Chirac's government in 1986.⁵⁵ Another manifestation of this phenomenon is the

almost obsessive ministerial desire to prepare legislation. According to Frèches, for Ministers, “‘changer la loi’ est généralement leur cri de ralliement”⁵⁶. Thus, Ministers become personally identified with laws that they have drawn up. For example, Gaston Defferre and the decentralisation reforms in 1981 and Jean Auroux and the workers’ participation laws in 1982.

The result of the strength that Ministers individually possess is that they control policy making in the area under their jurisdiction. Thus, for example, the Interior Ministry is responsible for matters of terrorism; the Foreign Affairs Ministry determines the position of France in disarmament negotiations⁵⁷; and the Finance Ministry plays a major role in the annual preparation of the budget. Ministers control their own areas of competence, but are unable to influence decision making in other policy areas.

This situation leads to a compartmentalisation (*cloisonnement*) of the policy process. Ministers defend their own policy turfs.⁵⁸ The result is one of conflict between departments as interests collide. Interministerial committee meetings are the site of this conflict between different ministerial interests. Ministries will only unite when they have a common interest to do so. Even then, they will be uniting against other Ministries or coalitions of Ministries with opposing interests.

This situation is typically the one in which the Prime Minister is called upon to arbitrate. The arbitration function is fundamental to the role of the Prime Minister under a system of ministerial government. The exercise of this function can be seen when administrative resources are being distributed. The Prime Minister will often decide the organisations over which Ministries have control. However, the Prime Minister’s role is not necessarily always that of an arbiter. For example, s\he is personally responsible for certain

policy decisions e.g., the authorisation of telephone taps. Moreover, the Prime Minister promotes the cause of the *Secrétariats d'Etats* who are attached to his\her office. For example, Rocard oversaw three such Junior Ministries; the Plan; Environment; and Humanitarian Aid. The latter was often in dispute with the Foreign Affairs Ministry and in such cases the Prime Minister was unable to play the role of arbiter because s\he was seen to be implicated in the outcome of the conflict. On these occasions the President was called upon to arbitrate.

The Prime Minister's arbitration function has also diminished with the growth in the size of his *cabinet*. It now numbers between 30 and 40 people. There is at least one *cabinet* member for each government departments. Therefore, the majority of the Prime Minister's advisers have lost their overview of governmental policy. They have become ministerial representatives within the Prime Minister's *cabinet*. They articulate the demands of the Ministry whose work they follow, rather than providing the Prime Minister with an alternative set of policy options. Thus, interdepartmental conflicts are simply mirrored within the Prime Minister's *cabinet* itself. The Prime Minister is unable to play the role of arbiter and, once again, the President, with his smaller team of advisers, is called upon to decide.

Bureaucratic coordination model

In the literature on the French core executive there is little reference to a bureaucratic coordination approach as it has been identified in Britain.⁵⁹ Whilst studies of the French bureaucracy are legion, they are either sociological investigations of the higher administration, or attempts to

construct a general élite theory of the state based on the peculiarities of the administrative training system. Despite the paucity of the existing literature, it is possible to construct a bureaucratic coordination model for France.

The key element of the bureaucratic coordination model is that the political elements of the core executive have little or no control over the content of policy decisions. Instead, policy choices are determined by the bureaucratic elements of the core executive. The result is that in France policy decisions are made by senior civil servants in the permanent administration and by members of ministerial *cabinets*. Thus, although the President, Prime Minister and senior Ministers seem to exercise control of the policy process, in fact they are only articulating information processed beforehand by the higher administration. The political input in the policy process is small. The bureaucratic input into this process is great.

One of the key elements of the bureaucratic coordination model is the existence of a highly developed *cabinet* system in France. The President, Prime Minister and Ministers each have a set of personal advisers (*cabinets*) who, whilst neither being permanent, nor technically civil servants during their period of employment, play a key role in the preparation of public policy. Ministers have up to ten advisers, whilst the presidential and prime ministerial teams may number up to fifty.⁶⁰ Members of ministerial *cabinets* confine their activities to the affairs of their own department. The *cabinets* of the President and Prime Minister are organised sectorally, with each adviser having a particular Ministry or set of Ministries to follow.

The fundamental role of *cabinet* members is to provide their political master with substantive policy advice. Thus, they regulate the information which Ministers receive about policy. They also have the opportunity to

make policy decisions themselves. The first stage of the policy preparation process (*réunion interministérielle*) is staffed largely by *cabinet* members alone. Members of the permanent administration may be present, but Ministers are not. These meetings are the site of substantive policy decisions. Although these decisions are usually of a technical or juridical nature, they often determine the general orientation of legislation. Thus, *cabinet* members are well placed to determine the substance of government policy. In this they are helped by their close relations with the permanent administration and by the traditionally powerful role enjoyed by the French bureaucracy.

The plausibility of the bureaucratic coordination model is increased by the nature of the French political culture. As described in the previous section, French political culture is state oriented.⁶¹ At the national level government departments are divided up into bureaux which are subdivided into divisions. The head of each bureau and division is a senior civil servant with expertise in and influence over his\her particular domain. Thus, whilst in France there is not the tradition of powerful permanent secretaries as there is in Britain, there are a host of senior administrators who hold a vital position in the policy process. It is their responsibility, in liaison with members of their Minister's *cabinet*, to prepare legislation and to coordinate the implementation of policy once it has become law. Therefore, the influence of Ministers in the policy process is slight. They are not well placed to question the policy recommendations which are presented to them by their *cabinet* members and by their departmental civil servants. The influence of the technocrats in the Finance Ministry is an example of this model at work.⁶²

The strength of this model is further enhanced by the plethora of interdepartmental committees which play a crucial role in the policy process.

In France there is no system of permanent Cabinet committees as there is in Britain. Instead there is a highly developed system of committees, commissions and secretariats each of which has the task of the inter-departmental coordination of policy in a particular area such as European Community policy (SGCI), or defence policy (SGDN). In addition, there is the equivalent of the British Cabinet Office, the SGG, which provides secretarial assistance to the government and whose head is the Prime Minister's senior legal adviser. The expertise that these organisations have accrued and the central position they enjoy in the policy process means that ministerial control of decision making is further reduced. This situation extends to the security services over whom politicians have little or no control.⁶³

As in the British case, there are two variants of the bureaucratic coordination model. The first emphasises the relatively homogeneous nature of the French senior administration.⁶⁴ Top civil servants tend to be the sons and daughters of senior administrators. They come mainly from the Paris area. They also share a common educational background with a disproportionate number having studied at the Institut d'Etudes Politiques in Paris, followed by the Ecole Nationale d'Administration, or the *Ecole Polytechnique* with a subsequent passage in one of the prestigious *grands corps*. These characteristics create a homogeneity of views and a shared approach to problem solving. Moreover, this background creates the possibility of linkages between administrators in government departments and between the administration and people of a similar background in the wider public and private sector.

The second variant stresses the impact of the bureaucracy, but denies that it is homogeneous. Many senior administrators do not share this

common background and of those that do there is competition between them.⁶⁵ Rivalries between departments are so great and competition between *grands corps* is so fierce that the administration does not articulate any single view. Instead, temporary alliances will form between different Ministries and services in order to force through the policy that is in their common interest at that time. On other occasions the same Ministries and services may find themselves in conflict with each other when their interests diverge. The common aspect to both variants of this model is the absence of political control over the decision making process.

Conclusion

This chapter has identified six different models of core executive behaviour. Under each model the role of the Prime Minister was seen to vary. Indeed, the extent of the Prime Minister's influence went from being residual, under, for example, the models of presidential government or bureaucratic co-ordination, to being all-pervasive, under the model of prime ministerial government.

As presented above, each one of the six different models is in competition with the other. The models are, to a large extent, mutually exclusive. For example, the accounts of presidential government and prime ministerial government, or of ministerial government and bureaucratic coordination seem to be completely contradictory. The President cannot be exercising monocratic power at the same time as the Prime Minister. Similarly, if individual Ministers are able to dominate policy making, then the civil servants in their departments are not able to do so as well. If one institution is dominant, then the other institution must be subordinate.

The main aim of this thesis is to provide an analysis of the role of the French Prime Minister in the policy process, so enabling us to identify the extent of his\her influence in that process. The empirical studies to be undertaken in the chapters to follow will enable us to discern the nature of prime ministerial influence. However, as a result of these empirical studies, we will also be able to test the validity of the different models presented above and to decide which, if any, best describes the nature of core executive operations. Indeed, in the final chapter we shall return to the six different models and consider how best they should be treated in the light of the evidence gleaned from the case studies.

Thus, whilst this study will fill a large gap in the academic literature on the French Prime Minister, it is also hoped that it will help to shed some light on the saliency, or otherwise, of the different models of core executive operations in France. Indeed, it is hoped that these observations with regard to France will also be of relevance to the study of core executive operations in a comparative, cross-national context.

Nevertheless, before embarking upon the case studies which will form the basis for our conclusions about the nature of prime ministerial influence and the models of core executive operations, it is first of all necessary briefly to outline the mechanics of the policy process in France and to make some preliminary remarks about the institution of the Prime Minister.

Chapter 2

The French Prime Minister and the Policy Process

The policy preparation process in France is made up of several distinct stages. The Prime Minister is present at each of these different stages. In this section we will examine the different stages and demonstrate the critical role played by the Prime Minister therein. We will begin by considering the executive part of the process and then go on to examine the parliamentary part.

The executive part of the policy preparation process is formally divided into four distinct stages. These stages consist of the three different types of formal interministerial meetings (*réunions, comités* and *conseils*) and the Conseil des ministres. The former are the main arenas of policy preparation, while the latter serves primarily to ratify decisions before their presentation to Parliament. In addition, the policy process is also characterised by a large number of informal meetings which take place alongside the official meetings at all of the crucial points of a bill's preparation.

The Prime Minister is present either directly or indirectly at each of the four different formal stages. He is either present in person, or is represented by one or more members of his *cabinet*. Moreover, at many of the numerous informal meetings, gatherings and encounters that occur alongside the official meetings the Prime Minister is also either personally present, or is represented by his advisers. The importance of these different stages and the nature of the Prime Minister's presence at them will now be considered.

Once the decision has been taken to draw up ^{a policy} ~~legislation~~ on a particular issue, the bill is first of all discussed in a series of *réunions interministérielles*. (The preliminary rounds of the *conférences budgétaires* are also included in this category.) There is no set amount of *réunions* which have to be held. The number varies from bill to bill, depending upon their scope and the difficulties faced when drawing them up.

Réunions bring together the advisers of the different Ministries responsible for the preparation of the bill, as well as representatives from Matignon and the Elysée. At least one member of the SGG also attends, in order to carry out routine secretarial functions and, if necessary, to give technical advice on the legal aspects of the bill. *Réunions* are particularly important because, although only advisers are present, they are the first official stage at which policy decisions are taken. Although these decisions tend primarily to be of a technical juridical nature, they may have an important impact upon the wording of a bill and on its future direction.

Réunions are usually chaired by a member of the Prime Minister's cabinet. In their role as chairman, the Prime Minister's advisers have to sum up debates and conduct the first in the series of policy arbitrations. These arbitrations are necessitated because of the opposing interests of the several Ministries. Py has described this situation:

Au cours de la réunion, les représentants ne s'expriment pas en leur nom propre mais exposent la position de leur ministre. Si les positions ne concordent pas, une solution entraînant un consensus est recherchée; en cas de désaccord persistant, le Premier ministre prend une décision d'arbitrage.¹

In *réunions*, as Bauby has noted, the prime ministerial function of *arbitrage* is carried out on the Prime Minister's behalf by his advisers: "Le représentant du Premier ministre conclut, tranche ou arrête ce qu'il faut soumettre à l'arbitrage"².

In theory, the Prime Minister's advisers arbitrate in a neutral manner between the opposing Ministries. They weigh up the strengths and weaknesses of the different arguments and decide accordingly as to which is the best policy to adopt. They favour no particular Ministry and have no particular interests of their own. However, it must be noted that this version

represents a particularly idealised view of the policy process and the case studies will show that their role was not so disinterested as it may seem.

Not all problems can be resolved during *réunions*, however. Therefore, any outstanding matters are reserved for the attention of *comités interministériels*. These *comités* are the second stage in the hierarchy of the policy process. In addition to resolving problems left over from *réunions*, they also deal with matters that are considered to be too important to be decided upon in the first stage. As such, they are the site of the major policy decisions for a bill. These meetings are always chaired by the Prime Minister personally. Again, as before, the Prime Minister will have to arbitrate between the different ministerial viewpoints. In carrying out his arbitration function, like his advisers previously, the Prime Minister is supposed to be a disinterested figure. Once again, the case studies will show that this view is barely representative of his actions.

As with *réunions*, *comités* are usually unable to resolve all of the contentious issues in a bill. Therefore, these issues have to be examined in the third stage of the policy process hierarchy, namely *conseils interministériels*. These meetings are chaired by the President. This fact accounts for their absence during *cohabitation* when the President played no formal role in policy preparation. *Conseils* examine the most fundamental and usually the most controversial aspects of a bill. They are held to look at disputes between Ministers that the Prime Minister has been unable to resolve. They are also held to examine issues where a Minister refuses to accept the Prime Minister's arbitration in the *comité*. On both occasions, therefore, the ultimate arbiter in the policy process is the President. His decision is final. *Conseils* are also held on issues deemed to belong to the

President's reserved domain, such as questions of defence and foreign affairs, for example.

The executive part of the policy process formally ends with the adoption of the bill by the Conseil des ministres. These meetings are largely perfunctory and usually play only ^a minor role in policy preparation. It is during the course of the three previous stages in the policy process that the main policy decisions are taken. Thus, the Conseil des ministres serves merely to rubber-stamp decisions which have been drawn up beforehand. It must be noted, however, that sometimes the contents of bills are discussed at these meetings. On these occasions the President will ask for the advice of the Prime Minister and Ministers and a final arbitration is made by the President on the basis of their interventions. This situation happens only rarely, however.

Alongside these formal meetings, the importance of informal meetings should also be noted. (Here, the word 'meeting' may be misleading, for they can take the form of luncheons, telephone conversations, or chance encounters.) In a study of conflicts within the executive since 1973, Jean-Louis Thiébault has underlined the importance of such meetings in the resolution of policy disputes and also the important role of the Prime Minister therein:

les réunions informelles de ministres qui se tiennent à huis clos dans le bureau du Premier ministre, sans ordre du jour et sans procès-verbal, sont d'abord le lieu de règlement des conflits entre le Premier ministre et ses ministres, par arbitrage du premier.³

The claustrophobic nature of the Parisian political 'village' greatly facilitates such informal encounters.

These informal meetings serve to exchange information between different actors in the policy process. They also serve to open up the decision making process to a wider group of people than simply ministerial

representatives. For example, party representatives, or deputies. They allow deals to be made between interested parties behind closed doors prior to the formal meetings. The result is that, even at the level of *réunions*, people rarely come to an official meeting unaware of what the others are going to argue for. As Bertrand Delcros has noted:

Les gens se connaissent très bien. Ils se voient tous les jours. Pour ce qui est les réunions interministérielles, tout a été réglé avant. Dans les coulisses. Ça évite les clashes.⁴

As a result, Mesnier has argued that, on occasions, even when decisions have been reached beforehand, the participants still go through the motions in formal meetings of first disagreeing and then coming to a compromise.⁵ It is important, therefore, that any study of the policy process considers the impact of these informal meetings on the outcome of policy.

The executive stage of the policy process is followed by the parliamentary stage. However, it would be wrong to consider them as separate and distinct. For example, both the Prime Minister and other Ministers still follow closely the passage of a bill through Parliament and, indeed, the advice of parliamentarians may already have been requested before the bill was sent to Parliament. In addition, governmental and parliamentary representatives may meet on occasions other than those which comprise the official policy preparation process. For example, socialist Ministers and deputies regularly cross paths at the weekly meetings of the party's executive bureau. Similar contacts take place during the breakfast meetings on Tuesday at Matignon.⁶ In essence, these encounters serve as a secondary arena for discussion and bargaining between members of both the government and Parliament.

Once a bill has been officially adopted by the Conseil des ministres it is immediately placed before one of the two chambers. Usually the Assemblée nationale examines the bill before the Sénat, but the government has the right to place it before the latter first if it so wishes. Before the bill is debated on the floor of the chamber, it is first examined in either a special commission created especially for the bill, or in one of the permanent standing commissions. Here, it will be examined clause by clause and a *rapporteur*, appointed from amongst the majority party members, will draw up a report in which the commission's amendments are detailed. When the bill is debated on the floor of the chamber the government may accept all or some of these amendments, or it may insist upon its original version being passed. In the latter case, the party discipline of the majority group is strictly adhered to.

Once a bill has been passed by one chamber it shuttles to the next (*la navette*). If both the Assemblée nationale and the Sénat agree upon a common version of the bill, then after three readings in each chamber the bill is considered to be passed. However, if after the second reading there are any textual differences in the bill between the two chambers, then the Prime Minister has the constitutional right (Article 45) to set up a special commission (*une commission mixte paritaire*) in order to try and iron out the differences and agree upon a common text. If a common wording is found, then the bill is considered once again by both chambers after which time it is definitively passed. If no agreement is forthcoming, then only the Assemblée nationale examines the bill again.

The above description is a brief résumé of the parliamentary part of the policy process. It does not go into all the details of parliamentary procedure as laid down in the Constitution, or in the standing orders of both chambers.

The general thrust of the parliamentary stage is that the government has a number of powerful constitutional devices which it can call upon to ensure the passage of the bill as agreed in the Conseil des ministres, rather than as amended in Parliament. These devices can be seen, for example, in Articles 34, 38, 40, 44, 45, 47, 48 and 49 of the Constitution. It must also be appreciated that there is constant contact between members of the government and parliamentarians throughout each stage of the parliamentary process. The government will be aware of what amendments are being proposed and parliamentarians will be aware of whether the government is hostile or favourable to them.

The Prime Minister is well placed to intervene during the parliamentary part of the policy process. He is constitutionally able to intervene because of the prerogatives that he enjoys as head of government. As a result, successive Prime Ministers have been able to dominate the legislature and Parliament has gained the reputation of merely rubber-stamping executive decisions. The Prime Minister also has the administrative resources to intervene effectively in the parliamentary process. In 1989, for example, Rocard's *cabinet* contained no less than three parliamentary advisers. In addition, all Prime Ministers enjoy the services of the legislative division of the SGG. This division ensures that the Prime Minister is informed of the parliamentary debates and proposed amendments. What is more, the Prime Minister, in conjunction with relevant Ministers, is responsible for selecting which, if any, of the parliamentary amendments to accept. Therefore, the Prime Minister's arbitration function can be seen to continue throughout the parliamentary part of the policy process.

Therefore, at both the governmental and parliamentary stages of the policy preparation process the Prime Minister is a key figure. This position of

importance is enhanced even further when the range of administrative services that he is able to command is considered. According to figures for February 1st 1985, the Prime Minister's administrative staff numbered 5,472 and the total cost of these services was over 13 billion francs.⁷ Clearly only a fraction of this number will be involved in the preparation of any single bill, but the Prime Minister's capacity for the collation and co-ordination of information is great. Services such as the SGG and the Service d'information et de diffusion (SID) play key back-up roles in the policy process.⁸

In addition to these permanent administrative resources, the Prime Minister's *cabinet* is of great importance. As described in the first chapter, it is structured so that there is at least one adviser for every policy issue. Thus, there is someone in the Prime Minister's *cabinet* who follows the progress of each bill in detail. These advisers are the Prime Minister's eyes and ears in the policy process. Consequently, because of these resources, the Prime Minister is well placed to express an opinion when he sees fit and to arbitrate accordingly. Taking into account the permanent services for which he has responsibility and his *cabinet*, the office of the Prime Minister in administrative terms is the most influential institution in the country.

Although any study of the Prime Minister's influence in the policy process will need to take the administrative resources of the institution into account, this aspect should not be unduly overestimated. These resources have remained largely stable since the beginning of the Fifth Republic. Thus, while they are the basis of prime ministerial influence, they do not account for changes in the level of that influence over time. Instead, any study of the Prime Minister's influence needs must concentrate primarily upon the political resources at his disposal. Unlike the level of his administrative

resources, his political resources will fluctuate greatly and so will his influence accordingly.

The final part of the policy process which needs to be identified is the role played by the Conseil constitutionnel. It must be noted immediately that the Conseil is not involved in the outcome of all public policy decisions. Firstly, it can only examine statutes. Secondly, it has no powers of retrospective control and can only examine bills passed by Parliament before their promulgation. Thirdly, it has no power to call bills to be judged itself. It can only examine bills which are sent to it by the President, Prime Minister, or sixty senators or deputies. Nevertheless, the Council's decisions are final and those decisions are made free from the direct control of the executive or legislature. Neither the Prime Minister's political or administrative resources are likely to be of much importance in the Council's judgements. Therefore, the Council has a quasi-autonomous influence over the policy process.

Methodology

It can be seen, therefore, that with the exception of that part of the policy process confined to the Conseil constitutionnel, the Prime Minister is involved at every stage in the preparation of a bill. To this extent, the importance of the office is immediately apparent. The Prime Minister is central to the policy process and seems to be well placed to exert an influence over it.

The thesis will examine the Prime Minister's influence over a ten year period starting in May 1981. This period was chosen for several reasons. Firstly, it is sufficiently long ^{to enable us to} ~~so as for us to be able to~~ draw up useful conclusions about the extent of prime ministerial influence. A shorter period of time would simply have provided a snapshot of the political system at a

particular moment. A longer period would have rendered it more difficult to compare the experiences of different Prime Ministers. Secondly, the year 1981 and the arrival in power of the left for the first time under the Fifth Republic marked a turning point in the history of the régime to date. As such, it represents a natural starting point for such a study. Thirdly, the 1981-1991 period produced various different types of governmental configuration. It saw a PS\PC coalition, a PS majority government, a two year period of *cohabitation* and finally a period of PS dominated minority government. Thus, the political system was not static during this time. These variations allow the Prime Minister's influence to be studied under each of these different governmental situations. Thus, a fuller picture of his role can be drawn up.

The study is not a purely theoretical one. Wilson has argued that theoretical studies can only reach general conclusions and that they tend to rely on evidence that is impressionistic. Its findings are consequently weakened.⁹ In order to avoid this situation, our study has a strong empirical emphasis. At the same time, we will not posit a hypothesis which will be tested throughout the course of the chapters which follow. We feel that this approach tends necessarily to pre-empt the study's findings. As such it was not appropriate for the purpose at hand.

Instead, Wilson has identified two alternative approaches to the study of the influence of groups or institutions in the policy process. The first, his favoured method, is to engage upon, "empirical studies of overall patterns of ... politics in a country"¹⁰. In our case this approach would have involved concentrating solely upon the Prime Minister's office. It would have necessitated interviews with as many representatives of this office as possible over as long a period of time as possible. Apart from the logistical difficulties

that this approach would have entailed given the constraints within which doctoral students have to work, it would also have meant that the results would have been uneven. There would have been little focus to the study and it would have been difficult, if not impossible, properly to compare the findings.

Instead, our analysis favours a different approach, namely that of case studies. The problem with any such approach is that of the representativeness of the studies. They have to be typical of the policy process and they have to be matching such that comparisons are possible. Cognisant of these problems, we have chosen to study eight public policy decisions in the 1981-1991 period. These decisions are: the 1981, 1986 and January 1989 broadcasting acts; the 1985, 1987 and 1990 Finance acts; the crisis surrounding the withdrawal of the Devaquet higher education bill in 1986; and the debate over the third devaluation of the franc in March 1983.

This number is sufficiently large so as to be able to draw up valid conclusions. The chosen studies also permit comparisons to be drawn within individual policy sectors and between different sectors over the period in question. They allow for the study of routine policy preparation processes in normal times (the Finance acts); non-routine policy preparation in normal times (the broadcasting acts); and policy preparation during crisis periods (the Devaquet bill and the 1983 devaluation). Thus, the studies which have been chosen are representative and matched and permit conclusions validly to be reached about the Prime Minister's influence in the policy process.

The information about the particular case studies was derived from both primary and secondary sources. Around 60 interviews with Ministers, deputies, members of ministerial, prime ministerial and presidential *cabinets* and representatives from the permanent administration were undertaken

(see Appendix 1). In addition, one former Prime Minister was interviewed. These interviews were nearly all directly connected with the chosen case studies, although some more general interviews about the overall role of the Prime Minister were also conducted. In addition to these primary sources, secondary information was also used. This information included books and contemporary newspaper accounts of the case studies; biographies and autobiographies of the relevant political actors; and general academic works on the Prime Minister and the French political system as a whole. It is hoped, therefore, as a result of the case study approach and of the collection of primary and secondary information, that it will be possible to draw up detailed conclusions about the nature of prime ministerial influence in France.

Thus, in order to examine precisely to what extent the Prime Minister is able to influence the policy process, it is now necessary to embark upon the case studies of public policy decisions. The evidence derived from the studies in the next four chapters will serve to elucidate the nature of the Prime Minister's influence in the policy process. We will begin by examining the broadcasting acts of 1982, 1986 and January 1989.

Chapter 3

Broadcasting Policy

The first set of case studies to be examined is in the area of broadcasting. Broadcasting is a particularly suitable candidate for study. As with any area dealing with fundamental public liberties, it is of considerable popular and political sensitivity. The problems surrounding the issues, options and governmental cleavages are, thus, accentuated. At the same time, throughout the course of the Fifth Republic, it has been an area in which the Prime Minister has been able to intervene directly, unlike other areas, such as foreign affairs, which have generally been controlled by the President. Moreover, the post-1981 period provided an excellent opportunity for comparative study as there were a number of important laws passed which fundamentally reorganised the broadcasting system.

For the first set of case studies, we have decided to look at three of these laws. We will examine the preparation and passage of the July 1982, September 1986 and January 1989 Broadcasting Acts. The three laws will be considered in turn, starting with the July 1982 Broadcasting Act. Once the examination of these laws is complete, we will draw some preliminary conclusions about the policy process and about the Prime Minister's influence therein.

The July 1982 Broadcasting Act.

Prior to 1981, French broadcasting was subject to strict central government control¹. For example, there were no official private radio or television companies; the state broadcasting system was for the most part publicly financed; the system was administered by a large, bureaucratic organisation (called the ORTF from 1964-1974), the subject itself of government control; the government appointed all of the top figures in the broadcasting organisation; and the Minister of Information would intervene directly to change the content of news broadcasts and other programmes when he saw fit.

The first major change to the system came with the election of Giscard d'Estaing as President and the passage of the 1974 Broadcasting Act. This law abolished both the Ministry of Information and the ORTF. The latter was split up into its constituent parts, so as to form seven independent organisations, with a degree of competition being introduced between them. Whilst this law did symbolise a break with the past, it was an ambiguous reform that left few people satisfied with the resulting situation. The Communist Party and some gaullists were nostalgic for the ORTF. The socialists, however, felt that the changes were merely cosmetic and that the government's ability to control the system was still as strong as ever. In addition, there were many malcontents within the broadcasting profession itself, with the loss of certain privileges enjoyed under the ORTF being the main grievance. It was against this background that in his 1981 presidential election campaign Mitterrand announced that a reform of the broadcasting system would be one of his legislative priorities. With the election of Mitterrand in May 1981 and the appointment of Pierre Mauroy as Prime Minister, the preparation of this reform began.

Much of the legislation passed during Mauroy's time as Prime Minister was derived from Mitterrand's 110 Propositions for government, which formed the basis of his electoral campaign. However, only one of these propositions, number 94, dealt with broadcasting. Here, it was stated that:

La télévision et la radio seront décentralisées et pluralistes. Les radios locales pourront librement s'implanter dans le cadre d'un service public. Leur cahier des charges sera établi par les collectivités locales. Sera créé un Conseil national de l'audiovisuel où les représentants de l'Etat seront minoritaires. Les droits des 'cibistes' seront pleinement reconnus.

Clearly, these vague promises were no basis for a major reform of the broadcasting system.

The only other pre-election foundation for the bill was the report of one of the Socialist Party's internal policy commissions headed by François-Régis Bastide. However, for the most part the Bastide report was a critique of the 1974 reform, rather than a blueprint for any new law. Thus, with neither the 110 Propositions, nor the Bastide report going into any detail about the content of any future reforms, the new government and its Communications Minister, Georges Fillioud, had little basis from which to draw up the new bill.

In early June, an interministerial committee for broadcasting was created. Chaired by Jérôme Clément, Mauroy's *conseiller technique* for broadcasting affairs, it included representatives from the Elysée and from the Ministries of Communication, Culture, Telecommunications, External Relations, Interior and the Budget. It held weekly meetings at Matignon and its official function was set down as follows:

Le groupe assurera les synthèses techniques et politiques nécessaires. Il préparera les arbitrages que devra rendre le gouvernement.²

Its task, therefore, was not to draw up the wording of the bill itself, but to coordinate the work of others.

One of the first decisions that the committee took was to set up five working parties, each one specializing in a different policy sector. These working parties were given the task of drawing up detailed legislative proposals for the government to act upon. Each working party had on average 12 members nominated by Mauroy in consultation with Clément and Fillioud, as well as the Culture Minister, Jack Lang, and the President's *cabinet*. Whilst most of those appointed had connections with the broadcasting industry, the majority were now also members of ministerial *cabinets*, suggesting their allegiance to the government. Moreover, a large number had also been associated in the past with the ORTF.

The committee also decided to set up a *commission de réflexion et d'orientation* under the aegis of the Prime Minister. The idea for such a commission originally came from Fillioud's *cabinet*, but it was quickly accepted by all the protagonists involved. Chaired by Pierre Moinot, former member of the Cour des Comptes, television scriptwriter and good friend of Jack Lang, the commission's function was to synthesize the conclusions of the working parties and to produce a detailed report for the Prime Minister. The nomination procedure for the commission's other 12 members involved the same people as for the working parties, with the addition of Moinot himself. The result was an experienced set of people, coming predominantly from the PS, PCF and MRG and which, therefore, reflected the composition of the governmental coalition.

The commission's report, however, did not simply reiterate the government's priorities, nor did it simply present a list of proposals which it knew that the government would favour. The proof of this lies in the fact that many of its recommendations did not find their way into the final text of the bill. In fact, the commission was able to draw up its proposals relatively free from governmental interference. It was allowed to do so, firstly, because the government had little idea at this early stage of exactly what it wanted to see in the report and, secondly, because Moinot was sufficiently independent of mind and strong of character, so as to be able to complete his report without too much governmental intervention.

These early stages of the bill's preparation showed that the issues involved were much more complex than had originally been foreseen. Consequently, Fillioud abandoned his original plans to see the bill debated in Parliament in November and the details of the text were finalised by the government over the winter. At this stage the bill was being prepared by the different sets of ministerial advisers. For example, Lang's *cabinet* concentrated upon the clauses which concerned the cinema, while Louis Mexandeau's

cabinet at the Telecommunications Ministry dealt with the new role of Télédiffusion de France (TDF). However, the Communications Ministry was responsible for the vast majority of the bill, while it also supervised the work of Lang's and Mexandeau's advisers. By contrast, Clément's role was more general. His interventions were not confined to any specific areas and he was free to intervene when and where he saw fit. A similar role was played by the President's advisers and, indeed, by Fillioud himself, as the Minister responsible for the bill as a whole.

Over the winter of 1981-1982, Fillioud conducted a series of meetings with the representatives of the broadcasting unions. However, it was clear from an internal note to the Prime Minister that the aim of these meetings was to make the unions feel that they were involved in the decision making process, rather than to make them in any way the co-authors of the bill.³

The interministerial committee chaired by Clément continued to meet throughout the course of the bill's preparation. In addition to these official intragovernmental meetings, there were also numerous unofficial meetings, or encounters. Both Cotta and Estier have described meetings to which they were invited at the President's country retreat along with Lang, Fillioud, Clément, Mexandeau, Fabius (the Budget Minister) and André Rousselet, Mitterrand's *directeur de cabinet* where the broadcasting bill was discussed.⁴ Lang had at least one lunch with the communist Health Minister, Jack Ralite, during which the main subject of conversation was this bill.⁵ Similarly, the contents of the bill were discussed on more than one occasion during the course of Mauroy's weekly meetings with the President and at the weekly breakfasts between these two and the leaders of the PS. The confidential nature of these meetings, particularly the latter two, makes it difficult for us to ascertain whether they served merely as an exchange of ideas, or as a place where policy decisions were taken. It was clear, though, that their importance was not negligible.

The bill also passed through a series of other mandatory preparatory stages. There was a hearing before the Conseil d'Etat; a presentation to the Conseil des Ministres on the 31st March 1982; and a debate in both the Assemblée nationale and the Sénat. In addition, the bill was submitted to the Conseil constitutionnel which ruled against several minor clauses, meaning that the Act was finally promulgated on the 29th July 1982.

The July 1982 law was long and complex. It contained 110 articles covering the whole gamut of broadcasting issues. Even if it were possible, it would be impractical for the present study to examine each article individually, so as to identify the Prime Minister's influence. Therefore, whilst we would argue that the Prime Minister, either personally, or through his advisers, was involved to some extent in the preparation of all of these articles, it is only possible for this study to concentrate on certain key areas. Four such areas have been chosen, namely, the fate of the main public television companies, the composition and powers of the new independent regulatory authority, the Haute Autorité, and the question of whether or not advertising should be permitted on local radio stations. Each area will now be considered in turn, starting with the fate of the main public television companies.

The reform of the two main television companies, TF1 and A2, and of the country's only production company, the Société Française de Production (SFP), was always going to be of particular professional, political and public interest. In the end, it transpired that the debate surrounding these three organisations was typical of that on the bill as a whole.

The Moinot report recommended that TF1, A2 and the SFP be brought together under one company to be called the Société Nationale de Télévision (SNT). In fact, this proposal was a compromise between the two main tendencies to be found within the working parties and the Moinot

commission and, indeed, within the PS, the government and the administration. In order fully to understand the exigencies behind the preparation of the 1982 Broadcasting Act, it is necessary to examine these two tendencies in detail.

The supporters of the first tendency, who may be called the 'statists', wanted to see a reconstruction of the ORTF. The supporters of the second tendency, or 'liberals', preferred to see a decentralisation of the broadcasting system. The two tendencies represented coalitions of different interests and ideologies.

The communists favoured the statist approach. This attitude can be ascribed to ideological reasons and the PCF's desire to see the state controlling the flow of information reaching the public. It can also be ascribed to pressure from the communist controlled trades' union confederation, the CGT, which had seen its bargaining power severely weakened as a result of the break-up of the ORTF in the 1974 Act. Similarly, the Jacobin inspired component of the PS also favoured this approach, as it strengthened the role of the state.

Conversely, the PS's *autogestionnaire* component favoured the second tendency, as it was more consistent with its beliefs. Some government members also privately favoured the liberal approach precisely because it weakened the unions. They feared that a left-wing government would not be immune to future industrial action and that immediate steps had to be taken to minimise its effects. In the permanent administration, notably amongst the members of the Service Juridique et Technique de l'Information (SJTI), there was also a strong liberal trend which favoured the advent of private broadcasting companies and which saw this bill as the opportunity to take the first steps towards this aim.

These two tendencies were present in the Moinot commission. The former ORTF employees on the commission naturally favoured its

reconstruction, whilst other elements, notably amongst the representatives of the permanent administration, were opposed to this measure. The proposal to create the SNT was a compromise between the two tendencies. Thus, instead of a complete return to the ORTF, the Moinot commission proposed the creation of what amounted to a mini-ORTF. This idea, however, received a mixed reaction from members of the government. Over the summer of 1981 Fillioud had made veiled references to the creation of an organisation which would harmonise the programme schedule of TF1 and A2. His statements had led people to believe that something akin to the ORTF was about to return.⁶ However, the creation of anything akin to such^{an} organisation, such as the SNT, was opposed by certain key elements within the government. For example, Jérôme Clément was in favour of the more liberal approach, as was his close friend and presidential adviser for broadcasting, Jean-Louis Bianco. Two other figures at the Elysée also favoured this approach, Jacques Attali and Rousselet. In addition, the staff of the SJTI were vehemently opposed to any return to the ORTF.

This latter group played an important role during the preparation of the law. Although officially under the control of the Prime Minister, the SJTI was effectively managed by the Communications Ministry. In 1981, it was headed by Bertrand Cousin, a gaullist sympathiser who later became an RPR deputy before taking up a post in the Hersant press empire. Cousin, backed by the rest of the SJTI, not all of whom were gaullists, set out to oppose the statist with the desire to “vendre une thèse”, namely, that of the liberal viewpoint.⁷ Despite the hostility between Fillioud and Cousin, at this stage the latter was indispensable to the new Minister because of his wealth of legal and technical knowledge of broadcasting matters and because of the loyalty of the rest of the SJTI to him. However, Cousin’s knowledge was used by the SJTI to provide juridical arguments against the statist viewpoint and to have

the bill worded in a way which was compatible with its beliefs. Indeed, their knowledge was used by Clément in a similar way to similar ends.

Faced with opposition from several members of the interministerial committee, the idea of the SNT was quickly rejected. However, a compromise still had to be reached which would satisfy Fillioud and the unions. The compromise which was finally agreed involved nationalizing the SFP and agreeing new production contracts between the SFP and both TF1 and A2. Therefore, the public sector's role was increased, but within limits acceptable to Clément and the others.

Whilst the changes described above were important, the major innovation contained in the bill was the creation of an independent regulatory agency, the Haute Autorité. It was designed to act as a buffer between the state and the broadcasting companies and its creation was testimony to the government's desire to cut the infamous umbilical cord between the government and the broadcasting system. The idea of setting up the Haute Autorité was well received by almost all concerned.

The idea of creating an authority of some sort was mooted even before the 1981 elections. The Bastide report proposed the creation of a *Conseil national* with certain independent decision making powers, where professionals and official representatives could meet and discuss policy. The idea of a smaller, more autonomous organisation, however, came from the Moinot commission's working parties and was adopted by Moinot as one of the central propositions of his report.

The idea of such an authority did not fall prey to the debate between the statists and the liberals. It was accepted by all, either enthusiastically, or because its symbolic value was high and because the Moinot report had created expectations which it was injudicious to disappoint.⁸ One of the concomitant problems, however, concerned the composition of the future authority. There was no magic formula which suited everyone and each

person had ^{his} ~~their~~ own pet solution which he favoured, as can be seen in the table below:

Figure 1⁹

Moinot:	3 President, 3 <i>grands corps</i> , 3 <i>Conseil National de l'Audiovisuel</i> (CNA).
Beck ¹⁰ :	2 President, 2 Assemblée nationale, 2 Sénat, 3 CNA.
Fillioud:	3 President, 1 Assemblée nationale, 1 Sénat, 1 CNA, 1 personnel.
Attali:	3 President, 3 Assemblée nationale, 3 Sénat.
ibid.:	3 President, 1 Assemblée nationale, 3 <i>grands corps</i> , 1 Sénat, 1 Conseil Economique et Social.
Mauroy:	3 President, 4 Parliament, 2 <i>grands corps</i> .

It is noticeable that Moinot, the least political of the above, suggested the most technocratic of all the options. All of the others to a varying degree ensured that the left would be in a majority due to the make up of Parliament at that time. In a note to the President, Fillioud stated:

La composition doit toutefois être modifiée afin de garantir tout à la fois [son] indépendance et [sa] 'légitimité politique'. Le Parlement, d'une part, et les représentants du personnel, d'autre part, sont en effet marginalisés dans le schéma proposé. Il conviendrait donc de les réintroduire afin d'obtenir une meilleure adéquation entre la composition de la Haute Autorité et la majorité politique du pays.¹¹

The desire to ensure a favourable governmental majority was also one of Clément's objectives.¹² Thus, while he may have put forward the liberal viewpoint on some issues, this approach was complicated by his desire and the desire of others not to let the broadcasting system fall into the hands of the opposition. As Cousin stated, "les arbitrages ne se font pas au hasard", pointing to at least one machiavellian motivation behind the government's decisions.¹³

Normally, when no common agreement could be found to a particular problem, it was up to the Prime Minister to arbitrate between the conflicting

demands. However, given the importance of this issue and given the Prime Minister's own involvement, the only person left to arbitrate was the President himself. Indeed, the President paid close attention to the preparation of the text as a whole. It is clear that this matter was discussed at the Elysée on several occasions. Cotta tells of a dinner there in March 1982, which she attended alongside Clément, Rousselet and Fillioud, where the decision was taken to give the authority the same composition as for the Conseil constitutionnel.¹⁴

This decision was an astute tactical move by Mitterrand. At the time, the Council was accused of having an anti-governmental bias by some PS deputies because of its recent decisions concerning the government's nationalisation programme. Naturally, opposition deputies defended the Council's role. By choosing this configuration, therefore, Mitterrand effectively stifled any future opposition criticism that the Haute Autorité would be biased towards the government as, by extension, such an accusation would be a criticism of the Conseil constitutionnel as well.¹⁵ However, Fillioud did not change the text of the bill in line with this decision before it was presented to the Conseil des Ministres on March 31st 1982. Consequently, the traditional image of these meetings as being occasions to ratify decisions taken elsewhere was broken as, during the meeting, the President insisted upon returning to the formula agreed over lunch a few days earlier.

Usually presidential decisions are final, yet not so this one. On this occasion, the opposition majority in the Sénat received the bill particularly well. Via their spokesman, Charles Pasqua, they let the government know that they would pass the text agreed by the Assemblée nationale, if only the Haute Autorité's composition were to be changed, so as to balance out the political forces within it. Once again Mitterrand had to decide and he agreed to Pasqua's proposal, feeling that a common text voted by both Chambers would increase the consensual appearance of the bill. By chance, however, at

the same time, Gaston Defferre, the Interior Minister, announced the law splitting up Paris, Marseille and Lyon into separate *arrondissements*. This bill was seen, quite rightly, as being designed to weaken Chirac's hold over Paris. In retaliation, therefore, the RPR leader ordered Pasqua to withdraw the deal and vote against the broadcasting bill. Pasqua duly complied. As a result, the Haute Autorité's composition returned to the formula agreed in the Conseil des Ministres.

The question of what powers the new authority was to have was also of great importance. One of the interesting aspects that this question highlighted was that of the role of the Conseil d'Etat and the Conseil constitutionnel in the policy process. The former is usually ignored in any study of policy preparation, while it is only recently that the latter has been the subject of any detailed study. Their influence on the wording of this law, however, cannot not be ignored.

The Conseil d'Etat refused to accept Fillioud's proposal that airspace could be conceded by the government for the use of another organisation and recommended that the articles permitting this measure be withdrawn from the text. The Conseil d'Etat arrived at this decision because it considered airspace to be an immaterial concept and that previously only material things had been granted such concessions. Although the government was not obliged to abide by the recommendations of the Conseil d'Etat, on this occasion the Prime Minister decided to let the matter drop, rather than pursue the matter any further and risk a confrontation with the Conseil d'Etat.

The role played by the Conseil constitutionnel was also important. One of the main criticisms of the Act following its passage was that the Haute Autorité had few powers to sanction broadcasting companies which ignored their statutory obligations as laid out in their *cahier des charges*. This lack of powers, however, was not due to any intention on the government's part to

create a weak authority, but because of the fear that the Conseil constitutionnel would strike down any such powers if they were included in the bill. At that time, the only agency which had been given such powers was the Commission des Opérations de la Bourse. This commission, however, had been set up under the Fourth Republic and neither the jurists within the SJTI nor the ministerial *cabinet* members knew whether or not under the Fifth Republic's Constitution such powers were permissible. As a result, it was decided to play safe and the government diluted the Haute Autorité's sanction powers, providing a perfect example of *autolimitation*¹⁶.

As for the other powers of the new authority, it was quickly apparent that the recommendations of the Moinot commission went too far for the government. In a note to the President, Fillioud stated:

L'adoption du schéma avancé aboutirait à interdire la définition et la mise en oeuvre d'une politique gouvernementale cohérente de la communication.¹⁷

Even those people usually associated with the liberal stance, such as Clément and Bianco, were not keen to accept Moinot's proposals in their entirety. Bianco, for example, refused to accept the proposition that the Haute Autorité be given the power to share out the licence fee revenue amongst the public television companies.

This consensus within the government formed shortly after the publication of Moinot's report. The *cabinets* of the leading ministers, the Prime Minister and the President were all generally in agreement about the amount of power to be accorded to the authority. It was agreed that the authority's powers should be relatively modest. As a result of this consensus at the highest level, this aspect of the bill was dealt with almost entirely in *réunions interministérielles*, where the only people present were *cabinet* members. Indeed, it did not even figure on the agenda of the *comité interministériel* chaired by the Prime Minister in the presence of the relevant

ministers. Whilst it did crop up during a meeting at the Elysée, the President did not intervene, preferring to leave the matter to his advisers.

In contrast to the previous example, the question of whether advertising should be permitted on local radio was debated primarily in the higher échelons of the government. The conflict centred upon the diverging opinions of the Prime Minister and Communications Minister. Despite the Moinot report coming out in favour of advertising, Mauroy and Fillioud had already hardened their positions over the summer of 1981. The speed with which the two protagonists formulated their arguments followed on from the decision taken in June 1981 to draw up a bill dealing with the local radio issue separately from the main broadcasting bill so as to legislate more quickly. The local radio stations bill was passed in November 1981. The passage of this latter bill meant that a preliminary presidential arbitration on the question of advertising was necessitated in the summer of 1981. This arbitration went in Mauroy's favour. The preparation of the July 1982 Act, however, provided an opportunity for Fillioud to reverse this decision and the matter was discussed again.

Fillioud was in favour of allowing advertising. He felt that it was essential if the stations were going to survive financially. He was supported, quite naturally, by the advertising companies. Mauroy, however, was opposed to this measure. In part, his decision was motivated by ideological reasons. There was a long-term and widespread belief within the PS that advertising on radio or television lowered the cultural quality of programmes. Mauroy identified with this tradition and once in power he reiterated it, talking of "*radios-fric*" to describe the resulting situation. Equally important, however, was the coalition of local interests which formed around the Prime Minister's viewpoint. This coalition consisted of representatives of the local and regional press, whose financial survival was closely linked to their existing advertising agreements. The previous few years had seen an explosion of

local radio stations and the press felt that if advertising on them were to be allowed, then its future would be in doubt.

One of the most important figures in this coalition was Gaston Defferre, the Interior Minister and mayor of Marseille, who had a controlling interest in much of the area's press. Mauroy, too, as mayor of Lille, was not unconcerned personally by the matter. Their insistence, backed up by the close relations both of them shared with Mitterrand, meant that Fillioud was unsuccessful. Giesbert recounts the meeting at the Elysée:

Vous avez sûrement raison, dit le Président à Fillioud, mais dans une affaire comme celle-là, je ne peux aller contre la volonté du Premier ministre.¹⁸

Consequently, the 1982 law made no provision for advertising on local radio and it was only later that the coalition against it weakened, thus making it possible.

The September 1986 Broadcasting Law.

In many respects the 1982 law represented a watershed in the history of French broadcasting. Once it had been passed, for example, the support for a return to the ORTF came only from certain isolated elements within the PCF. Moreover, the existence of an independent authority was widely recognised as being an essential component of the system. Nevertheless, major disagreements did remain about the future of broadcasting. These disagreements were exacerbated by the arrival on the scene of new media issues from 1982 onwards.

Between 1982 and 1986, the old media debate centred primarily around the role of private television within the broadcasting system. The creation of Canal+ by Rousset in 1983 with Mitterrand's benediction effectively ended this debate. Indeed, in 1985, Mitterrand announced the formation of two further private stations, channels 5 and 6. Their franchises, however, were

awarded to industrialists close to the PS and the opposition was enraged. Their anger was also directed at the Haute Autorité, partly because the government had a clear majority on it, but also because it lacked the powers to assert itself, even on those occasions when it wished to do so. Combined with other latent difficulties, such as the SFP's continuing deficits, a major reorganisation of the system became one of the opposition's legislative priorities in the run up to the 1986 legislative elections.

This traditional area of difficulties, however, was combined with problems surrounding the new media. The 1982 cable television plan had been a financial and organisational disaster and the progress of satellite broadcasting was slow. Both of these issues highlighted the interrelationship between policy and technology. New media initiatives were costly, involved numerous national and international industrial concerns and, in the French case, were dogged by sometimes less than expert bureaucratic intervention. Therefore, having committed itself to a new law, Chirac's government was faced with a variety of complex problems in the area of both old and new medias.

When it came to power in March 1986, the right wing government was generally much better prepared than the socialists had been in 1981. This situation was particularly true in the area of broadcasting. In May 1984, Chirac delivered a major speech, mostly drafted by Bertrand Cousin, in which he detailed his own policy objectives. Then, throughout 1985, the opposition parties worked together to produce the 1986 electoral platform. This platform included specific engagements to privatise two television companies and to embark upon a complete reform of the telecommunications sector. In charge of the opposition's pre-election working party on broadcasting was Xavier Goyou-Beauchamps, ENA graduate and former adviser to Giscard d'Estaing as President. His work led to Giscard himself proposing a private members bill

in the Assemblée nationale in January 1986, in which he outlined his plans for the broadcasting system.

The March 1986 elections saw the appointment of François Léotard as Minister for Culture and Communications. Although this was not his first choice Ministry, Mitterrand having vetoed his appointment as Defence Minister, Léotard still ranked fourth in the governmental hierarchy and was determined to make an impression at his new job. He was backed up by Philippe de Villiers as Secretary of State for Communications, but Léotard's ambition meant that at no stage during the bill's preparation did de Villiers play anything other a minor role.¹⁹

Instead, Goyou-Beauchamps was appointed by Léotard, slightly reluctantly but on Giscard's insistence, to help draft the bill. Nominated on April 1st, Goyou-Beauchamps immediately called upon the SJTI's expertise in order to draw up the law. On this occasion, the SJTI provided classic administrative support to the Minister and his advisers and did not attempt to influence the wording of the bill, despite the fact that the head of the organisation, Marc-André Feffer, had been appointed by the socialists. Goyou-Beauchamps's starting point was Giscard's January bill, although this was quickly abandoned as it proved to be insufficiently detailed.²⁰

One of the first decisions to be taken was that of dropping the proposed telecommunications reform. This decision was taken by Chirac personally after a meeting at the beginning of April with André Bergeron, the head of the trades' union confederation, the Force Ouvrière (FO), in which he made it clear to the Prime Minister that any hasty reform would be likely to result in strike action.²¹ With Chirac remembering the 1974 strike by telecommunications workers which he had had to face when Prime Minister before and with only two years until the presidential elections, he abandoned the idea of any immediate reform.

As part of the preparation process, L  otard arranged four meetings with professionals from the broadcasting industry in mid-April. However, these meetings had no real outcome on the bill as a whole and served merely as a media exercise.²² In fact, the first draft of the bill was drawn up by Goyou-Beauchamps and leaked to the press on April 24th. This leak was not at all appreciated by Chirac whose advisers still had to go through the project and whose arbitrations were still to come. The Prime Minister refused to be put before a *fait accompli*, something which was affirmed the next day by Denis Baudouin, the government spokesperson. As a result, there followed numerous *r  unions interminist  rielles* chaired by Jos   Fr  ches, Chirac's adviser on broadcasting affairs, until only major disagreements remained. When these meetings were completed, a series of *comit  s interminist  riels* were held. These *comit  s* were chaired by Chirac himself. As with the 1982 law, it must be noted that there were also many informal meetings, organised by L  otard alone, or by Chirac and his advisers, where the bill was discussed and whose influence on the final wording cannot be dismissed.

As the bill went before the Conseil d'Etat on June 5th and then to the Conseil des Ministres on June 11th, the one thing notable for its absence throughout the whole process was any presidential intervention. Mitterrand did not intervene personally during the preparation of the bill, except after the Conseil des Ministres to say that he feared for the bill's effects on basic freedoms. Neither did his advisers attend any preparatory meetings, or even try to contact government members, or their advisers. They kept the President informed of the bill's progress, but were not implicated at any stage in its preparation.

During the Conseil des Ministres, the Prime Minister decided to call an extraordinary parliamentary session so as to allow the bill to be passed the bill during the summer, rather than waiting for the normal parliamentary recall in October. The bill was examined firstly by the S  nat. It was poorly received

there, especially by the Sénat's special commission. There, the RPR's spokesperson, Adrien Gouteyron, proposed over 120 amendments on the commission's behalf. In all, over 1,800 amendments were drafted by the Senators, the vast majority by the PS/PCF minority in an attempt to delay the bill's passage. It was finally passed on July 24th after 180 hours of debate, the longest in the history of the Senate.

The debate in the Assemblée nationale was much shorter, starting on August 4th and finishing four days later due to Chirac's authorisation of the use of Article 49-3 to truncate discussion. After the meeting of the parliamentary mixed parity commission, the bill was finally passed on August 12th. The PS deputies, however, then placed it before the Conseil constitutionnel, whose decision came a month later in which several important points were struck down, causing anger in the government ranks.

Given the range of issues covered and the complexity of the questions involved, it proved to be impossible to keep the text of the bill short. In the end, the law contained 110 articles, the same as in 1982. Once again, it is impossible to study all of these articles and so three of the Act's major reforms have been chosen, namely, the composition of the regulatory agency which replaced the Haute Autorité, the choice of which television channel to privatise and the conditions under which this privatisation was to take place. We would argue that these reforms are representative of the problems faced during the preparation of the text as a whole.

In his 1984 press conference, Chirac had already stated that it was his intention to replace the Haute Autorité and he even suggested a name for the proposed new authority, La Commission Nationale de la Communication et des Libertés (CNCL). The Haute Autorité's fate seemed to be sealed when Giscard's bill also proposed its replacement. However, Chirac, just before the March 1986 elections, suddenly changed his mind and he told Michelle Cotta,

the Haute Autorité's president, that he had dropped any plans to abolish it. Cotta recalled a conversation she had at this time with Chirac in which he said:

Je crois aux institutions. Celle-là en est une et qui a fait ses preuves. Je ne vois pas de raison d'en changer.²³

Once in power, however, the new Prime Minister came under pressure from both Léotard himself and from the parliamentary majority once again to replace the Haute Autorité with a new agency. Chirac, faced with their insistence and not believing this to be an issue on which he felt strongly enough to assert his authority, bowed to their pressure and agreed to have the Haute Autorité replaced.

As in 1982, one of the most difficult problems facing the government was the composition of the new agency. In 1984, Chirac had proposed that the President of the Republic should appoint one member with six others to be nominated by the *grands corps* and the different *Académies*. On the other hand, in January 1986, Giscard suggested that it should consist only of representatives from the *grands corps* and, consistent with Goyou-Beauchamps's original directive, it was largely this formula that figured in the first draft of the bill in April 1986. Here, three people were to be appointed by each of the three *grands corps*, namely, the Conseil d'Etat, Cour de Cassation and Cour des Comptes. These three people would then co-opt three professionals from the broadcasting sector and these six would proceed to co-opt one further member.

This proposal, however, met with opposition from Matignon, most notably from Maurice Ulrich, Chirac's *directeur de cabinet*. Ulrich's position meant that he had an overall view of the policy process, but he followed the passage of this bill with particular interest due to his long experience of the broadcasting system, notably as head of A2 until 1981. While Ulrich was not opposed to the presence of the *grands corps*, he felt that the agency would lack

legitimacy without any political representation.²⁴ Not being a decision, however, which could be agreed upon in *réunions interministérielles*, the matter was discussed in a *comité interministériel* in May 1986. This meeting was chaired by Chirac in the presence of other senior ministers and Ulrich. At this meeting Ulrich's viewpoint prevailed. Léotard was unwilling to insist upon the above formula, preferring to compromise on this issue so as to win on others. It was decided, therefore, that the CNCL would consist of three people appointed by the President of the Republic and by the Presidents of the two parliamentary Chambers. Three people would be named by the *grands corps*, whilst these six would then co-opt three others. Not only did this formula give the agency more legitimacy, but it also gave it a right wing majority due to the traditionally conservative nature of the *grands corps* and the right wing parliamentary majority at that time. This was the formula adopted in the Conseil des Ministres on June 11th.

Immediately, however, the government came under pressure to alter the composition. Both the RPR and the UDF groups in the Assemblée nationale had set up their own working parties to study the bill and both had reached different conclusions to the government and to each other as to the best formula. More importantly, on June 12th, Chirac received a letter from three members of the Académie française formally requesting that their organisation be represented on the CNCL. This initiative was inspired by a dual motivation. Firstly, the Academy was seen as the guardian of French culture and, therefore, it would not be out of place on the CNCL. This argument was popular amongst those people worried by the prospect of cultural standards being lowered following the privatisation of TF1. Secondly, those people who proposed the idea and those who were behind the proposal, notably Academicians Alain Peyrefitte and Edgar Faure, were close to the Hersant group. The proposal was one way in which Hersant could be assured

a voice on the CNCL. Indeed, the implications of this proposal were not lost on at least one adviser at Matignon.

From this point on, two things were clear: firstly, that neither Chirac nor Léotard ^{was} ~~were~~ willing to battle on this question²⁵ and, secondly, that the naked intention of at least the parliamentarians was to ensure that the CNCL would be endowed with a right wing majority. The matter came to a head in early July with the examination by the Sénat of the CNCL's composition. The special senatorial commission on broadcasting had two options which it preferred to the government's. The first involved a commission of nine members: three appointed by the three Presidents as before, three by the *grands corps* and one by the Académie française, with these seven to co-opt two others. The second was that of a 12 member commission with the same formula, but with the Presidents naming six people between them. The matter was finally decided over a lunch at Matignon on July 3rd which brought together senior government Ministers and leaders of the parliamentary majority.

At this meeting and despite Ulrich's opposition, it was first of all decided to accept the introduction of the Académie française. This proposal made the Hersant group happy and it seemed to ensure a right wing majority. However, the parliamentarians were not sure that this measure would ensure a majority. They believed that the *grands corps*, after five years of socialist rule, might elect people unfavourable to the government. It was remarked, for example, that the President of the Cour des Comptes, André Chandernagor, was a socialist and that both he and the vice-President of the Conseil d'Etat were known to frequent the Elysée from time to time. In order to be sure of a right wing majority, therefore, it was decided to follow the Senate's second option and to double the number of people appointed by the three Presidents and to increase the number of people co-opted to three, bringing the number of members up to thirteen.

The above example is a good illustration of the nature of the Prime Minister's role during *cohabitation*. In all of the decisive meetings concerning the composition of the CNCL, it was the Prime Minister's arbitration which was final. There was no higher authority which could question his decision. There was no person to whom those people who had been defeated could turn in order to try and have the decision reversed. In this way, the Prime Minister's role during this period was reminiscent of that of the President previously. While, this situation represented a sea change in the policy making process of the Fifth Republic, it was the norm between 1986 and 1988.

The choice of which television channel to privatise was an equally divisive issue. The metamorphosis of the traditionally state orientated gaullists into fully fledged neo-liberals took place progressively throughout the early part of the 1980s, at least at the level of the party leadership. One of the earliest manifestations of this transformation was Chirac's 1984 press conference during which he proposed the privatisation of two television companies, one of which was to be FR3, though the other was not specified. A similar commitment to the number of companies to be privatised was contained in the March 1986 RPR-UDF electoral platform and in Giscard's January 1986 bill. Once again, Goyou-Beauchamps took this bill as his starting point and he proposed the choice, with Leotard's full approval, of A2, plus a complete reorganisation and a partial privatisation of FR3. However, within a month of coming to power, conflicting positions had formulated within the government and the choice of the number of channels to be privatised proved to be highly controversial.

Two questions were discussed in interministerial committee meetings. Firstly, the number of channels to be privatised and, secondly, which channels were to be chosen. Meetings were held on the 12th and 14th May to decide these questions. At these meetings Chirac (the chairman), Ulrich,

Léotard, Longuet, Balladur (the Finance Minister), Madelin (Industry), Juppé (Budget), Cabana (Privatisation), Pasqua (Interior), Chalandon (Justice) were present.

Ulrich was in favour of privatising only one channel. As early as January 1986, he had written to Chirac to warn of the dangers of a full-scale reform of the broadcasting system.²⁶ The lack of time before the 1988 presidential elections and the social problems that such a reform would induce were the main reasons for his fears. In this view he was backed up by Frèches and by a significant part of the RPR, particularly in the Sénat. This latter group represented the traditional tendency within the party which preferred to see changes amongst the public sector personnel, rather than a reorganisation of the system. They made their views known to Chirac before the interministerial committee meetings were held.

At the same time, it had become clear even amongst Léotard's closest advisers that the mechanics of privatising a television company were much more difficult than had at first been thought. The problems involved were highly complicated and a different procedure was needed to the other privatisations that the government was undertaking. As a result, Léotard did not insist upon the immediate privatisation of two channels, but only on a long-term commitment to a second. Despite Léotard's liberalism and the opposition's electoral commitment, therefore, it was decided to privatise only a single company.

The decision as to which company to choose was much more difficult. Léotard and his PR colleagues, Gérard Longuet and Alain Madelin, had publicly come out in favour of A2. To choose anything other than this channel, therefore, would be to embarrass the Minister who supposedly had responsibility for the bill. It would also create an unfavourable climate between the RPR and the PR and, indeed, the UDF as a whole, because behind the scenes Giscard had supported Léotard's choice of A2. Having refused the

privatisation of two channels and with Chirac wanting to count upon the full support of the UDF at any future second round presidential election ballot, the Prime Minister could only go against Léotard's option with great difficulty.

Chirac's own advisers, however, were strongly in favour of the choice of FR3 and had been lobbying the Prime Minister to this end for several weeks. Ulrich felt that FR3 represented the least destabilising option and that it would also rid the state of the station's enormous financial deficit accrued over the years.²⁷ Others, more cynically, believed that Ulrich was trying to protect his former interests at A2. In any case, Ulrich was supported by Frèches and, indeed, by Hersant who saw the opportunity here to increase his influence.²⁸ Unfortunately for this group, the technical problems associated with a privatisation of FR3 were even greater than those of any other station because of its unique structure. In addition, a week before the interministerial committee, Chirac had met with representatives of the regional press lobby and, having mooted the possibility of privatising FR3, found that they were strongly opposed to the measure, seeing their interests threatened.²⁹

At the first interministerial committee meeting, both Ulrich and Léotard put forward their respective views and neither were willing to back down. Towards the end of the meeting, first Balladur and then Madelin, suggested that as a compromise TF1 ought to be considered. This proposal came too late to be fully discussed and another meeting was scheduled for two days later. In the meantime, Ulrich addressed another letter to the Prime Minister in favour of FR3, whilst Léotard contacted Giscard who between them decided that either TF1, or A2 would be acceptable, although their preference was for the latter.³⁰

The second meeting followed the same course as the first with neither Ulrich nor Léotard changing their views. In the face of a renewed attempt at a

compromise in favour of TF1 by Balladur, Chirac came to see this solution as a way out of the impasse and it was accepted by Léotard.

Although clearly a compromise, TF1 was chosen for seemingly sound financial, technical and political reasons. It was losing as much money as FR3, therefore, the government's budgetary problems would be eased; its privatisation was technically easier than that of FR3; it was already a generalised, commercial channel, which was likely to make it appealing to investors; it was sufficiently important so as not to be seen as a snub to Léotard; and its chairman was Hervé Bourges, a socialist, who would be obliged to leave once privatised. Therefore, although a compromise, there was reasoning behind Chirac's arbitration.

Apart from problems within the company itself, the choice of TF1 was not well received by everyone within the governmental coalition. The question came up for discussion again during the debate on the bill in the Sénat. The existence of a conservative element within the RPR senatorial group has already been noted, but the senatorial majority as a whole was highly critical of the text. They argued that it had been drawn up hastily and that they had not been consulted by Léotard. The result was that a large number of amendments were proposed and the bill advanced only very slowly.

After two weeks of the extraordinary parliamentary session and with only 30 articles having been examined, Jean-Pierre Fourcade, president of the senatorial commission, asked Chirac to convoke a meeting at Matignon to discuss the bill's future.³¹ At this meeting it was proposed on behalf of the senatorial majority that, in order to speed up its passage, the bill should be split into two parts, namely, the privatisation of TF1 and the rest. It was also proposed that the examination of the first part should be delayed until the autumn. While Frèches was in favour of this option, Léotard was violently opposed.³² The Minister had already been criticised for his handling of the bill

in the Senate and saw this proposal as undermining his authority even further. The Prime Minister arbitrated in Léotard's favour, fearing Léotard's immediate resignation and electoral repercussions by the UDF at the next elections if he did not. Chirac was also aware of the technical difficulties involved in cutting up such a complex bill. In return, the Sénat's standing orders were scrutinized and a way was found to accelerate the passage of the bill without resorting to it being split up.

Once the choice of channel had been made, the problem remained as to how it should be privatised. One of the most difficult sections of the bill concerned the privatisation procedure for TF1. The mixture of technical and political difficulties that the government faced led to what one adviser called "un débat sanglant". These difficulties started immediately after the government's formation, even before the decision as to which channel was to be privatised had been taken.

As Finance Minister, Balladur had been given the responsibility of preparing the technicalities behind the privatisation of all of the companies chosen by the government. Naturally, he assumed that his brief would include that of the chosen television company. Léotard, however, informed Chirac that, as Culture Minister, he ought to control this process. His request was formally put to the Prime Minister on 24th March 1986:

La préparation et la mise en oeuvre de certains organismes ou entreprises du secteur de la communication relèvent évidemment de mon ministère. Une position contraire aurait pratiquement pour effet, compte tenu des projets du gouvernement, de vider de toute substance la dimension 'communication' de mon département.³³

In part, this demand was an example of the normal jockeying for position that occurs at the start of any new administration. Ministers generally know that if they lose control of a certain sector at the start, it is very difficult to win it back later on. Here, the two Ministers were engaged in competition for the control of the same sector, thus necessitating a Prime Ministerial arbitration.

Chirac's decision favoured Balladur. This decision was consistent with the logic of the other privatisations, but it also reflected the Finance Minister's close ties with the Prime Minister, something that was also shown in the budgetary negotiations at this time. All witnesses asserted, therefore, that the details of TF1's privatisation were largely controlled by Balladur and Jacques Friedman, his economic adviser.³⁴ In all humility, Léotard now asserts that his Ministry would not have had the administrative resources to draw up these details by itself.³⁵ At the time, therefore, he was obliged to work alongside Balladur; he was not able to supplant him.

Once the choice of TF1 had been made, Balladur was able to start detailing the manner in which it would be privatised. It was immediately clear that TF1 was a special case and that a different procedure to the other privatisations would be necessary. In fact, the final text was a mixture of the normal privatisation procedure as adopted by the government for the rest of its programme and the assurance that the cultural obligations required from a national television company would be respected. This mixture was testimony to the specificity of TF1, but also reflected the way in which Léotard and his *cabinet*, along with Frèches, worked alongside Balladur and Friedman.

For every other privatisation, an independent commission set the minimum share price of the company, with the Finance Minister then being free to offer the shares at whatever price he saw fit, so long as it was not below the minimum level. Usually, the price was not fixed far above the minimum, so that a large set of potential investors were willing to put in a bid. The government then allotted a fixed percentage of shares to be placed in the hands of a stable set of investors, or *noyau dur*, personally selected by Balladur.

With regard to the privatisation of TF1, there was never any question that the Privatisation Commission would not be called upon to fix a minimum price. The first difficult decision, however, was whether the

government, or the CNCL should appoint the *noyau dur*. In fact, this matter was resolved rather quickly, as all were agreed that to avoid giving the impression that the government still controlled the system, it should be the CNCL.

Much more divisive was the question as to what the criteria were to be by which the CNCL chose the stable set of investors. There were those people who wanted to see the application of a purely financial criterion, whereby the group that offered the most amount of money for the channel would be awarded it. This is what Goyou-Beauchamps described as the "*mieux disant financier*" option.³⁶ Then, there were those people who argued that the decision should be based on a different criterion, such as the group's obligations to the amount of educational programmes it would broadcast, or its commitment to children's programmes, for example. Instead, Léotard himself invented the notion of the '*mieux disant culturel*', whereby the CNCL would choose the group which met or bettered the minimum price, but which also committed itself to the maximum number of cultural obligations. This decision was inspired by the desire to avoid the accusation that the channel would simply go to the highest bidder and was designed to show that privatisation did not necessarily entail a decline in cultural standards. This formula was accepted by Chirac and Balladur and was laid down in Article 64 of the law.

The other major decision involved the maximum percentage of shares that any one person could hold in the company. The original ordinance laying down the general rules for the privatisation programme was very vague on this point. No maximum percentage was specified. Therefore, it was up to the government to fix the limit in each case. With regard to TF1, the debate centred around the competing proposals of Léotard and Balladur. Léotard, in conformity with a recognised principle of company law, put forward a threshold of 33.3 per cent, or the minimum amount which

provides a veto over company policy decisions. Balladur, on the other hand, wanted a widespread dispersal of capital, with a maximum of 15 per cent. Indeed, this was the figure that appeared in Goyou-Beauchamp's first draft of the bill, reflecting Balladur's influence over the privatisation details. When L  otard challenged this figure, however, Chirac was again called upon to arbitrate. Indeed, the Prime Minister accepted a suggestion made by Ulrich.³⁷ Namely, that a compromise figure of 25 per cent should be chosen, whereby both Ministers would be satisfied. This figure also represented the level at which the majority shareholding for the other privatisations had been fixed.

The January 1989 Broadcasting Law.

In the short period between the promulgation of the *Loi L  otard* and the May 1988 presidential elections, the main problems in the area of broadcasting surrounded the CNCL itself. Its right wing majority was immediately criticised by the opposition once the names of its members were made known. It suffered internal problems due to a divisive presidential contest between two of its members, Gabriel de Broglie and Jean Autin. One of its first decisions was the highly controversial reattribution of the franchises of La 5 and M6 to people broadly associated with the new government, with the former largely coming under Robert Hersant's control. It was accused of pro-governmental bias in its handling of the 1987 New Caledonian referendum. In addition, its reputation was badly tarnished when one of its members, Michel Droit, the representative of the *Acad  mie fran  aise*, had to leave due to allegations that he had illegally awarded franchises to certain local radio stations in which he had an interest.

It was against this background that Mitterrand called the CNCL, "peu digne de respect", in a newspaper interview in late 1987. In his election manifesto, *La Lettre aux Fran  ais*, Mitterrand pledged that if re-elected, it would quickly be abolished. He added, rather ironically, that the CNCL, "aura

eu le mérite de montrer ce qu'il ne fallait pas faire". After the elections, a new Communications Minister, Catherine Tasca (a former, but untarnished, CNCL member and presidential confidante), was appointed with the responsibility for drafting a new law aimed at replacing the ephemeral CNCL.

Even more than most election manifestos, *La Lettre aux Français* was a relatively vague and undetailed document. The fact that in the letter the section on broadcasting only dealt with the replacement of the CNCL seemed to rule out any major reorganisation of the system. Any plans to renationalise TF1 also seemed to be ruled out due to the presidential commitment to the 'ni - ni' principle of no further privatisations nor nationalisations. However, the letter did suggest a name for the new authority, the Conseil Supérieur de l'Audiovisuel (CSA), but there was no mention of its future structure or powers. It did stress, however, that the CSA should, if possible, enter the Constitution, thus putting an end to the chop and change of authorities. As a result, despite the desire expressed in some quarters of the PS, Tasca made it clear from the outset that the new law would confine itself primarily with the creation of a new regulatory authority and little more.

This decision was confirmed at the end of a meeting of the Conseil des ministres devoted almost entirely to this subject on July 4th 1988. This meeting also accepted the joint proposition of Tasca and Lang (Culture Minister), backed up by the new Prime Minister, Michel Rocard, to set up a commission of experts to recommend to the government the powers that the CSA should be given. This proposition was inspired partly out of the government's desire to legislate in a different manner to L  otard, who drew up the 1986 law "dans le secret du cabinet"³⁸, and partly out of the desire to draw more people into the preparatory process. In this way, it was thought that the bill would stand a greater chance of winning enough support to allow it be voted into the Constitution. This proposition was also consistent with the '*m  thode Rocard*', whereby any major bill should be preceded by a

commission set up to study the problems involved and to suggest a consensual way forward.

Despite these motivations, it was also clear that there was to be no repeat of the Moinot Commission. The group was given instructions to study the problems surrounding the creation of a new authority, but not to embark upon an overall critique of the broadcasting system. It consisted of only seven members and there were no sub-commissions, or working parties. The members were appointed by the Prime Minister, in close consultation with Tasca and Lang, and included eminent jurists, such as Pierre Avril, and also Françoise Giroud, a Minister during Giscard's Presidency.

The commission met, on average, four times a week, although on numerous occasions only three or four of its members were present. It met at the Communications Ministry, in the presence of one of Tasca's advisers, Bertrand Delcros. Its work consisted of interviewing representatives from the broadcasting industry and of asking them how they would set about creating a new authority. By the end of August it had seen nearly 100 people and Delcros had summarised its findings in a short report which was then presented to Tasca.

During this time there were also several *réunions interministérielles*. Chaired by Sylvie Hubac, Rocard's adviser on broadcasting affairs, they involved only a small number of people, such as Delcros, Dominique Meyer, a member of Lang's *cabinet*, and Bruno Chetaille from the Elysée. In fact, it was in these meetings, before the commission's report, that most of the important decisions were taken. Or rather, these meetings ratified agreements made between the same people beforehand in unofficial meetings, encounters and telephone conversations.³⁹ Such was the agreement between those present at these meetings, that only one informal *comité interministériel* was needed on this subject, although on several occasions

there were informal meetings and lunches at the Elysée in the presence of Mitterrand.

In the desire to draft a bill that would win sufficient support for it to go into the Constitution, the Prime Minister arranged a series of highly publicised meetings with representatives of all of the major parties. They were invited to come to Matignon and to discuss the project with the Prime Minister, Tasca and Lang. Between the 20th and the 29th September, Mauroy (PS), Méhaignerie (CDS), Marchais (PC), Juppé (RPR), Léotard (PR) and the former Prime Minister, Raymond Barre, all took up this offer. These meetings, however, had little effect on the wording of the text and once again they served mainly as a media exercise.⁴⁰ Indeed, in private, the government had already given up hope of seeing the bill enter the Constitution, at least immediately.

The bill was examined by the Conseil d'Etat on October 6th and only minor changes were made. It was presented to the Conseil des ministres on October 12th and put before the Sénat two days later, with the Prime Minister having declared the bill to be of urgent importance. Discussion in the Sénat took place between November 8th-10th where important amendments were passed by the opposition majority. In the Assemblée nationale, however, the government's text was largely restored, although several concessions were made to the centrist group, the UDC, in order to try and win their support. With the PS only having a relative majority and with the PC having declared that they would not support the text, the government needed the UDC's support so as to pass the bill without recourse to Article 49-3, something that it wished to avoid. On the bill's first reading the UDC abstained allowing it to pass. On December 21st, at the second reading, however, the UDC line hardened, with Méhaignerie imposing conditions for his group's support that the government could not accept. Therefore, the use of Article 49-3 was necessitated. The bill was submitted to the Conseil constitutionnel the next

day and its decision was delivered on January 17th 1989 in which only a few minor points were struck down. The next day the bill became law.

In contrast to the two previous texts, this law contained only 30 articles. In this respect, it is easier to focus upon the most important debates without losing sight of the contents of the bill as a whole. However, as before, there is insufficient room here to study everything and so two areas of decision making have been chosen. These areas deal respectively with the composition and the powers of the CSA.

The *Lettre aux Français* only obliquely hinted at the future composition of the CSA. In its eulogy of the Haute Autorité, it went into detail about the way in which its members were appointed. Whilst it did not commit the new government to this particular formula, it was a clear hint as to what the preferred presidential option was to be. Nevertheless, during the preparation of the bill numerous different solutions were put forward, although no-one was willing to commit ^{himself} ~~themselves~~ strongly to any particular ~~alternative~~ formulation.

By contrast, the commission of experts did come up with a suggestion which won favour with certain people in government circles. They proposed the same composition as the Haute Autorité, but with the members' names being simply announced by the President of the Republic after secret consultations had taken place between the three people involved. It was hoped that this solution would avoid the members being branded from the outset as representatives of a particular person or party, whilst still guarding the authority's political legitimacy.⁴¹

However, Tasca was opposed to this solution. She favoured a simple return to the 1982 situation.⁴² She asked for her proposal to be endorsed by the President during a lunch at the Elysée where the bill was to be discussed. Also present were Alain Simon, a former member of Fillioud's cabinet and a presidential friend and author of the broadcasting section of the *Lettre aux*

Français; Gilles Ménage and Jean Kahn, both presidential advisers; Tasca; Hubac; and Roger Lesgards, Tasca's *directeur de cabinet*. Of these people, Simon favoured the proposal of the commission of experts, Mitterrand, however, did not and he arbitrated in Tasca's favour.⁴³

During the passage of the bill through the Sénat the text was changed by the opposition majority there, so as to allow the *grands corps* to appoint three of the nine members. This proposal was rejected by the government. In the Assemblée nationale, however, this question was one of the major points of discussion with the UDC with a view to winning their support and avoiding the use of Article 49-3. Jacques Barrot, one of the leading UDC members and an important figure in the parliamentary commission examining the law, was in favour of his group supporting the text in return for the government's acceptance of a series of amendments. In the parliamentary commission he worked closely with Jean-Jacques Quéyranne, PS spokesperson, and obtained several quite substantial concessions. Rocard and Tasca were willing to accept these concessions in return for the UDC's support, still with an eye to the bill's entry into the Constitution at a later date. One of the points, however, on which neither Rocard nor Tasca would cede was the CSA's composition. This was a presidential arbitration and could only be reversed by Mitterrand himself. The President was unwilling to do so.

The UDC, however, still insisted that the CSA's composition be altered. Even its most conciliatory members were unhappy to support a bill which would leave the authority with a potential socialist majority. Moreover, the UDC had already just supported the law installing the *Revenu Minimum d'Insertion* (RMI) and had voted with the government to pass the 1989 budget. To support the government again would be to anger even further the RPR and UDF whose support the group needed at the municipal elections in March 1989. Méhaignerie, seeing the need to dissociate his group from the government, insisted that it vote against the bill. Barrot, still favouring an

agreement and aware that the government would withdraw hard fought concessions if it were forced to use Article 49-3, was still conciliatory. He publicly argued that there was no magic formula and that the present one was as good as any.⁴⁴ As Barrot himself stated, however:

Je n'ai malheureusement été suivi ... par certains membres de mon groupe parlementaire qui mettaient eux, en question, la composition du CSA. C'est ainsi que nous sommes arrivés à un vote négatif.⁴⁵

Barrot's fears were realised as the government refused to compromise. The UDC voted against the bill and the use of Article 49-3 saw the disappearance of several of Barrot's amendments.

The range of powers that the new authority would enjoy was another of the major issues that the law dealt with. These powers covered three main topics. Firstly, the powers it should have to set production quotas for both the public and private television companies, sponsorship rules and limits to the number of films made for the cinema to be broadcast on television. Secondly, the role it should play vis-à-vis the public stations, whether it should appoint their managing directors, or whether it should share out the licence fee itself. Thirdly, whether it should have the same wide range of responsibilities as the CNCL, over telecommunications, for example.

While there were many different arguments involved with these problems and many different interests involved, it is possible to study them all together. What united them was that they raised a single, but fundamental issue that divided the government and parliament alike, namely, the distribution of these powers between the government and the CSA.

Within the government, it was clear that there were two opposing tendencies. On the one hand, there were those who felt that the CSA should be given as wide a range of powers as possible. This was the position of Hubac at Matignon and possibly Delcros at the Communications Ministry. On the

other hand, Tasca, Kahn and Leroy, the head of the SJTI, were all in favour of the CSA policing the system, but of the government drawing up the rules.

This cleavage could be seen on the question of production quotas, for example. In order that the government's influence over the system be seen to end, Hubac argued that the CSA should fix them. Tasca, however, was opposed, arguing that the economic and industrial implications of these quotas meant that they were too important to be fixed by anyone but the government.⁴⁶ The same positions were held over who should set the *cahiers des charges* of the public television companies. Hubac felt that the CSA could happily fulfil this task, whereas Tasca felt that, given the CSA's powers to sanction the companies, this proposal would make it both judge and jury. Tasca also argued that, because the state funded the public stations, it had the right to determine what they should and should not be doing.⁴⁷

The debate between the two sides, however, was nowhere near as 'bloody' as it had been in 1986. Neither Hubac nor Tasca defended these positions to their logical extremes. Jean Kahn's initial suggestion that, because the CSA was not to be responsible before Parliament, it should not be given any powers of note was quickly rejected by Tasca.⁴⁸ While at no time did Hubac envisage that the CSA would be allowed to share out the licence fee revenue between the public channels. Due to the experience of the last decade and the political situation in which the government found itself, the protagonists were generally aware of the limits within which they had to remain. Within these limits, however, people argued their case tenaciously.

Interesting, here, is the SJTI's role. Similar to the 1982 situation, the head of the SJTI, Thierry Leroy, appointed in July 1988, had his own particular blueprint for the CSA. At the same time, his particular view of a top civil servant's role was that he should not simply administer orders given to him by the Ministers responsible, but that he should tell the government what he, as an expert, thought policy should be.⁴⁹ Thus, in debates, such as the one

over who should fix the production quotas, the SJTI's role was far from neutral. As someone close to Lang, Leroy's proposals were certainly better received by the government than were Cousin's suggestions in 1982.

Policy conflict, however, meant the need for arbitration. There were three distinct levels of arbitration. For the most difficult questions, the President was called upon to decide. Thus, it was he who resolved the problem of who was to set the *cahier des charges*. Here, both tendencies were unable to agree a solution without the President's intervention. It is important, however, to dispel the notion that, in 1988 at least, broadcasting belonged to the reserved domain of presidential interests.⁵⁰ His direct involvement was confined to an Elysée lunch. Broadcasting was considered to be too base an issue for him to deal with in his second term of office.

The Prime Minister arbitrated a second level of problems. For example, the question of whether the CSA should authorise installations in the telecommunications sector, as the CNCL had done before. Paul Quilès (PTT Minister) was opposed to this measure, Tasca was in favour and the Prime Minister was called upon to decide between them, with Quilès winning the day.

However, by far the greatest number of decisions were taken in the *réunions interministérielles*. It is worth noting that in these meetings the role of the presidential advisers, in conformity with an unwritten rule of Mitterrand's second *septennat*, was to observe and then to inform the President, rather than to take an active part in the discussions on his behalf.

More often than not, the result of these arbitrations, at whatever level they may have taken place, was a compromise. Victory was rarely total for either one side or the other. As Delcros rather idiosyncratically put it: "Un arbitrage, ce n'est pas un arbitre, quelqu'un sur son trône, mais une salade."⁵¹ An arbitration was a compromise arrived at through bargaining, rather than a royal proclamation. So, for example, on the question of the production

quotas, it was agreed that the government would issue a decree fixing them, but that this decree would be examined by the CSA whose opinion of it would consequently be made public. A similar agreement was reached for the *cahier des charges*.

It must also be noted that some of the things which influenced the final outcome of the above decisions were unforeseeable at the start of the process, or were independent of the arguments of those involved. For example, one of the major factors that resulted in arbitrations generally favourable to Tasca's viewpoint was the strike in the public sector broadcasting service that started in September 1988. The strike was particularly disruptive and it was the government's responsibility to try and end it, with Matignon leading the secret negotiations to this end. This strike brought home to the government just how implicated it was in the running of the public sector system and it was realised that this situation would not change even if the CSA's powers were to be as great as possible. Leroy believed that without this strike the result of the arbitrations may have been very different⁵², whilst one contemporary newspaper close to the PS summed up the situation as follows:

D'une certaine manière, les faits ont arbitré: lorsqu'il y a une crise, c'est toujours vers cet Etat si décrié que les partenaires se tournent. Et Rocard a fini par trancher en faveur de Tasca, contre l'avis de ses propres conseillers, qui voulaient, eux, donner tout le pouvoir au Conseil Supérieur de l'Audiovisuel.⁵³

Exogeneous factors, such as this strike breaking out when it did, will always add an element of unpredictability to the policy process.

So far, we have presented the governmental side of the process. Parliament's role, however, must not be underestimated. Parliament's influence varies according to the political circumstances of the day. In December 1988, these circumstances were in Parliament's favour. As a result of the Prime Minister's desire to see the law passed without the use of Article

49-3, the government accepted several UDC amendments. Barrot met with Delcros, Tasca, Lang and Quéyranne to negotiate their wording.⁵⁴ For example, the issue of production quotas was reopened. Barrot was still favourable to the CSA fixing them and a compromise was reached whereby after 18 months it would do so, until which time the government would have this responsibility. A similar agreement was reached over the telecommunications issue, where the Prime Minister went back upon his earlier arbitration and allowed the CSA to guard its responsibilities in this area until the passage of a new law.

As with the previous example, however, Méhaignerie's unwillingness to vote the bill meant that some of these concessions were withdrawn. Méhaignerie made it one of his conditions for the UDC's support that the CSA be given responsibility for the production quotas right from the outset. With the government unwilling to accept his conditions as a whole, the UDC refused to support the bill. The government then withdrew the amendment it had agreed with Barrot and the CSA lost all powers in this area.

Conclusion

The three case studies considered above enable us to draw some preliminary conclusions about the nature of the policy process in France and about the influence of the Prime Minister within that process. Although at this stage these conclusions will necessarily be incomplete, they will provide us with a background from which better to approach the chapters to come.

The above case studies threw into relief the mechanics of the policy making process. In essence, there were two parts to this process: the intragovernmental part; and the extragovernmental part. The former refers to the bargaining which took place between government members, largely before the wording of the bill was finalised. The latter refers to the influence

of extragovernmental actors in the process, such as the Conseil d'Etat and Parliament.

The intragovernmental part of the policy process typically consisted of three stages, namely, *réunions interministérielles*, *comités interministériels* and *conseils*. As we saw in the case of the 1982 broadcasting bill, these three stages may be complemented by a special commission, or informal encounters, however, these three sets of meetings were the occasions when arbitrations occurred. In this sense, together they were the site of the decision making process.

There was a clear hierarchy of meetings. *Réunions* were followed by *comités*, which in turn were followed, if necessary, by *conseils*. At *réunions* only members of ministerial *cabinets* were present, as well as senior members of the permanent administration, such as the SJTI. At *comités* Ministers were present, while senior *cabinet* members were also occasionally invited to attend. *Comités* were chaired by the Prime Minister personally. At *réunions* the same people were present as for *comités*, except for the President who attended and chaired the meeting. The only time when this process was disturbed was during the period of *cohabitation* when there were no *conseils*, as the President was absent from decision making.

This series of meetings acted as a filter system for the decision making process. *Réunions* served to decide technical matters, or non-controversial political issues. Thus, for example, it was at this stage during the preparation of the 1989 Broadcasting Act that many of the details of the CSA's powers were agreed upon. *Comités* were held to resolve matters where there were interministerial disputes. Here, the Prime Minister was called upon to arbitrate, for example in the dispute between Tasca and Quilès in 1989. *Conseils* were the top tier of the arbitration process where the President had to intervene on issues which were either too important to be decided upon in *comités*, such as the over the composition of the CSA in 1989, or where the

Prime Minister's arbitration had been challenged, such as on the question of advertising on local radio in 1982..

It is important to stress, however, that at all three stages of the intragovernmental decision making process, the arbitrations which occurred were not haphazard. The arbitration process was a bargaining process. It involved negotiations and compromises between all the protagonists concerned. For example, in 1982 the decision not to set up the SNT was counterbalanced by new production agreements between the SFP and the broadcasting companies. Similarly, in 1986 the decision to privatise TF1 was arrived at as a compromise between the conflicting demands of those people who wished to see A2 chosen and those who wanted it to be FR3. Along with the observation that the policy process was a bargaining process, involving negotiations and compromise, goes the assertion that the influence of the Prime Minister cannot be considered in isolation, but that it must be judged alongside the influence of the other protagonists. We will return to this point in the chapters to follow.

In addition to the intragovernmental part of the process, we also identified an extragovernmental element. That is to say, the situation where extragovernmental organisations intervened to try and change the wording of a bill. These organisations usually intervened after the resolution of the intragovernmental series of meetings and, thus, their influence was an element exogenous to the governmental policy process.

In the case studies, several different organisations were identified which had such an influence: the Conseil d'Etat, Assemblée nationale, Sénat, Conseil constitutionnel and various pressure groups, such as the Hersant group. In the case of the parliamentary actors and the Hersant group, the government was again obliged to engage in a process of bargaining before the final version of the bill was agreed upon. In the case of the two judicial actors, their decisions were either unchallenged, in the case of the Conseil d'Etat's

influence on the 1982 law, or unchallengeable, in the case of the Conseil constitutionnel. Just as above it was concluded that the influence of the Prime Minister can only be appreciated alongside the influence of the other governmental actors, so the influence of the government can only properly be appreciated alongside the influence of these extragovernmental organisations. Again, we will return to these organisations in future chapters. However, we must now turn to the second series of case studies, namely, budgetary politics.

Chapter 4

Budgetary Policy

The second area of policy to be considered is that of budgetary politics. As in the previous section, three case studies will be taken, namely, the preparation and passage of the 1985, 1987 and 1990 budgets. While the preparation of the budget is an annual event and there are many similarities in the process from year to year, these three budgets do provide three separate case studies. The differences in the overall political situation and in the policy content of the three examples mean that they may be considered as three distinct case studies. By means of a detailed examination of these case studies the Prime Minister's influence in the policy process will be elucidated.

Due to the complexity of the French budgetary process it will be necessary, first of all, to give a general account of this process. We will then give a detailed account of the issues involved in the three case studies. From this account we will then draw conclusions about the Prime Minister's influence in the policy process.

The French Budgetary Procedure.

In most liberal democracies the preparation and vote of the budget is the centrepiece of the economic and political year. France is no exception. All Ministries take part in its preparation. It is the bill which regularly commands the most public and journalistic interest. It is the bill on which, in Parliament, the allegiances of all party groups are judged. As Prada notes:

Il est clair que le budget est probablement l'acte majeur du gouvernement, puisqu'il exprime plus qu'aucun autre la solidarité gouvernementale dans la mise en oeuvre d'une politique dont pratiquement toutes les composantes se trouvent directement ou indirectement traduites dans la loi de finances.¹

The centrality of budgetary politics to the political system as a whole makes it a suitable candidate for a set of case studies. After all, the influence of the

Prime Minister will be judged to a large extent upon his role in the preparation and passage of the most important bill of the legislative year. However, it is also a prime candidate for investigation as it is an annual process. The budgetary procedure changes very little from one year to the next. While the circumstances of each budget are different, the opportunities for comparison between one case study and another are maximised. It is necessary, therefore, to outline the budgetary procedure in general before turning to an examination of the case studies in detail.²

The French financial year runs from January 1st to December 31st. Therefore, the budget for 1985, for example, was prepared wholly during the course of 1984. The preparatory process for the budget of year n starts in January of the year $n - 1$.

Throughout January and February, one of the services within the Finance Ministry, the *direction du Budget*, starts to prepare a draft budget for the year n . In general terms, the previous year's budget is taken and its continuing items are identified (*services votés*), so that a basic expenditure figure may be calculated. At the same time, the most recent economic indicators are used so as to provide a rough estimate of the level of government income, once again based on the provisions of the previous year's budget. To these figures are added various new measures which the government has passed and any other items whose adoption is felt to be unavoidable during the course of the year. Once this information has been fed into the computers of the *direction du Budget* and the econometric models completed, there emerges a detailed draft of the coming year's budget (*le budget de réconduction*).

Figure 1: The preparation of the budget in the year n - 1

Jan. - Feb.	Preparation of the <i>budget de réconduction</i>
Mar. - Apr.	Interministerial committees Changes agreed by the Finance Minister, Prime Minister & President
Mid-April	<i>Lettre de cadrage</i>
May - June	<i>Conférences budgétaires</i> for expenditure items
July	Final prime ministerial expenditure arbitrations
Mid-July	<i>Lettres plafonds</i>
July - Aug.	Finance Ministry prepares revenue component of the bill
Late Aug.	Prime ministerial arbitrations on revenue component after meetings with the President
Early Sept.	Presented to the Conseil d'Etat
Mid-Sept.	Presented to Assemblée nationale. Examined by Finance Commission
Mid-Oct.	Debated by Assemblée nationale Vote on equilibrium level Votes on ministerial spending items
Mid-Nov.	Vote on revenue component
Early Dec.	Examination by the Sénat
Mid-Dec.	<i>Commission mixte paritaire</i> Possible recourse to Conseil constitutionnel
Late Dec.	Definitive adoption of the bill

It is usually in early March that the *directeur du Budget* presents this draft to the Finance Minister and the Budget Minister. They scrutinize it, making any changes to it that they feel to be necessary, or possible, at this stage. In fact, these changes are usually proposed not by the Ministers themselves, but by the *directeur du Budget* himself and by the *cabinets* of the Finance and Budget Ministers in close consultation with the Prime Minister's and President's economic advisers. The resulting document is then usually discussed^s at the interministerial level in a meeting of ministerial advisers, full Ministers and

the Prime Minister.³ This meeting determines the overall budgetary priorities, such as the level of the deficit, for example.

The result of this meeting is the *lettre de cadrage* that the Prime Minister sends to every Minister. As the former directeur du Budget, Michel Prada, notes:

Cette lettre comporte, en général, outre le rappel des données fondamentales de la politique économique du gouvernement, les éléments centraux de la stratégie budgétaire, qui varient selon le gouvernement et les circonstances.⁴

It is at this stage in the process that the Prime Minister's influence is considered to be at its greatest as he is closely involved in the choices of the government's overall budgetary strategy, which form the central components of the *lettre de cadrage*.

The appearance of this letter is followed by the interministerial expenditure part of the process. Each Minister is called upon to prepare a list of continuing items (*mesures acquises*) and of new demands (*mesures nouvelles*). It is these latter items which are usually the source of greatest debate. Ministers generally wish to spend more than those preparing the budget are willing to accept. Ministerial demands are discussed in a series of *conférences budgétaires*.

These *conférences* take place at a number of different levels, depending on the gravity of the dispute. The first level brings together one of the sub-directors of the *direction du Budget*, the permanent ministerial budgetary representative, ministerial advisers and various members of the different sub-sections of the *direction du Budget*.⁵ Whilst many matters are agreed upon in these meetings, problems often still persist, in which case there is an appeal procedure through which the Minister may go. Firstly, the Minister will meet the directeur du Budget himself. If problems persist there will be

further meetings between the Minister and the Budget Minister, followed, if necessary, by a meeting with the Finance Minister and, if all else fails, with the Prime Minister. Although, in private, the President and his advisers may also be called upon to intervene, their arbitration is usually reserved for the major budgetary orientations, rather than relatively minor spending differences.

By mid-July the final spending arbitrations have been made and the Prime Minister sends out a *lettre plafond* to each Minister. Unlike the *lettre de cadrage*, these are different for each Ministry and formalise the points agreed upon in the *conférences budgétaires*. They deal with:

- La progression globale des crédits de dépenses ordinaires, des autorisations de programmes et des crédits de paiement;
- Les principales mesures d'économies, en termes de montants et de nature des décisions prises ou à prendre;
- Les mesures nouvelles, dont elles précisent la nature et le quantum;
- L'évolution des effectifs budgétaires (créations ou suppressions d'emploi).⁶

These letters represent the final stage of the governmental preparation of expenditure items and only in exceptional circumstances are they changed to any significant degree.

The next stage deals with the revenue side of the budget. Here, the preparation process is usually confined to the *direction du Budget* and the budgetary advisers of the Finance Minister, Budget Minister, Prime Minister and occasionally the President. These consultations continue until the end of August, when the bill is ready to go before the Conseil d'Etat and then the Conseil des ministres. By the end of September the bill is ready to be sent to Parliament to be voted upon.

The parliamentary stage is strictly governed by a set of constitutional and legal limits.⁷ Article 47 of the Constitution states that Parliament has 70 days in which to pass the budget and that, if it fails to do so, the government is automatically authorised to proceed by ordinance. Firstly, the Finance bill is discussed for a period of up to 40 days by the *Assemblée nationale*. Then the *Sénat* has 20 days to examine it, with the remaining 10 days being set aside to iron out any differences between the two Chambers. Article 40 also states that any amendment proposed by a deputy which results in an increase in expenditure, or a decrease in revenue is considered to be *ultra vires*. Only the government has the power to propose such amendments and so deputies have to convince the Finance Minister and the Prime Minister that their amendments are well-founded.

The Finance bill is considered first of all by the National Assembly's Finance Commission. It then proceeds to the floor of the Chamber where there is a discussion and vote on each article of the revenue section, followed by a vote on the overall budgetary equilibrium level. This is the first major vote. It is followed by an examination of the expenditure section of the bill, which involves a debate and vote on each of the different ministerial budgets, followed by the adoption of the *services votés* and finally a vote on the Finance bill as a whole. This procedure is repeated in the *Sénat*, where the bill is likely to undergo a different series of amendments. As a result, a mixed parity commission of the two Chambers is normally required, in order to agree upon a common text. If the commission reaches agreement then there is a further vote by both Chambers. If no agreement can be reached, then the *Assemblée nationale* has the final say. Due to this process and following any examination by the *Conseil constitutionnel*, it is not rare to see the bill become law on December 31st just in time for the new financial year.⁸

Following this brief general account of the normal budgetary procedure we are now in a position to examine the case studies in detail.

The 1985 Budget

The first case study to be considered concerns the preparation and passage of the 1985 budget. Following the procedure in the previous chapter, we will first of all put the particular case study in context. For the 1985 budget, it is necessary to outline the economic and political conditions under which it was prepared. Having done that, we will then proceed to an examination of the expenditure component of the bill and then turn to the revenue side. Conclusions will be drawn once the examination of all three case studies has been completed.

The budgetary choices facing the government in 1984 were still being determined by the nature of the policies pursued in 1981 and 1982. The effects of the 1981 post-election spending boom have been well chronicled elsewhere.⁹ In short, however, the unilateral decision to increase spending massively during a time of world recession created an enormous budget deficit, currency problems and an ever increasing debt repayment bill fuelled by high interest rates.

The effects of the government's economic policy were felt not only economically, but socially and electorally as well. Thus, gradually, throughout 1982 the government changed tack. First of all, it announced a pause and then introduced a half-hearted austerity programme. This process culminated in the third devaluation and severe austerity plan of March 1983, which signalled the end of the French socialist economic experiment and made financial and budgetary rigour the two core subjects of the government's policy curriculum.

The 1983 and 1984 budgets made the first and most difficult policy changes. Spending was reduced and, more symbolically, the number of government employees was reduced, going directly against one of the 110 Propositions considered until then to be amongst the most sacrosanct, namely, the creation of 200,000 jobs in the state sector. The government-engendered recession that followed served to make budgetary policy making all the more difficult. For example, government income from VAT fell, which in turn reduced revenue and necessitated further expenditure cuts for fear of seeing the budget deficit increase even further. Elementary economics showed that the government was in a vicious circle from which it did not have the means to break out.

The government's room for manoeuvre, therefore, was small. In such a situation, the influence of the *direction du Budget* became ever greater. As Jean-Dominique Comolli, Fabius's budgetary adviser, noted:

En 1984 on était dans une période de restriction budgétaire très forte. Il n'y avait pas 36,000 façons de mener une politique budgétaire.¹⁰

In contrast to its anomalous role in 1981 when it had to recommend additional spending plans to a government which did not possess sufficient ideas about how to spend public money, in 1984 the *direction du Budget* had to draw up a long list of spending cuts. As a result, the role of the Prime Minister and the Finance Minister was reduced. They became more reliant than usual on the administrators of the budget division. As Comolli again stated:

La marque d'un Premier ministre, elle dépend beaucoup de l'aisance financière de la période. En 1985 et 1986, il n'y avait pas la moindre marge financière. Donc, l'initiative du Premier ministre, comme celle du Ministre des Finances, est très limitée.

This restriction could be seen at the time of the *lettre de cadrage*. In 1984, the major budgetary orientations were effectively set for the Prime Minister by the overall economic situation and by the proposals of the *direction du Budget*. In addition, Parliament's already subordinate role was further reduced. With regard to the 1985 budget, Jean Choussat, the directeur du Budget at that time, stated: "Je ne crois pas qu'il ait joué un rôle fondamental"¹¹ The mid-1980s, therefore, saw a diminished role for the budget's political actors and an increased role for the administrative ones.

This general statement has to be nuanced, however, and one political figure who had a very clear influence on the 1985 budget was the President. Quite exceptionally, he publicly laid down two conditions that the budget had to abide by. The first concerned the general level of mandatory tax deductions (*les prélèvements obligatoires*) and was announced during a television interview on TF1 on September 15th 1983: "L'année prochaine, au moment où nous préparons le budget de 1985, il faudra que [le montant] baisse d'au moins un point." This measure was announced without any prior warning being given to Mauroy, or Jacques Delors, the Finance Minister. Its overall effect on the state budget and the social security budget was to necessitate savings of around 80 billion francs in 1984. The budgetary exercise was made doubly difficult by the further presidential announcement that the budget deficit would not be allowed to exceed 3 per cent of the GNP. The main role of the President's budgetary advisers throughout 1984 was constantly to inform the government that these decisions were irreversible, despite the harsh budgetary choices that they necessitated.¹²

The other major occurrence in 1984, which had certain effects on the budgetary process was the change of Prime Minister. Laurent Fabius officially replaced Pierre Mauroy as Prime Minister on July 17th 1984. At the same

time, Jacques Delors left the Finance Ministry to be replaced by Pierre Bérégovoy, although Henri Emmanuelli remained as Budget Minister. In addition, there was a near complete change of ministerial *cabinets*. Few of Mauroy's advisers remained to work under Fabius and the same was true at the Finance Ministry.

What was striking about the members of the new budgetary team, however, was the close working relationship that they immediately struck up. Relations between Delors, Emmanuelli and Mauroy, including their advisers, had not been altogether harmonious. The same was not generally true amongst the members of the new government. Fabius and Bérégovoy worked together particularly closely, whilst a large proportion of their budgetary advisory staff consisted of former *inspecteurs des finances* who, had previously enjoyed close personal and professional contacts. More than one person interviewed stated that the familiarity between advisers and Ministers facilitated the task of taking the most difficult decisions. There was a mutual confidence between those involved.¹³

Equally important was the different approach that Fabius brought to the premiership, at least with regard to the budget. In terms of policy outlook, little distinguished Mauroy from Fabius. The new Prime Minister, however, was a technocrat, whereas Mauroy was a *notable*. When asked about the relative influences of the two Prime Ministers, Choussat noted that in terms of policy:

La vraie différence est entre un Mauroy première manière et un Mauroy deuxième manière. Je ne vois pas de différence notable entre Mauroy deuxième manière et Fabius. La différence c'est que Mauroy est un homme politique et Fabius aussi, mais Fabius est, en même temps, un technicien. Il accède plus facilement aux dossiers techniques.¹⁴

Fabius's expertise was perhaps at its most evident during the preparation of the budget in all its complexity. In addition, it should not be forgotten that Fabius was the Budget Minister himself between 1981 and 1983. This familiarity with the subject contrasts strongly with Mauroy's lack of budgetary expertise.

It is clear, therefore, that there were a number of important economic, political and personal factors present throughout the 1985 budgetary process that had a bearing on the final contents of the bill. These factors have been considered in some detail here, partly because they help to explain the case studies to follow, but also because the preparation of any budget is such a vast project that the number of detailed case studies able to be examined is necessarily very limited. However, we will now move on to consider the expenditure component of the 1985 budget.

With the President having ordered a cut in taxes and a stabilisation of the deficit, the government was left with no option but to cut spending. As all governments in all countries know, however, such a task is not at all easy. Ministers fight their corners, pressure groups defend their interests and the public rarely take kindly to a loss of services. In France, it was particularly difficult to cut spending because of the vast number of continuing items of expenditure (*services votés*). Each year, these items represent around 90 per cent of the total spending component of the Finance bill. Each year they are renewed quasi-automatically and appear in their near entirety in the *budget de réconduction*. They consist mainly of the government wage bill and basic running costs and mean that the opportunity to make cuts lies only at the margins, unless the government is willing sharply to cut back on services and personnel. Any government would find this difficult to do, but particularly so

the socialists after 1981 as their level of support amongst public sector employees was great.

Faced with this situation, in 1984 the *direction de Budget* was to minimise the increase in new spending (*les mesures nouvelles*). According to one former Budget Minister, this is the situation where the *direction du Budget* is generally at its most powerful.¹⁵ Each spending Ministry has its expenditure closely monitored by a sub-section of the Budget division. In many cases, the Budget division, due to its greater technical and human resources, knows the subject matter better even than the budgetary experts in the Ministry itself. This expertise means that, during the *conférences budgétaires*, the representatives of the Budget division are in a position to refute the spending demands of the Ministry in question. In 1984, the *direction du Budget* was particularly vigilant and recommended that only the most urgent proposals be accepted. In this period of budgetary restraint, the Prime Minister and Finance Minister had little option but to agree and, indeed, they did so not ungratefully, as they were the ones who were ultimately responsible for cutting spending so as to meet the President's conditions.

This cut back on the new items, however, was not enough to balance the budgetary equation. Having foreseen this difficulty, in March, the *directeur du Budget* had already personally proposed a 1 per cent across-the-board cut in administrative personnel: "[La solution] que j'ai proposée était brutale, sommaire, simpliste. Le même tarif pour tout le monde"¹⁶. This proposal was accepted by Delors and Mauroy in preference to the other option which would have involved setting up a commission of enquiry to recommend cuts for each individual Ministry separately. This 1 per cent across-the-board cut was combined with a 2 per cent cut in spending and they

were both revealed to Ministers in the *lettre du cadrage* sent out on March 30th.

At this point the strategy of Choussat, Delors and Mauroy was to shock the spending Ministers into accepting the cuts. As one newspaper noted: "Dans un premier temps, on ratiboise tout le monde. Ensuite, éventuellement, on discute"¹⁷. As everyone realised, however, some Ministries had better grounds than others to escape the sweeping cuts and, during the round of prime ministerial arbitrations in June, certain departments were prioritized.

Firstly, there were those areas which the President considered to be a priority, notably defence and the Research Ministry's budget. The Prime Minister fully agreed with the President's choice. Secondly, there were the areas in which the President showed a personal interest, such as the Culture Ministry's budget. Thirdly, there were areas, such as education, where the lobby was powerful enough to overturn the cuts. Finally, there were several areas where it was considered to be prudent to avoid cuts, so as to ward off any possible social discontent. For example, the level of overcrowding in prisons meant that the Justice Ministry's budget was spared, while Rocard at the Agriculture Ministry also avoided the cuts.¹⁸ It is interesting to note that all the people interviewed insisted that Rocard had been favoured because of the specificity of his Ministry and not because of his important position within the party. The battle between the *courants* in the PS became influential only at a later date. While the Prime Minister was personally responsible for taking these decisions, it would be unrealistic to suggest that he initiated the choices. They emanated^a mainly from the President and from economic and social factors largely beyond his control, even if, in many cases, he agreed with the resulting decision.

The final spending arbitrations were made by Mauroy in the first week of July. It was clear to him at this stage, however, that he was going to be replaced as Prime Minister. Therefore, he refused to sign the *lettres plafond* leaving this responsibility to Fabius.¹⁹ The latter, however, not being content with accepting Mauroy's arbitrations, proceeded immediately to review the decisions. In consultation with Bérégovoy and their two *cabinets*, he changed a number of budgets, notably reducing the spending of the former communist Ministries who had been slightly favoured by Mauroy in order to keep them in the government. The other major change was the increase given to Fabius's successor at the Industry Ministry.

The parliamentary stage saw few important changes to the expenditure side of the budget. There were no demands for greater spending from the PS and the government was never going to accept similar communist demands given their recent departure. The *provision parlementaire*, however, should be noted. This item is the sum which is allocated each year by the government to accommodate some of the parliamentarians' demands. Around 0.1 per cent of the budget is set aside for this purpose. In 1984, this amount was between 200 and 300 million francs. In 1984, only the Assemblée nationale benefited from the *provision parlementaire*, the government feeling that it was not necessary to include the Sénat due to the opposition majority there and the upper Chamber's limited role in policy making. Whilst this item should not be ignored, it is an annual occurrence and, in overall budgetary terms, the amount of money involved is small.

On the income side of the budget, one of the most difficult decisions concerned a reform of the *taxe professionnelle*. This was a business tax set up in 1976 whose rate varied according to a firm's capital. Naturally, the business peak association, the CNPF, had always been opposed to it, calling it a tax on

investment. From 1981 onwards, the opposition parties, too, were in favour of reducing, or even abolishing it. More importantly, Mitterrand himself was on record as saying that it was a “*taxe imbécile*”.

In 1984, the government saw that the promise to reduce the level of *prélèvements obligatoires* presented a perfect opportunity to abolish this generally unpopular tax. Its abolition, however, proved to be more difficult than was at first envisaged. The debate between those in favour of its abolition and those opposed can be seen at two different levels within the government. The higher level set Delors against Mauroy and Emmanuelli. The former, on the advice of the *direction du Budget* and his *cabinet*, was in favour of reducing the tax, but not of abolishing it. Mauroy, also on the advice of his advisers, preferred to see it abolished. At this level, however, according to Comolli: “il n’était pas un débat sérieux”²⁰. The Prime Minister and the Finance Minister appeared to follow rather blindly the advice of their advisers, out of loyalty and not personal conviction.

The debate was much more serious between Hervé Hannoun, one of Mauroy’s budgetary advisers, and Jean Choussat, the *directeur du Budget*. Hannoun was fervently in favour of seeing the tax abolished: “Il a estimé que sa mission était de faire disparaître la taxe professionnelle”²¹. Accordingly, he drew up a series of complex proposals which would see it abolished and replaced by any number of different options. It was the very complexity of the solutions that was Choussat’s main argument against its abolition. Emmanuelli recounts how his own proposals were rebuffed by the *direction du Budget*:

Il y avait des gens qui nous passaient des notes tous les jours disant que ce n’est pas possible. Il s’est passé comme ça. Moi. j’avais fait un schéma, mais c’était trop difficile.²²

Choussat was able to convince Delors of the folly of abolishing the tax because of his and his direction's greater technical knowledge of the subject matter. He himself states:

Un Ministre des Finances est toujours attaché aux impôts existants. Il est sous la pression des services des Finances. Les hommes politiques n'en comprennent rien. Ce qui est vrai d'ailleurs. Parler de fiscalité c'est beaucoup plus difficile que de parler des dépenses. Les techniciens ont un grands poids dans ce débat.²³

For Mauroy and Emmanuelli the abolition of the tax was highly symbolic politically, but this argument was one which those opposed to the reform at the *direction du Budget* could easily rebuff because of the complexity of the problem. Choussat again stated:

Pierre Mauroy n'a jamais vraiment compris comment fonctionne l'administration. Il pense qu'on peut supprimer un impôt en huit jours.

Thus, the debate was largely conducted at a technical level between Hannoun and Choussat. The former was unable to put forward any simple counter-arguments to the latter. Despite being a former *inspecteur des finances*, he did not have the resources to outsmart the *direction du Budget*.

Nevertheless, the question was raised in a formal meeting with the President before Mauroy's departure in early July. Mitterrand arbitrated in Delors's favour and a 10 billion franc reduction was agreed, although it is unclear how strongly the Prime Minister argued his case. When Fabius was appointed one of his first decisions was to confirm this arbitration.²⁴ Meanwhile, Hannoun, now at the Elysée, did not press for the decision to be overturned.²⁵

The 1987 Budget

The change of government in March 1986 and the upturn in the state of the French economy after 1985 meant that the situation facing the budgetary actors in 1986 was noticeably different to the circumstances in 1984. While procedural similarities remain, therefore, between the two budgets, they are sufficiently different in policy content so as to allow useful comparisons to be drawn between them. Before examining the expenditure and revenue components of the 1987 budget, we will first place the bill in its general economic and political context.

The legislative elections and the subsequent change of government in March 1986 provoked an initial delay in the budgetary process. Whilst the *direction du Budget* had carried out its normal preparatory calculations at the beginning of the year, Chirac was appointed around the time when ordinarily the *lettre de cadrage* would have appeared. Moreover, the new government, with its Finance Minister, Edouard Balladur and Budget Minister, Alain Juppé, decided that the preparation of the 1987 budget would have to take second place to the 1986 *collectif budgétaire*, or mini-budget.

The preparation of a mini-budget during the course of the budgetary year is something that occurs almost annually. Governments find it propitious to adjust their initial calculations according to the changing economic and political environment. In 1986, the mini-budget was used as a way of quickly passing a series of important economic reforms promised in the electoral platform. Most of these reforms, such as the abolition of the wealth tax, had been prepared before the election by special opposition working parties. Once in power, the most important reforms had to be passed immediately, so that their effects would be felt before the 1988 presidential election.

The Ministers and their *cabinets*, therefore, spent the first three weeks in office preparing the *collectif budgétaire*. Only once this law was voted by the Assemblée nationale in early May could work on the 1987 budget properly start. Due to the work already completed by the *direction du Budget* and due to the budgetary policy consensus that reigned between Chirac, Balladur and Juppé, the delay was quickly made up. The *lettre de cadrage* was sent out by Chirac on May 30th. These were immediately followed by the *conférences budgétaires*, which were completed by the beginning of July, so that the *lettres plafonds* were sent out between July 15th-19th. The revenue side of the bill was prepared during August, with the major policy decisions being taken around August 22nd and the final arbitrations taking place on 25th September. The bill was then sent to Parliament on the normal prescribed date where it was passed and promulgated on December 31st.

Apart from a slight initial delay, therefore, the 1987 budget follows the same timetable as any other. However, the manner in which it was prepared does differ significantly to the 1985 budget. As with the 1986 Broadcasting Act, the most fundamental change was the absence of any presidential influence in the preparatory process. The unwritten rules of *cohabitation* applied to the Finance Act as to any other bill. Apart from Ulrich's relations with Bianco, the only people authorised to have any contacts with the Elysée were Balladur's *directeur de cabinet*, Jean-Claude Trichet, and Juppé's, Daniel Bouton. However, these contacts served merely to inform the President's advisers of the budget's progress, rather than to bargain over its contents. Both Chirac's and Balladur's economic and budgetary advisers attested that there was no interference from the Elysée during this period.²⁶

The other major change also results from the specificity of the *cohabitation* period and concerns the allocation of responsibilities between

Chirac, Balladur and Juppé. The Prime Minister, with the 1988 elections in mind, wanted to cultivate a quasi-presidential image for himself and, therefore, decided that he should not be seen to intervene in the details of policy preparation, but would remain above this process setting only the general policy directions. With regard to the budget, he was unwilling to meddle in the spending and revenue arbitrations. This decision was also inspired by the fact that the cuts to be made were severe and it was felt to be prudent that the Prime Minister should not be seen to be personally responsible for them.²⁷ Following a suggestion from Balladur, Chirac agreed to give the Finance Minister “une délégation totale”²⁸. He was to be responsible, therefore, for the vast majority of budgetary arbitrations. This extra responsibility for the Finance Minister also led to a more important role for the the Budget Minister, as will be demonstrated below.

Such a situation was brought about by *cohabitation*, but also because Chirac had “une confiance totale”²⁹ in both Balladur and Juppé. Both were senior members of the RPR, both had worked closely with Chirac in Paris and all three shared the same economic credo. The result was that, whilst the Prime Minister guarded his influence over the major policy decisions, he was less present in the budgetary minutiae than, for example, Fabius had been previously. The same was true for his economic and budgetary advisers, Emmanuel Rodocanachi and Gérard Rameix. As Balladur and Juppé’s common budgetary adviser stated:

Je les informais des choses. Je leur passais des papiers. Ils étaient au courant, mais ils étaient un peu plus spectateurs qu’acteurs. C’est un peu extrême ce que je dis, mais c’est un peu ça. Ils étaient là pour faire en sorte que s’ils savaient que le Premier ministre attachait une importance particulière à tel ou tel point, le Ministre des Finances en soit informée.³⁰

The Prime Minister, however, was in no way unable to intervene. He regularly met with Balladur and Juppé, both separately and as part of the frequent meetings of the majority. He was personally informed of the budget's progress by one of the Finance Minister's advisers, Jacques Friedman, who was the go-between between him and Balladur. Rodocanachi had weekly meetings with the Finance Minister and all the junior Ministers under his authority, whilst he was also present at the arbitrations that Balladur presided over. While Rameix attended the arbitration meetings that Juppé organised. Moreover, as we shall see, there were occasions where Chirac did intervene personally and he did sign the *lettre de cadrage* and the *lettres plafonds*, thus accepting political responsibility for them. His withdrawal, therefore, from the budgetary process is more a sign of strength than of weakness. Having put the budget in context we will now turn to the expenditure side of the bill.

The RPR-UDF electoral platform contained little detail about the then opposition's spending plans. It was much more precise about its commitment to cut the budget deficit and about its fiscal policy. It was clear, however, that in order to meet its other promises, significant cuts in government expenditure would be required. In the *collectif budgétaire* cuts amounting to 10 billion francs were agreed upon. The harshness of the cuts came as a shock to some government members, but it was a deliberate signal to the spending Ministries that the new administration was going to keep to its election promises and that, consequently, further cuts would be necessary.³¹

In fact, the 1987 budget contained a 40 billion franc spending decrease. This figure was included in the *lettre de cadrage* and was arrived at as a balancing figure once the calculations had been made about the reduction of the budget deficit and tax cuts.³² In an attempt to find areas of saving, Juppé's

directeur de cabinet, Daniel Bouton, proposed that each Ministry should undergo a so-called 'exercice de budget base zéro'. This exercise obliged each Ministry to reconstruct and justify its spending needs down to the last franc, rather than simply automatically renewing its projects from one year to the next. Bouton used his new found influence upon Juppé to have the exercise accepted, although he states that he would have proposed it to the socialists had they been re-elected in March 1986.³³

The results of this administrative exercise were patchy. In some cases important areas of saving were identified. However, the spending patterns of some Ministries were not suited to this sort of procedure. One example was the Telecommunications Ministry, which proceeded to make personnel cuts, but not as a result of this exercise.³⁴ The Culture Ministry refused even to participate in it, arguing that it had a minimum level of budgetary requirements and that it could only reconstruct its needs from this figure upwards.³⁵ As J-M. Fabre noted generally about the exercise:

Cette histoire de budget base zéro s'est mise en oeuvre au sein de la direction du Budget et nous, au cabinet, on ne l'a pas repris. C'était plutôt une référence qu'on avait dans le dossier pour procéder à des arbitrages qui étaient relativement classiques.³⁶

There are two reasons, however, as to why the 1986 *conférences budgétaires* were slightly anomalous. Firstly, there was a large degree of consensus within the government that drastic spending cuts had to be made. At least on the expenditure side of the budget, the disagreements within the government on economic policy were small. Most people gave top priority to tax cuts and reducing the budget deficit and they were aware that this policy entailed spending reductions. As Balladur's budgetary adviser stated: "Il y avait un grand accord politique pour réduire les dépenses de manière à réduire le déficit et surtout à réduire les impôts"³⁷. This consensus facilitated the task of

Balladur and Juppé. It must also be noted that, since 1981, the right had consistently criticised the socialists for overspending and, thus, once in office, they were likely to want to reduce expenditure.

Secondly, in at least one case, a Minister, guided by his liberal beliefs, proposed to cut spending by more than the amount asked of him at the arbitration meeting. Alain Madelin, Industry Minister and leading member of the economically neo-liberal Parti Républicain (PR), wanted to slash the level of subsidies his Ministry accorded to industries in trouble. A reduction in such subsidies was already government policy, but Madelin went much further than Balladur and Juppé had proposed. Such zeal is certainly atypical of the classical arbitration process.

In general, however, despite these provisos and the base budget exercise, the spending arbitrations reflected the normal bargaining process that takes place each year between the parsimonious Finance Minister and the profligate spending Ministers. Bouton described this process as: “une dialectique de négociation entre quelqu’un qui demande beaucoup et quelqu’un qui a peu à offrir”³⁸. As usual, the *direction du Budget* organised the preliminary round of arbitrations. The next stage, however, saw an increased role for the Budget Minister. Juppé had the consent of Balladur and Chirac to arbitrate personally on all but the most important points of disagreement, rather than simply preparing the dossiers that the Finance Minister would decide upon. He received each Minister in the presence of the *directeur du Budget*, Fabre, Bouton, Blanchard-Dignac and Rameix. One of those present notes: “J’ai eu le sentiment que le Ministre du Budget a essayé de régler un maximum des choses à son niveau”³⁹. Around 50 per cent of all budgetary arbitrations were made at this level. This figure is much higher

than normal and includes, for example, an agreement on the Education Ministry's budget, something almost unheard of at this early stage.

One of the reasons for the high success rate is the privileged information to which Juppé ^{had} ~~was~~ access. The *direction des Impôts* calculated that the income from taxes, especially corporation tax, was likely to be higher in 1986 than had been forecast in the *budget de réconduction*. Therefore, Juppé was left with a certain leeway that he would not otherwise have possessed:

Beaucoup de budgets étaient réglés au niveau de Juppé parce qu'il avait des marges de manoeuvre. Notamment, il y a eu une grande surprise, c'était la révalorisation des recettes qui est intervenue au courant de l'année 1986 et qui a dégagé des marges de manoeuvre. Le Ministre du Budget les connaissait. Il a lâché un petit peu à son niveau.⁴⁰

The spending Ministers, however, were ignorant of this windfall and, thus, when Juppé agreed to certain items that they originally feared would be cut, they agreed to let other matters drop. From a position of strength, Juppé kept within his spending targets.

There were, however, limits to Juppé's authority and Balladur was called upon to arbitrate in a number of different areas, although, in most cases, with the notable exception of the Culture Ministry, only one or two outstanding points in any particular budget were left for him to decide upon. There were several reasons why these problems could not be fixed at Juppé's level. Some Ministers refused to accept the level of cuts that the Budget Minister had demanded. For example, this was the case of the Culture, Telecommunications, Transport and Employment Ministries. For others, it was felt to be politick that they be seen to be arbitrated by Balladur. Méhaignerie, for example, the leader of the CDS, fell into this category. The same was true for the Interior Minister, Pasqua, whose budget caused no

problems, but who, nevertheless, saw Balladur. While other budgets, such as that of the Co-operation Ministry, were considered to be too important strategically for Balladur not to look at them.

Whilst the delegation of responsibility to Balladur was certainly great, some budgets inevitably found their way up to Chirac himself. The Prime Minister had made it clear from the outset that he would deal personally with the Agriculture budget. This decision reflected the Prime Minister's interest in and knowledge of the subject as a former Agriculture Minister. Similarly, he indicated his desire to study the budget of the DOM-TOM Ministry, again reflecting a personal interest. In both of these cases, however, it should also be noted that they were sensitive political issues, French farmers having a seemingly spontaneous tendency to riot, while the New Caledonian problems were of the gravest order.

Another budget that Chirac arbitrated on was that of the Defence Ministry. Normally, defence is considered to belong to the President's *domaine réservé*, but during *cohabitation* the Prime Minister assumed at least a joint responsibility in this area. Whilst the President was informed of the details of the Defence budget, observers agreed that the final arbitrations belonged to Chirac and not Mitterrand. The same was not necessarily true, however, for the preparation later in the year of the *loi de programmation militaire*, with which the President was closely associated.

The Culture Ministry's budget was the only other to be arbitrated at Matignon. Here, there were particular problems over the *grands travaux*, such as the Bastille Opera, the Louvre project and the Villette science park. The Finance Ministry felt that at least one of these ambitious schemes should be scrapped. They focussed on the Bastille Opera, work on which had only just started and which, if stopped immediately, would entail the waste of only

a relatively small amount of money. Léotard, however, was violently opposed to this proposal and, indeed, to any of his spending plans being dropped.⁴¹ His meeting with Juppé was perfunctory and his meeting with Balladur was inconclusive. Chirac, therefore, was called upon to arbitrate. The tactics used by the Culture Ministry were classical. Léotard's threatened to resign, he evoked the importance of his position as leader of the PR and he made a concerted effort to show how the *grands travaux* would be of benefit to Chirac and Juppé at the Parisian level. While several minor issues were lost, for the most part Chirac arbitrated in Léotard's favour. Even then, some of the lesser items were regained, as his budgetary advisers cleverly lobbied deputies, so that they were later reposed as part of the *provision parlementaire*.

Turning to the revenue side, even before the March elections there were difficulties between the RPR and the UDF over the future government's fiscal policy. The UDF, led by the barristes, favoured a large reduction in the budget deficit, whilst the RPR and a section of the UDF, notably the PR, wanted substantial tax reductions. The electoral platform was a compromise between these two demands. It was agreed that there should be an equal reduction of both.

The *collectif budgétaire* was used by the new government to fulfil a number of electoral promises, but the preparation of the 1987 budget was the first major opportunity to debate exactly which policies ought to be adopted. For much of the time, however, it was a very one-sided debate within the government. The barristes, due to their leader's objections to the very existence of *cohabitation*, had refused any senior government posts. Only Méhaignerie agreed to head a largely technical Ministry. The RPR, however,

held the most important economic and budgetary posts. During the early stages, therefore, the barriste input was negligible.

Juppé proposed a plan to reduce the budget deficit by 15 billion francs each year for three years, so as to wipe out the deficit apart from interest charges. This plan was accepted by Balladur and subsequently by Chirac. Indeed, this process is typical of the preparation of fiscal policy. The Prime Minister was involved in the definition of global policy options, but the detailed work was then undertaken by the Finance Ministry. Patrick Suet, Juppé and Balladur's fiscal adviser, stated:

Vraiment, c'est Balladur et Juppé qui ont réglé la partie fiscale. Je n'ai pas l'impression que le Premier ministre s'en soit mêlée, son cabinet non plus.⁴²

In 1987 the only detailed fiscal questions decided by the Prime Minister were farming tax regulations. Nevertheless, the Prime Minister was always in the position to refuse a particular proposal when he saw fit. Fabre noted:

La fiscalité normalement est quelque chose qui est très déléguée au Ministre des Finances. Le Premier ministre intervient sur les orientations politiques de la fiscalité. Sur les grandes options fiscales. Mais, une fois les orientations arrêtées, c'est tellement technique que c'est quelque chose qui ne peut pas être pris en main par le Premier ministre.⁴³

The Prime Minister's role, therefore, is important at the beginning of the preparatory process, but also at the end when the details have been drawn up. At this stage they will be presented to him for his acceptance, or rejection. It was this double intervention that characterised the 1987 budgetary process.

Despite the electoral promise, it was decided by Balladur and Juppé that tax reductions should take priority over a reduction of the budget deficit. This decision was made largely for economic reasons, although political considerations were not absent. It was decided to reduce the deficit by 15

billion francs and taxes by 27 billion francs, a much higher figure than was originally thought possible and which was facilitated by the windfall receipts from which the government benefited in July and August 1986.

The main debate then centred around how to divide the tax cuts between individuals and companies. The electoral platform had committed the government to a substantial cut in personal taxation and both Balladur, Juppé and the influential liberal trio, Léotard, Longuet and Madelin, were all in favour of this measure for economic and political reasons. The barristes and the non-PR component of the UDF, however, favoured substantial reductions in company taxation and/or investment incentives.

The debate once again centred on the *taxe professionnelle*. The barristes favoured ~~of~~ reducing it, in return for an increase in the level of *crédits d'investissement*. Balladur was resolutely opposed to this latter proposal. The debate was largely technical and focussed on economic reasons for and against the particular measures, rather than political ones. On the one side, the *direction du Budget*, Balladur, Juppé and their *cabinets* were all opposed to any idea of abolishing the *taxe professionnelle* and preferred to take steps to reduce the level of corporation tax, rather than increase the level of *crédits d'investissement*. Their view was supported by the liberals who had several meetings to coordinate their ideas and to decide how best to go about convincing the Finance Minister to stick to his line. On the other side, Barre put forward his case in newspaper articles and speeches, rather than in meetings with the government. Personal contacts were left to Méhaignerie who had the easiest access to Balladur and Juppe, but also to Bruno Durieux, who met with Juppé on several occasions in the latter stages of the preparatory progress. Also present were Edmond Alphandery, the UDF's

budgetary spokesperson in the Assemblée nationale, and Michel d'Ornano, the President of the Assembly's Finance Commission.

Balladur and his supporters were adamant that the economic arguments in favour of increasing investment subsidies were poor, but realised that it would be politically difficult to insist upon only a small cut in the *taxe professionnelle* as well. Therefore, he accepted the proposal from one of his advisers to cut the latter by five billion francs, an amount sufficiently substantial so as to quieten the barriste lobby. Chirac accepted Balladur's recommendation.

This measure alone, however, did not satisfy the UDF. One of the principal figures at this stage was d'Ornano. On a number of occasions in September, d'Ornano met Juppé and Balladur and argued for further measures in favour of companies. The level of the reduction in the *taxe professionnelle* was partly due to his insistence. This pressure, however, continued and was accentuated when the bill was placed before the Assemblée nationale. D'Ornano conducted meetings with the parliamentary majority and found a favourable response to his proposals. Therefore, during the meeting of the National Assembly's Finance commission he proposed two important amendments that the government felt obliged to accept at the cost of around two billion francs. While the government was not opposed in principle to the amendments, they would not have been passed without d'Ornano's insistence. As Suet noted:

On a accepté un certain nombre d'amendements parlementaires coûteux. D'Ornano est quelqu'un d'extrêmement dur. Il a fallu lâcher pas mal de mesures. Il est le seul homme qui a pesé.⁴⁴

Indeed, d'Ornano deliberately upped the ante knowing that in the political climate that reigned he was likely to succeed.⁴⁵ From his experience in 1981,

Chirac knew that in any future second ballot of a presidential election he would need the full support of the barristes in order to beat Mitterrand. Therefore, he could not afford to alienate them. He was also aware that the government had only a slender parliamentary majority and that to pass its legislation it needed the full support of the UDF. D'Ornano exploited this situation to the full and obtained certain concessions, in return for which he assured that there were no dissenting votes within the majority. In each parliamentary vote the majority was solid and the budget passed with little difficulty.

The 1990 Budget

Following his appointment as Prime Minister in May 1988, Michel Rocard immediately had to immerse himself in budgetary arbitrations that were already at a rather advanced stage. The preparation of the 1990 budget, therefore, was the first for which he was completely responsible. In practice, this responsibility was shared with the Finance Minister, Pierre Bérégovoy, and the ebullient Budget Minister, Michel Charasse. As might further be expected, *cohabitation* having ended, the President's role was not insubstantial and, consequently, the Matignon, Bercy, and Elysée axis was the dominant political force in the preparation of this budget.

This budget saw a number of minor, but not unimportant procedural changes. The initiative for these changes belonged mainly to the *direction du Budget*, but they were fully endorsed by both Rocard and Mitterrand. The first change came on April 13th with an extraordinary meeting of all government Ministers to discuss the government's overall budgetary strategy. Normally, discussion in this period is confined to the Finance Ministry, the Prime Minister and the President and, indeed, in March and April these three had

discussed at length all of the different options available. The meeting, however, did much more than just rubber stamp decisions taken elsewhere and a full debate about budgetary policy took place. The decision taken to follow Bérégovoy's proposal and reduce the budget deficit by 10 billion francs to 90 billion francs was accepted by all those present at the meeting rather than being imposed upon them from above.

A further innovation followed the day after with the appearance of the *lettre de cadrage*. In previous years there had been only a single letter, a copy of which was received by each Minister. This year the letter was individualised. Each Minister received a separate letter outlining the major budgetary orientations for the year to come, but also fixing a spending limit for his\her particular department. In practice, this strategy pre-empted the *lettre plafond* and reduced the Minister's capacity for overestimating his\her spending needs in the *conférences budgétaires*. The result was also to reduce the involvement of the Prime Minister in the arbitration process, as he was signalling the limits within which Ministers had to keep in April, rather than two months later after the final arbitrations.

The *direction du Budget* was behind this reform, but Rocard readily accepted it. In 1988, he had been forced to arbitrate each department's budget down to the last million franc project. Rocard considered this to have been an unnecessary and time consuming process and an experience which he was not going to repeat.⁴⁶ As with the changes which took place in 1986, this reform should not be seen as reducing the Prime Minister's influence. Instead, it shifted it to an earlier stage in the process, upstream of the detailed spending arbitrations. Although, even here he remained the person to whom all Ministers appealed.

As usual, the final spending arbitrations took place in mid-July, after which the revenue side of the budget was prepared. These arbitrations took place in early September and the bill was passed by the Conseil des ministres on September 20th. The PS parliamentary group, however, was unhappy with the fiscal measures in the bill and its pressure meant that the government was forced to amend the bill substantially after its final and decisive meeting with the party on October 17th. This aspect of the bill will be studied in detail below.

As with the passage of the 1989 Broadcasting Act, the absence of a PS parliamentary majority meant that the passage of the bill through Parliament was more complicated than usual. In 1988, the government had been able to pass the budget without recourse to Article 49-3 because on each vote it had won the support of either the PC, or the UDC. In 1989, this proved to be impossible. The UDC leader, Méhaignerie, declared in early October that his group would vote against the bill. The same was true for the PC with whom no acceptable deal could be agreed, even after negotiations between the leader of the parliamentary group, André Lajoie, and one prominent PS Finance commissioner.⁴⁷

Despite the opposition of these two groups, the Prime Minister's parliamentary advisers were still confident that Article 49-3 could be avoided. They had received assurances from a sufficient number of individual UDC and independent deputies, so that they believed they would not have to resort to a no-confidence vote. However, the leader of the PS parliamentary group, Louis Mermaz, refused to accept this strategy and insisted that Article 49-3 be used. He felt that it would be better for the PS's image to resort to this article, rather than relying on a few cobbled-together centrist votes.⁴⁸ The preparation of the PS's party congress a few months later was certainly the

main inspiration behind Mermaz's decision. As a result, therefore, Rocard was obliged to use 49-3 twice in order to pass the bill. After a referral to the Conseil constitutionnel the bill became law on 30th December 1989.

The first major expenditure choices were signalled with the appearance of the *budget de réconduction*. Here, the Finance Ministry estimated that the GDP would increase by 5 per cent in 1990. This became the guideline figure which to a large extent determined the ministerial spending levels in the *lettre de cadrage*. This figure was set as the level for the overall increase in public expenditure. If some Ministries were felt to be in need of an increase greater than 5 per cent, then others would have to see their spending increased by less than this amount. In fact, four categories of Ministry were identified by Matignon and Bercy.⁴⁹

The first category consisted of the prioritised departments. They would be allowed to increase spending by more than 5 per cent. In fact, however, these priorities were not fixed by Rocard, or Bérégovoy, but were outlined in Mitterrand's 1988 electoral campaign. He made very clear public commitments to large spending increases in the budgets for the Education, Research and Co-operation Ministries. One of the most important roles that the President's advisers played after 1988 was to ensure that these priorities were abided by. In interviews with people at Matignon and Bercy, however, it was confirmed that at no time was it ever a question of them ever trying to change these priorities, or even of not keeping to them. Rocard's unwritten contract with Mitterrand included the clause that he would faithfully execute the President's mandate. These budgets did, however, go to the Prime Minister for arbitration. He was to decide how far over the 5 per cent limit they were to be set, with Bercy in favour of a smaller overshoot than the

Ministers. It was up to Rocard to arbitrate, although he clearly did so in close liaison with the Elysée.

In the second departmental category spending increased only in line with inflation, then running at around 3 per cent. This increase affected, for example, the PTT, Justice and the Interior Ministries. Whilst in the third category spending was only allowed to remain at the previous year's levels and, thus, did not account for the increase in inflation over the year. In these two categories the Prime Minister played a much greater role. He was in the position to decide which Ministries would be included in which category, although this was in no way an individual decision and again Bercy and the Elysée were closely involved.

Even in these two categories, the President personally intervened during the final arbitrations in July to demand an increase in spending for a number of budgets. This was the case notably for the Culture Minister, Lang, and the Housing Minister, Delebarre. Lang's close personal links with Mitterrand and the President's intense interest in the grand projects of his second *septennat*, meant that, while not part of those priorities listed in the *Lettre aux Français*, the Culture Ministry was able to enjoy a larger than average budgetary increase. Moreover, Lang was very clever to exploit his relations with Mitterrand, so as to appeal directly to the President and short-circuit the Prime Minister in the appeal process.⁵⁰ He wrote several letters to the President appealing for more money and, while he was not systematically granted it, he did benefit on a number of occasions.

Delebarre's situation was slightly different. Although the overall increase in his Ministry's budget was only 5.3 per cent, only slightly higher than the average figure, spending on special low cost housing projects (*le logement social*) increased by 17 per cent. This increase came at a very late

stage in the arbitration process. It was due to two reasons. Firstly, the Finance Ministry greatly underestimated the Housing Ministry's basic needs in its initial budgetary calculations in March. This mistake was identified during the budget conferences and Delebarre's budget increased accordingly.⁵¹ Secondly, Mitterrand took a personal interest in the social housing question. In a speech during the summer to the HLM federation, he announced that the government had to make a greater budgetary effort in favour of social housing. Moreover, in the light of the liberal changes necessitated by European economic integration, particularly in the fiscal domain, Mitterrand insisted that further social measures be taken to redress the balance. Rocard had no option but to comply with the President's wishes, although the opposition to this measure came more from Bérégovoy and Charasse, than from the Prime Minister.⁵² Consequently, on July 26th, the Prime Minister announced that 2.3 billion francs would be added to the social housing budget.

The fourth and final category consisted of the Defence Ministry's budget. This budget was set apart as a special case because 1989 also saw the preparation of the revised *loi de programmation militaire* for 1990-1993. To a large extent, the Defence budget for 1990, therefore, depended on long-term strategic defence decisions, which in turn depended on the international situation and also on the government's other long-term priorities. The most notable of these priorities was the 24 billion franc increase in the Education Ministry's budget over five years and an annual 15 billion tax reduction due to European harmonisation. These constraints put pressure on the government and the President to decrease spending on the military programme which was set to cost the country 470 billion francs in five years time.

The initiative to cut the military programme in order to fund the government's other priorities came from those at the Finance Ministry. They suggested a 70 billion franc cut, something that the Defence Minister, Jean-Pierre Chevènement, violently opposed, as it would mean the abandonment of one of his Ministry's prestige projects. Chevènement was willing to accept a 30 billion cut coming from personnel reductions, but he wished to leave the major projects intact. It was these two contrasting proposals that were presented to Rocard in an arbitration meeting in late June. National defence, however, has long been part of the President's reserved domain and the Prime Minister was aware that he did not have the authority personally to arbitrate. With the Prime Minister refusing to take the side of either Chevènement, or Bérégovoy, the matter was settled in a defence council meeting at the Elysée where a figure of 45 billion was agreed upon.⁵³

In fact, the tactics used in the bargaining process over this budget were typical of the arbitration process as a whole. The Finance Minister argued that the government's budgetary calculations would be shattered if the level of cuts he proposed were not made. The Defence Minister proposed certain reductions, so as to appear conciliatory, but on the main and costly issues he was insistent, even threatening to resign if any major projects were cut. However, the Prime Minister was not in the position to arbitrate, defence being out of his sphere of competence.

In the other budgetary negotiations, the process was very similar as were the tactics used by both sides. The Prime Minister, however, was better placed to arbitrate. It should be remembered, though, that the President always reserved the right to intervene when he considered it to be necessary. It should also be remembered that the Prime Minister was sometimes weakened vis-à-vis the Finance Minister. Matignon does not have the

administrative resources to question the figures that are presented to it by Bercy. Therefore, it is not unheard of for Bercy deliberately to underestimate the government's economic leeway, so that the Prime Minister feels obliged to be very strict with Ministers in the arbitrations with which he is faced. This was the situation in 1989.⁵⁴ In fact, the level of public spending rose by only 4.7 per cent, less than originally foreseen in the *lettre de cadrage*.

On the income side, the major influence on the government's fiscal policy was the impact of European economic harmonisation. In 1984 and 1986, its effects had been slight. In 1984, the prospect of the Single European Act deterred the government from raising VAT, even if it did not lead to any reduction. In 1986, the reduction in corporation tax was consistent with economic harmonisation, but it was mainly due to political circumstances and Balladur's economic philosophy. In 1989, economic integration was imminent and the government had to take steps to prepare it.

Bérégovoy was particularly anxious to take the necessary steps to harmonise France's fiscal policy with that of its EC partners. One of the first changes needing to be made was an increase in the incentives to save (*la fiscalité d'épargne*). This same topic had been the subject of a detailed report by the PS deputy, Christian Pierret, published in June 1989. In the propositions delivered to Rocard in August 1989, Bérégovoy included several of the report's recommendations, although he went further than Pierret had considered to be prudent.

Another area in which it was essential to make changes was the VAT structure. France had a very high top rate of VAT, which needed to be reduced in order to align the country with the rest of Europe. Both Bérégovoy and Rocard were agreed that steps had to be taken, although they and their advisers differed over the details of the reform. Rocard favoured a reduction

of the top rate on cars only, whereas Bérégovoy favoured an across the board reduction for simplicity's sake and as a sign of France's European commitment. The Prime Minister agreed, unwilling to make this issue a divisive one.

The third measure that Bérégovoy wanted to introduce was the most controversial. He proposed a reduction in the level of corporation tax from 39 per cent to 37 per cent for companies which reinvested their profits. This proposal met with opposition from the Prime Minister, who felt that priority should be given to reducing the level of tax on dividend profits, aligning the two at 39 per cent. Bérégovoy, however, insisted that his proposal was consistent with the President's desire for economic harmonisation and he also wanted to give the financial markets a sign that the country wanted to help business activity.

Consistent with the usual process, the President was called upon to endorse these changes. Whilst his electoral mandate unequivocally outlined his commitment to European integration, he was concerned that these reforms smacked too much of liberalism. Therefore, he agreed to accept them only if the government would increase the social aspect of the budget, proposing an increase in the wealth tax and increased spending on social projects.⁵⁵ This the government agreed to do. In voicing his concern at the liberal aspects of the budget, however, the President was articulating the worries of a large part of the PS. In fact, the most concerted opposition to these reforms came from the PS parliamentary group and the party itself.

Parliament's interest in and its influence on the revenue side of the budget are generally much greater than on expenditure matters. Revenue questions are more highly publicised than their spending counterparts. The public impact of changing the tax structure is much more immediate and the

debate surrounding it is often couched in much more political terms. In 1989, the debate between the party and its parliamentary group and the government centred around fiscal policy. It was difficult, however, to distinguish between the influence of the party and the influence of the PS group. This was because the leading figures in the group all held important positions in the party and because the leading party members were all deputies.

The most important figures in the debate with the government were Dominic Strauss-Kahn, the President of the National Assembly's Finance Commission; Alain Richard, the group's budgetary spokesperson; Raymond Douyère, a leading commissioner; Louis Mermaz, leader of the PS group in the Assembly; Pierre Mauroy, PS general secretary; and Henri Emmanuelli, number two in the party. The problems between the government and the party were caused by two main reasons. Firstly, there were genuine policy disagreements. Strauss-Kahn, for example, was opposed to the government's reforms on economic grounds. Secondly, there were institutional problems between the party and the government.⁵⁶ The government's legislative co-operation with the UDC over the preceding 18 months had left the PS with the feeling that its influence had decreased to the point where the government took little notice of it when drawing up policy. With the knowledge that the party conference was only a few months away, party leaders were determined to try and influence the budget where they felt it to be necessary.

Strauss-Kahn was opposed to the reduction in the VAT level for sound economic reasons. He believed that any such reduction would only increase the level of imports and would create a balance of payments problem as French industry would not be able to cope with the subsequent increase in

demand. The government, however, presented the party with a *fait accompli*, announcing the reduction in the Conseil des Ministres on September 6th 1989. Whilst all agreed that, once decided, the reform had to be put into effect immediately, the party was angry that it had not been included in the discussions surrounding it and had learnt of the decision at the same time as the public.⁵⁷

The party was even more aggrieved when the government used the same strategy to announce the corporation tax reduction on September 13th as part of Rocard's second employment plan. As Strauss-Kahn noted:

C'était une bonne stratégie de faire passer la réforme. Il s'agissait d'un fait accompli de la part du Ministre des Finances, sinon le gouvernement.⁵⁸

Whilst the Finance Commission could have refused to accept both of these reforms, it could only have overturned them with the government's agreement, as the Constitution prohibits any parliamentary amendments which reduce the level of government income. Bérégovoy, however, would not contemplate reversing these measures. For him the matter was an issue of confidence. He was behind the reform and, now that they had been announced, if he backed down it would be a sign of weakness to which the markets would react adversely. In a particularly stormy meeting with the PS group on October 3rd, Bérégovoy threatened to resign if the party did not accept the reduction in corporation tax.⁵⁹

Faced with this ultimatum, the party decided to agree to the reform and it was passed by the Finance Commission on October 11th. In return, however, the group started to formulate a list of demands which it would insist upon in the final government\party arbitrations later in the month. Matters came to a head at the final arbitration meeting on October 17th at

Matignon. Representing the government were Rocard, Bérégovoy, Charasse and Poperen, the Minister for Parliamentary Relations. The PS was represented by Mauroy, Emmanuelli, Strauss-Kahn, Richard and Douyère.

The party had a list of demands that it presented to the government. In return for lowering corporation tax, Strauss-Kahn wanted the government to increase the level of death duties. Bérégovoy was absolutely opposed to this proposal saying that it would undermine business confidence and would be electorally unpopular. However, he proposed to set up a commission to study the matter in time for the 1991 budget. He also suggested an increase in the wealth tax as a compensatory social measure. Whilst the Prime Minister had publicly opposed any further increase in this tax the previous year, on this occasion he realised that he had to agree to it in order to pacify the party. As one of Rocard's advisers states: "Il faut bien compromettre. C'est l'habileté politique. Il a fallu lâcher quelque chose au groupe".

The group also proposed a significant increase in the level of taxation on the profits of both companies and individuals derived from the appreciation on property and other items. The group argued that this measure was necessary in view of the exigencies of European fiscal harmonisation, France's levels being rather low. This rather ironic argument was strengthened because Strauss-Kahn had previously secretly contacted the heads of various leading companies asking them if any such increase would effect their investment plans. The response was that it would not.⁶⁰ Bérégovoy, therefore, was deprived of using this argument and ^{agreed} ~~accepted~~ to increase the level of taxation on companies from 15 per cent to 19 per cent, on condition that the level for individuals remained the same.

The group was also able to pass an amendment reforming the *taxe professionnelle*, so that it favoured lower income earners. They were also

successful in getting Bérégovoy to agree to set up studies similar to the one on death duties for this tax, as well as the *taxe d'habitation* and the *Dotation Globale de Fonctionnement*. The overall result of the meeting was a compromise between both sides, but it was particularly instructive in that it puts clearly into focus some of the dynamics of the decision making process.

For example, although a compromise was reached, the successful arguments put forward by the group were based on soundly researched economic principles. Also, the government, normally seen as the dominant partner in its relations with the party and its parliamentary group, was clearly forced to cede on a number of issues. This situation was due to a number of reasons. The position of the Finance Ministry was weakened due to the debilitating tax-collectors' strike, whose claims were regarded sympathetically by a large part of the PS. By refusing to give in to the tax-collectors, Bérégovoy reduced his bargaining power on budgetary matters. Similarly, by insisting on the reduction in corporation tax, Bérégovoy built up resentment within the PS and found his room to manoeuvre on other issues reduced. He was also faced with a noticeable lack of overt support from the President and Prime Minister. Whilst on a South American tour with Mitterrand in early October, Mermaz had urged the party to insist on its own reforms. Given their timing, these comments were taken to have the President's support. Similarly, Rocard, while in favour of the reduction in corporation tax, was unwilling to enter publicly into a damaging debate.

The ulterior motive behind many of these positions was the forthcoming party congress. For example, whilst there always tends to be a certain institutional antagonism between the Finance Minister and the President of the Finance Commission, the relations between Bérégovoy and Strauss-Kahn in 1989 were not helped by the fact that the former was a

fabiusien and the latter a jospiniste. Similarly, Rocard was unwilling publicly to intervene because he was trying to create the image of himself as a potential unifier of these two factions at some future date. The party congress, however, served to confuse the institutional debate between the government and the party, rather than aggravating it because the different factions were present in the government just as they were in Parliament. It also may have served to defuse the debate at certain times, as well as to envenom it at others. For example, Strauss-Kahn argued that the party failed to force through the change in death duties because: "les fabiusiens nous ont lâchés".⁶¹ Bérégovoy made this issue into a factional one, precisely so as to ensure that the followers of the former Prime Minister would be obliged to support him and not Strauss-Kahn.

Conclusion

The dynamics of the budgetary policy making process provide a good illustration of the politics of the governmental decision making process. Although there are special procedures which are unique to the preparation of the Finance act in France, the process still resembled to a large extent the one which was encountered in the previous chapter. Policy outcomes were the result of a hierarchical arbitration process in which the Prime Minister's role was central.

Indeed, many of the forces which, in the last chapter, were seen to impinge upon the policy process were also present in the case studies presented in this chapter. For example, just as in the preparation of broadcasting policy the bureaucrats of the SJTI had a certain influence, so in the preparation of budgetary policy the role played by the *direction du Budget* was also important. Indeed, arguably the influence of the permanent

administration was greater in the case of the budget, because of the fact that the preparation of budgetary policy necessitates the co-operation of all government Ministries and because of the technical nature of many of the decisions which have to be made.

Similarly, in both policy areas, although the Prime Minister played a central role in the arbitration process for both expenditure and revenue items, the influence of the President must also be noted. On several occasions during both the preparation of the 1985 and 1990 budgets, the President intervened directly and publicly in the policy process to demand that certain policy decisions be taken. On these occasions, the Prime Minister and the Finance Minister had no option but to acquiesce to the President's wishes. Clearly, the exception to this observation occurred during *cohabitation* when the President played only a residual role in the policy process.

At the same time, however, this chapter provided certain other insights into the dynamics of the policy process which were not apparent from the study of broadcasting policy. Firstly, the impact of the international economic environment upon the domestic decision making process in France must be noted. It was clear that government's room for manoeuvre and, hence, the capacity to influence policy of the domestic actors and, therefore, of the Prime Minister were constrained during periods of international economic recession, such as in 1984. However, in periods of international economic expansion, such as 1989, the scope for governmental and prime ministerial intervention was much greater. It was also noted that the role of the bureaucracy was greater during periods of recession than periods of expansion.

Secondly, in contrast to anything which was seen in the previous chapter, the impact of intra-party disputes had a profound effect on the

outcome of the 1990 budget. The importance of the disputes within the PS increased throughout the period under consideration and became noticeably more virulent in the run-up to the 1990 party congress at Rennes. Whereas the study of the 1985 budget could be undertaken with only slight reference to intra-party rivalry, the preparation of the 1990 budget was greatly influenced by this problem. Indeed, the Rocard's actions were, on several occasions, determined by his perception of how best to operate in the face of these rivalries.

Finally, the impact of individual personalities was more apparent in this chapter, notably, during the preparation of the 1985 budget. The change of Prime Minister during 1984 at the height of the budgetary arbitration process, highlighted the differences between Mauroy, with his background as a *notable*, and Fabius, with his training in the *Inspection des Finances* and his experience as Budget Minister. Undoubtedly their differing backgrounds helped to account, in part, for their different approaches to and influence on the budgetary policy process. However, the constraints of the wider system within which they operated must also be noted. Indeed, we will argue that it is these constraints which are ultimately determinant. In order better to understand the nature of these constraints, we will now turn to the policy making process under crisis situations.

Chapter 5

Crisis Policy Making: i. The Devaquet University reforms, 1986

The study undertaken in the previous two chapters took the form of a decision-based approach. By examining specific case studies it was possible to build up a picture of the Prime Minister's role and influence. By taking two particular subject areas we saw that the observations derived from an examination of the first area were confirmed and extended by the results of the second. We argue that these conclusions hold good for other policy areas, although there is insufficient space in this particular study to conduct any further sectoral analyses.

Nevertheless, it is still necessary to provide further information, so as to be able to ^{increase} ~~further~~ our understanding of the dynamics behind the policy making process and to appreciate better the Prime Minister's role therein. Therefore, instead of embarking upon another analysis of routine decision making in a specific policy sector, this time we have decided to examine non-routine policy making during times of public policy crises. We have chosen to study periods of crisis, because such periods concentrate most clearly the issues at stake in the policy process and clarify the interests of the actors present. As one of the most central of these actors, the role and influence of the Prime Minister will be put into relief.

We have chosen, therefore, to examine two public policy decisions which were made during periods of governmental crisis. The first case study examines the period of governmental difficulty in November and December 1986, when the wave of student protests against the Chirac government's higher education reforms was so intense that it provoked the resignation of the Minister for Higher Education, Alain Devaquet, and forced the withdrawal of the bill in question. The second deals with the problems surrounding the devaluation of the franc in March 1983, when both the

future of the Prime Minister in office and of the franc in ^{the} European Monetary System were in doubt.

It must be appreciated, however, that the concept of a political crisis is itself highly problematic. Therefore, in this chapter and the next, before embarking upon a detailed examination of the crisis period itself, we will briefly define the type of crisis period in each case.

Dunleavy and O'Leary have argued that a political crisis may take three different forms: a terminal crisis; an endurable crisis; and a curable crisis.¹ The problems surrounding the Devaquet bill fell into one of the latter two categories. That is to say, a period of chronic political difficulties and sub-optimal performance, or, conversely, a period of short-run political problems which could be resolved.

Opinions differed as to the precise nature of the governmental crisis in November-December 1986. Student leaders felt that something approaching the former definition was more appropriate, whereas representatives of the government tended to downplay the situation, arguing that something approaching the latter was accurate. At least there was agreement, however, that there was a crisis of some sort during this time. This is also the conclusion of Michel Dobry who has made a particular study of political crises.² He argued that:

On a alors assisté bel et bien à l'affaissement des logiques routinières du jeu politique; les points de repère habituels, les manières d'anticiper l'avenir, de calculer, de prévoir l'efficacité de ses propres coups se sont alors effondrés et pour une très courte période, on est entré dans l'incontrôlable, dans une conjoncture marquée par une bonne dose de fluidité politique.³

By common consent, therefore, there was a time of political crisis during some part of November and December 1986.

In fact, we have decided to concentrate upon the events in the period between the outbreak of the first student strike which was called on November 17th and the decision by Chirac to withdraw the bill on December 8th. While not all of this period could be considered as exhibiting the characteristics of a crisis, it did incorporate the most unstable period just before the bill's withdrawal. It also included the events leading up to this decision which provided the necessary background context for the crisis period.

Before embarking upon a detailed examination of this three week period, we will give a brief chronological account of the complex series of events which led up to the withdrawal of the bill. Having done this, we will then examine how the government reacted to the student protests and see what role the Prime Minister played during this period. Once we have completed this, we will then draw some conclusions about what this crisis period told us about the Prime Minister's position in the system.

A Chronology of events surrounding the Devaquet Higher Education Bill

On April 4th 1986 in a speech to the Assemblée nationale, Chirac announced his government's intention to draw up a bill which would reform the higher education system. In this speech there was little detail. The Prime Minister was content mainly to reiterate the pledge contained in the RPR-UDF electoral platform which had promised greater autonomy for French universities. Alain Devaquet, an academic and Parisian RPR deputy, was given the responsibility for drafting the bill. His responsibility was immediately challenged, however, when Jean Foyer, an RPR deputy, tabled a private members bill designed to reorganise completely the university system. Foyer proposed a series of reforms that were much more radical than

those envisaged by Devaquet and which were inspired by the work of a set of neo-liberal academics and deputies in the GERUF group. Foyer's bill aimed to introduce market forces to the higher education system by giving universities almost complete autonomy to run their own affairs. For example, they would be able to set their own level of tuition fees; they could decide their own entry requirements; and they would be able to deliver their own degrees, in place of the existing national degree system.

Devaquet was fiercely opposed to the ideas of the GERUF group and to the content of Foyer's bill. Consequently the first draft of the government's bill bore little relation to the Foyer text. In fact, Devaquet's first draft was drawn up very quickly and was ready by May 18th. The speed of its preparation was criticised during the crisis period by students and others who felt that they had not been consulted over its contents. Devaquet insisted, however, that there had been ample consultation especially in meetings after the first draft and that the bill had subsequently been amended to accommodate the objections raised in these meetings.⁴

Once prepared the bill went through a series of *réunions interministérielles* which began in mid-May. One of the key figures at these meetings was the academic Yves Durand. He was a leading figure in the GERUF group and had been appointed as Chirac's adviser on university affairs in March 1986. The relations between Devaquet and Durand were strained right from the start. Durand used his position to try and alter Devaquet's text in a way consistent with GERUF's ideas:

Tout au long de ces mois, j'ai dû malheureusement constater, par moi-même ou par les comptes rendus de mes collaborateurs qui avaient affaire à lui, que le recteur Durand n'était que le représentant vigilant et militant des organisations auxquelles il appartenait, résolument décidé à faire prévaloir leurs idées et leurs fins.⁵

Moreover, Devaquet was also heavily criticised in Parliament by the RPR group which accused him of betraying the Prime Minister and the party's electoral platform. They called for the introduction of major amendments. The antipathy between Devaquet and Durand and the mistrust between the Minister and a section of his own parliamentary group was to have a significant influence on the events in November and December.

Due to the influence of Durand and Foyer the bill was altered in a number of respects, notably at a meeting chaired by Chirac on June 3rd. However, by the end of the month it was sent before the Conseil d'Etat and it was approved by the Conseil des ministres in a form acceptable to Devaquet on July 11th. Devaquet and his advisers hoped that the bill could be debated over the summer as they feared student protest against it if it were delayed until the autumn session.⁶ There had already been some very minor protests outside of Paris in April and May. This request, however, was refused by the UDF Minister for Parliamentary Relations, André Rossinot. He gave preference to Méhaignerie's housing bill in the Assemblée nationale, while the Sénat was busy slowly rewriting Léotard's broadcasting bill. The university reform bill, therefore, had to wait until October to be debated.

The Sénat finally debated the bill between 23rd-29th October. It was passed with little difficulty and encountered criticisms from only a few socialist senators. There had been little press or public interest in the debate. The different student organisations, however, had started to try and mobilise their members against the bill. On October 21st, 400 students launched what came to be known as the 'appel de Caen' which called for a total withdrawal of the bill. As yet, however, student action was confined to a small group of union militants who had little impact on the mass of students who had just started the new academic year.

The first main student initiative came at the university of Paris XIII at Villetaneuse on November 17th. Although the principle of going on strike had been passed four days earlier, it was on this date that the students there voted by a large majority to strike and to try and extend it to students at other faculties. In fact, by November 22nd the strike had spread to students in a series of other universities in the Parisian region and outside. Moreover, the strike had also spread quickly amongst the *lycéens* and from the 21st onwards their numbers were to swell considerably the ranks of the student protestors.

On November 22nd the long-arranged *Etats généraux* of the UNEF-ID were transformed into the *Etats généraux des étudiants en lutte* and a demonstration was announced in Paris on the 27th.⁷ Also on the 22nd the movement received the support of President Mitterrand who said: "Comment voulez-vous que je me sente déphasé par rapport à eux (les jeunes)". Furthermore, the 28th saw the long-planned rally in Paris of the FEN which announced its support for the students. This demonstration was much larger than the government had expected and, indeed, the government consistently underestimated the movement's strength over the next fortnight.

The national student demonstration on the 27th also proved to be a great success and by this time disruption was widespread in most of the country's universities. Another demonstration was fixed for December 4th. In an attempt to calm the situation, on the 28th the government announced the postponement of the bill's examination by the Assemblée nationale. Chirac then personally announced on November 30th that the government was aware of the opposition to the bill and that it would spend the next couple of weeks re-examining it and making any changes that were felt to be necessary.

This promise did not deflate the movement and was seen by the students as an attempt to buy time by Chirac with the hope that the protests would die down. In fact, the student organisations, buoyed by favourable television coverage and opinion polls, did their best to ensure that the demonstration on the 4th was to be an even greater success. For UNEF-ID, the demonstration was the most potent weapon against the government and its success depended on the number of people joining the marches.⁸

Figure 1: Calendar of events; November 17th - December 8th

Mon. 17th	Strike vote at Villetaneuse
Sat. 22nd	Creation of the <i>Etats généraux des étudiants en lutte</i>
Sun. 23rd	FEN demonstration in Paris (100,000 attend) Mitterrand's declaration at Auxerre
Thurs. 27th	First national student demonstration
Fri. 28th	<i>Renvoi en commission</i> of the bill
Sat. 29th	Difficulties within UNEF-ID
Sun. 30th	Chirac appears on <i>Questions à Domicile</i>
Mon. 1st	Darriulat alleged to have met Monory
Tues. 2nd	Election of student delegation to meet Monory
Weds. 3rd	Thomas meets Toubon
Thurs. 4th	Second national student demonstration Student delegation meets Monory Rioting in the evening
Fri. 5th	Government crisis meeting Chirac leaves for London with Mitterrand Monory's television appearance Devaquet writes resignation letter Rioting and death of Malik Oussekiné
Sat. 6th	Beginning of two day RPR festival Chirac and Mitterrand return from London
Sun. 7th	Chirac has an audience with Mitterrand
Mon. 8th	Withdrawal of bill

The demonstration on the 4th proved to be a great success with between 500,000 and 700,000 protestors marching in Paris alone. The government, however, refused to back down. Monory, the UDF Education Minister and Devaquet's superior, had already agreed to meet a delegation of striking students on the evening of the 4th. This meeting, however, was a failure with neither side either wanting to negotiate, or being allowed to when an attempt was made. Instead, the demonstration degenerated into violence between the police and students and a night of rioting ensued. The students blamed the police and the police blamed *casseurs* who they claimed were deliberately provoking violence from within the student ranks.

The next day was marked by intense governmental activity which culminated in a rather unapologetic television broadcast by Monory. It also saw the overnight resignation of Devaquet in response to the transfer of responsibility for the bill to the Education Minister and the violence that had occurred the previous day. Worse was to follow when during the evening of the 5th and 6th rioting again broke out. In the police operation to disperse the crowds a student, Malik Oussekinge, was chased by two policeman and was struck. He died of his injuries in hospital a few hours later.

During the next two days the crisis was at its height. Chirac, however, had gone to London the previous day and there appeared to be a lack of governmental leadership. The student organisers called for a further demonstration on the 10th. There were clear signs that the protest was spreading to other non-student unions. Moreover, certain members of the government gave the impression of being less than sympathetic to what had happened during the night. In a speech to the RPR's 10th anniversary festival on December 7th, Charles Pasqua, the Interior Minister, suggested that the student movement was trotskyst inspired and that the government would

never give in to street violence. While there had been violence and while trotskyists were present in the national delegation, this was a view which seemed caricatural to the mass of ordinary students and their parents alike.⁹

Behind the scenes, however, there was intense pressure on Chirac to withdraw the text. Government solidarity had never existed in private over what to do and now divisions were appearing in public as certain prominent Ministers called for the text to be withdrawn. On the morning of the 8th, Alain Madelin, the Industry Minister, publicly condemned Oussekiné's death and said that the bill should be scrapped. Faced with pressure from within his government Chirac decided to end the escalation of violence and at 1 p.m. on December 8th it was announced that the bill had been withdrawn.

The repercussions of this troubled period for the government did not end there. On the 9th Chirac announced a pause in its reform programme. There was a silent student demonstration on the 10th. Both the Assemblée nationale and the Sénat set up special commissions of enquiry which produced voluminous reports and provoked charges of a government cover up.¹⁰ While the two policemen involved in the death of Malik Oussekiné were acquitted only in 1990. This study, however, will concentrate on the events between November 17th and December 8th and we will now consider the response of the government to the student protests during this period.

Machinations within the government

In this section we will concentrate upon the events as witnessed from the government's point of view. We will focus upon two things in particular. Firstly, we will identify the divisions within the government over whether the bill should have been kept, or withdrawn. Secondly, we will identify the different governmental strategies that were adopted during the crisis period.

As we focus upon both of these different aspects of the government's action we will identify the role of the Prime Minister and see to what extent he determined the government's response to the student protests.

From the first weekend of the crisis onward (22nd\23rd November), it was possible to identify three different attitudes within the government. There were those who refused to alter the text and wanted to defend the unamended version; there were those who wished to modify it to a greater or lesser extent in an attempt to appease the students; and there were those who wished to withdraw the text immediately and unconditionally. During the crisis period there was a gradual shift from the first position to the second and then finally to the third. We would not wish to suggest, however, that this was in any way a linear progression as opinions were relatively slow to move until the death of Malik Ousseine. It was only on Monday 8th that the pressures to withdraw the bill became so strong as to convince the Prime Minister to abandon it.

The strategies adopted during the crisis period could largely be seen to correspond to the divisions within the government. At the beginning, when there were only a few voices calling for the bill's withdrawal, the government adopted several of what might be called 'classical' strategies: media appearances to explain the bill, public meetings with the protestors to put forward the government's case; and the collation of information by the *renseignements généraux*. As the crisis spread, so the measures taken to deal with it became less routine. The *renvoi en commission* was an example of this. Finally, during the period of greatest fluidity it became difficult to talk of a governmental strategy at all. At this point the action of government members was more inspired by private rivalries, personal initiatives and finally open rebellion than by any pre-determined strategy. We will now chart

the divisions, identify the strategies and account for them both. In doing so we will highlight some of the motivations behind the decision making process and define some of the limits of governmental action.

Although the strike at Villeteuse was called on November 17th, it was not until the weekend of the 22nd\23rd that any particularly exceptional action was taken. In part this was not surprising. Opposition to the bill, for example, during its passage through the Sénat had been no greater than on any other bill. Similarly, although the strike did spread quickly, it was not until the 22nd that there was any national co-ordination. Moreover, on the 17th itself, Devaquet had fulfilled a long-arranged meeting with Phillipe Darriulat, the leader of UNEF-ID, where the contents of the bill were discussed, but where it was never suggested that it was unacceptable to the union, or that it should be withdrawn. Instead, discussion centred around some rather technical amendments and Darriulat was content merely to state his opposition to the contentious parts of the bill.¹¹

It was only during the weekend of November 22nd/23rd that the situation became at all worrying for the government. The *états généraux* of UNEF-ID were transformed into the *états généraux des étudiants en lutte*; Mitterrand made his comments at Auxerre in support of the movement; and the demonstration by the FEN proved to be a great success. The first person within the government to appreciate the potential seriousness of the situation was Charles Pasqua. He was particularly shocked by the number of people who attended the FEN demonstration:

Deux jours plus tôt, pendant une réception à l'Elysée, Charles Pasqua fanfaronne devant quelques journalistes. "Ils ne seront que dix mille", assure-t-il.¹²

In fact 200,000 people turned up to demonstrate and many of these were students. Pasqua immediately ordered the services under his control to gather information about the student movement and its likely strength. The results were alarming and on the 24th at the first government meeting held on the student problem Pasqua shocked everyone by calling for the bill to be withdrawn. He stated:

... on ne pourra pas tenir devant la montée de mécontentement. Ce projet, on sera de toute façon obligé de le retirer. Maintenant on peut encore sauver la face, prendre l'initiative. Il va être trop tard.¹³

Pasqua's suggestion, however, was rejected. For the Prime Minister and the rest of the government it appeared to be a premature reaction and, moreover, Pasqua had only recently been embarrassed in the Chalié affair which had lowered his bargaining power amongst the other government members.

There were further government meetings on the 25th and 26th where the student issue was brought up. At these Pasqua reiterated his views, but found some support only from Pierre Méhaignerie, the leader of the CDS. The centrists had been careful to make and maintain contacts with SOS-Racisme who were very close to one of the three major factions within the UNEF-ID, *Questions socialistes*.¹⁴ Through his contacts Méhaignerie had come to the same conclusions as Pasqua about the nature of the problem.¹⁵ In a meeting of the CDS leaders in the evening of the 24th, Méhaignerie proposed that the passage of the bill should be delayed and that changes should be made.¹⁶ It should be noted that Monory, however, also a member of the CDS, was not present at this meeting.

In the few days up to the first national demonstration on the 27th the government had a number of different strategies which it pursued simultaneously. Devaquet and Monory started to appear much more

frequently on television and radio to explain the intentions that lay behind the bill. Moreover, they argued that there had been a misunderstanding over the bill's contents which was due in part to a deliberate misinformation campaign by student activists at all levels who were engaged in a systematic distortion of the bill's provisions.¹⁷ Monory also began calling *chefs d'établissements* and *recteurs* on a twice daily basis in order to keep himself informed of the state of the movement.¹⁸

In addition, the government started to enter into secret negotiations with representatives of the UNEF-ID leadership. In the days before the national student demonstration in Paris on November 27th, one of Devaquet's advisers was in regular contact with Alain Bauer, a member of UNEF-ID's majority faction. These contacts allowed the two sides to exchange information about the previous day's events, but also for Bauer to suggest what action the movement might consider as acceptable if it were to be proposed by the government. As Bauer pointed out:

Il n'y avait pas que une échange d'information. C'était très complexe. Je ne négociais pas. Je disais: "à mon avis ..." etc., "si on fait cela ..." etc. Je n'avais rien de particulier à proposer, sauf le retrait.¹⁹

What Bauer did suggest, however, was that the government ought to announce that the bill was going to be re-examined by the National Assembly's social affairs commission (*le renvoi en commission*) by 1 p.m. at the latest on November 27th, the day of the demonstration. This would be taken as a positive sign by the movement and would provide the basis for further negotiations. Bauer felt that he had received an assurance from the government that this re-examination would be announced by the suggested time.

The government, however, prevaricated and the announcement did not come until the following day. Its first reaction was to argue that the demonstration had not been a success and that the numbers marching were much less than the organisers were claiming. This strategy, however, was clearly insufficient as television pictures showed that there had been a large turnout. Instead, the Prime Minister decided to drop the amendments of the National Assembly commission which would have hardened the bill. This decision served to get rid of at least one possible source of provocation and was one with which Devaquet was in agreement. Chirac also proceeded to consult his coalition colleagues about which course of action to take. Once again, however, only Pasqua and Méhaignerie suggested that the bill should be withdrawn.

Pasqua's advice, however, did have an influence on Chirac. The following morning (Friday 28th) Chirac met Monory, Devaquet and Maurice Ulrich to discuss the next course of action. At this meeting, Chirac proposed that the bill should be abandoned. The two Ministers, however, were strongly opposed to this. Giesbert recounted the conversation:

Pour Chirac, qui a beaucoup consulté pendant les dernières heures, il y a trois solutions et elles ont toutes les inconvénients: le retrait sera considéré comme une reddition; le maintien conduira à l'épreuve de force; le compromis ne mettra sans doute pas fin à la contestation étudiante. Parce qu'il n'a jamais aimé les terrains minés, il penche, cela va de soi, pour la première solution. Ses deux ministres ne veulent rien entendre. Ils se détestent cordialement, mais, sur cette affaire, ils font bloc.²⁰

Feeling that he could not go against the two Ministers responsible, Chirac agreed to back down. However, it was clear that something had to be done and the Prime Minister decided to delay the passage of the bill by having the

National Assembly's commission re-examine it and to announce that it might be amended to meet the students' demands.²¹

Instead of sending a clear signal to the students that it understood their worries and that it would try to take their demands into account, the government's delay in announcing the re-examination of the bill was seen by the students as a delaying tactic. Indeed, Devaquet admitted that this was the real aim behind the decision.²² As Bauer noted, however, the government's concession had come too late and the movement, flushed with the success of the demonstration, now wanted more than vague promises of amendments:

Le gouvernement était toujours décalé. Le gouvernement était d'accord pour le renvoi, mais il l'a fait le lendemain. Dans un jour beaucoup de choses se sont passées. Il y avait un décalage entre la décision et la mise en marche de la décision.²³

The students, led by the *Questions socialistes* faction and their spokesperson, Isabelle Thomas, decided to step up the campaign for the bill's complete withdrawal and received blanket media coverage over the weekend where this demand was constantly reiterated. Thus, when Chirac appeared on the television programme, *Questions à Domicile*, on Sunday 30th and personally announced that the bill might be rewritten if necessary, he gave the impression of having ignored the students' demands.

The government's prevarication was caused principally by its internal divisions. Pasqua and Méhaignerie wanted to see the bill withdrawn, whereas Monory and a substantial cross-section of the RPR parliamentary group and its coalition partners refused to envisage this option. There were several reasons why Chirac finally decided to follow Monory's advice rather than Pasqua's. One of the principal reasons was that on the 29th the Education Minister threatened to resign if the bill were withdrawn.²⁴ Devaquet also felt that if it were to be withdrawn he too would have to resign. Chirac felt that

the loss of an important text and two government Ministers would have had an adverse effect on his own and the government's popularity. Just as importantly, Chirac did not want to alienate Monory in any way. He was one of the few UDF *notables* who were willing to support Chirac ahead of Barre in the forthcoming presidential election.²⁵ His resignation, therefore, would have been a blow to Chirac's campaign. It must also be noted that there were still only a few people at this time who wished to see the bill abandoned. Most of the coalition leaders did not want to see the government capitulate to pressure from students in the street, although they were willing to accept that the bill should be delayed and perhaps rewritten. One of the other contributing factors was the fear that the withdrawal of this bill would have a knock-on effect on the rest of the government's legislation. Notably, it was felt that the Nationality bill would be the next bill to come under pressure. Indeed, this fear was realised as the Nationality bill was one of the first casualties when the government announced a pause in its legislation on December 9th immediately after the withdrawal of the Devaquet bill.

The presence of all of these factors meant that there appeared to be a certain prevarication in the decision making process. In part, the problems facing the government were logistical in that some leading figures could not be reached as they had already returned to their constituencies for the weekend. Mainly, however, the Prime Minister wanted to avoid rash decisions and was trying to satisfy as many of the conflicting demands with which he was faced. This could account for why the government seemed to be reacting slowly to the problems it faced. What is more, Devaquet argued that the events were so complicated that it would be wrong to suggest that the government had a set of options from which it chose its next strategy:

On aurait tort de nous imaginer pesant nos informations, inventoriant les stratégies possibles, évaluant leurs conséquences.²⁶

According to Devaquet, decision making during this period did not seem to bear the hallmarks of a rational process.

One of the strategies that may have been adopted, however, was the decision to exclude Devaquet from the decision making process. One of the first to receive this impression was Bauer. He felt that after the first demonstration the Minister had been effectively withdrawn from the group of people within the government who were deciding what course of action to take. Having received this impression Bauer no longer concentrated on contacting Devaquet's advisers after the demonstration on the 27th.²⁷ Instead he contacted Monory's advisers, notably his *directeur de cabinet*, Bertrand Saint-Sernin, while at the same time he was in contact with Yves Durand at Matignon.

This impression was confirmed in an interview with Daniel Vitry, while Devaquet also felt that he was no longer at the centre of things by the end of November, although he described this in a coded and poetic way:

A partir du premier décembre, le vent s'enfuit, le brouillard bat les arêtes et, comme étranger au monde, asphyxie tout. Silence total. Je ne vois plus, je n'entends plus mes 'compagnons' de cordée, je respire le chemin à travers le brume.²⁸

Devaquet was the first to admit that he was an inexperienced Minister and that he had made mistakes. Moreover, it was clear that the government really needed a scapegoat and that a decision to sideline Devaquet was a precursor to this action.

Devaquet's main evidence that he had been eliminated from the decision making process came with the claim that he had not been informed of the meeting that allegedly took place between Monory and Darriulat on

Monday December 1st. Devaquet claimed that he had only learnt of it at the same time as everyone else, namely, when he read the report of the special parliamentary committees.²⁹ In his testimony to these committees, however, Monory said that he had informed Devaquet of it very soon after it had taken place. This conflict between the two Ministers only served to complicate the account of this meeting, the existence of which Darriulat has, in any case, always denied. Nevertheless it did seem clear that Devaquet played little positive role in the following week.

In fact, it was Monory in his testimony to the National Assembly's special commission who first stated that he had secretly met with Darriulat in person on December 1st at the Education Ministry with a view to negotiating an acceptable version of the bill. Durand and Saint-Sernin confirmed this version of events in their testimonies and said that they too were at the meeting. All three stated that in principle an agreement had been reached whereby Darriulat would be present in the delegation which was to meet Monory and Devaquet on the 4th. Amendments would be discussed at this meeting and the following day Darriulat would suggest that the student *coordination* accept them. Darriulat, however, vehemently denied to the special commission that such a meeting ever took place, claiming that Monory had invented it. Indeed, in our interview with Darriulat, three years after this testimony, he continued to deny that such a meeting ever occurred. He also denied that he had ever considered being part of the student delegation, which was confirmed in an interview with Bauer.

Despite Darriulat's insistence that this meeting never occurred, it was admitted by Jean-Christophe Cambadélis that Darriulat had been in contact with Matignon during this period and that he had used André Bergeron, the head of Force Ouvrière (FO), as an intermediary.³⁰ Bauer noted that Bergeron

had contacted Chirac in preparation for the Prime Minister's important television interview on November 30th and that he had taken the opportunity to present himself as a go-between in order to facilitate a negotiated solution.³¹ Moreover, given Bauer's contacts with the government there was ample opportunity for negotiations to have taken place between the leadership of UNEF-ID and the government.

Whether the meeting did take place and whether Devaquet was informed of it or not, the logic of this meeting and of the other undisputed contacts was consistent with what had been decided after the first demonstration. Namely, that the bill was likely to be amended in a way acceptable to both sides after the meeting on the 4th. It was clear, however, that there was a certain amount of confusion within the government about what was going to happen. One of the themes of Devaquet's book was that information did not flow smoothly between the different centres of decision within the government. This observation was confirmed by Vitry and according to Toubon could be put down partly to the strained relations between Devaquet and Durand, but also by Monory's unwillingness to be seen publicly to be drawn into the crisis. He preferred to see Devaquet take responsibility for events.

This lack of policy co-ordination within the government was one of the reasons why Toubon, the general secretary of the RPR, accepted an invitation to meet the representatives of *Questions Socialiste* on Wednesday December 3rd. Toubon felt that the forthcoming meeting with the student delegation had to be prepared and was unaware that Monory and Durand had been conducting negotiations with the student movement to this end. On the advice of one of the members of his *cabinet*, Toubon agreed to meet Isabelle Thomas and two other student representatives on the evening of the 3rd.

Julien Dray, the leader of the *Questions socialistes* faction, had contacted Thomas that same morning and informed her that she should prepare to meet Toubon. The details of the meeting had been arranged between Dray and the young RPR deputy, Eric Raoult. While the two never met personally, they used their mutual contacts at the St-Maur faculty in Paris to arrange a meeting. At the meeting Thomas suggested the ways in which the bill could be made acceptable to the movement and she was given the assurance that Devaquet would be informed of her suggestions in time for the meeting with the delegation the following day. There were at least two agreements, therefore, between different union factions and different government Ministers both preparing an honourable compromise the next day.

An honourable compromise, however, did not occur. The meeting with the student delegation was a fiasco. The explanation for this lay at least in part with Monory. Devaquet in his book and Vitry in an interview both stated that just before they were due to meet the delegation the Education Minister did not seem inclined to talk about what course the meeting should take.³² It was largely for this reason that Devaquet felt that he did not have the authority at the meeting to suggest the amendments to the bill that had been drawn up the previous day and been passed on to him by Toubon. Monory did not put forward any signs of compromise and Assouline, the delegation's spokesperson, did not propose any amendments.

This meeting, therefore, saw an apparent reversal of Monory's strategy. The Education Minister has argued that he was not allowed to propose any amendments because David Assouline, the leader of the delegation, had firmly taken the decision not to allow any discussions to take place.³³ However, according to the students present and according to Devaquet and Vitry, the blame could be said to lie equally with the Education Minister who

seemed unwilling to negotiate. In fact Monory refused to negotiate because he felt that the situation had changed over the previous two days and that now the government might be in a position to win.

Some observers felt that the elections to the student delegation on the 2nd had marked a decisive change in the nature of the protests. These elections saw the apparent take-over of the movement by trotskyists. The newspapers talked of the movement being hi-jacked by the extreme left.³⁴ Isabelle Thomas had not been elected; Darriulat had not put himself forward for election; and the delegation was to be led by David Assouline, a member of the trotskyist LEAS faction within UNEF-ID. Monory shared this analysis and his suspicions were seemingly confirmed by a telephone call from Assouline on the morning of the 4th where he was told that he, Assouline, and not Darriulat would be leading the delegation.³⁵ Matignon's immediate response was to issue a press release giving details of Assouline's curriculum vitae. Many of these details turned out to be false, but at the time they served to confirm the impression that the extreme left now controlled the movement.

The belief in government and journalistic circles that there had been a trotskyist takeover of the movement was false. According to Cambadelis and in a version confirmed by Rosenblatt, over the course of the previous weekend the UNEF-ID majority faction and the *Questions socialistes* faction had agreed that a student delegation should be elected to meet the government.³⁶ It was also agreed that they would join forces to place Assouline at the head of the delegation so as to ensure that he too would be forced into a process of negotiation to which he and his faction ^{were} ~~was~~ still officially hostile. This mistrust of the LEAS was a constant factor during this time. Thomas voiced these doubts:

Je ne sais pas s'il [Assouline] veut gagner. Il y a toujours un doute sur l'extrême gauche.³⁷

Assouline's presence at the head of the delegation, therefore, was not a sign that the trotskyists had taken over the movement. On the contrary, it was an attempt by the other more moderate UNEF-ID factions to ensure that the movement would both remain unified and negotiate with the government.

If the movement had really been taken over by the trotskyists, then the government would have been in a much stronger position. It could have hoped to see the movement split. It could have portrayed the students' demands as being extremist and it would have hoped to have won back public support by taking a firm line against them. Such a change would also have put the PS in a difficult situation as it could not have been seen to support a movement orchestrated by the extreme left. Monory seemed personally to re-evaluate his tactics in the light of these considerations and decided not to hand out any olive branches to the student delegation.

This personal initiative was confirmed the following day and provoked cries of a *coup d'état* from amongst some members of the Prime Minister's *cabinet*.³⁸ There was a government meeting in the morning to discuss the events of the day before. It was clear from this that opposition to the bill was growing from within the government's own ranks. Notably, the liberals, Léotard and Madelin, argued that it was time to withdraw the bill. They were backed up by Méhaignerie, Juppé and Michel d'Ornano. Paradoxically, however, Pasqua now supported the text having reversed his position during the previous few days. He argued that if the government were to abandon the bill now it would be seen to be weak and as having capitulated to the mobs on the street.³⁹ Pasqua was supported by Monory, but

also by several important figures within the RPR, such as the former Prime Minister, Pierre Messmer.

At this meeting it was decided that Monory should take charge of the situation himself. Chirac personally asked Monory to “reprendre l'affaire en mains”. This decision was to provoke Devaquet's resignation later that day when he was informed of the decision by Balladur. In practice, he had already been put to one side, but the decision was now confirmed. It was also decided that Monory should appear on television later that day and that the substance of this appearance would be fixed at a meeting in the afternoon. Chirac, however, had to leave immediately for London where he was accompanying Mitterrand at an EC summit. Balladur, therefore, chaired this meeting and he proposed that the Minister should announce that the government understood the students' demands and that it would withdraw the offending parts of the bill. Monory, however, refused to accept this proposition. At an earlier meeting with Léotard he had said:

Je suis en train de prendre la responsabilité d'un dossier dont on m'a interdit l'accès pendant neuf mois. Ou bien je prends les choses en main, ou bien je m'en vais.

While at the later meeting with Balladur he said: “Je ne pouvais pas prononcer ce mot-là [retrait].”⁴⁰ Indeed, during the television appearance later that day no mention was made of withdrawing any part of the text and the impression was given that the government's position had not changed since Chirac's statement the previous weekend. This refusal to make any mention of the word ‘retrait’ was highly unpop^pular with many government Ministers.

As Toubon noted:

Lorsque les choses sont devenues très chaudes, [Monory] a systématiquement essayé non pas de désamorcer le conflit, mais de sorte de court-circuiter Devaquet, et le gouvernement en général, en

préconisant une négociation, une modification du texte de manière, disons, isolée. Sans concertation ni avec Devaquet ni avec Matignon. Il a joué cavalier seul. Il a essayé de tirer son épingle du jeu.⁴¹

We have to note, however, that any question of Monory being disloyal to the Prime Minister during the crisis was flatly denied by Saint-Sernin who asserted that his Minister had always been “complètement loyal à l'égard du Premier ministre”.⁴² As with the account of the meeting with Darriulat earlier in the week, there are different and utterly contradictory versions of what happened during this period.

The death of Malik Oussekiné during the night of December 5th\6th was to be the catalyst for the abandonment of the text as a whole. Although many deputies had returned to their constituencies for the weekend, it was clear from the numerous meetings and telephone calls that took place that pressure was increasing to abandon the bill. Previously, there had been little serious talk in the government meetings about withdrawing the text as a whole. This was because the bill also included some important changes to the structure of university governing bodies against which the students did not protest. During the course of the crisis, therefore, both Devaquet and Monory's advisers had been drafting rewritten versions of the text, whereby the contentious articles would have been dropped, but these reforms kept. By this weekend, however, many felt that only the withdrawal of the text as a whole would satisfy the students and public opinion.

This feeling was transmitted to Chirac by several leading government figures when he returned from London on Saturday in the late afternoon. Despite the death of Malik Oussekiné there were still contacts between the government and the students. On Saturday 6th Bauer met Pasqua in the church of Saint-Etienne du Mont, while on the 7th Thomas had a second

meeting with Toubon. On both of these occasions, however, the government was told that the movement was uncontrollable and that only the abandonment of the bill would bring it to an end. Bauer received the impression that Pasqua was preparing the way for the bill's withdrawal:

En fin d'après-midi j'ai décidé que, malgré tout, je devrais rencontrer mon interlocuteur qui m'attendait à partir de 4 heures dans une église. Le Ministre de L'Intérieur. J'avais l'impression qu'il avait le pouvoir de prendre des décisions concernant la suite des événements. Le retrait.⁴³

Neither Bauer nor Thomas, however, had anything to propose but the withdrawal of the text. It was clear to the UNEF-ID leadership that unless the bill was withdrawn the protests would spread to other societal groups. At the same time there were already fears of possible public order problems during the demonstration fixed for the 10th. Natalie Prévost described the atmosphere in the offices of UNEF-ID on Saturday December 8th:

Du samedi au dimanche [6th-7th], le bureau national de l'UNEF-ID est harcelé par les dirigeants des grandes organisations politiques et syndicales, qui veulent toutes se rallier à la manifestation du 10 ... Bref, selon un proche de la direction de l'UNEF-ID, personne ne contrôle plus le mouvement, propulsé par sa propre dynamique. La mort de Malik l'a fait basculer dans quelque chose d'autre, l'a élargi à d'autres catégories de la population.⁴⁴

The message that UNEF-ID could no longer control the movement and that only the withdrawal of the bill would now be acceptable to the students was passed on to both Pasqua and Toubon and subsequently to Chirac.

During the course of the weekend Chirac also met various representatives of the majority, including Balladur, many of whom had now reached the conclusion that the bill had to be abandoned. The Prime Minister also had an audience with the President, although, once again, there were two mutually contradictory accounts of this private meeting. What was clear,

however, was that the President supported the students and that the opinion polls were also showing overwhelming public support for them.⁴⁵

Sunday, December 7th, also saw a day of frantic meetings and telephone calls. Chirac was contacted by both Bergeron and Maire, the leader of the CFDT, both of whom informed him of the discussions they had held with Darriulat. Initially, they had both told the students that the time had come to end the protests. They were told, however, that UNEF-ID could no longer control the movement and that, if they wished to see the protests end, then they should put pressure on the government to withdraw the text. It also became clear that Raymond Barre was set to intervene the following week in favour of the students. While Mitterrand would use a long-standing radio engagement to support the movement. The Prime Minister also met Léotard and Madelin and was told by the latter that he had written an article which would appear in *Le Matin* on Monday morning saying that the bill should be withdrawn.

It was difficult at this time, however, for Chirac to abandon the text. One of the reasons for this was that the RPR's 10th anniversary celebrations were taking place over this weekend and it would not have been a propitious occasion to announce such a decision. More importantly, however, the Prime Minister still believed that Monory would refuse to withdraw the bill. The Minister had given no indication to Chirac that he had changed his mind. Over the weekend, however, the Education Minister was the target of fierce lobbying by members of his own party and from coalition partners all of whom wished to end the crisis and argued that this meant withdrawing the bill. It was only on Monday morning when he returned to Paris for a further crisis meeting that he informed the Prime Minister that he had changed his mind. Chirac who had not personally decided on the best course of action to

take now found that almost all of his senior colleagues wanted the bill to be dropped. The Prime Minister, therefore, agreed that this would be for the best.

The delay in taking the decision led to criticisms that there was a lack of prime ministerial leadership and that throughout the crisis Chirac had been vacillating. Also, the fact that he left for London at the height of the affair was criticised by many people. According to Toubon, however, the Prime Minister's attitude throughout the period was consistent:

Le Premier ministre et ses collaborateurs ont certainement observé la situation pendant quinze jours et ont pris plein d'avis. Certainement que pendant ces deux ou trois semaines Matignon s'est beaucoup interrogé. Le Premier ministre n'avait certainement pas au départ pris la décision ni de maintenir le texte, ni de le retirer. C'est au fil des événements que peu-à-peu il a forgé sa position.⁴⁶

It was clear that the final weekend saw a major shift of opinion within the government and that Monday saw Monory change his mind. It was only at this stage, when it was clear that both Monory and an overwhelming majority of government members and senior party figures favoured the bill's withdrawal, that Chirac decided that it should be abandoned.

Conclusion

During a public policy crisis, we might expect to see a concentration of power within the highest ranks of the core executive, as political leaders try to assert their authority over the situation. Therefore, on this occasion, during *cohabitation*, we might have expected to have seen an increase in prime ministerial leadership. Such an increase, however, did not occur. At no stage did Chirac take the initiative for, or be seen to take the lead in the management of the crisis. Instead, for the most part there was a form of collective leadership with the government's strategy being decided amongst a

small group of senior Ministers and advisers. Although, towards the end of the period, there were also individual initiatives by senior figures, notably, Monory, Toubon and Madelin.

The main reason for this absence of prime ministerial leadership was derived from the problems arising from managing the governmental coalition. The rivalries that existed between the UDF and RPR and, indeed, between the individual components of the UDF, meant that Chirac could not take the initiative during the crisis period without the risk of seeing all or part of the coalition collapse. This placed the Prime Minister in a delicate position, particularly as he was a candidate at the forthcoming presidential election and also because his right-wing rival, Raymond Barre, was in no way associated with the government's plight. While these pressures were present in the other decisional studies, notably during the preparation of the 1986 broadcasting bill, they were greater in the above study because of the crisis nature of the situation. As we saw, the crisis exacerbated the tensions within the government and threw into relief the constraints under which the Prime Minister had to operate.

It must be appreciated, however, that while crisis periods heighten the need for political leadership, they also make it difficult for such leadership to be forthcoming. The conditions under which politicians have to make decisions at such times militates against the exercise of political leadership, even if it does not render it impossible. This is because the stakes are much higher during periods of crisis than they are during periods of routine decision making. As a result, the consequences of any decisions are much greater. Stark choices have to be made and compromises are difficult to reach. Decisions may entail the departure of a Minister, as in this case, or the government itself, if the crisis is sufficiently acute.

Given the nature of political crises in general, therefore, and this one in particular, it is not surprising that there was a period of vacillation on the part of the government. In the situation where the benefits which would have accrued to Chirac from 'winning' were so great and where the penalties for 'losing' were equally important, then the fact that the Prime Minister allowed for a period of reflection is understandable. Nevertheless, there were serious miscalculations on the part of the Prime Minister and the government. Notably, these miscalculations concerned the strength of the student movement and, equally importantly, the speed at which the situation was developing.

Even so, despite these miscalculations, the government might have been able to weather the storm had not the death of Malik Oussekiné occurred. His death coincided with the period of greatest systemic fluidity. Not only was it impossible for the Prime Minister to have foreseen this event, short of confining all policemen to barracks, but it was also very difficult for him to have done anything else other than withdraw the bill once it occurred. This exogenous event which was outside of the Prime Minister's control served to introduce an unpredictable element to the decision making process and one which was not present in the examination of the previous case studies.

Chapter 6

Crisis Policy Making: ii The Politics of Devaluation, March 1983

The fourth case study examines the debate surrounding the third devaluation of the franc in March 1983 and the decision to retain Pierre Mauroy as Prime Minister. The debate over the franc saw a clash between the people who favoured a realignment of the parities of the European Monetary System (EMS) and those people who wanted to see France withdraw from the system altogether. This debate coincided with and was the cause of much speculation about the position of Mauroy as Prime Minister. In the end, Mitterrand decided that France should remain in the EMS and he kept faith with Mauroy.

This case study differs from the previous chapters because, whilst it is an example of a public policy decision, it is an example of a policy which did not require the passage of a law. Thus, the decision making process as witnessed here is different from the one which was observed in the other examples. Here, there was neither the usual process of *réunions*, *comités* and *conseils*, nor was the Parliament or the Conseil constitutionnel involved. Instead, policy was made in a series of informal meetings at the highest governmental levels. Nevertheless, as an example of public policy making, this debate provides numerous points of comparison with previous chapters and is worthy of consideration.

As with the events surrounding the Devaquet higher education bill, this case study examines a period of crisis. There was a nine day period in which the debate over whether to withdraw from the EMS or to devalue the franc within it was concentrated. This period was one of a 'curable' crisis.¹ During this time the policy process was characterised by a breakdown of the routine channels of policy preparation. This situation is typical of crisis periods. As Dunleavy and O'Leary state:

Almost by definition, crises are periods when the normally routinised operations of the bureaucracy are insufficient or cannot be relied on, when decisions have to be quickly pushed up through the chain of command, and where an unusually large and direct role in controlling policy implementation has to be taken by political leaders.²

Even given that this policy was one which did not require a statute, the decision to remain in the EMS was not marked by official, scheduled meetings. Nor was it characterised by unofficial meetings which brought together all of the leading protagonists. Instead, the President arrived at his decision through a series of unofficial encounters and *têtes-à-têtes* which rarely brought more than three people together at any one time. There were secret plots and there was an atomisation of the policy process.

This period also constitutes a time of crisis because of the importance of the decision which had to be made. As Dunleavy and O'Leary again state:

Crises often mark turning points in overall patterns of policy development, because the consequences of alternative decisions can be momentous.³

The policies between which the President had to choose were mutually exclusive. They represented two alternative and radically opposed solutions. There was no compromise solution possible. Favier and Martin-Roland have described the decision to remain in the EMS in March 1983 as "*une orientation historique*".⁴ Giesbert has said that it is "*à cet instant que se joue le sort du septennat*".⁵

In the previous chapter it was noted that times of crisis necessitate strong political leadership. During *cohabitation* the Prime Minister had to exercise such leadership. In 1983, it behoved to the President. It is this respect that the present case study differs from the ones previously examined. It will be seen that the Prime Minister was involved in the policy process as an actor, but not as a decision maker. The decision to remain in the EMS and the

subsequent decision to retain Mauroy as Prime Minister were both taken by Mitterrand personally. Therefore, this case study provides the clearest study of presidential influence in the policy process.

In the first section the background to the March 1983 debate will be outlined and a detailed résumé of the crucial nine day period will be given. In the second section the political and politico-economic considerations behind the decision not to withdraw from the EMS and to retain Mauroy as Prime Minister will be considered. Some general conclusions about this period will then be given.

The 1983 Devaluation Debate

The 1983 devaluation can be placed in the logic of the socialist government's post-1981 economic policy. The two strands of thought articulated in March 1983, one supporting a withdrawal from the EMS, another preferring to devalue the franc within the system, were present within government circles from May 1981 onwards. The March 1983 debate was important because it saw the second school of thought triumph finally and definitively over the first.

In the course of the 1981 presidential election the reflation of the French economy was one of Mitterrand's main campaign issues. The PS was united in the pursuit of this policy. However, the extent of the reflation of demand and the means by which it should be achieved were a source of dispute.⁶ The first manifestation of the differences of opinion within the PS on these issues came immediately after Mitterrand's election. Whilst a decision to withdraw from the EMS was quickly discounted, Mauroy and Rocard were amongst those who argued that the franc should be quickly and substantially devalued within the system, so that the proposed reflation of demand could take place under propitious conditions. Mitterrand's reaction

to this suggestion is well documented and came as he and Mauroy were being driven down the Champs Elysées on May 21st 1981: "On ne dévalue pas un jour comme aujourd'hui".⁷ Thus, from the outset Mitterrand asserted the primacy of political considerations over economic ones.

During the course of the summer the government faced severe economic problems. The decision to reflate had been taken against an international background of high interest rates, deflation and decreasing inflation. The result of French policies was to cause the country's balance of trade deficit to increase, inflation to rise and interest rates had to be raised, so as to relieve some of the pressure that the franc was experiencing within the EMS. In fact, Mitterrand's unilateral decision in May only delayed a devaluation of the currency. This devaluation came on October 4th 1981.

The intragovernmental debate surrounding the October devaluation saw the first dress rehearsal of the arguments which would be used in March 1983. Jacques Delors, the Finance Minister, wanted the devaluation to be accompanied by a set of deflationary measures which would stifle rising demand. He insisted that 10 billion francs should be cut from the spending component of the 1982 budget and that a further 15 billion francs should be frozen. Delors's plan, which was supported by the Germans who had to agree to a realignment of the EMS, was opposed by Fabius, the Budget Minister, who had conducted the budgetary expenditure arbitrations largely unaided.⁸ In the end, Mitterrand arbitrated in Fabius's favour, although some budgetary credits for 1982 were frozen.

Despite the devaluation, the country's economic problems only accentuated. Bauchard has argued that, as a result of these problems, both Delors and Mauroy became convinced that a further devaluation was necessary and that this time it had to be accompanied by a substantial

programme of deflation.⁹ The economic advisers in their *cabinets* and the President's main economic advisers were instrumental in convincing them that this course of action was the only one which was economically viable. The Prime Minister ordered a plan of economic rigour to be drawn up secretly in the spring of 1982.

When this plan was presented to the President and to leading members of the government on May 28th 1982 it was opposed by Fabius, Pierre Bérégovoy, then *Secrétaire général de l'Elysée*, Jean-Pierre Chevènement, the Industry Minister, and by the communists in the government. They were opposed to any deflation and tended to support the arguments of several influential industrialists and economists who argued that France should withdraw from the EMS, so as to be able to conduct its economic policy without worrying about the constraints that the system imposed. Cameron has stated that two industrialists, Jean Riboud, the head of Schlumberger, and Georges Plescoff, the head of Suez, argued that France should temporarily withdraw from the EMS. Both were close to Mitterrand and their arguments were taken very seriously by the President.¹⁰

A decision on which policy to pursue was not immediately taken, however. Mitterrand decided to use the forthcoming summit of the seven leading industrial nations at Versailles from June 4th-6th as the final occasion to persuade the Americans to lower interest rates and to reflate their economy. When they refused Mitterrand took the decision to devalue and Delors negotiated an agreement within the EMS which was announced on June 12th.¹¹

Although the preliminary decision to devalue had been taken, the question of whether the franc should withdraw from the EMS, or whether there should be a programme of deflation paradoxically had not been

resolved. At a *conseil restreint* devoted to this issue on June 13th Mitterrand finally arbitrated in Mauroy's favour, despite the absence of a majority for the Prime Minister's proposals amongst those present.¹² It was agreed that there should be a four month prices and wages freeze; employers' social security contributions were reduced; company taxation was reduced; various family allowance costs were transferred from employers to employees; and employers' VAT costs were reduced. Thus, demand was reduced and various supply side measures in favour of industry were taken.

However, these measures did not serve to alleviate the country's economic problems to any great degree. The 1982 balance of trade deficit still increased from 56 billion francs in 1981 to 93 billion francs. At 11 per cent inflation remained higher than France's closest competitors. The franc was under pressure within the EMS and measures had to be taken by the Banque de France to prop it up. Thus, during the winter of 1982-1983 the economic choices which had been faced in June 1982 were again top of the policy agenda.

During the first two months of 1983 Mitterrand met on a regular basis with Riboud, Bérégovoy, Fabius and Chevènement all of whom repeated their call for France to withdraw from the EMS. At the same time, Delors and Mauroy, with the help of their closest advisers, drew up another, more substantial *plan de rigueur* in absolute secrecy.¹³ The need for secrecy was due to the imminence of the municipal elections in March 1983. The municipals were the first national set of elections since the 1981 legislatives. The right expected to do well and it was feared by the government that any threat of an austerity programme would further demobilise the left's electorate and increase opposition gains. Thus, when the leader of the CFDT, Edmond Maire, announced after a meeting with the President on January 31st that a

new austerity programme was being drawn up, it was immediately denied by Mauroy and the rest of the government.¹⁴

Candidates of the Union of the Left did badly in the municipal elections. On the first ballot the left lost 16 towns with more than 30,000 inhabitants. On the second ballot it lost 15 more. Thus, the opportunity to resolve the economic policy debate coincided with a weakening in Mauroy's position as Prime Minister due to the government's poor showing in the elections. Giesbert quotes Serge July's editorial in *Libération* on Monday March 14th, the morning following the second round of municipal election results. July at this time was very close to the President and is said by Giesbert to have articulated the President's private opinion:

le Président a tranché ... la nomination du nouveau Premier ministre et la mise en place d'un nouveau dispositif gouvernemental chargé d'appliquer une nouvelle politique.¹⁵

This point marks the beginning of the nine day period which saw the debate over whether to remain in or pull out of the EMS and over whether Mauroy should remain as Prime Minister.

On Monday morning Mitterrand met Mauroy and proposed that he should form a new government which would oversee the withdrawal of the franc from the EMS. The Prime Minister refused, but the two agreed to meet later in the day to discuss the matter again.¹⁶ In the meantime, Mauroy met with Delors who reassured him that he was in agreement with the Prime Minister. Therefore, safe in the knowledge that he had at least one senior government member who supported his position, Mauroy repeated to the President during their evening meeting that he was unwilling to head a government which pulled out of the EMS. Although Mitterrand's analysis of the situation differed from the Prime Minister's, he agreed that Jean-Louis

Bianco (who had replaced Bérégovoy as *Secrétaire général de l'Élysée* in June 1982) should leave immediately for Bonn where he would sound out the German government and the Bundesbank as to the possibility of a revaluation of the Mark. He was also sent to discover their reaction to the idea of France leaving the EMS. He reported back the next day that a revaluation was possible in return for a French devaluation and an austerity programme. This was the policy that Mauroy and Delors favoured.

The question of whether Mauroy should remain as Prime Minister was also the subject of much debate and manoeuvring. Mauroy himself received contradictory advice as to whether he should stay on. Senior members of his *cabinet* argued that it would be better for his personal image if he was to leave, rather than stay on and be responsible for implementing a policy to which it was publicly known that he was hostile.¹⁷ However, the Prime Minister's closest governmental and parliamentary colleagues, Jean Le Garrec, Roger Fajardie and Christian Pierret, all argued that he should remain. At the same time Mitterrand, then still intent on introducing '*l'autre politique*' and believing Mauroy to be hostile to it, offered the premiership to Delors in the afternoon of Tuesday March 15th on condition that he accept the withdrawal of the franc from the EMS.¹⁸ Delors refused the offer arguing that he could not accept responsibility for such a policy.

Although the question of who should be Prime Minister remained unanswered for several days, the question of which policy should be adopted was effectively resolved on Wednesday March 16th. During his traditional pre-Conseil des ministres meeting with Mitterrand on that day, the Prime Minister announced that he had changed his mind and was willing to take responsibility for a withdrawal of the franc from the EMS. It is not clear whether by so doing Mauroy was playing for time in the belief that the

President would change his mind and that he could remain as Prime Minister, or whether he had simply agreed to accept responsibility for a policy to which previously he had been opposed. Nevertheless, it appeared as if the partisans of '*l'autre politique*' had won the day.

However, Mitterrand in typical fashion was not to be hurried. He made no mention of which policy was going to be followed during the subsequent Conseil des ministres. Instead, at the end of the meeting, Mitterrand asked Fabius to contact the Treasury division of the Finance Ministry and obtain information about the economic consequences of leaving the EMS.

The inspiration behind Mitterrand's decision to seek further clarification about the consequences of '*l'autre politique*' can be traced back to the previous day.¹⁹ On Tuesday, Mauroy had met Delors and Jacques Attali at Matignon. Attali, the President's special adviser, was strongly in favour of remaining in the EMS. He argued that in order to have their policy accepted, they needed to convince someone close to the President who was currently in favour of withdrawal to change his mind. It was agreed that Attali would suggest to the President that he should ask Fabius to contact the *directeur du Trésor*, Michel Camdessus. Delors knew that Camdessus was opposed to '*l'autre politique*' and that Fabius would be alarmed by the figures with which he would be presented.

The strategy devised by Mauroy, Delors and Attali worked. Camdessus argued that withdrawing from the EMS would necessitate a steep rise in interest rates, thus preventing the increase in investment which Fabius and others had envisaged. Defferre was presented with the same scenario from the governor of the Banque de France, Renaud de la Genière.²⁰ When they both presented their information to Mitterrand, the President decided that

there was no alternative but to remain in the system. Favier and Martin-Roland quote Fabius as having said:

Je crois avoir joué le rôle de déclencheur de la décision de Mitterrand.²¹

While Fabius is no doubt correct, the inspiration behind the President's decision can be traced back to Mauroy, Delors and Attali.

Following the President's decision Delors was charged with conducting negotiations with the Germans with regard to a readjustment of the parities within the EMS.²² On Tuesday he had contacted the Germans informally on this issue. On Wednesday he contacted the German Finance Minister, Gerhard Stoltenberg. The latter came secretly to Paris the following day in order to negotiate with Delors in person. However, an agreement could not immediately be reached and discussions continued over the weekend in Brussels where Finance Ministers from all countries in the EMS were meeting. Only on Monday March 21st were terms agreed with which everyone was satisfied.

During the period from Wednesday 16th to Monday 21st the notion of withdrawing from the EMS was used only as a bargaining tool (*un épouvantail*)²³ by Delors in order to scare the other countries into accepting a realignment of parities favourable to France. As July noted:

il est de fait que Jacques Delors dans ses négociations monétaires va utiliser cette menace pour assouplir les positions allemandes. Mais nul n'ignore que Jacques Delors est justement le contradicteur, l'opposant le plus résolu à cette politique de rupture avec l'Europe.²⁴

Thus, whilst it may have appeared to outside observers as if France was still contemplating leaving the EMS, in fact, the debate had already been sealed. There was not to be a withdrawal. Instead, Delors was under orders from the President to negotiate a devaluation on the best possible terms for France.

One of the strategies he used to achieve this aim was to act as if France would withdraw if the deal were not sufficiently attractive. However, the impact of this strategy was not great as Genscher has stated that he was never afraid that France would leave the system.²⁵

It is noticeable that Mauroy played no part in these negotiations, although he did remain informed of proceedings by way of his brief, but regular contacts with Mitterrand and Delors. Indeed, for all of this period Mauroy felt that he was going to be dismissed as Prime Minister. Pfister has described this period of inactivity as "insupportable".²⁶ Mauroy even went so far as to write a long resignation letter ready to give to the President on Tuesday March 22nd. At the same time his *directeur de cabinet*, Michel Delebarre, was hurriedly trying to rent a studio in Paris from which Mauroy would be able to conduct his post-prime ministerial affairs.

There were two main candidates to replace Mauroy. The first was Delors whom Mitterrand thought would accept the post now that the franc was staying in the EMS. It has been argued by Pfister and Bauchard that Delors himself thought that he was going to be appointed Prime Minister on Sunday March 20th when he suddenly rushed back from Brussels for a meeting with Mitterrand.²⁷ However, Giesbert argued that this was simply a ruse to up the ante and force the hand of the Germans.²⁸ This is confirmed by Delors himself:

Il s'agissait pour moi de dramatiser auprès de mes partenaires car je n'arrivais pas à obtenir satisfaction. Je menaçais alors d'un clash ... je n'avais pas l'idée d'être Premier ministre.²⁹

When he returned from Brussels on Tuesday March 22nd Delors was in a strong position to gain the Premiership.

The second candidate was Pierre Bérégovoy, now the Minister for Social Affairs. He was one of the main proponents of '*l'autre politique*' and, even after it had been decided to remain in the EMS, he still felt that he might be appointed Prime Minister. On Thursday March 17th Mitterrand asked Bérégovoy to draw up a government and the Minister took this as a sign that his appointment as Prime Minister was imminent.³⁰

The matter was finally settled in the afternoon of Tuesday March 22nd. Mitterrand lunched with Delors, Bérégovoy and Fabius. After lunch he offered Matignon to Delors who accepted on condition that he be allowed to remain as Finance Minister *à la* Raymond Barre in 1976. Mitterrand refused and passed over Bérégovoy in favour of retaining Mauroy. Thus, at the end of a nine day period of waiting, Mauroy was charged with forming his third government and with presenting the new austerity programme to the country.

Political and economic motives for the 1983 devaluation

The reasons behind the twin presidential decisions to stay in the EMS and to retain Mauroy were no less complicated than the motivations behind the public policy choices which were identified in previous chapters. This section will identify these motivations. It will be seen that, although familiar political constraints were apparent in the decision making process, the decision to remain in the EMS was partly the result of pressures arising from the international political economy. Also, while the President was the undisputed decision maker for both issues, his decision was influenced by the actions of a not insubstantial number of other political actors. Before engaging upon an analysis of the President's decisions, it is necessary to

explain precisely the two competing policy options and to identify their supporters.

The people who supported a withdrawal of the franc from the EMS were variously described to be in favour of a policy of “neo-protectionism”³¹, “*national-protectionnisme*”³² and “*gaullo-protectionnisme*”³³ The supporters of this policy argued that withdrawing from the system and allowing the franc to float freely would not only bring about the necessary devaluation in its value, but would also avoid the need for a simultaneous austerity programme which the Germans insisted upon as the prerequisite of any realignment of EMS parities. Thus, France would be able to lower its interest rates and encourage industrial investment. At the same time as a withdrawal from the EMS, France would impose mandatory deposits on importers in order to reduce the balance of trade deficit. It would also raise national barriers to free trade within the limits laid down by the EC and GATT agreements. It was this latter proposal that was essentially protectionist in nature. Although the supporters of this view did propose an extension of the prices and wages freeze with exceptions for trades unionists, this strategy was essentially one of economic expansion and monetary independence.

This view was supported by a number of senior governmental figures and by some of the President’s closest advisers. Amongst these were Ministers such as Pierre Bérégovoy, Jean-Pierre Chevènement, Gaston Defferre and Laurent Fabius. Two of the President’s advisers on economic policy, Alain Boubilil and Charles Salzmänn, were also in favour of it along with several senior industrialists. These figures included Jean Riboud, Georges Plescoff and Jean Deflassieux, head of Crédit Lyonnais. It was also supported by some leading economists such as Jean Denizet, Pierre Uri and Serge-Christophe Kolm. In addition, senior party figures, such as Jean Poperen and Louis

Mermaz, argued in favour of withdrawal, while the communists were also generally favourable.

This view was opposed by an equally firm set of ideas which was supported by an equally influential group of people. They argued that it was essential to remain in the EMS, but that a realignment of parities was necessary. The Mark was to be revalued by as much as possible and the franc was to be devalued by as little as possible. In order to combat the trade deficit and to lessen future pressures on the franc, an austerity programme similar to the one adopted in June 1982 had simultaneously to be engaged upon. However, in addition to another wages and prices freeze there would have to be an increase in social security contributions and an increase in income tax. These latter measures would serve to reduce the public's purchasing power.

In addition to these arguments, the people in favour of remaining in the EMS argued that a withdrawal would be disastrous for the country's economy. They argued that French protectionism would only lead to tit-for-tat measures against French exports from other countries. They also argued that their opponents underestimated the dependence of the French economy on the international market.³⁴ Moreover, they did not realise the precarious state of the country's financial reserves which meant that the Banque de France would only be able to support the franc for a short time after its flotation. After this time interest rates would have to rise and an even harsher dose of austerity would have to be undertaken. It was this message that Camdessus passed on to Fabius on Wednesday 16th March. As Fabius has noted:

Je tire de cet entretien la certitude que si nous sortons du SME, les avantages attendus d'une telle décision nous conduiront à une plus grande rigueur, car le franc va dégringoler.³⁵

It was this argument which convinced Mitterrand to abandon '*l'autre politique*'.

Those people who wished the franc to remain in the EMS were small in number, but they occupied some particularly influential positions. As was clear from the preceding exposé, the two most important partisans of this view were Mauroy and Delors. They were supported by a group of senior presidential advisers which included Jean-Louis Bianco, Jacques Attali, Elisabeth Guigou, Christian Sautter and François-Xavier Stasse. They were in close contact with senior figures in the Mauroy and Delors' *cabinets*. The head of both the Treasury Division at the Ministry of Finance and the governor of the Banque de France were also in favour. Favier and Martin-Roland note that certain heads of industry, such as François Dalle from L'Oréal, also supported this line. Therefore, whilst the partisans of this policy were less numerous than their opponents, they constituted a formidable political and intellectual bloc against '*l'autre politique*'.

For some of the supporters of both camps the motivation behind their stance was purely economic. Thus, Riboud, Plescoff, Uri and Denizet argued in favour of withdrawing because of the benefits that they thought would accrue to French industry from this policy. Conversely, Camdessus and de la Genière were opposed to this policy because of the financial and monetary problems that they believed it would cause. A purely economic motivation was also, in part, the reasoning behind Mauroy's attitude. For example, on Tuesday March 15th two of Mauroy's advisers, Jean Peyrelevade and Henri Guillaume, were so convinced of the economic merits of staying in the EMS that they suggested to Mauroy that he should see a presentation about the alternative option from two of its proponents, Jean Deflassieux and Pierre

Uri. As Mauroy's advisers had thought, the Prime Minister was left unconvinced by the cogency of their presentation.³⁶

For most people, however, the motivations behind their support of a particular policy were primarily political. The two main political reasons present were determined by the different ideological conceptions of socialism that the protagonists held and by their personal ambitions.

Hall has identified three different conceptions of socialism which were in competition after the 1981 election.³⁷ He classifies these tendencies as 'a neo-Marxist enclave' surrounding Chevènement; 'la deuxième gauche' around Rocard; and "an eclectic group of social democrats" which included Mitterrand who stood in the middle. While the definition of the third of Hall's categories smacks of a catch-all group whose broad characterisation only serves to mask a more complex web of beliefs, the partisans of the first category are certainly identifiable during the March 1983 debate.

Chevènement's brand of socialism was state centred. He felt that only the state, not the market, could produce wealth which did not disadvantage some to the profit of others. Moreover, he felt that this wealth could only be produced behind restrictive trade barriers as far removed from the international economy as possible. He believed in national independence for practical and symbolic reasons. This was the gaullist component of his socialism. This conception of socialism was present during the March debate.

As Chevènement has written:

Nul ne peut nous obliger à accepter sur le plan monétaire ou commercial les règles de jeu biaisées qui réduisent toujours plus notre marge de manoeuvre. Non à l'alignement de la France sur le monétarisme ambiant.³⁸

It is natural from this base that Chevènement should have supported a policy of withdrawal from the EMS, protectionism and reflation in one country.

Chevènement was supported by a group led by Poperen which included many communists whose reasoning was similar, but not exactly the same. They believed that any austerity plan would disproportionately hurt the working class. Such a policy was denounced as 'révisionnisme'.³⁹ It was the task of a PS\PC government to defend the interests of this class and, therefore, they argued for '*l'autre politique*' as it seemed to be a way of avoiding this austerity.

In contrast to these two approaches, there was the conception of socialism favoured by Delors. He preached 'financial rectitude'.⁴⁰ This belief was the rationale behind his call for a pause in reforms in November 1981 and his support for the three devaluations up to and including the March 1983 example. For Delors, reforms which improved the social conditions of the less well off could only be embarked upon if the country had a firm financial base from which to operate. This meant low inflation and a strong currency. Only an austerity programme could bring about these conditions.

The "eclectic" nature of the third group which Hall identified meant that its component parts did not necessarily favour either position. Thus, Bérégovoy and Mauroy who would both normally be classed in this group supported opposing policies. The fact that Mitterrand also belonged to this group would help to explain why he was able to change his mind and move from one policy to the other in a short space of time. In fact, several more specific reasons behind the President's decision will be examined below.

The other main political motivation behind the actions of some of the protagonists lies in their personal ambitions. However, unlike the situation experienced in previous case studies, these ambitions were only loosely tied to competing *courants* within the PS. As was shown above, Chevènement's position was caused primarily by his ideological beliefs, rather than self-

concern, although he would have come out of the matter politically strengthened if his preferred policy option had been adopted. In fact, the competition between the different factions of the Mitterrand\Mauroy *courant* started after 1984 and was particularly virulent after 1988. In 1983 the competition was largely conducted between individuals with conflicting personal interests, rather than between well organised *courants*.

It is apparent, for example, that Mauroy at first refused to accept the President's decision to conduct '*l'autre politique*' because he was sure, having consulted with Delors during the afternoon of Monday March 14th, that he would not be isolated within the government when arguing to remain in the EMS. Such a position would have been untenable and he would have been forced to resign, or capitulate leaving him in a weakened situation. It is also possible that he changed his mind on Wednesday March 16th and decided that he was willing to accept responsibility for leaving the EMS because several of his senior political advisers counselled him to act accordingly.

Personal ambitions were not absent from Bérégovoy's calculations. As the main proponent of '*l'autre politique*' he stood to gain most from its adoption. Even after the policy had been rejected, he still harboured his personal ambitions:

Cette politique de rigueur échouera. On sortira du SME et dans six mois je serai Premier ministre.⁴¹

Although he emerged from this period with a more senior position in the governmental hierarchy, he was still frustrated in his ambition to become Prime Minister.

By contrast, Delors's ambition to be Prime Minister would have been realised had he not demanded too much of Mitterrand on Tuesday 22nd March. Delors felt that he would only have sufficient political weight as

Prime Minister to be able to combat Bérégovoy and Fabius, his personal rivals, if he controlled the Finance Ministry as well as Matignon. Mitterrand could not accept these terms as it would threaten his authority over the government. Therefore, the President rejected Delors's conditions.

Whatever the motivations of the various actors, the responsibility for deciding which policy option to take and who to appoint as Prime Minister belonged to no-one other than the President. He was the 'ultimate arbiter' who was, in his own words, "le premier responsable des affaires publiques".⁴² Indeed, not only did the President take these decisions himself, but he was recognised by all concerned as the only person who had the authority to take them. In this sense, his responsibility was never challenged. His authority was seen most vividly with the Delors\Mauroy\Attali plan to change the President's mind. Although they targeted Fabius directly, they knew that by so doing they would reach the President.

The question then arises as to why these decisions should have been the sole responsibility of the President. With regard to the decision to remain in the EMS, the usual answer to this question is that since the mid-1960s the area of currency stability has always been part of the President's *domaine réservé* and that the March 1983 decision was merely a further example of this situation.⁴³ In the sense that Presidents have intervened personally in this area on several occasions, this schema may accurately reflect the policy process. However, it is unrewarding academically as it does not point to the reasons why Presidents intervene so. It leaves the original question unanswered.

In March 1983 there were several important reasons as to why the President was left personally to decide. The main reason was that the nine day period was a period of crisis. As was stated in the introduction to this chapter,

crisis periods call for political leadership. The President as the ultimate political authority had to give such leadership. Moreover, the view that the President had no option but to assume responsibility for decision making is reinforced when we consider that Mauroy, the only other senior political figure who might have been able to arbitrate between the different options, was himself personally implicated with one of the policies. Therefore, he was in no position to take the final decision. The only person who was in such a position was the President. The fact that the decision lay in an area which was traditionally considered to be part of his reserved domain only reinforced the necessity for a presidential arbitration which was in fact determined by other reasons.

By contrast, the fact that the President was responsible for appointing the Prime Minister needs very little commentary. The President is constitutionally responsible for naming the Prime Minister. Therefore, necessarily the decision as to whom to appoint belonged to the President. This situation did not mean that Mitterrand did not consult with his colleagues. Indeed, all accounts of this period suggest that the President talked about the different prime ministerial options to a wide range of people. Nevertheless, the final decision belonged to Mitterrand.

Although attention was focussed upon the President after the second round of the municipal elections, neither the decision to remain in the EMS, nor the decision as to whom should be Prime Minister was taken immediately. The first of these two questions was settled by Wednesday March 16th, after which time any threat of leaving the EMS was simply '*un épouvantail*' to scare the Germans into accepting a realignment of parities on terms favourable to the French. The second question was resolved after a period of nine days. The reasons behind the delay over both questions are

twofold. Firstly, as Machin and Wright have argued, the presidency is an institution which is structurally weak. They state:

occasional indecisiveness is scarcely surprising in a President who is immersed in foreign, European, defence and a whole range of domestic issues, who has only a small personal staff, is confronted with multiple and cross-cutting pressures, and who receives advice from several quarters.⁴⁴

During a time of crisis when the repercussions of policy decisions are great, the President, faced with the above structural constraints, is likely to take some time in reaching his decision. Secondly, the delay was partly due to Mitterrand's personal style of working. He liked to solicit advice simultaneously from several different quarters. He liked then to have that advice confirmed from other sources. He worked in this way during the March 1983 crisis. As Mitterrand himself has stated about the beginning of the crisis period:

Je ne désirais pas sortir. L'appréciation était difficile. Mon opinion n'était pas faite et je souhaitais avoir assez d'arguments pour ne pas le faire.⁴⁵

Thus, Mitterrand's personal style counted for what journalists described as a period of hesitation and indecision by the President.

The President's final decision not to withdraw from the EMS was taken for a variety of economic and political reasons. The decision itself was taken after he was presented with Fabius's report on the economic consequences of leaving the EMS. These consequences themselves were the result of France's position in the international political economy. This situation has been described by Machin and Wright as "the dictatorship of the conjunctural".⁴⁶ Therefore, in this sense the decision was imposed upon France and upon Mitterrand from outside. According to Jospin, the President saw his decision in this way:

Il a eu l'impression de faire une concession extrêmement difficile à la réalité imposée par les autres, de devoir se plier à une sanction exigée par l'étranger. C'était pour lui la fin d'une certaine France originale, socialiste, mixiste, fière de sa personnalité face à l'égoïsme féroce des libéraux.⁴⁷

Thus, policy making was not an essentially domestic affair, but involved international considerations and pressures as well.

The overriding political reason was Mitterrand's desire not to break with the EC. For Jospin this aspect represented the other main motivation behind Mitterrand's decision. He states:

deux éléments essentiels ont guidé sa décision de rester: le sentiment que la sortie du serpent serait une fuite en avant dramatique sans garantie d'efficacité pour le redressement de la balance commerciale; l'ambition de conduire une grande politique européenne.⁴⁸

Attali followed the same reasoning. For him the decision to stay in the EMS meant that: "Tout en Europe, économiquement, politiquement, restait possible".⁴⁹

A further reason lay in the political strengths of the people who argued for the different policies. Those people in favour of remaining in the EMS were led by Mauroy and Delors. They had considerable political weight. Although Mauroy finally agreed to accept responsibility for leaving the EMS if the President so decided, Delors refused. The President could ill afford to lose Delors from his government.

Moreover, the position of those in favour of '*l'autre politique*' was not strong. The most senior political figure to support it was Chevènement. However, he was never a *mitterrandiste* and his opinion had less importance for the President accordingly. In addition, his political weight had recently declined since secretly he had made it known before the municipal elections that he was going to resign from the government. Other Ministers who

supported this policy, such as Bérégovoy and Fabius, did not have the political stature at that time to rival Mauroy or Delors.

Similarly, the communists, who might be thought to have been in a position to have played an important part in the President's decision, were also outside of the process. Although they were part of the governmental coalition, they did not have access to the President's inner circle. More importantly, they could not threaten to withdraw from the coalition at that time because they would have been seen by their supporters to be breaking with the Union of the Left. They wanted to avoid this situation. Marchais followed this line of reasoning:

Pourquoi nous ne sommes pas partis? Tout simplement parce que les femmes et les hommes qui avaient voté à gauche en 1981 ne nous auraient pas compris. En partant à ce moment-là nous aurions pris la responsabilité de la division.⁵⁰

Mitterrand was aware that the communists would accept either policy option and, thus, he was free from this constraint when taking his decision.

Whilst it has been argued that the President was responsible for staying in the EMS and for retaining Mauroy as Prime Minister, it is important to avoid the conclusion that he took these decisions alone. In fact, one of the striking aspects about the March 1983 crisis was the number of people who were instrumental in the decision making process. In the first place, as was seen earlier, senior German officials played an important role. Their influence was particularly marked on Tuesday March 15th when Bianco went to Bonn to sound out representatives of the government and the Bundesbank as to the likelihood of the Mark being revalued in return for a devaluation of the franc. He returned with the belief that they would agree to such a policy, but only in return for a French austerity programme. As a result of this visit,

Mitterrand was aware that the policy supported by Delors and Mauroy was feasible. By contrast, *'l'autre politique'* appeared to be a leap in the dark.

The President's decision was also greatly influenced by the work of the Mauroy\Delors\Attali axis. They were successful in having their policy adopted by the President because they were familiar with the exigencies of the policy process. They knew which channels to follow so as to influence the President. Thus, they suggested that Fabius should contact Camdessus and report back to Mitterrand. Moreover, they were well positioned to influence the President. Mauroy met Mitterrand at least once a day during the early period of the crisis. Delors also had individual meetings with the President. In addition, he sent Mitterrand numerous notes in which he outlined the dangers of withdrawing from the EMS. Finally, Attali as the President's special adviser with a room adjacent to Mitterrand's main office was particularly well placed to follow the debate and to act accordingly. Their proximity to the centre of decision making along with the political weight of Delors and Mauroy were instrumental in influencing the President's decision.

Colombani has argued that the influence of a third group of people was also important. He calls the people in this group "technocrats". He argues that a group of technocrats in the *cabinets* at the Elysée, Matignon and the Rue de Rivoli worked together to draw up a coherent austerity programme based on the franc remaining in the EMS and avoiding the problems that they saw with its withdrawal. He identifies these people as François-Xavier Stasse at the Elysée, Henri Guillaume and Pascal Lamy at Matignon and Philippe Lagayette at the Finance Ministry. According to Colombani:

En fait, un véritable réseau s'était constitué entre l'Elysée, Maignon et la rue de Rivoli ... Ils ont joué un rôle essentiel de juin 1982 à mars 1983, c'est-à-dire au moment des choix économiques décisifs.⁵¹

There is no doubt that this group of people played a very important role in the preparation of the final decision. They provided Delors and Mauroy with information useful to their case. Moreover, the position that Stasse held at the Elysée was also strategically important because he was in contact with the other presidential advisers, the majority of whom were also hostile to leaving the EMS.⁵²

Nevertheless, it would be wrong to call this group of people technocrats. The word has little meaning in this case. If it refers to their common educational background, then Delors, Rocard and Chevènement should also be called technocrats. However, these people are clearly politicians. In fact, all of the people whom Colombani identifies were themselves political figures and not technocrats. They worked in the *cabinets* of the country's three most senior political figures. It is impossible to dissociate their action from the interests of the people they served and from the motivations that have already been identified. Thus, whilst they played an important role during the crisis period, they should not be treated as a separate influence on the President's decision.

Conclusions

The importance of this case study lies in its portrayal of the President as chief decision maker. In the previous case studies the President has either been largely peripheral to the policy process, as in the case of *cohabitation*, or has been seen to intervene only intermittently, if decisively, at the end of a long preparatory process. On these other occasions, the Prime Minister has either

been the main policy maker, or he has at least been the key figure in the arbitration process. The crisis surrounding the 1983 devaluation, however, led to an arbitration which was undisputedly presidential and of which, as a result, Giesbert has said that during this period, "France n'a plus de chef du gouvernement".⁵³

At the same time, however, in many respects the decision making process examined in this chapter closely resembles the one which was encountered in the previous chapter. In both cases, decisions had to be made under crisis situations. Whilst in the previous chapter the situation was arguably more fluid, in this chapter the stakes were still very high and there was little room for compromise. It is not surprising, therefore, that there was evidence of the same sort of vacillation on the part of the President on this occasion as there had been by the Prime Minister in the previous chapter.

That point aside, it might also be argued that this case study provides evidence to back up the second variant of the segmented decision making model. That is to say, in March 1983 there was a policy crisis based on the problem of currency stability. In this sense, the devaluation crisis would seem to belong naturally to the extended version of the President's reserved domain. However, precisely because there were both important international and economic policy considerations at stake and because there was no available compromise policy, it was necessary for Mitterrand to assume the responsibility for policy leadership himself. That is to say, there are reasons which differentiate the circumstances of non-routine policy making from those of routine policy making and which encourage the President to assume leadership functions in the former. Thus, not only might the segmented decision making model be seen to depict accurately the policy process on this occasion, but reasons can be provided as to why this should be the case. This

advance is important for the model which in the first chapter was seen to have been purely descriptive.

Chapter 7

The Limits to Prime Ministerial Influence

It was clear from the examination of the case studies that, in the ten year period from 1981, the influence of the Prime Minister in the policy process was not constant. It was at its greatest during the period of *cohabitation*, whilst it was at its weakest at the moment of the decision to remain in the EMS in 1983. In between these two extremes, there were examples of considerable prime ministerial influence, the 1982 broadcasting act, for example, and examples of marginal prime ministerial involvement, such as the 1985 budget.

The aim of the rest of this thesis is to examine the nature of the Prime Minister's influence and to account for the reasons as to why it should have fluctuated. To this end, there are several approaches which can be taken. In particular, there are three main ways in which an attempt may be made to measure the level of prime ministerial influence. These three ways will be examined and the problems associated with them identified. It will be shown that none of these three attempts to quantify prime ministerial influence is satisfactory.

As a result, a different way of approaching the nature of prime ministerial influence will be examined. This approach considers the concept of 'influence' as a relationship between two or more people or institutions. According to this approach, the influence of the Prime Minister can only be considered in relation to the influence of the other actors and organisations which operate in the political system. The influence of these actors and institutions can be categorised as belonging to three different sets of constraints: quasi-permanent institutional constraints, conjunctural constraints and momentary constraints. The bulk of this chapter will be spent in analysing the nature of these constraints. The final chapter will consider the nature of prime ministerial influence in the light of this analysis.

Attempts to quantify prime ministerial influence

The first way in which the Prime Minister's influence might be quantified is by charting the variations in the frequency of *comités* and *conseils* throughout the Fifth Republic.¹ This approach measures the Prime Minister's influence vis-à-vis the President. Given that the Prime Minister chairs *comités*, whereas the President chairs *conseils*, their relative influences in the policy process might be measured by way of the increase in the one relative to the other over time.

If the frequency of these meetings is calculated, the results show that the number of *conseils* per annum has increased greatly since the first years of the Fifth Republic. Moreover, since the departure of Debré in 1961, one type of prime ministerial meeting, the Conseil de Cabinet, has disappeared altogether.² These findings would seem to confirm the intuitive view that during the course of the Fifth Republic presidential influence in the policy process has increased.

However, this way of looking at the influence of an institution is misleading. Firstly, as we have seen, the policy process included a great number of informal meetings which went unrecorded, yet which often had a bearing on the final policy outcome. Secondly, during the ten year period from 1981, the number of *conseils* actually decreased.³ This decline, however, was not necessarily the sign of a reduction in presidential influence. It may equally have been the result of an increase in presidential influence, as Suleiman has shown for the example of the Barre premiership. Here, unlike the situation during Chirac's premiership, Giscard d'Estaing was confident that Barre knew what the President's wishes were and that he would abide by them. Therefore, there was no need to hold *conseils* on every bill.⁴ Finally, this approach is limited because it only compares the Prime Minister's

influence to that of the President. In fact, the Prime Minister's influence will be dependent on his relations with other people and institutions as well. This approach, therefore, is fundamentally flawed.

Another way in which influence might be measured is by looking at the size of the *services* which the different actors in the political system control. The person commanding the greatest number of services might be considered to be the one with the largest influence in the policy process. One way in which services might be measured is by counting the number of people in a person's *cabinet*. On this basis, the Prime Minister and President would be seen to have the greatest influence in the system as they have the largest *cabinets*. Once again, this result might seem to support our intuitive conclusions about the regime.

Another way in which the extent of an institution's services can be measured is by considering the total amount of administrative resources that it possesses. If these calculations are made, then the Prime Minister is shown to be the most influential institution in the country followed by different Ministries, such as Education, Finance and the Interior, with the presidency being one of the weakest institutions in the system. These results seem counterintuitive.

Even aside from these contradictory results, this approach is less-than perfect. For example, from the outset of the Fifth Republic the President has been able to colonise the services of both the Prime Minister and different Ministries. Thus, although on paper the presidency appears to be a weak institution, in practice his influence is great because he has borrowed resources from other areas.⁵ Therefore, brute figures mask a more complex reality. Such an approach gives no real idea of the political authority that the

different institutions possess upon which their influence in the decision making process is based.

A third measure of prime ministerial influence might be taken as the incidence of times when the Prime Minister's viewpoint is adopted as the final policy outcome. This approach has the advantage that it assumes that the policy process is a bargaining game and that the Prime Minister is only one actor among many. Moreover, it accounts for the possibility that there can be fluctuations in the level of the Prime Minister's influence over time. At times his views will be adopted more frequently than at others. On such occasions we might conclude that there was prime ministerial government. Conversely, if the President's viewpoint were consistently to be adopted, then we might say that there was presidential government.

However, in its attempt to quantify prime ministerial influence, this approach poses as many problems as the ones previously considered. For example, it is sometimes difficult to identify the Prime Minister's viewpoint on a particular matter. Most governmental deliberations were secret and only rumours of what policy the Prime Minister favoured for each bill managed to escape. Similarly, on some matters the Prime Minister did not even articulate a particular viewpoint. This silence may be an indication that he thought the matter to be unworthy of his attention, or it may be, as in the case of the fiscal component of the 1990 budget, because he feared defeat and, therefore, refused to commit himself. Moreover, Prime Ministers may deliberately cede on some issues in order to win on others. The result of all of these problems is that the figures upon which the extent of prime ministerial influence is based are themselves unreliable.

In fact, it must be appreciated that influence is not a concept which lends itself to quantification. George Jones's statement about power could easily apply to the concept of influence as well. He states:

it is impossible to measure the power of prime ministers by weighing their possession of different amounts of different resources. The power of the prime minister is affected by other actors the prime minister is dealing with; so it is fruitless to seek to calculate precisely how much resources each prime minister has, let alone to compare the amount held by one prime minister with that of another.⁶

The attempt to quantify prime ministerial influence is fruitless as it treats the different actors in the policy process as being independent the one from the other. The concept of influence can only be appreciated as the interaction of two or more people. As Jones again states:

Since power involves a relationship between at least two actors; the power of each is elastic, capable of expansion and contraction, depending on each side of the equation and the circumstances in which they operate. A resource is not a solid object that can be picked up. It has to be seen in relation to what others have.⁷

As was seen in the case studies, prime ministerial influence is not simply dependent on the relationship between the Prime Minister and another actor, but on his relationship with a multitude of different people: the President, Ministers, party representatives, members of interest groups and people from foreign governments and institutions, for example.

Therefore, whilst this study concerns the nature of prime ministerial influence, it is impossible to consider the Prime Minister in isolation. The influence of the institution needs must be placed in the context of the entire system. This point is tacitly acknowledged by Peter Hall in the development of his argument about the institutional factors which have determined the course of French economic policy since 1945. In his early papers on this

subject, he argued that there were three institutional factors which were important in the determination of economic policy: the organisation of labour, the organisation of capital and the organisation of the state, by which he meant the legislative, executive and judicial branches of government.⁸ However, in the final version of his argument he adds two other institutional features to his list, namely, the position of the country in the international economic system and the organisation of the domestic political system.⁹ The latter is a catch-all clause which includes the electoral system, party system and so on. Hall is no doubt right that economic policy making since 1945 was determined by a vast range of factors. In a similar vein, we will argue that the influence of the Prime Minister in the policy process can only be considered in relation to the influence of the totality of elements in the domestic and international political and economic system.

Therefore, the only way to consider the Prime Minister's influence in the policy process is to identify the other elements with which the head of government has to interact. The Prime Minister's influence will depend upon his relationship with these other elements. As the relationship between then changes, so the influence of the Prime Minister will change, sometimes increasing, sometimes decreasing. Thus, the variations in prime ministerial influence that were seen during the course of the case studies can be accounted for by the shifting set of relations between the Prime Minister and the other actors in the policy process.

The Prime Minister's influence in the policy process is dependent upon his relationship with three different sets of elements: quasi-permanent institutional constraints; conjunctural constraints; and momentary constraints. We will consider each of these three sets in turn.

i. Quasi-permanent institutional constraints

Prime ministerial influence is limited by a set of quasi-permanent institutional constraints. The general boundaries within which the Prime Minister can influence the outcome of the policy process are determined by the relations that he enjoys with these constraints. As his relationship with them varies, so his influence will vary. Indeed, over time, these variations may be considerable. However, in normal circumstances his relations with them will vary only slowly and incrementally. Only systemic crises and ruptures of the existing order will change these institutional constraints quickly. In the absence of such violent systemic changes, these constraints are, therefore, of a quasi-permanent nature. In the ten year period from 1981 there were no incurable systemic crises. Therefore, the Prime Minister's relations with them fluctuated only mildly and his influence vis-à-vis them remained largely constant during this period.

In France, there are three types of quasi-permanent institutional constraints. First, the position of the domestic state in relation to the international economic and political order. Second, the configuration of the domestic state itself. Third, the internal configuration of the executive branch of government. Each of these three types of constraints will now be considered in turn.

The Prime Minister's influence is first of all limited by the position of the French state in the international political and economic system. The way in which this system is organised imposes limitations on the domestic policy preparation process. The impact of these limitations was seen particularly clearly at the time of the crisis surrounding the decision to devalue the franc in March 1983.

As Cerny states, France is an "intermediate economy" when compared with other national economic systems.¹⁰ That is to say, in terms of the types of goods it produces and exchanges with other countries, there is a structural gap between France and other more advanced national economies, whilst the country has a structural advance over other less developed economies. The result of France's position in the world economic order means that on occasions it can only adopt with difficulty the policy it desires, because of the consequences this policy would have on the country's internal economic situation. As Cerny states:

In reacting to the policy problems embedded in the "intermediate economy"'s structural position, national policy makers have a range of responses with which to work. Each one of these responses has potential benefits for the national economy, but each can also have severe disadvantages in the context of the world economy.¹¹

These disadvantages were the source of the devaluation crisis in March 1983. The country's economic problems were caused by its position in the world order, but withdrawing from the EMS would only have aggravated these problems precisely because of the structural position of France in this order. The realisation of what the consequences would be of leaving the EMS accounted for Fabius's 'road to Damascus' conversion from *'l'autre politique'* and his subsequent advice to Mitterrand to stay in the EMS.

However, it should not be concluded that France could not have pulled out of the EMS in March 1983. The decision to stay in the system was not pre-determined and the reasons behind this decision were essentially political. Nevertheless, withdrawal would have entailed severe economic consequences which would have had to have been addressed at a future date. As Cerny again notes:

Countries in a weak structural trade position have less room to manoeuvre. Policy makers are continually having to navigate between policy combinations which, in particular conjunctural conditions, may prove not only to be ineffective and internally incompatible, but also to be counterproductive and to involve significant opportunity costs.¹²

The opportunity costs of withdrawing from the EMS in March 1983 were so great that, although it would technically have been possible to leave, in practice, the economic arguments in favour of remaining in the system were overwhelming.

The other international institutional constraint which was identified in the case studies was the EC. It was present both as a political and as an economic constraint. Its political importance was great during the 1983 devaluation crisis and its economic importance was noticeable during the preparation of the three budgets which were examined, especially with regard to their fiscal component.

The EC is a good example of how these quasi-permanent institutional constraints can vary in the extent to which they limit the policy process of the domestic state. Clearly, before 1958 the EC was absent from domestic policy calculations. Since the signing of the Treaty of Rome, its influence has grown, particularly after the ratification of the Single European Act in 1987. Moreover, its influence is likely to increase further with the development of political and economic union.

Indeed, the influence of the EC grew during the period under consideration. Its increasing role was seen in the case studies. For example, the EC had little impact on budgetary politics in 1984, except for agricultural policy. However, by 1990, there were several important fiscal reforms the inspiration for which can be traced back to the EC and the government's desire to prepare itself for the Single European Market. Thus, for example,

VAT rates were reduced, company taxation was reduced and there were changes to savings policy. It would be wrong to conclude that the only motivation behind these changes was the EC, again political reasons were important too. However, it is important to realise that as the influence of the EC grew, so the room for manoeuvre for domestic policy makers diminished. Over time, the relation between the EC and the Prime Minister is gradually changing and the influence of the latter is decreasing.

The Prime Minister's influence is constrained by international institutional factors, but also by the configuration of the domestic state. The French state exhibits two main characteristics. First, the central state dominates all local state, or government institutions. Second, within the central state, the executive branch of government under the Fifth Republic has dominated the legislative and judicial branches. These characteristics will be considered in turn.

As shown in the first chapter, the central state in France is highly developed. Hayward has described this situation as, "the monolithic character of the political and administrative state apparatus".¹³ The absence of any constitutional provision for federalism means that there are few limits to the central state's law-making domain. In this sense, the local governmental authorities do not act as a check on the central institutions. Therefore, the capacity of the Prime Minister to prepare policy is not officially limited by sub-central units. Thus, the potential for governmental and prime ministerial influence is present. This point can best be illustrated by comparing the unitary state in France with the constitutional federalism which exists in Germany. In the latter case, the prerogatives of the Länder immediately act as a limit on the capacity of the Federal Chancellor to influence the policy process. The same situation is not present in France.

Therefore, at no time during the case studies was the local state structure an impediment to the central state's capacity for action. When local interests were important, for example, over the question of whether or not to permit advertising on local radio in the 1982 broadcasting act, the local representatives were acting *qua* pressure group and used the appropriate channels to lobby the government. They were not acting as a legal-constitutional block to central institutions. That is not to say that the local dimension is bound to remain weak. Indeed, Mazey has argued that its influence is gradually increasing.¹⁴ Nevertheless, from the evidence of the previous case studies, it had little impact on the policy process and was not a constraint on prime ministerial influence.

Within the institutions of the central state, the executive branch of government was dominant. In comparison with the legislative and judicial branches, its control over the policy process was great. With regard to the executive's relation to the legislature, Frears has noted:

The constitutional and procedural constraints can be summarised thus: complete executive supremacy in the legislative process, severely limited opportunities for general debates criticising the government, virtually no opportunities for scrutinising executive acts and making the executive give an account of them.¹⁵

Frears goes on to add that there is little procedural opportunity for the opposition to scrutinise the government. It might also be added that there is little opportunity for the majority to do so either. Indeed, when Parliament did influence the policy process, for example, the 1986 broadcasting act, or the 1990 budget, it was due to conjunctural reasons, such as party politics, as described below. Most of the Prime Minister's administrative resources which were geared towards Parliament were designed to overcome these conjunctural problems, for example, Guy Carcassonne's role as Rocard's

parliamentary adviser, rather than to combat problems created by the constitutional and procedural influence of Parliament.

Nevertheless, Parliament was not impotent. As a national platform for debate, it had the capacity to embarrass the government. Moreover, as was seen by the obstructive tactics of the Sénat during the passage of the 1986 broadcasting bill, it had the ability to delay and even influence legislation. On this occasion, the Prime Minister personally was called upon to arbitrate between the Senate majority and Léotard. Inter-party rivalries were the cause of the problems, but these problems were only able to develop, because of the procedural capacity of the Sénat to delay government legislation. However, this example is very much the exception that proves the rule. In the rest of the case studies Parliament *per se* was only a minor constraint on prime ministerial influence.

In certain respects, the judicial branch acted as a much stronger constraint on the executive than did the legislature. In terms of the policy preparation process, two institutions of the judicial branch need to be considered: the Conseil d'Etat and the Conseil constitutionnel. Of these two bodies, the Conseil d'Etat was the least influential.

The Conseil d'Etat was called upon to scrutinise all bills and to consider their conformity with the Constitution. However, it only had the power to advise the government as to whether a bill, or part of it, was unconstitutional. The government had no obligation to abide by its recommendations. Whilst governments did not like to ignore the advice of the Conseil d'Etat, as could be seen in the case of the 1982 broadcasting act, they did so if they felt that the political situation demanded it. For example, while some of the Conseil d'Etat's recommendations were taken on board by Léotard in the preparation of the 1986 broadcasting act, others were not.

Indeed, the fact that these recommendations were presented to the government in secret meant that it was easier for them to be ignored as there would be no public debate of the government's decision. While leaks did occur, they were not frequent. Thus, the Conseil d'Etat played the role of an early warning system for the government, rather than acting as a major constraint.

By contrast, the Conseil constitutionnel was a potentially serious limit to the executive's control of the policy process. The government had to abide by its rulings. Thus, for all six case studies which ended with the passage of a law, the Council was called upon to give a judgement as to their constitutionality and on all six occasions found some aspect of the bill to be unacceptable. Indeed, the Council's ruling on the 1986 broadcasting act struck down such an important part of the bill, that it necessitated the passage of a further small piece of legislation after the adoption of the main text.

Indeed, over the years, the Council's influence has increased markedly. In 1971, it issued its first negative ruling against the government; in 1974, deputies and senators were allowed to seize it; in 1982, its rulings on the socialists' nationalisation programme struck down an important part of the legislation and the Council was seen to be a check on governmental power. The change in the Council's role and the increase in its influence has had a marked effect upon the government's legislative capacity.

The Council's influence was doubly important because of the pre-parliamentary exercise in auto-limitation to which governments increasingly committed themselves. As Stone notes:

Governments today routinely draft and accept amendments to their legislation so as to avoid negative rulings.¹⁶

This practice of auto-limitation was conceded by several senior governmental figures during interviews with the author. Its impact on the 1986 and 1989 broadcasting bills was particularly important. Indeed, auto-limitation became increasingly important with the growth in the Council's body of case law. The rulings which governments have to take into account have grown rapidly. For example, not only has each piece of broadcasting legislation been the subject of a Council ruling which defined certain limits to the government's action, but this legislation also had to take into account other Council rulings, such as the June 1986 privatisation decision.¹⁷

Whilst the Council's role has become more important over the years, its influence should not be overestimated. As Stone notes, there were limits to the extent to which governments engage in auto-limitation:

there are certain boundaries beyond which governments are unwilling to go in the self-limitation process. These lines are fixed politically, not constitutionally, accounting perhaps for the poor success rate of self-limitation.¹⁸

Moreover, the traditional limitations to the Council's influence need to be reiterated: its members are political appointees, it can only scrutinise bills, it has no power to seize bills itself and it cannot make retrospective judgements. Thus, whilst the Council was a constraint upon the executive and the Prime Minister, its influence was curtailed by political and constitutional factors.

The third set of quasi-permanent institutional constraints which need to be examined concern the *rapport de force* within the executive itself. Here, the Prime Minister's influence has to be set against that of the President, Ministers and the bureaucracy. However, it must immediately be noted that in this section the emphasis is upon the constitutional and administrative resources that these institutions possess, rather than their political resources. The former resources vary only incrementally and, thus, belong in the

category of quasi-permanent constraints. The latter may change quickly and violently and, thus, belong in the category of conjunctural constraints.

The influence of the Prime Minister is usually set against that of the President. Yet, as was shown in the opening chapter, the President's constitutional and administrative resources were meagre. As Foyer and Lardeyret noted:

La prédominance du Président de la République sur le premier ministre n'est pas établie par la Constitution ... La primauté de fait exercée par le Président de la République a une origine politique et non point juridique.¹⁹

Even on a generous literal reading of the Constitution, the President's capacity to intervene in the policy process would be confined to foreign and defence matters and to times of national emergency. As was seen in the case studies, however, his interventions ranged far beyond this limited set of policy areas. Moreover, the President only had the support of a 40 person advisory staff. In brute terms this figure is lower than most Ministries and much smaller than the thousands of people for whom the Prime Minister was technically responsible. Indeed, as was stated earlier, if constitutional and administrative resources were to be the yardstick by which influence was measured, then the Prime Minister would be the most powerful institution in the country, with sundry Ministers and the President trailing far behind. However, the Prime Minister clearly did not occupy such a position. Therefore, we can conclude that the relative influence of the different parts of the executive was not based upon quasi-permanent institutional factors, but on conjunctural and momentary factors.

It should not be concluded, however, that constitutional and administrative resources were unimportant to the influence of different actors in the policy process. The case studies showed that on occasions they

were highly significant. For example, the constitutional situation defined the boundaries of presidential action during *cohabitation*. Similarly, the poor administrative resources possessed by the Culture Ministry in 1986 as compared to the Finance Ministry meant that L  otard had to forego the control over the preparation of certain parts of the broadcasting bill. Nevertheless, conjunctural factors were a much better pointer to the relations between the Prime Minister, President and Ministers.

By contrast, the senior   chelons of the permanent administration remained relatively immune from the effects of conjunctural factors. The French higher administration possesses the same characteristics which are common to the bureaucracies of most developed political systems. That is to say, it controls the flow of information to Ministers, it has security of tenure, it has highly developed administrative routines and it assesses the long-term effects of policy outcomes. In addition, it possesses two further characteristics special to France which increase its capacity for intervening in the policy process. Namely, the administrative training school (ENA and the Ecole polytechnique) and the system of *grands corps*. These two institutions produce highly trained experts in administration and their permeation amongst the senior administrative   lite is clearly discernible. Therefore, the permanent administration possesses a powerful set of resources when compared with the Prime Minister, President and Ministers.

As was noted in the first chapter, the characteristics outlined above have spawned two variants of the bureaucratic politics model. Firstly, the permanent administration (and *cabinet* system) appears as a power bloc pursuing coordinated policy objectives. Secondly, the permanent administration (and *cabinet* system) is a divided   lite with internal tensions

and contradictions. However, each component of this *élite* possesses a great individual influence.

There was no evidence from the case studies which supported the first view of the permanent administration. Indeed, the notion that policy was being directed by a technocratic *élite* was shown to be analytically flawed during the devaluation crisis. Although *cabinet* members and members of the permanent administration wished to remain in the EMS, they were not directing policy and the motivation behind their action was as much political as economic. Indeed, it was shown that these people could not properly be classed as technocrats. Elsewhere there was no evidence of a power-bloc coordinating policy.

By contrast, there was some evidence to support the second variant. The influence of individual parts of the permanent administration was clearly visible on certain occasions. For example, it was seen in the role of the SJTI in 1982 and 1989, in the influence of the Budget Division of the Finance Ministry during the preparation of all three budgets and in the role of the Treasury Division during the devaluation crisis. In fact, there were clear demonstrations of departmentalism. Conflicts within the administration were drawn along departmental lines. Each department had its own interests which its administration tried to defend. Ministers were an important part of the administration's strategy to pursue its self-interest. The administration needed the support of Ministers to add political weight to their case, while Ministers needed to press the case of their own departments to prove their competence. Such interministerial conflicts were most clearly seen during the budgetary spending arbitrations, although they were also present in the preparation of the broadcasting acts between the Finance Ministry, Culture and Communications Ministries and the Telecommunications Ministry.

Whilst the highly developed administrative culture in France helped to overcome the conjunctural factors which determined policy, such factors cannot be discounted from a consideration of its overall influence. At times, they increased the administration's influence. For example, the recession in the early 1980s increased the power of the Budget Division as it tried to reduce the amount which Ministers received in budgetary spending arbitrations. Similarly, in the economic boom of the late 1980s the Division's influence decreased.

In addition, other elements of the executive possess important elements of control over the administration. Firstly, the Prime Minister, President and Ministers have a considerable power of patronage. Secondly, the *cabinet* system reinforces the position of the political components of the executive as they are provided with a loyal team of policy advisers. Thirdly, the Prime Minister and President have the position of arbiters in the conflicts between the several Ministries. This position does not mean that they are neutral. It was seen that they promoted their own preferred policy options, for example, determining the composition of the regulatory authorities for broadcasting. Instead, it means that there is the opportunity for decision making above the ministerial level. The permanent administration is poorly placed to control decision making at this level. Organisations which were well placed to influence policy at this level, for example, the SGG, showed no signs of having made an impact on the content of policy. Therefore, while the permanent administration possessed the resources to challenge the influence of the Prime Minister, President and Ministers in the policy process, it did not have the capacity to dominate them. The political component of the executive was faced with a important constraint, but not an insurmountable one.

Therefore, it can be seen that there a number of quasi-permanent institutional constraints which affected the Prime Minister's influence on the policy process. Some of these factors limited the Prime Minister's influence, for example, the position of France in the world economic and political system and the strength of the permanent administration. Other factors increased his capacity to intervene in the policy process, for example, the strength of the central state and the executive branch of government and the high level of his administrative resources. The extent to which these constraints limited the Prime Minister's capacity for action varied, but only slowly, except in the case of total ruptures in the fabric of the existing political system.

It must also be noted, however, that these institutional constraints were not free from the impact of the conjunctural constraints to be examined below. While they can be analysed separately, they were not independent and isolated. Indeed, this conclusion is consistent with the notion of the influence being a relationship between two or more people or organisations. Given that the Prime Minister's influence can only be considered in relation to the influence of the totality of factors which operate in the political system, it would be surprising if there were to be no interaction between institutional and conjunctural constraints. This interaction did take place.

ii. Conjunctural constraints

The second set of elements upon which the Prime Minister's influence depended was comprised of conjunctural constraints. Whilst the general limits to prime ministerial influence were determined by his relationship with the set of quasi-permanent institutional constraints, these conjunctural constraints delineated more specifically his impact on the policy process. They

were subject to much more rapid variations than the institutional constraints. Therefore, they account for why the Prime Minister's influence fluctuated so greatly during the ten year period since 1981. Whereas, during this period, the impact of institutional constraints varied only incrementally, the impact of conjunctural constraints varied considerably. There are four components to this set of constraints: electoral politics, party politics, personality and public opinion. Each component will be considered in turn.

The first component of the set of conjunctural constraints is the outcome of presidential and legislative elections. The results of these two sets of elections were the major conjunctural factors which determined whether there was to be presidential government or prime ministerial government.

The results of these elections were so important because of the semi-presidential nature of the Fifth Republic after the 1962 constitutional reform. Under semi-presidential régimes, these two sets of elections are both, to a greater or lesser extent, determining elections. Under the semi-presidential system, there can be two general outcomes following these elections: the President can belong to the same party, or parties which make up the parliamentary majority; or the President can belong to an opposing party, or set of parties than that of the parliamentary majority. The existence of these two possible outcomes leads to a system which Frèches has described as possessing "une plasticité républicaine".²⁰

This 'plasticity' is general to semi-presidential régimes. The Irish case has provided a good recent example of the change from a coincidence of presidential and parliamentary majorities to the presence of two opposing majorities following the election of Mary Robinson. France, however, is unique amongst semi-presidential régimes in that the coincidence of these

two majorities, or their disjunction, was the main determinant on policy making.

The reason for France's unique situation was not constitutional. As was shown in the first chapter, the President had no clear constitutional base for intervening in the policy process. Instead, it was due to historical reasons. The Third and Fourth Republics failed in part because of their incapacity to produce effective political leadership. The constitutional framework of the Fifth Republic gave the opportunity for the Prime Minister to assume this leadership. It was clear, however, when de Gaulle refused to accept the premiership, but insisted on taking the presidency in 1958, that the Prime Minister's role in policy making would be challenged. The legitimacy that de Gaulle derived as a result of his wartime exploits and then from his election in both 1958 and 1965 meant that he was able to usurp the Prime Minister's constitutional supremacy. The precedent was set for his successors to emulate his actions.

Both de Gaulle's decision and the impact of the 1962 constitutional reform focused attention upon the presidential election as the key political event. Parties and individuals have come to organise their activity exclusively so as to win this election. However, victory in the presidential election was not sufficient for the President to be guaranteed ~~of~~ control of the policy process. S\he also needed the support of a parliamentary majority. Thus, the two sets of elections were important in determining whether the President or the Prime Minister could assume leadership.

Therefore, the results of both elections and the subsequent coincidence or disjunction of presidential and parliamentary majorities were the key conjunctural determinants of prime ministerial influence. To date, the most usual situation has been the coincidence of majorities, or as Servent has put

it: "la conformité des majorités".²¹ Only the 1986-88 period saw opposing majorities, although the President was only backed by a relative majority in Parliament after the 1988 legislative elections. One reason for the relative absence of opposing majorities is that the system was designed to encourage a coincidence of majorities. The President had the power to dissolve Parliament and this weapon has been used on several occasions, notably in 1981 and 1988, so as to ensure that a parliamentary majority friendly to him was elected by way of a presidential coat-tails effect.

The President was elected on a particular policy programme such as the 110 Propositions, or the *Lettre aux Français*. The parliamentary majority was composed of people who ~~have~~ supported that programme. Therefore, the President was able to appoint a Prime Minister who ensured that the programme, or as much as the President thought fit, was then legislated. In this situation the Prime Minister was aware that he owed his appointment to the President. He was also aware that he was responsible to a Parliament which was loyal to the President and not to him. It is natural in such a situation that political leadership should ^{belong} ~~believe~~ to the President and not the Prime Minister. In the sense that during these times the President was the source of most policy initiatives and that he asserted the *de facto* right to intervene in the decision making process when he so desired, there can be said to have been presidential government.

The 1981-1984 period was an example of this situation and was reflected in the case studies which were examined. The 1982 broadcasting act, in particular, saw the President intervening personally on major policy decisions, whilst various members of his entourage oversaw the detailed preparation of the bill. In this case political leadership did not belong to the Prime Minister, but to the President. As Feigenbaum has stated:

During the 'normal' situation of a President with a friendly majority in the National Assembly, decision making has been hierarchical.²²

However, this situation did not mean that the Prime Minister and his advisers were politically impotent, but rather that they were clearly subordinate to the President. In this sense, prime ministerial influence was not necessarily negligible, but it was less than presidential influence.

The case of a disjunction of presidential and parliamentary majorities occurred during *cohabitation*. Although, this situation has only happened once to date, it has been envisaged on several other occasions, notably in 1978 before the legislative elections of that year. Moreover, although in 1986 *cohabitation* took place as a result of the President's party losing the mid-term legislative elections, there is nothing to prevent such a situation from occurring at the beginning of the presidential *septennat*, if the President were to lose the anticipated parliamentary elections. This situation nearly happened in 1988. It is, however, more likely that legislative elections midway through the presidential term would lead to the *cohabitation* scenario.

Under *cohabitation*, the parliamentary majority was loyal to the Prime Minister and hostile to the President. On this occasion the Prime Minister assumed the responsibility for policy leadership. The Prime Minister was personally identified with a legislative programme which had been the election platform upon which the RPR/UDF coalition had campaigned and had subsequently won a majority in the Assemblée nationale. The Prime Minister, therefore, enjoyed the loyalty of the parliamentary majority as he executed the coalition's legislative programme. The President, by contrast, was only able to fulfil his meagre constitutional functions. The Prime Minister was able to supplant policy leadership from the President because his

popular mandate, albeit indirect, was newer than the President's. As Colombani and Lhomeau noted:

[Une] légitimité qu'il s'attribue en sa qualité de chef du gouvernement de la majorité élue le 16 mars. Légitimité plus fraîche que celle du Président de la République.²³

This theoretical argument backed up the practical situation of prime ministerial dominance.

Under *cohabitation*, therefore, the Prime Minister controlled public policy. As Wright has stated:

Cohabitation was to demonstrate that a government with a friendly majority in parliament could displace the President as the centre of domestic decision making.²⁴

The Prime Minister's newfound influence was seen in the case studies. It was Chirac who decided which parts of the electoral platform to legislate. For example, he took the decision to delay the preparation of the telecommunications law. It was also the Prime Minister who took the most important policy decisions, for example, the number of television companies to privatise. Similarly, even though Chirac delegated much of the responsibility for drawing up the 1987 budget to Balladur, this situation was a sign of strength not weakness. Balladur was a loyal lieutenant who could be trusted to draw up policy in a manner consistent with the Prime Minister's preferences.

It is apparent, therefore, that the main conjunctural constraint upon which prime ministerial influence depended was the results of presidential and legislative elections. This observation, whilst fundamental, is not sufficient in order properly to explain all of the variations in prime ministerial influence. The main problem is that this factor is not able to account for the variations in prime ministerial influence within periods of

dual majorities. For example, there were major differences in prime ministerial influence during the Mauroy and Fabius premierships, despite the fact that they both served under the same President with the same parliamentary majority. The same observation would also be true when there was a disjunction of majorities, although the unique example of *cohabitation* means that this can only be posited as a hypothesis and cannot be proved.

Variations of influence within electoral periods can partly be ascribed to changes in the second conjunctural constraint under which the Prime Minister operated, namely, party politics. It must be appreciated that party politics affected the Prime Minister's influence in their widest sense. To this end, consideration needs to be made of inter-party relations, intra-party relations and party organisations.

The main impact of inter-party relations upon prime ministerial influence was seen when there were coalition governments. During the period covered by the case studies there were two radically different types of coalitions which were witnessed. Both of these types of coalition had a different impact upon the policy process. The first type was a two party coalition (PS/PC) with one dominant party (PS). This coalition survived from 1981 until 1984. The second type was a two party coalition (RPR/UDF) with both partners having equal weight. This situation occurred under *cohabitation*.

In the first scenario, the effect of the minor coalition partner on overall government policy making was minimal. In the specific Ministries which were headed by PC representatives, there was naturally a much greater role for the junior party. However, the overall impact of the PC on policy making was small. It could be seen, for example, that the PC was not formally involved in the preparation of the 1982 broadcasting act. The only impact

came from Ralite at the request of Lang and was informal with no discernible impact on the wording of the bill. Moreover, no concerted attempt was made by the government to prevent the communists from abstaining on the vote in the Assemblée nationale. Indeed, more attempt was made to woo the RPR in the Sénat. Similarly, apart from several minor concessions on expenditure for the PC Ministers, the influence of the communists on the preparation of the 1985 budget was also meagre. It might be concluded, therefore, that the influence of the Prime Minister in the policy process was hardly affected by the nature of the governmental coalition from 1981-84.

By contrast, the impact of the 1986-88 coalition upon decision making was great. During *cohabitation* the fact that Chirac headed a coalition of two equal parties had an impact upon his influence in the policy process. In order to keep the coalition together so as to pass laws through Parliament, Chirac had to negotiate with and on occasions make concessions to his coalition partners.

The impact of inter-party politics on the policy process was so great that it was called "la deuxième cohabitation" by Léotard. As Servent has noted:

A une première cohabitation entre le Président et le Premier ministre, se surajoutait une deuxième cohabitation avec les composantes de la majorité parlementaire engagées dans des camps présidentiels différents (Chirac, Barre, Léotard).²⁵

The preparation of the 1986 broadcasting act was a good example of this situation. Léotard, aided and abetted by Giscard d'Estaing, tried to use his position to draw up what could be considered to be a Parti Républicain law. As a result, he naturally came up against fierce opposition from the RPR, particularly in the Sénat. The fact, however, that Chirac felt that he had to arbitrate in Léotard's favour on several key occasions showed that the Prime Minister was not simply able to carry out the wishes of his own party, but that

he was constrained by the exigencies of the parliamentary coalition. These same exigencies could be seen at work during the preparation of the 1987 budget, particularly on the fiscal component. The *barristes* made their opposition to the government's original plans very plain and, as the price for the budget's smooth passage through Parliament, Balladur had to concede several costly amendments. Thus, whilst the UDF, or certain components of it, could not dictate its terms to the Prime Minister and the RPR, nevertheless, it still had an impact which Chirac could not ignore in the arbitration process.

The two other parliamentary situations in which the government found itself also had repercussions upon prime ministerial influence. In the first of these situations, that of a single party government with a parliamentary majority, the Prime Minister had little to worry about with regard to inter-party relations. However, in the second case, that of a minority government, the Prime Minister had to take the wishes of other parliamentary parties very seriously into account. The second situation was the one under which Rocard had to operate during the preparation of the 1989 broadcasting act and the 1990 budget. The minority situation in which he found himself had a demonstrable effect upon the Prime Minister's influence in the policy process.

The minority situation obliged the Prime Minister to bargain with the UDC and the PC on every bill that was presented to Parliament. This bargaining took place both before and during the parliamentary stage and was usually conducted informally. The need to win the support, or abstention, of either the UDC or the PC meant that concessions had to be made which altered the nature of the bill as it had been agreed in the interministerial arbitration meetings. Changes were made which would not otherwise have been made.

In this sense, the minority situation had an effect upon the role of the Prime Minister. The effect of this bargaining could be most clearly seen in the preparation of the 1989 broadcasting act. Here, some not insubstantial alterations were made to the bill as a result of the Prime Minister's desire to win the support of the UDC.

The influence of the other parliamentary groups after 1988 was important, but not unlimited. Rocard used Article 49-3 to pass both the 1989 broadcasting bill and the 1990 budget, so as to avoid having to accept amendments which were totally unpalatable. Indeed, the UDC set its demands so high over the former bill because it was worried about the effects that supporting the government would have on its inter-party relations with the RPR and the UDF. Thus, the evidence available shows the importance of inter-party relations on government policy. With regard to the Prime Minister in a minority situation, however, while his room for manoeuvre was limited, he still retained a certain space in which to operate.

Intra-party politics were also important as a conjunctural constraint. Whilst the nature of intra-party disputes is often seized upon and exaggerated by the press, they did have an impact upon the outcome of public policy and, hence, the influence of the Prime Minister in the policy process. As Gaffney has noted:

All changes in the balance of power within the party have, therefore, potentially far-reaching consequences.²⁶

Internal party problems were particularly noticeable within the PS in the post-1988 period. Evidence of these problems was seen in the preparation of the 1990 budget with the exchanges between the *fabiusiens* and the *jospinistes*. Rocard's strategy at this time was to appear to take neither side so as to enhance his position as arbitrator. This strategy did mean, however, that he

was not able to act as he would have wanted and that he had to acquiesce to decisions to which he was not overly favourable. This was seen with some of the decisions on the fiscal side of the 1990 budget.

The importance of intra-party politics meant that the position of the Prime Minister within the party was vital for his influence on the policy process. Intuitively, the stronger the Prime Minister's position within the party, the greater his capacity is for influencing policy. In this respect, the contrast between, for example, Chirac and Rocard was great. Chirac was the founder and undisputed leader of the RPR in 1986. Rocard, by contrast, has always been rather a maverick figure within the PS. As Cole has noted: —

He is distrusted not only by the new PS leadership under the control of Mauroy, but also by a majority of anti-Rocardian PS deputies.²⁷

In fact, the position of all socialist Prime Minister's during the period in question was one of subordination to the President. Mitterrand's authority was derived not only from his election, but also from his position of co-founder and 'historic' leader of the PS. This position of authority limited the capacity for influence that his Prime Minister's possessed. As Lemaire stated:

Mitterrand a placé le parti en liberté surveillée, en établissant la domination du courant mitterrandiste. C'est pour cette raison, entre autre, qu'il a placé Pierre Mauroy au poste de Premier ministre qui, de Matignon, ne pourrait jamais prétendre diriger le parti. De même, Laurent Fabius, son jeune dauphin, n'avait pas d'assise réelle au sein du PS; ainsi, François Mitterrand pourrait rester l'arbitre suprême ...²⁸

Thus, the Prime Minister's position within the party was both important vis-à-vis government Ministers and also the President.

A further element of this conjunctural constraint upon the Prime Minister's influence was the party *qua* individual actor. For example, after 1981 the PS was consistently associated with policy preparation, usually through a series of informal policy meetings which were attended by the party

leaders.²⁹ Whilst it was difficult to dissociate the independent influence of party leaders from the interests of their constituent parts, such as factions and the parliamentary group, the party could be said to have had an influence.

The organisation of the party was an important factor in the amount of influence it had on the policy process. Parties which follow their leaders have less impact upon the policy process. Parties which bind their leaders have a greater impact. So, for example, the PS after 1981 was often classed in the former category as a *godillot* party "totally subordinated to presidential directives".³⁰ Whilst the Fifth Republic's institutional structure tends to create parties which follow their leaders (*présidentiables*), the situation in which a more independent party was able to influence policy should not be dismissed.

In all of the aspects considered above, party politics acted as a constraint on the Prime Minister's influence. His relationship to his party and to opposing parties inside or outside of the governing coalition was an important determinant of his role in the policy process. Indeed, Jones has argued that, of all the factors which impinge upon the Prime Minister's influence, party politics is the most important. He states:

The relationship between prime ministers and parties is the most important of all linkages for most prime ministers ... Party is the critical resource and constraint: the key to the power of both the prime minister and the other actors and institutions.³¹

Certainly, it was clear that the party related factors identified above were central to an explanation of the Prime Minister's influence and, equally importantly, to an explanation of why that influence changed over time.

A further conjunctural constraint which determined the level of prime ministerial influence was that of personality. In this case, the variations in his influence were due at least in part to the interaction between the personality

of the different Prime Ministers and of the other senior office holders. An immediate proviso must be made, however. It will not^{be} argued that personality was the main determinant of the Prime Minister's influence. Individuals always operated within systems which possessed certain structural characteristics. These structures, as outlined above, set the limits to the influence of a particular institution. Here, it is argued that within those limits the personality of the different protagonists was important. Whilst individuals were, to some extent, the bearers of the structural characteristics of the institutions within which they operated, nevertheless they maintained a certain freedom of action. Greenstein has suggested a set of circumstances within which personality can influence political behaviour.³² It is under such circumstances that personality was a determinant of prime ministerial influence.

It is important to give some content to the notion of 'personality' as it is being used here. What is not implied are characteristics presented in anecdotal accounts of politicians' behaviour, for example, Chirac's reputation for having a short temper. Even if he were to have a short temper, it would not be the basis for an analytical account of his influence in the policy process. Personality approaches the notion of psychological characteristics more analytically. These characteristics are one of the factors which may determine a person's influence in the policy process. Lasswell, for example, introduced the concept of the "psycopathology" of leaders.³³ He argued that the reaction of leaders to particular events was due to the individual's childhood experiences, for example. Taras and Weyant have quoted a study of British Prime Ministers which concluded that: "the driving force in their lives emerged from their being deprived in childhood of the love of their parents".³⁴ Thus, the impact of personality may depend on such

psychological traits. The relevance of these traits to the outcome of the policy process must pass A. J. Ayer's test that: "the passage from evidence to conclusion must be legitimate".³⁵ Whilst it is difficult in the present study to identify psychological characteristics which influenced the Prime Minister's approach to policy preparation, the salience of these characteristics should not be dismissed out of hand.

Other personality based factors were of demonstrable importance. For example, both Greenstein and Machin have argued that skill plays an important role in the policy process.³⁶ It was demonstrated, for example, in intragovernmental negotiations, in the timing of political issues and in the oratorical, or televisual capacity which an individual possessed. Similarly, the absence of such skill was a factor. Individuals may possess such skills innately, or, more likely, they will learn them during the early years of their political formation. People who accede to top positions after much ministerial experience deal better with the rigours of office than those who are young and relatively inexperienced. For example, Rose has noted:

L'orientation de Mitterrand est issue de son expérience de plusieurs décennies en tant que parlementaire et ministre.³⁷

Certainly, Mitterrand's experience was a decisive factor in his handling of the 1983 devaluation crisis. One aspect of this factor will be whether the individual has had a background in local politics, or whether he is a technocrat. Rose again notes:

Les Premiers ministres qui accèdent à leur fonction par la voie de l'Assemblée ou de la politique locale, comme Chaban-Delmas et Mauroy, ont probablement d'autres priorités qu'un Premier ministre qui a d'abord commencé comme technocrate, tel que Raymond Barre.³⁸

It was clear that Fabius's background as an *inspecteur des finances* and as a former Budget Minister meant that he was better placed to intervene in the budgetary decision making process than Mauroy before him.

Presidential and prime ministerial relations were also particularly affected by the ambitions of the two protagonists. As Servent has put it, the Prime Minister is on "l'avant-dernière marche du pouvoir".³⁹ He is, or is at least seen to be, the main contender for the President's title. Some Prime Ministers use their time in office to prepare the way for a future presidential campaign. This was true for Rocard from 1988-91. His desire to avoid making enemies in the run up to the next presidential election was one of the motivations behind his refusal to take sides in the disputes between Bérégovoy and Chevènement over the defence budget in 1989. However, ambitious Prime Ministers are usually faced with Presidents who are reluctant to give up their office to anyone except their favourite dauphin. In such a situation the President and Prime Minister naturally clash. Thus, for example, Rocard and Mitterrand never had each other's trust during the former's premiership.

The personal relations that the Prime Minister enjoyed with the President and other Ministers were also important. Some Prime Ministers have enjoyed close personal relations with the President before coming to office, others have been sworn enemies. Mauroy and Fabius were both loyal presidential acolytes before their appointment as Prime Minister. On the other hand, Chirac and Rocard were long-term presidential rivals. Thus, personal likes and dislikes are likely to influence the nature of the relations between the two institutions.

Similarly, the relations between the President and Ministers, or between individual Ministers had an affect on the Prime Minister's role. For

example, successive socialist Prime Ministers were limited by Lang's relations with Mitterrand which often allowed the Culture Minister to succeed in interministerial arbitrations. In addition, Chirac's position was made more difficult in 1986 because of the animosity between Monory and Devaquet.

The final conjunctural constraint which needs to be considered is the role played by the public. The influence of the public manifested itself in two different ways. First, through the action of pressure groups and, second, through public opinion in general. Although the two ways are related and the analysis of them will overlap, it is useful to consider them separately. —

There is a temptation to place the role of pressure groups in the category of quasi-permanent institutional constraints. The debates which have raged over recent years as to whether France can be considered to have neo-corporatist, meso-corporatist, or pluralist modes of interest group organisation would seem to be predicated upon a relatively stable framework of group\government interaction. Similarly, sociological studies, which suggest that the French are a nation of individualists who do not like joining voluntary associations, suggest that this characteristic is a permanent feature of French political life, not a conjunctural one.

In fact, we would argue that pressure group activity should be considered alongside the other conjunctural constraints. The case studies showed that their influence was not constant. It varied from one study to the next. The main reason for the variations in their influence was that they were not associated with parties and there were few fixed channels of intermediation with the government. That is to say, for example, that parties were not dependent upon them for finance and there were few official committees where policy was made upon which they were represented. Thus,

their capacity for influencing policy was structurally weak. Instead, their influence was dependent upon conjunctural factors, such as the level of public sympathy for their cause and the immediate economic situation.

When these conjunctural factors operated in favour of the pressure groups, then the Prime Minister's influence was constrained. A particularly clear example of this situation was the Devaquet crisis in 1986. The UNEF-ID was not structurally strong, nor did it occupy a position of strategic importance in the productive process liable to increase its bargaining position relative to that of the government. Instead, the movement used the means at its disposal (demonstrations, television appearances ~~and so on~~) so as to build up a body of public opinion in favour of its position, sufficient to force Chirac to withdraw the bill in question. Indeed, the Devaquet crisis was a good example of the interaction of the influence of pressure groups and public opinion. The student protest movement was powerful because it went beyond the lobbying practices of UNEF-ID to incorporate a wider social movement that was much more threatening to the government.

Pressure group influence was also seen during various other case studies. For example, the lobbying surrounding the introduction or otherwise of advertising on local radio in the 1982 broadcasting law. This example also showed the importance of the conjunctural component of pressure group influence. In 1982, the anti-advertising lobby succeeded because it had a powerful ally in Mauroy who, at that time, had considerable authority within the executive. On this occasion, therefore, pressure group lobbying helped the Prime Minister's cause, rather than hindering it as in 1986. Thus, pressure group activity may be either a constraint or a resource for the Prime Minister. Short-term conjunctural factors determined which of these two situations prevails.

Similarly, as Jones has argued, public opinion may act as a constraint on the Prime Minister's influence, or a resource which increases it.⁴⁰ He goes on to argue that the most important public are the voters because election results depend upon their preferences. Rocard recognised the importance of public opinion for his position as Prime Minister when he incorporated a professional pollster in his *cabinet* for the first time. One of the tasks of the pollster, whether s\he is institutionalised in the *cabinet* or not, was to alert the Prime Minister to potentially unfavourable movements of public opinion as the result of a bill being passed. Therefore, the Prime Minister tried to ^{anticipate} ~~second-guess~~ public opinion. On occasions, such as with the Devaquet crisis, the polls were signally unsuccessful in their capacity as an early warning device and the Prime Minister was faced with a massive movement of discontent.

It can be seen, therefore, that conjunctural constraints were an important determinant of the Prime Minister's influence. There is a fundamental difference, however, between this set of constraints and the set of quasi-permanent institutional constraints. In the latter set, some of these constraints limited the Prime Minister's influence, while others increased it. By contrast, each element of the set of conjunctural constraints may be either a limit or a resource for the Prime Minister. For example, pressure groups may help the Prime Minister's cause, or hinder it. Similarly, one Prime Minister may have a powerful position in the party which increases his overall level of influence, while another Prime Minister may be a minor party figure.

Moreover, even though there may be a slow change in the importance of institutional constraints over time, they do set the general boundaries within which the Prime Minister may act. In this case, variations are usually

only incremental. By contrast, the Prime Minister's relationship with the set of conjunctural constraints is open to quick and violent fluctuations. For example, election results have an overnight effect. Similarly, a change of Prime Minister introduces someone to the office who may have a very different relationship to his\her party and coalition partners than the person who is being replaced.

It is precisely because of this situation that the Prime Minister's influence cannot be quantified. Each Prime Minister found himself in a unique position, which was itself inherently unstable. The Prime Minister's influence varied according to the slow changes in institutional constraints and to the rapid fluctuations in conjunctural constraints. However, the movement of these constraints was not necessarily consistent the one with the other. For example, Chirac was in a stronger position vis-à-vis Fabius because of his position of leadership over his own party and because of the fact that the President was largely disempowered. However, at the same time his position was weaker than that of Fabius in that he faced a difficult electoral coalition which enjoyed only a fragile parliamentary majority. Thus, their relative influences are difficult to assess. We can only point to the factors upon which that influence depended. This is a theme which we will return to in the final chapter.

iii. Momentary constraints

The third set of factors which determined the level of prime ministerial influence are momentary constraints. The impact of the elements in this set of constraints was abrupt and immediate. They did not have any medium or long-term effects on the extent of prime ministerial influence, but their short-

term, or momentary, impact on the outcome of public policy were occasionally great indeed. Thus, their impact cannot be ignored.

Unlike, the two previous sets of constraints which were identified, the elements in this set cannot be listed definitively. All that it is possible to do is to give examples of such constraints as they were present in the case studies. These examples will give a pointer as to the factors that need to be included in this set of constraints, even if, by their very nature, a full list is impossible to provide.

The first momentary constraint to be considered concerns the relation of the the bill in question to past and forthcoming bills. For example, during the parliamentary stage of the 1989 broadcasting bill, the leader of the UDC, Méhaignerie, was reluctant to do a deal with the government because his party had just facilitated the passage of the 1989 budget. Méhaignerie was aware that, if he had allowed his group to vote for or abstain on the broadcasting bill, then it would have appeared to his RPR\UDF allies as if his group were not an independent parliamentary group, but one which supported the socialists. In the run up to the 1989 municipal elections, Méhaignerie had to avoid giving this impression as it would have weakened his bargaining position vis-à-vis the RPR\UDF in the negotiations over the preparation of coalition lists for this election.

Therefore, whilst conjunctural party factors cannot be dissociated from this example, the content of the 1989 broadcasting law was in part determined by the UDC's decision a few days previously to vote for the 1989 budget. This example illustrates how momentary constraints affected the outcome of policy. If the vote on the broadcasting bill had taken place before the vote on the budget, then the content of the final law may have been different.

A related momentary constraint concerns the Prime Minister's role in the intergovernmental arbitration process. The Prime Minister could not consistently arbitrate in favour of one Minister, or against another. If he were to do so, then he would risk the charge of favouritism, on the one hand, or the Minister's resignation, on the other. This point is particularly important when it is realised that the Prime Minister may have to chair a number of *comités* in a short space of time. As one of Rocard's advisers noted, it is difficult not to acquiesce to a particular Minister's demands if, a few hours previously, he has been defeated on an important issue in the arbitration process of another bill.⁴¹ Thus, it is impossible to consider the preparation of any bill in isolation. Its contents may be in part determined by the debate which surrounds other bills being prepared at the same time.

A further momentary constraint was witnessed most vividly during the course of the Devaquet crisis. The most acute moments of the Devaquet crisis were experienced after and because of the death of Malik Oussekiné. The government had little or no control over the circumstances of his death, but the fact that it occurred created a wave of public sympathy for the students that forced Chirac to withdraw the bill. Thus, the impact of this exogenous, momentary factor was crucial to the outcome of the policy process.

As with the case of conjunctural constraints previously, the impact of momentary constraints can be a limit or a resource for the Prime Minister. In the case of Oussekiné's death, the Prime Minister was forced to withdraw a bill which, until that point, he had shown no signs of wanting to withdraw. In the case of the 1989 broadcasting bill, however, the Prime Minister was able to return to the text as it had been agreed in the pre-parliamentary arbitration process. Amendments originally inserted to accommodate the UDC group were withdrawn.

The incidence of momentary constraints is highly unpredictable. In this sense, the set of momentary constraints differs from the two previous sets of constraint examined, which were to a large extent predictable. In no way could the death of Oussekiné have been either predicted or prevented. Once it occurred, the government had to react and the odds were not stacked in its favour. Similarly, the consequences deriving from the parliamentary vote prior to the one in question, or to the previous prime ministerial arbitration on the content of the bills which follows, are equally unpredictable. It is simply '*le hasard du calendrier*'. Whether the result is favourable or unfavourable to the Prime Minister is contingent upon the prevailing circumstances, but his influence is in part determined by them.

Conclusion

Approaching the nature of prime ministerial influence in this way proves to be much more satisfying than any attempt to try and quantify the level of his influence. This approach provides a rounder picture of policy outcomes. It shows that they result from a complex process of interaction between a series of different actors and institutions. The result of this interaction is conflict, negotiations and bargaining. While the Prime Minister has several structural advantages in this interaction process, his short-term influence ultimately depends upon the conjunctural constraints with which he is faced at any one time.

However, it is also important to see how the three sets of constraints identified above relate to each other. They do not operate independently the one from the other. Thus, institutional factors affect the nature of conjunctural and momentary constraints. For example, the party system will in part be determined by the constitutional framework within which the system

operates.⁴² Similarly, conjunctural constraints will have an effect on the functioning of institutional constraints. For example, the President's influence over the core executive is determined to a large part by election results and the state of the party system. The system is never static. There is always interaction between its different components. Thus, the level of influence of the various protagonists is constantly changing.

It is also important to realise that what has been presented is a general picture of the nature of an institution's influence over the policy process. In the present case, our attention has been focused on the Prime Minister. However, a study of the President's influence on the policy process would have to identify his relationship with all of the factors identified above. If such a study were undertaken, we might find that the President's position was stronger than the Prime Minister's in relation to some of the elements identified above. However, we would have to conclude in a similar vein that his influence was not fixed and that the main short-term set of variables which affected it were conjunctural factors.

The conclusions reached are of great importance for the study of the policy process and for the study of any person or institution's influence on that process. In the final chapter we will return to the nature of prime ministerial influence and develop our understanding of his position in the political system.

Chapter 8

The Capacity for Systemic Dynamism

This chapter builds upon the conclusions of the previous one. Initially, we return to the subject matter of the first chapter and consider the different models of core executive operations which were identified there. From the evidence gleaned from the case studies, it will be shown that none of these models accurately accounted for the nature of core executive operations throughout the 1981-1991 period. Rather than constructing an alternative all-embracing model, it will be argued that it is best to appreciate that the system can move from one model to another in a relatively short space of time.

It will then be argued that this capacity for systemic dynamism is due to changes in the impact of the different elements of the three types of constraints which were identified in the previous chapter. On the whole, changes in the impact of institutional constraints were slow to take effect, and determined the influence of the executive branch of government as a whole. Conversely, changes in the impact of conjunctural and momentary constraints often had a rapid effect and, especially in the case of the former, usually determined the relations between the different elements within the core executive itself.

Finally, when accounting for the dynamic capacity of the system, it will be shown that there are several reasons as to why the impact of the constraints upon the system should change. In this way the dynamic capacity of the system is realised and is not simply latent. In fact, over the 1981-1991 period, it will be argued that the impact of these constraints changed, so as to produce periods of both relatively strong and weak presidential government, as well as a form of prime ministerial government and that, at times, the impact of Ministers and of bureaucrats was far from negligible. It is necessary to begin, however, by returning to the different models of core executive operations as they were identified in the opening chapter.

Models of core executive operations

In the opening chapter six different models of core executive operations in France were identified. These models were: presidential government; segmented decision making; executive co-operation; prime ministerial government; ministerial government; and bureaucratic coordination. The role of the Prime Minister was shown to vary with each different model. It is our task to evaluate the above models in the light of the evidence provided by the case studies, so as to show whether any of them can account for the nature of core executive operations throughout the 1981-1991 period. In fact, as we shall now show, no single model successfully captured core executive operations for all of this period, but each model accurately could be said to have depicted certain elements of those operations during that time. We will now return to the different models and briefly examine their strengths and weaknesses.

The 1982 and 1989 broadcasting acts were examples of presidential government. That is to say, the President was personally responsible for making major policy decisions. For the 1982 broadcasting act, the President and his advisers oversaw the preparation of the bill and Mitterrand himself arbitrated on a number of key policy matters. The same was true for the 1989 broadcasting law when, in addition to the situation in 1982, the President himself, through the *Lettre aux Français*, was also the inspiration behind the creation of the CSA. Nevertheless, it would be incorrect to conclude from this evidence that there was presidential government throughout the 1981-1991 period. It was certainly absent, for example, during *cohabitation*, whilst the preparation of the 1985 and 1990 budgets saw the President only playing a relatively minor role.

These variations in presidential influence lead us to conclude that it is necessary to distinguish between periods of relatively strong presidential government and limited presidential government. In the former situation, the President and his advisers intervened frequently in the policy process, with most major policy decisions and many minor policy decisions being taken either directly by the President in formal or informal *conseils*, or by his advisers in interministerial committee meetings. In the latter situation, the President and his advisers intervened less frequently and fewer policy decisions emanated directly or indirectly from the Elysée. The preparation of the 1981 broadcasting act was an example of the former situation, whereas the preparation of the 1990 broadcasting act was an example of the latter.

The case studies also appeared to identify various elements of the segmented decision making model. As was outlined in the opening chapter, this model states that the President is solely responsible for taking key decisions in the areas of foreign and defence policy, EC policy and decisions relating to currency stability. The debate surrounding the devaluation of the Franc in 1983 provided the clearest example of this model in practice. The decision to remain in the EMS and to devalue the Franc was taken by Mitterrand personally. The Prime Minister's role was merely secondary. The President's involvement in the preparation of the 1990 defence budget provided another example of this model. The defence budget of that year was of great importance as its preparation coincided with the important defence decisions which had to be taken relating to the *loi de programmation militaire*. As a result, the key budgetary decisions were taken by the President during a *conseil de défense* at the Elysée when the strategic choices concerning the *loi de programmation* were also made. The greater role played by the Prime Minister in the preparation of all other aspects of the 1990 budget

showed that the President's influence was only confined to certain sectors and that he did not dominate the policy process as a whole.

However, despite the above evidence in support of this model, it still fails to capture the intricacies of the policy process as revealed in the case studies. On the one hand, the roles played by the Finance Minister, Defence Minister and Prime Minister in the preparation of the 1990 defence budget should not be underestimated. The President was obliged to fix the level of defence spending cuts, so as to keep the support of these other actors. Whilst Mitterrand made the final decision, it represented a compromise which appeased all interested parties. In this sense, defence policy (and we would argue the other policy areas in this model as well) was not an area of decision making reserved for the President's attention alone. Rather, decisions in this area were the result of a complex process of interaction between several different actors. Similarly, in areas outside of the President's supposed reserved policy domain, the Prime Minister was not free to legislate as he saw fit. The influence of other Ministers, for example, limited his actions. Moreover, the President was also able to intervene when he so desired. For example, Mitterrand's call in 1989 for more low cost housing to be built meant that the level of spending allocated to the Housing Minister had to be increased.

Thus, whilst the President may have been personally responsible for taking the major policy decisions regarding currency stability and defence policy, when he did so he was not free from the influence of other key political actors. Conversely, in other policy areas where, according to the original model, the Prime Minister's role was critical, the President was not absent from decision making and his influence was still great. Thus, the analytical coherence of this model can be called into question. The division of

responsibilities which it posits do not stand up to close scrutiny. Nevertheless, it is clear that the President's influence in defence and foreign policy matters particularly was consistently great. Therefore, whilst the model itself is open to question, the President's authority in these two areas still needs to be accounted for.

The key elements of the executive co-operation model also appeared to be present in the case studies. One noticeable feature of the decision making process was the close relationship between the *cabinets* of both the President and Prime Minister. Representatives of both teams attended interministerial committee meetings and there were often substantial informal contacts between members of both *cabinets*. Similarly, several of the Prime Minister's services, such as the SGG and the SJTI for the broadcasting acts worked in close contact with the Elysée. Their role was important in both the coordination of policy and its preparation. Moreover, the President regularly met alone with each of the different Prime Ministers during the period under examination. On these occasions policy matters were discussed.

However, there are certain weaknesses to the model as well. Firstly, it does not apply to the period of *cohabitation*. At that time, co-operation between the two parts of the executive was minimal. The only regular contacts were between Bianco at the Elysée and Ulrich at Matignon. Secondly, there is an inherent problem with the model itself, because it assumes that, when there is co-operation, then neither institution is dominant. This assumption is false. Even when the President's influence was at its greatest, during the March 1983 devaluation crisis, for example, there was still co-operation between the Prime Minister and his advisers and the President and his team. There were daily contacts throughout the crisis period, but the

President still took the decisions to stay in the EMS and to retain Mauroy as Prime Minister.

In fact, the executive co-operation model seems analytically weak. There will always have to be co-operation between the President and Prime Minister in order for the system to function effectively. Similarly, there will always have to be co-operation between the Prime Minister and Ministers and, apart from the period of *cohabitation*, between the President and Ministers. The rigours of government necessitate the relaying of information between institutions, so as to prepare decisions and then to implement them. In this way, there will always have to be contacts and, in this sense, co-operation between the different components of the executive. However, simply because there is co-operation of this sort does not mean that one institution, usually the President or the Prime Minister, is not able to dominate the decision making process. Thus, this model tells us little about the nature of the relations between the different elements of the core executive, even if it does underline the fact that they will have to communicate with each other in order for the system to operate effectively.

In contrast to the previous model, the prime ministerial government model was clearly identifiable, if only during the period of *cohabitation*. During this time, the Prime Minister was responsible for taking the major policy decisions of the government, such as the decision to withdraw the Devaquet bill, the decision to privatise only one television channel and the choice of TF1 for that privatisation.

A problem with this model is that, because *cohabitation* only occurred for a single brief two-year period, it is impossible to distinguish between possible variations of this model. As with the case of presidential government, it is possible that there might be occasions when there is

relatively strong prime ministerial government and other occasions when there is weak prime ministerial government. However, because of the absence of any similar situations with which the second Chirac premiership could be compared, it is impossible to say whether the 1986-1988 period was an example of strong or limited prime ministerial government. Nevertheless, it is possible to state that the Prime Minister's power during this period was not unlimited. Notably, Ministers were given considerable leeway by Chirac to run their own departmental affairs and, admittedly outside of the scope of the case studies, the President's influence over defence and EC policy in particular was not negligible. Despite these examples, *cohabitation* did provide some form of prime ministerial government for the first time during the whole of the history of the Fifth Republic to date.

By contrast, at no period between 1981-1991 was ministerial government unequivocally identifiable. However, during this time Ministers were not simply subordinate to the wishes of the President and/or the Prime Minister. Indeed, it would have been surprising if this were to have been the case. Ministers are senior political figures who would be likely to resign, rather than accept such subordination. Instead, Ministers were largely responsible for the laws which were drawn up in their particular spheres of influence. For example, for all three broadcasting laws, Fillioud, Léotard and Tasca played a major role in determining the contents of the legislation. However, also on all three occasions, both the Prime Minister and especially the President were also involved in the decision making process.

In fact, we would argue that ministerial government was most prevalent during *cohabitation*. As was stated above, at this time there was undoubtedly a form of prime ministerial government at work, however, the influence of individual Ministers was also at its greatest. For example,

Chirac's delegation of responsibility for budgetary and financial affairs to Balladur meant that the role of the Finance Minister and, indeed, the Budget Minister was increased vis-à-vis previous years. Similarly, the 1986 broadcasting law was drawn up largely by Léotard and his *cabinet*. Also, the responsibility for managing the Devaquet crisis was devolved first upon the eponymous Minister himself and then upon Monory. Thus, individual ministerial influence was great. However, it was also observed that Chirac did arbitrate in the most important of the budgetary disputes. He also did likewise for the key decisions of the broadcasting act, whilst it was his decision to withdraw the Devaquet bill once the crisis had become unmanageable. In this sense, there was still prime ministerial government during this period, even if elements of ministerial government were also present.

Finally, it might be argued that the bureaucratic co-ordination model was also identifiable. For example, it could be seen with the involvement of the *Direction du Budget* in the preparation of all three budgets studied. It could also be seen in the preparation of the 1982 broadcasting act when the SJTI tried to sell its own policy preferences to the government. Similarly, in the course of the 1989 broadcasting act, the SJTI was also actively trying to impose its own policy agenda. The evidence suggests, therefore, that bureaucrats did play a major role in policy preparation.

However, the claim made by the model that politicians were disempowered and that the policy process was effectively controlled by top civil servants was not seen to be correct. In all of the examples cited above, the major and, indeed, many of the minor policy decisions were taken by politicians free from the influence of bureaucrats. Thus, whilst the permanent administration on occasions had its own policy preferences which

it tried to have adopted, the evidence does not suggest that it had the means to succeed.

In addition, the example of the 1983 devaluation crisis showed that there were dangers in the terminology of the bureaucratic coordination model. In this model, the word 'bureaucrat', meaning a representative of the permanent administration, is often synonymous with 'technocrat', meaning a representative of the administration who has undergone a period of specialised, technical administrative training. However, in the example of the 1983 devaluation, it was shown that technocrats were present in the permanent administration, in various *cabinets* and in the government itself. As a result, the word had little analytical content, with the interests and aims of the 'technocrats' differing according to the positions they held. Therefore, it is necessary to clarify the terminology of the model, such that the word 'technocrat' is removed. By so doing, the model refers simply to the influence of members of the permanent administration on the policy process. The evidence from the case studies showed that examples of such influence were identifiable; however, politicians were not disempowered and bureaucrats did not dominate the process.

An alternative approach to the study of core executive operations

From the above analysis, it can be seen that, whilst all of these models contained certain descriptive truths about the policy process, none of them fully captured the complexity of that process and none of them accurately portrayed the true nature of core executive operations and the respective influences of the President, Prime Minister and Ministers for the whole of the 1981-1991 period.

As a result of these observations, we are left with three ~~alternative~~ approaches to the examination of prime ministerial influence. The first of these approaches is to construct an ~~alternative~~, all-embracing model of the central government decision making process which captures the positive aspects of the above theories, whilst dispensing with their negative qualities. This approach, whilst tempting, is ultimately unrewarding. Even if it were possible to construct an ~~alternative~~ all-embracing model of core executive operations, it is likely that any such model would suffer from the same basic problem as the ones presented above. Namely, it might account for a part of the 1981-1991 period, but it is unlikely that it could account for all of it. The variations in the relative influences of the different components of the core executive were so great during this period, that to capture all of them in a single theory would be a fruitless exercise.

The second approach is the one which Wright has championed. He has avoided the temptation of constructing a ~~alternative~~, global model by tempering his presentation of presidential government with the frequent addition of provisos. Consequently, his argument is rendered more flexible. For example, at one point he states:

With the exception of the nomination of Jacques Chirac in March 1986 (when the president had no alternative to appoint), all prime ministers have owed their office to the president.¹

Similarly, a few pages later he states that the President:

... is the general spokesman of the government and its principal pedagogue (again, the exception of the 1986-1988 period must be noted).²

These provisos occur regularly during the course of his book.

There is no doubt that this approach is an advance upon the desire to construct a global theory. The argument is more flexible and it serves to

account simultaneously for two of the models presented above. While this approach is unquestionably a step in the right direction, it needs to be extended even further so as to account for the scenarios of ministerial and bureaucratic government and so as to allow for an appreciation of the differences between strong and limited presidential and prime ministerial government.

In fact, we favour a third approach. This approach emphasises the dynamic quality of core executive operations. We argue that the régime can move from one model of core executive operations to another in a relatively short period of time. That is to say, it is possible to move successively from a system of, for example, relatively strong presidentialism to one of limited presidentialism. Similarly, it possible for the system to move from the latter to strong or limited prime ministerial government. Indeed, should the necessary conditions arise, the sytem could move from any of the above systems to ministerial government, bureaucratic coordination, or, indeed, to Cabinet government *à la* Great Britain. We argue that the move from one model of core executive operations to another is the result of exogenous changes in the nature of the three types of constraints (institutional, conjunctural and momentary) which were examined in the previous chapter.

In the study of core executive operations, the capacity for systemic dynamism has been under appreciated. One reason for this is that much of the work on core executive operations has been carried out on the British system of government. However, one of the features of the British system is its systemic stability. For long periods of time the system has operated under a two party system with stable, single party, majority governments. This situation has led to what Dunleavy and Rhodes have described as: "the static quality of traditional controversies".³

Moreover, the capacity for systemic dynamism has been overlooked in the French case, because the configuration of the three types of constraints which prevail upon core executive operations has, under the Fifth Republic, generally favoured the exercise of presidential government. As a result, the dynamics of the system have not been obviously apparent. In fact, the dynamic potential of the régime was only appreciated fully with the advent of *cohabitation* in 1986. Certainly, the possibility of victory in the 1976 legislative elections by the *union de la gauche* had raised the issue of *cohabitation* previously. However, only when the situation actually occurred was its impact properly realised. The 1986-1988 period put into relief the hitherto latent dynamic capacity of the system. As a result, it is necessary to consider not simply a single model of core executive operations as being sufficient to describe the workings of the political system, but rather to appreciate that the system can move from one model to another in a short space of time.

The capacity for systemic dynamism

The move from one model to another is induced by changes in the nature of the three types of constraints which were shown to limit the actions and influence of the different components of the core executive. However, changes in these constraints do not affect core executive operations equally. The nature of institutional constraints, because of their quasi-permanent characteristics, usually vary only gradually over a long period of time. Thus, for example, the impact of the EC has evolved slowly, although since 1986 this evolution has been more rapid. Similarly, the jurisprudence of the Conseil constitutionnel has increased only incrementally. On occasions, however, the impact of changes in institutional constraints may happen

quickly. Such rapid change was seen with the oil price shocks in the 1970s and with the move from world boom to recession in the late 1980s.

It must be stressed, however, that changes in institutional constraints usually only limit or expand the potential of the core executive as a whole. For example, the increase in the influence of the Conseil constitutionnel has not altered the nature of the relations between the different elements of the core executive itself. Rather, it changed the relations *in toto* between the the judicial and executive branches of government. Similarly, the position of France in world economic and political system limits the actions of the President, Prime Minister and Ministers equally. Nevertheless, on occasions, variations in the nature of institutional constraints may alter the relative influence of the individual components of the core executive. For example, it was seen that, during the course of the 1985 budget, the international economic constraints with which France was faced due to the world recession increased the role of the permanent administration in the policy process vis-à-vis the other political elements of the core executive.

Therefore, it is important to appreciate that prime ministerial influence is affected in two ways by the impact of quasi-permanent institutional factors. First, they determine the boundaries within which the core executive (and the Prime Minister as part of the core executive) may operate. Second, they may alter the relations between the different elements of the core executive.

In contrast to institutional constraints, changes in the nature of conjunctural constraints may occur very rapidly. Indeed, from 1981-1991 it was variations in this set of constraints which served to alter most frequently core executive operations and which led to the move from one model to another. So, for example, the results of presidential and legislative elections

had an overnight impact on the system. The clearest example of this situation was in 1986 with the move from limited presidentialism to prime ministerial government following the March legislative elections. Whilst not all elections produced great variations in core executive operations, during the 1981-1991 period they were critical on three occasions, namely, 1981, 1986 and 1988.

Similarly, the Prime Minister's influence vis-à-vis party factors may also vary rapidly. For example, inter-party relations may become more or less restrictive after elections. This situation was seen with the uneasy RPR\UDF parliamentary majority in 1986, or with the minority situation in 1988, when compared with the stable, single-party PS government from 1984-1986. Similarly, the impact of intra-party factors on the Prime Minister's influence may change over time and from one Prime Minister to the next. For example, the internecine struggles within the PS grew worse as the decade passed, while Chirac's position of hegemony over the RPR contrasted greatly with Rocard's weak position within the PS.

As was noted in the previous chapter, changes in the impact of conjunctural constraints are not necessarily all one-way. That is to say, Chirac enjoyed a greater control over his party than had been the case under Fabius and the PS, whereas Chirac was also faced with managing difficult coalition problems which his predecessor had been spared. Thus, changes may effectively cancel each other out. However, the dynamic capacity of the system is still apparent.

By contrast with the impact of conjunctural constraints, momentary constraints are rarely of sufficient importance to induce a shift in the the nature of core executive relations from one model to another. That is not to say that they are unimportant. Indeed, as was shown in the last chapter, their

impact on policy decisions may be great. However, by their nature they are rarely system changing. Even so, for example, Malik Oussekiné's death did weaken Chirac's position as Prime Minister. He was not only forced to withdraw the Devaquet bill, but he also called a pause in the government's legislative programme and he was then faced with a debilitating series of public sector strikes partly inspired by the success of the students. Moreover, it was at the time of the Devaquet crisis that his standing in the opinion polls started to plummet, thus, affecting his presidential ambitions. So, whilst we would not wish to argue that Oussekiné's death was the only reason for the above sequence of events, it did have an impact on Chirac's influence and it shows the importance that momentary constraints can have. Nevertheless, we would reiterate that such constraints are unlikely to be system changing.

Systemic dynamism and models of core executive operations

It is apparent, therefore, that variations in the nature of institutional, conjunctural and momentary constraints provide the dynamic for the transition from one set of core executive operations to the next. Indeed, we would argue that the capacity for systemic dynamism means that, as long as the models are themselves correctly formulated and analytically coherent, there is no reason why any model should not apply if the necessary conditions are met. However, the requirement that the models be correctly formulated and analytically coherent is of great importance. It is for this reason that the models of both segmented decision making and executive co-operation are most problematic.

As regards the former, it was argued that the strict division of responsibility between the President and Prime Minister did not seem to hold good. The Prime Minister and Ministers were not absent from the decision

making process in the President's sector, whilst the President and Ministers were not absent from the process in the Prime Minister's domain. Thus, the model appears to be flawed. Nevertheless, it is clear that successive Presidents have indeed enjoyed a great hold over defence and foreign policy matters and that their attention has been turned more towards these questions, rather than other domestic policy matters. There are good constitutional and practical reasons for this situation. The former refer to the President's constitutional prerogatives as they are set out in Articles 5, 15 and 52. The latter refer, for example, to the benefits which the President can derive from media coverage of state visits abroad.

Therefore, instead of persevering with an analytically flawed model, it is better to integrate its positive aspects into the other, more analytically sound models. As a result, we would argue that, even under limited presidential government, the Head of State will retain a substantial influence over foreign and defence policy. Indeed, the same might be argued for the situation under strong and limited prime ministerial government. The 1986-1988 period showed that the President retained an influence in both of these areas, whereas he had no impact on domestic policy making at all.

As regards, the model of executive co-operation, it was shown to be no less flawed analytically. The model was not able to account for variations in the influence of the President and Prime Minister. Moreover, it did not consider the impact of Ministers or the bureaucracy on the outcome of policy. In these two respects, the model was deficient. Nevertheless, it was also shown that, even under periods of strong presidentialism, there was co-operation between the President and Prime Minister. Once again, this positive aspect should be integrated into the other models. We would argue, therefore, that the models of relatively strong and limited presidentialism

and that of limited prime ministerial government do not preclude co-operation between the two elements of the executive. Indeed, even under a period of relatively strong prime ministerial government, the Prime Minister would need the President's co-operation for a variety of administrative and constitutional matters.

Thus, we are now presented with four models of core executive operations, the first two of which each have two variations. These models are: presidential government, with relatively strong and limited variations; prime ministerial government, again with relatively strong and limited variations; ministerial government; and bureaucratic government. According to the evidence derived from the previous chapters, the 1981-1991 period produced examples of both relatively strong and limited presidentialism. There was also a form of prime ministerial government, although the absence of other examples of this type of government means that it is difficult to state whether the Prime Minister's influence was strong or limited. In addition, on occasions the extent of ministerial and bureaucratic influence was great, even if the full set of requirements were not met for it to be said that these models were in operation.

Even though the dynamism of the system has been demonstrated and various of the different models of government were seen to operate between 1981 and 1991, it must be recognised that the Fifth Republic is more likely to produce a form of presidential government than any other type. The system encourages presidentialism. For example, presidential elections are often, even if not always, the critical elections which determine how the system will operate. The elections of 1981 and 1988 provide examples of their importance. On these two occasions, the legislative elections were largely presidential coat-tail elections which broadly mirrored the result of the previous presidential

election. Similarly, parties organise their structures around presidential elections. Party leaders become *présidentiabiles* and party activity is centralised around these figures, rather than in favour of rank-and-file militants. Moreover, in addition to the normal advantages which a Head of State enjoys in any country, such as media attention, patronage and the role as a world statesman, a French President inherits the mantle of de Gaulle who was able to impose his *de facto* presidentialist reading of the Constitution on the *de jure* prime ministerial reading. Thus, in 1981 Mitterrand stated:

Les institutions n'étaient pas faites à mon intention. Mais elles sont bien faites pour moi.⁴

Mitterrand simply followed in the footsteps of the tradition of presidentialism which had been created by his predecessors.

It is precisely because the system favours a form^{of} presidential government that, as was noted above, the capacity for systemic dynamism has been underappreciated. However, it must be realised that, even if there is a demonstrated tendency in favour of presidential government, the President is not always able to be the dominant political force. On occasions, the conjunction of constraints may be unfavourable to him, as happened, for example, under *cohabitation*. Indeed, it is precisely because these constraints are always present, at least to some extent, that we have classed the first variant of presidentialism as 'relatively strong presidential government'. This terminology has been used so as to discourage the temptation to believe that Presidents can ever be all-powerful. They will always face certain constraints and, thus, their power is always less than absolute. Moreover, as will be argued below, it may be argued that presidential government is subject to cyclical variations. Thus, whilst the combination of constraints may facilitate presidentialism, it is necessary to appreciate the dynamism of the system, so

as to be able to account for the move to alternative types of core executive operations when the occasion arises.

Accounting for systemic dynamism

From the above analysis, it is apparent that the dynamic potential of the system is great. The question remains, however, as to why these constraints themselves should change. We have assumed that they do change and, indeed, these changes and their effects have been identified. However, it is necessary to explain why the nature of the constraints should vary in the first place. After all, in some countries, notably under totalitarian régimes, the political system can remain frozen for many years with power consistently being exercised by one person and his successors. In France, however, the system has not remained frozen and there have been great variations in the nature of the constraints. It is necessary to account for these variations. There are four reasons as to why these constraints may change. They are: the electoral cycle; exogenous international factors; institutional uncertainty; and time. Each of these reasons will be considered in turn.

The electoral cycle is the first major reason as to why there are variations in the nature of the constraints which affect the system. It was shown in the previous chapter that the most important conjunctural constraint which determined core executive operations was that of elections, both presidential and legislative. The fact that these elections were not synchronised meant that there was a constant potential for change in the system. Even if the *Assemblée nationale* is dissolved immediately after the presidential elections, there still have to be a further set of legislative elections after five years. At these elections the majority supporting the President in the *Assemblée nationale* risks being defeated.

Thus, the results of this second set of legislative elections are fundamental to the relative influences of the President and Prime Minister. They may result in a period of *cohabitation*, or they may at least weaken the President's influence, as in 1978, when the President's party did badly, but not as badly so as to lose them outright. In fact, rarely have mid-term legislative elections reinforced the President's influence. For example, at the 1967 legislative elections, the Prime Minister derived the greatest benefit from the results, even though they largely confirmed the results of the 1962 elections. Pompidou's increased influence after 1967 was caused by the fact that he had organised the government's electoral campaign and, thus, was seen by the public and the party as being the architect of the government's victory.

Thus, it may be argued that, during the course of the *septennat*, there is a cycle of presidential influence. As the *septennat* progresses, so the President's authority weakens. This situation is testimony to the dynamism of the system and is largely the result of the disjunction of presidential and legislative terms. If presidential elections are the key aligning elections at the start of a *septennat*, then legislative elections produce a second set of key elections after five years of the new President's term.

The main beneficiary in this situation has usually been the Prime Minister. Thus, for example, Pompidou's personal authority increased after 1967, while Chirac was clearly the main beneficiary in 1986. However, it is important to avoid the conclusion that the level of prime ministerial influence exhibits an inverse relationship to that of the President. It must be remembered that prime ministerial influence is dependent on the relations he has with the whole set of constraints identified in the previous chapter. For example, Chirac has stated that if the RPR were to be the largest party after the 1993 legislative elections, he would not agree to be Prime Minister and he

would not submit himself to another period of *cohabitation*, even though he still intends to be the party's candidate at the 1995 presidential elections. Thus, if the RPR were to be the largest party in 1993, the Prime Minister would either be a less senior RPR figure whose authority would be challenged by Chirac's interventions, or he would be a non-RPR figure whose authority would be challenged by the majority position of the party as a whole in the *Assemblée nationale*. Thus, it can be seen that the Prime Minister does not necessarily benefit from the decline in presidential influence during the *septennat* cycle, even if often he is in a position to do so.

The second reason as to why the nature of the constraints which affect the system may change is due the impact of exogenous international factors. It was shown in the previous chapter that one of the main components of the set of quasi-permanent institutional constraints was the position of France in the international economic and political system. The global influence of the Prime Minister and, indeed, of any of the other domestic actors was limited by the position that France occupied in the international system.

As a result of this situation, events which occur in other countries will affect the impact of this constraint upon the decision making process in France. Thus, the actions of the oil producing countries in the early 1970s brought about the first oil price shock which greatly affected the French economy and limited the Prime Minister's and the government's room for manoeuvre in the policy making process. Similar consequences for the domestic decision making process could be derived from the impact of budgetary and financial policies of the United States or Germany, from war in the Gulf, or from decisions emanating from the European Court of Justice, for example.

The third reason concerns Ashford's notion of institutional uncertainty.⁵ Ashford argues that, when compared with other western democratic systems, France has only a low level of institutional stability. That is to say, beliefs about the use of collective authority are not widely shared; there is little alternation of parties in power; the roles of the executive and legislature are poorly defined; and the checks on the use of collective authority by political and administrative actors are not clearly established.⁶ The reasons for this situation can be found in the country's historical and political development, which did not foster the growth of institutionalised political and social behaviour. The result is that the system faces constant uncertainty about the basic tenets of what is and what is not acceptable behaviour for both political and social actors. As Ashford notes, "uncertainty is critically important in the French policy process because institutions are poorly defined".⁷

In fact, Ashford's argument *per se* only seems applicable, if at all, to the early years of the Fifth Republic. Over the past two decades, the system has seen the development and implantation in the public psyche of most of the requirements which Ashford states are necessary for there to be institutional stability. In this respect, the 1981 and 1986 alternations in power play a major role, as does Mitterrand's refusal to abuse his power as President.

Nevertheless, Ashford's argument should not be dismissed out of hand. Its strength is that it emphasises the impact of social behaviour on the policy process. That is to say, the importance of shared societal values, popular mores, sociological norms and cultural traditions. These elements are difficult to identify with great precision. They are also fluid. Beliefs are not necessarily the same from one generation to the next, for example. As a result, an element of uncertainty is introduced into the policy process.

Political actors are only vaguely aware of the nature and importance of these factors. As a result, their judgement in the policy process when confronted with issues of society is often flawed.

The clearest example of this phenomenon in the case studies came with the Devaquet crisis. The government was refighting the battles of 1968 when, in fact, the social system had changed immeasurably in the meantime. The government's inability to comprehend the rationale behind the student movement was as great a factor in the outcome of the crisis as the death of Malik Ousseine. In this instance, the element of uncertainty served to alter the nature of the constraints operating upon prime ministerial influence and Chirac was left with no option but to withdraw the offending bill.

A fourth reason concerns the impact of time upon the constraints identified above. Time is particularly critical in its influence upon the impact of personalities on the policy process. It was shown that, although structural factors are of primary importance, questions of personality may have an impact upon the decision making process. By definition, however, the impact of personalities is linked to individual people and people are subject to the march of time. For example, the individual impact of de Gaulle upon the post-1958 policy process was great indeed. However, with the passage of time, his impact upon the system has become less salient. He has become a figure whose place is largely confined to studies of the early years of the Fifth Republic. Even though the leaders of the RPR still pledge their allegiance to his memory, the policies and rhetoric of the party are far removed from those of their mentor. The same will be true of Mitterrand in a few years time. Thus, given that the policy process is affected by aspects of personality, then the passage of time will ensure a turnover of political personnel and a

constant fluctuation in the impact of particular personalities upon the political system.

Conclusion

The above analysis represents a development of the study of the French Prime Minister and his influence over the decision making process. It also represents a development of the study of core executive operations in both the French case and in a wider comparative aspect. Despite the centrality of questions concerning Prime Ministers and core executives to the functioning of the political system in any country, this area of study has remained remarkably under-researched and under-conceptualised. This observation is especially true for France. The above analysis has helped to increase the understanding of the French case and suggests a way forward for comparative core executive studies.

The nature of prime ministerial influence in France has been reassessed in a number of ways. First, it has been shown that it is important to move away from crude measurements of prime ministerial influence, such as the number of meetings s\he chairs, or the number of people officially employed in his\her personal office. Instead, influence can only be understood as a relationship between all of the actors in the political system. One person's influence can only be measured in comparison with the influence of all of these other actors.

This reasoning led directly onto the second main observation, namely, that it is important to move away from the study of prime ministerial influence simply as it relates to that of the President. Both actors are subject to a wide range of forces which on occasions may strengthen their resources, or on other occasions may weaken them. It was shown that there were three

types of forces the Prime Minister's relationship with which determined the level of his influence in the policy process. These forces were identified as institutional constraints, conjunctural constraints and momentary constraints. The first set of forces generally defined the limits to the influence of the executive branch of government as a whole. The second set generally defined the relations between the different actors within the executive branch. The third set accounted for seemingly spontaneous fluctuations in the level of influence of the whole set of political actors.

Third, from these observations it was shown that the impact upon the political system of the different components of these three sets of constraints was subject to great variations. These variations meant that the configuration of the political system as a whole and of the core executive component of that system in particular was liable to change. The varying impact of the set of institutional constraints changed the overall room for manoeuvre of the executive branch of government, while the fluctuations in the set of conjunctural constraints precipitated the move from one typology of core executive operations to another. Thus, it was shown that the political system was potentially dynamic. In particular, it was shown that during the 1981-1991 period prime ministerial influence fluctuated as a result of changes in the relationship of the head of government with these constraints. During this period it was shown that the system operated under both relatively strong and limited presidential government, as well as under a form of prime ministerial government and that, at times, the influence of Ministers and bureaucrats was far from negligible.

These findings have two important implications for the study of prime ministerial influence and core executive operations both in France and elsewhere. First, it is important to appreciate that the Prime Minister cannot

be studied in isolation. Because of the diverse nature of the constraints which determine his\her influence, the study of prime ministerial influence must also involve the study of the different elements which go to make up those constraints. Thus, it is necessary to study in depth, for example, the electoral process, parties and the party system, presidential and ministerial resources and bureaucratic politics. The study of the Prime Minister is not a separate discipline, but one which is integrated with the whole gamut of disciplines of contemporary political studies.

Second, it is also important to realise that the conclusions of the above study are not applicable simply to France alone. The study of prime ministerial influence and of core executives in any country can be approached in the manner described above. Each country which is studied will yield different results. The Prime Minister's relationship with the different types of constraints and their individual components will differ from one country to another. However, the same approach is valid for each individual system. Indeed, this approach represents the best way to tackle the study of Prime Ministers and all of the different aspects of their activity. Thus, whilst the present study has focussed upon France, it has provided the starting point for the comparative study of heads of government.

APPENDIX

List of interviewees

Prime Minister

Raymond Barre.

The 1982 Broadcasting Act

M-A. Laumonier, adviser to the Prime Minister.

P. Moinot, president of the special commission.

A. Simon, adviser to the Communications Minister.

M. Berthod, adviser to the Communications Minister.

M. Bodin, adviser to the Telecommunications Minister.

F. Beck, adviser to the Culture Minister.

D. Sapaut, head of the SID.

B. Cousin x 3, head of the SJTI.

The 1986 Broadcasting Act.

F. Léotard, Culture Minister.

G. Longuet, Telecommunications Minister.

M. Ulrich, adviser to the Prime Minister.

J. Frèches, adviser to the Prime Minister.

M. Boutinard-Rouelle, adviser to the Prime Minister.

X. Gouyou-Beauchamps, adviser to the Culture Minister.

M. Boyon, adviser to the Culture Minister.

J-P. Fourcade, Senator.

M. Péricard, deputy.

M-A. Feffer, head of the SJTI.

The 1989 Broadcasting Act.

B. Chetaille, adviser to the President.

S. Hubac, adviser to the Prime Minister.

B. Delcros x 2, adviser to the Communications Minister.

B. Schreiner, deputy.

J. Barrot (written), deputy.

T. Leroy, head of the SJTI.

J. Desandre and G. Bourgounou, permanent administrators to the National Assembly's Finance Commission.

The 1985 Budget.

H. Emmanuelli, Budget Minister.

J-D. Comolli, adviser to Fabius.

G. Beauffret, adviser to fabius.

J. Choussat, directeur du budget.

The 1987 Budget.

E. Rodocanachi x 2, adviser to the Prime Minister.

G. Rameix, adviser to the Prime Minister.

J. Friedman, adviser to the Finance Minister.

J-M. Fabre, adviser to the Finance Minister.

C. Blanchard-Dignac, adviser to the Finance Minister.

P. Suet, adviser to the Finance Minister.

D. Bouton, adviser to the Budget Minister.

P-M. Duhamel, adviser to the Budget Minister.

J-F. Hébert, budgetary adviser to the Culture Minister.

M. Goulard, budgetary adviser to the PTT Minister.

B. Durieux, deputy.

E. Alphandery, deputy.

X. Roques, permanent administrator at the National Assembly Finance Commission.

The 1990 Budget.

I. Bouillot, adviser to the President.

G. Carcassonne, adviser to the Prime Minister.

B. Chevauchez, adviser to the Prime Minister.

P. Wahl, adviser to the Prime Minister.

M. Valls, adviser to the Prime Minister.

O. Mallet, adviser to the Finance Minister.

S. Romaret, budgetary adviser to the Defence Minister.

D. Strauss-Kahn, President of the National Assembly Finance Commission.

R. Douyère, Finance commissioner.

M. Wiedermann-Goiran, adviser to Strauss-Kahn.

Crisis Politics

J. Toubon, head of the RPR parliamentary group.

D. Vitry, adviser to the Higher Education Minister.

B. Saint-Sernin (telephone interview), adviser to the Education minister.

M. Rosenblatt, former president of UNEF-ID.

J-C. Cambadelis, deputy and former president of UNEF-ID.

I. Thomas x 2, student leader.

P. Darriulat x 2, president of UNEF-ID.

A. Bauer, student leader.

B. Pignerol, adviser to J. Dray.

Footnotes

Chapter 1

1. 'Core executive' is a phrase coined by P. Dunleavy & R. Rhodes, 1990, pp. 3-28.
2. The three main examples here are A. Claisse, 1972; J. Massot, 1979; and S. Rials, 1985.
3. See P. Dunleavy & R. Rhodes, 1990, p. 4-5, for the British case and B. Farrell in J. Blondel & F. Müller-Rommel, 1988, for the Irish case.
4. See the figures in M. Duverger, 1987, p.212.
5. This phrase was first used by M. Duverger, 1976.
6. This definition is based upon the one given by P. Dunleavy & R. Rhodes, 1990, p. 5.
7. Figures in J. Massot, 1987, p.133.
8. M. Duverger, 1974.
9. H. Machin, Political Leadership, in P. Hall, J. Hayward & H. Machin, 1990, p. 104.
10. A. Duhamel, 1982, p. 173.
11. A. Duhamel, 1980, p. 23.
12. E. Suleiman, Presidential Government in France, in E. Suleiman & R. Rose, 1980, p. 103-4.
13. A. Duhamel, 1980, p. 23.
14. M. Duverger, 1974, p.199.
15. Ibid., p.195.
16. C. Saves, 1984, p. 449.
17. O. Duhamel, President & Prime Minister, in P. Godt, 1989, p. 10.
18. Quoted in E. Suleiman & R. Rose, 1980, p. 111.
19. H. Machin, Political Leadership, in P. Hall, J. Hayward & H. Machin, 1990, p. 99.
20. Quoted in D.Maus, 1985, p. 57.
21. A. Jouary & A. Spire, 1985, p. 57.
22. P. Williams & M. Harrison, 1971, p. 173.
23. J. Massot, 1988, p. 30.
24. Y. Galland, 1990.
25. D. Maus, 1984, p. 24.
26. P. Williams & M. Harrison, 1971, p. 179.
27. Quoted by D. Maus, 1985, p. 81.

28. P. Williams & M. Harrison, 1971, p. 179.
29. D. Maus, 1984, p. 24.
30. S. Cohen (i), 1986, p. 20.
31. R. Hadas-Lebel, 1990.
32. Ibid.
33. This list is taken from V. Wright, 1989, p. 55.
34. J. Massot, 1988, p. 33.
35. P. Gaborit & J-P. Mounier, in W. Plowden, 1987, p. 100-1
36. O. Duhamel, in P. Godt, 1989, p. 3.
37. S. Cohen (ii), 1986, p. 13.
38. C. Saves, 1984, p. 448.
39. C. Debbasch, Les pouvoirs du Président de la République et de ses services face à ceux du Premier ministre, in J-L. Seurin, 1986, p. 202.
40. F. Dreyfus & F. d'Arcy, 1987, p. 120.
41. E. Burin des Roziers, in a paper presented to a conference and published by the Institut Charles de Gaulle & AFSP, 1990, p. 87.
42. C. Debbasch in J-L. Seurin, 1986, p. 202.
43. C. Debbasch, 1982, p. 1182.
44. For a summary of this law see O. Duhamel, The Fifth Republic under Francois Mitterrand: Evolution & Perspectives, in G. Ross, S. Hoffman & S. Malzacher, 1987, p. 145.
45. P. Dunleavy & R. Rhodes, 1990, p. 5.
46. P. Lascombe, 1981, p. 132-3. Phrases in italics are my emphasis.
47. For example, see J. Larché, 1986; O. Duhamel, 1986; Y. Gaudemet, 1986; and J. Robert, 1986.
48. See the account of this period in J-M. Colombani & J-Y. Lhomeau, 1986, p. 206-216.
49. See the account of the New Caledonian crisis in *L'Express*, 11.5.90., pp. 90-100.
50. P. Dunleavy, Government at the Centre, in P. Dunleavy, A. Gamble & G. Peele, 1990, p. 106.
51. J. Rigaud, 1986, p. 13.
52. See V. Wright, 1989, p. 88.
53. This point is made in D. Hanley, A. Kerr & N. Waites, 1979, p. 113.
54. B. Chenot, 1986, Paris, p. 84.
55. J. Frèches, 1989, pp. 34-35.
56. Ibid., p. 49.
57. See the article by S. Mesnier, 1990, p. 498.

58. This view is equivalent to that expressed in P. Dunleavy & R. Rhodes, 1990, p. 12.
59. Ibid., p. 15.
60. For ^{precise} accurate figures refer to J. Fournier, 1987.
61. See V. Wright, *The Administrative Machine: old problems & new dilemmas*, in P. Hall, J. Hayward & H. Machin, 1990, p. 115.
62. See the introduction by the authors in H. Machin & V. Wright, 1985, pp. 11-12.
63. For an account of this view see J. Frèches, 1989, p. 124.
64. The classic exposition of this variant is P. Birnbaum, 1977.
65. One analysis which treats the administration in this way is A. Peyrefitte, 1976.

Chapter 2

1. R. Py, 1985, p. 44.
2. P. Bauby, 1984, p. 30.
3. J-L. Thiébault, 1989, p. 39.
4. Interview by the author with B. Delcros, 21.9.90.
5. S. Mesnier, 1990, p. 498.
6. The importance of both of these types of contact was stressed in an interview by the author with P. Darriulat, 26.1.90.
7. Figures in R. Py, 1985, pp. 115-121. F. Wilson, 1987, p. 4.
8. Their role is well described in T. Pfister, 1985, chapter two.
9. The following paragraphs on methodology are based on the three categories that Wilson identifies.
10. Ibid., p. 5.

Chapter 3

1. For a brief history of French broadcasting prior to 1981 see R. Kuhn, in *Parliamentary Affairs*, 1983.
2. From the minutes of the *réunion interministérielle* of June 18th 1981, chaired by Mauroy's *directeur de cabinet*, Robert Lion.
3. Note from Fillioud dated October 6th 1981:

Cette consultation me paraît tout à fait indispensable si on veut éviter que les syndicats ne reprochent au gouvernement d'agir de façon

technocratique, et ne trouvent là un prétexte pour constituer un front uni contre la réforme.

4. M. Cotta, 1986, and C. Estier & V. Neiertz, 1987.
5. Interview with A. Simon, 19.6.90.
6. Press conference of August 7th 1981.
7. Interview with B. Cousin, 11.6.90.
8. Such were the reasons given by Fillioud in a note to the President dated November 2nd 1981 and by Michel Berthod, his *directeur de cabinet*, in a note dated January 21st 1982.
9. Internal memorandum from Jérôme Clément dated October 28th 1981.
10. Member of Lang's *cabinet*.
11. Note dated November 2nd 1981.
12. At least according to P. Bodin, in an interview, 22.5.90.
13. Interview with B. Cousin, 11.6.90.
14. M. Cotta, 1986, p.82.
15. Recounted in an interview with M. Berthod, 24.9.90.
16. On the subject of *autolimitation* see J. Keeler & A. Stone, Judicial-Political Confrontation in Mitterrand's France, in G. Ross, S. Hoffman & S. Malzacher, 1987.
17. Note dated November 2nd 1981.
18. F-O. Giesbert, 1990. This account was verified during the interviews with Cousin and Berthod.
19. See J. Frèches, 1989, p.39.
20. Interview with M-A. Feffer, former head of the SJTI, 11.7.90.
21. Interview with X. Goyou-Beauchamps, 3.5.90.
22. Confirmed by several people interviewed, for example, J. Frèches, 25.6.90.
23. M. Cotta, 1986, p.197.
24. Interview with M. Ulrich, 20.6.90.
25. Admitted in interviews with F. Léotard, 19.7.90, and G. Longuet, the Telecommunications Minister, 10.7.90.
26. See J. Frèches, 1989, p.165.
27. Interview with M. Ulrich, 20.6.90.
28. See J. Frèches, 1989, p.167.
29. Interview with M. Ulrich, 20.6.90.
30. Retold in J. Frèches, 1989, p.169.
31. Interview with J-P. Fourcade, 15.6.90.
32. Interview with J. Frèches, 25.6.90.

33. This view was given by, for example, M-A. Feffer, the former head of the SJTI, in an interview, 11.7.90.
34. Interview with M-A. Feffer, 11.7.90.
35. Interview with F. Léotard, 19.7.90.
36. Interview with X. Goyou-Beauchamps, 3.5.90.
37. Confirmed by Michel Boyon, Léotard's *directeur de cabinet*, in an interview, 19.7.90.
38. Interview with Bertrand Delcros, Tasca's adviser responsible for drafting the bill, 6.3.90.
39. Interview with B. Delcros, 21.9.90.
40. Confirmed in an interview with S. Hubac, 15.5.90.
41. See a résumé of the report in *Le Monde*, 15.8.88.
42. Interview with T. Leroy, former head of the SJTI, 21.9.90.
43. Interview with A. Simon, 19.6.90.
44. *Le Monde*, 7.12.88.
45. Letter received from J. Barrot, 11.5.90.
46. See B. Delcros & F. Névoltry, 1989, p.6.
47. These positions were outlined in interviews with S. Hubac, 15.5.90., B. Chetaille, 7.6.90. and T. Leroy, 21.9.90.
48. Interview with T. Leroy, 21.9.90.
49. *ibid.*
50. B. Chetaille, interview 7.6.90., considers this view to be completely wrong.
51. Interview with B. Delcros, 21.9.90.
52. Interview with T. Leroy, 21.9.90.
53. *Le Nouvel observateur*, 30.9-6.10.88.
54. Letter from J. Barrot, 11.5.90.

Chapter 4

1. M. Prada in his contribution to a conference published by the Institut Français des Sciences Administratives, 1988, p. 31.
2. The most complete account of the budgetary preparation procedure, even if it is a little outdated now, is G. Lord, 1973.
3. See L. Schweizer, 1983-4, p. 81.
4. M. Prada, 1989-90, p. 47.
5. See M. Prada, *ibid.*, p. 51, for the composition of these meetings.
6. *Ibid.*, p. 53.
7. For a detailed account of the parliamentary process, see J-P. Bonhoure, 1985.

8. It should be noted that throughout the following year, year *n*, there may be adjustments to the Finance Act, notably, almost every year a mini-budget is passed, *La Loi des Finances rectificative*. The importance of these on-year adjustments may be substantial, however, the present study will confine itself to the preparation of the budget in the year *n* - 1.
9. Refer, for example, to A. Fontaneau & P-A. Muet, 1985.
10. Interview with J-D. Comolli, 11.7.90.
11. Interview with J. Choussat, 14.9.90.
12. This point was made by Jean-Pascal Beauffret, one of Fabius's economic advisers in an interview, 22.6.90.
13. Interview with J-D. Comolli, for example.
14. Interview with J. Choussat, 14.9.90.
15. Interview with H. Emmanuelli, 27.6.90.
16. This version comes from an interview with J. Choussat, 14.9.90.
17. *Libération*, 5-6.5.84.
18. From the interview with Choussat, 14.9.90.
19. See P. Bauchard, 1986, p. 263.
20. Interview with J-D. Commoli, 11.7.90.
21. A telling, if tongue-in-cheek remark by Choussat in an interview, 14.9.90.
22. Interview with H. Emmanuelli, 27.6.90.
23. Interview with J. Choussat, 14.9.90.
24. Interview with J-P. Beauffret, 22.6.90.
25. Confirmed in an interview with J-D. Commoli, 11.7.90.
26. Interviews with Chirac's economic adviser, E. Rodocanachi, 7.5.90 and 18.9.90; his budgetary adviser, G. Rameix, 7.5.90; and Balladur's budgetary adviser, C. Blanchard-Dignac, 30.5.90.
27. Interview with C. Blanchard-Dignac, 30.5.90.
28. Interview with Balladur's economic adviser, J. Friedman, 8.6.90.
29. Interview with C. Blanchard-Dignac, 30.5.90.
30. Interview with J-M. Fabre, 15.6.90.
31. Léotard's budgetary adviser, J-F. Hébert, in an interview, 16.7.90., admitted to his surprise at the severity of the mini-budget.
32. Interview with J-M. Fabre, 15.6.90.
33. Interview with D. Bouton, 18.5.90.
34. Interview with Longuet's budgetary adviser, M. Goulard. 8.6.90.
35. Interview with J-F. Hébert, 16.7.90.
36. Interview with J-M. Fabre, 15.6.90.
37. Interview with C. Blanchard-Dignac, 30.5.90.

38. Interview with D. Bouton, 18.5.90.
39. Interview with C. Blanchard-Dignac, 30.5.90.
40. Ibid.
41. P. M. Duhamel, one of Juppé's budgetary advisers, in an interview, 3.7.90., said that Léotard considered everything to be a priority.
42. Interview with P. Suet, 30.5.90.
43. Interview with J-M. Fabre, 15.6.90.
44. Interview with P. Suet, 30.5.90.
45. This opinion belongs to B. Durieux, in an interview, 31.5.90.
46. The change in procedure over the two years was described by B. Chevauchez, Rocard's budgetary adviser, in an interview, 29.3.90.
47. Interview with R. Douyère, 15.5.90.
48. See the report in *Le Monde*, 21.10.89., which was confirmed in an interview with one of Rocard's leading advisers.
49. These categories are outlined in *Profession politique*, 24.4.89.
50. Lang's strategy was confirmed in an interview with one of the President's senior advisers.
51. This information comes from an interview with one of Rocard's advisers.
52. See *Le Monde*, 3.9.89.
53. This version of events comes largely from an interview with Chevènement's budgetary adviser, S. Romaret, 13.6.90.
54. This weakness was admitted without the slightest trace of acrimony in an interview with one of Rocard's advisers.
55. This agreement was recounted in an interview with one of the President's senior advisers.
56. This aspect was emphasised in an interview with one of Rocard's advisers.
57. In an interview, one of Rocard's advisers was adamant that this secrecy was necessary, otherwise consumers would have anticipated the decrease and reduced spending until it came into effect.
58. Interview with D. Strauss-Kahn, 13.4.90.
59. Announced in the *Nouvel observateur*, 12-18.10.89. and confirmed in an interview with Strauss-Kahn's adviser, M. Wiedermann-Goiran, 9.2.90.
60. Interview with M. Wiedermann-Goiran, 9.2.90.
61. *Libération*, 18.10.89.

Chapter 5

1. P. Dunleavy & B. O' Leary, 1988, p. 59.
2. M. Dobry, 1986.
3. Taken from his article in *Politix*, no. 1, winter 1988, p. 38.
4. A. Devaquet, 1988.
5. Ibid., p. 56.
6. See *ibid.*, p. 159 and confirmed in an interview with D. Vitry, 22.6.90.
7. UNEF-ID was by far the largest of the student organisations and was at the vanguard of the movement.
8. Asserted in the article by M. Dobry in P. Favre, 1990.
9. See the poll in *Le Quotidien de Paris* on December 8th which showed the high level of public support for the students.
10. The Senate produced what was generally considered to be a relatively faithful account of what happened, although it stopped short of criticising the government as a whole, or Chirac in particular. The report from the *Assemblée nationale*, however, was highly criticised for its insistence on the role of the trotskysts, for its vilification of the media and for admonishing the government only slightly.
11. This meeting is described in A. Devaquet, 1989, p. 228-9 and was confirmed in an interview with Darriulat, 6.4.90.
12. P. Boggio & A. Rollat, 1988, p. 285.
13. Ibid.
14. The machinations within the student movement cannot properly be understood without an examination of the struggle between the three main factions within UNEF-ID. For the best account of the relationship between these factions, see C. Chambraud in *Politix*, op. cit., 1988.
15. Julien Dray, 1987, p. 91, notes that contact had been established with Méhaignerie, while in an interview with his assistant, B. Pignerol, 11.5.90. this contact was confirmed and it was stated that Simone Weil was aware of the situation.
16. *Libération*, 1.12.86.
17. This charge was made against the student movement by the Senate's special commission. It was also confirmed by D. Vitry in an interview, 22.6.90., that one of Devaquet's main aims at this time was to counter this misinformation.
18. Stated in a telephone interview with B. Saint-Sernin, 29.6.90.
19. Interview with A. Bauer, 11.5.90.

20. Quoted in F-O. Giesbert, 1987, p. 422.
21. Chirac's responsibility for this decision was confirmed by E. Balladur, 1989, p. 126.
22. Devaquet, 1989, p. 249.
23. Interview with A. Bauer, 11.5.90.
24. This claim is made in F-O. Giesbert, 1987, p. 422.
25. This point is made by Giesbert and also by Boggio & Rollat, 1988, p. 288.
26. Devaquet, 1989, p. 247-8.
27. Interview with A. Bauer, 11.5.90.
28. Devaquet, 1989, p. 254.
29. Devaquet asserted this point in his book and it was confirmed in an interview with D. Vitry, 22.6.90.
30. Interview with J-C. Cambadelis, 29.6.90.
31. Interview with A. Bauer, 11.5.90.
32. Devaquet, 1989, p. 256.
33. See Monory's testimony to the National Assembly's special commission.
34. The title of an article in *Libération*, 3.12.86., was "*l'extrême gauche tente un OPA sur le mouvement étudiant*".
35. Recounted in D. Assouline & S. Zappi, 1987, p. 13.
36. Interviews with J-C. Cambadelis, 29.6.90. and M. Rosenblatt, 17.9.90.
37. Interview with I. Thomas, 17.5.90.
38. See M. Dobry in P. Favre, 1990, p. 378.
39. Accounts of this meeting appear in Giesbert, 1987, Boggio & Rollat, 1988, and *Le Monde*, 10.12.86.
40. Recounted in Giesbert, 1987, p. 425-6.
41. Interview with J. Toubon, 19.7.90.
42. Telephone interview with B. Saint-Sernin, 29.6.90.
43. Interview with A. Bauer, 11.5.90.
44. N. Prévost, 1989, p. 48.
45. See, for example, the opinion poll in *Le Matin*, 4.12.86.
46. Interview with J. Toubon, 19.7.90.

Chapter 6

1. P. Dunleavy & B. O'Leary, 1988, p. 59.
2. Ibid.
3. Ibid.
4. P. Favier & M. Martin-Roland, 1991, p. 484.

5. F-O. Giesbert, 1990, p. 170.
6. There are various accounts of economic policy making after 1981. See, for example, P. Bauchard, 1986, or P. Hall, 1986.
7. T. Pfister, 1985, p. 246.
8. This version of events is to be found in P. Bauchard, 1986, p. 52.
9. Ibid., p. 89.
10. D. Cameron, *The Ambiguous Record of French Socialism*, unpublished paper given to the American Political Science Association, 1988.
11. Here, accounts differ as to the timing of the decision to devalue. Jacques Attali in an interview with *Globe*, no. 57, may 1991, p. 53, argues that the decision to devalue was taken three weeks before the Versailles summit. Favier & Martin-Roland quote Mitterrand as saying that the issue was decided during the summit when the American attitude became clear.
12. See Favier & Martin-Roland, 1991, p. 426-7.
13. G. Milesi, 1985, p. 206.
14. In fact, Estier says that he was told by Mitterrand that he and Maire had not discussed economic policy and that Maire, a supporter of the right, used this occasion to damage the government politically with a false accusation. C. Estier & V. Neiertz, 1987, p. 157.
15. Quoted in F-O. Giesbert, 1990, p. 169.
16. Both Favier & Martin-Roland, 1991, p. 466, and Pfister, 1985, p. 257, give detailed accounts of the events of the next few days.
17. Pfister, *ibid.*, p. 262.
18. See Giesbert, 1990, p. 176, and Favier & Martin-Roland, 1991, p. 469.
19. See Favier & Martin-Roland, 1991, p. 469.
20. A. Boubilil, 1990, p. 90.
21. Favier & Martin-Roland, 1991, p. 471.
22. F-O. Giesbert, 1990, p. 179.
23. *S.* July, 1986, p. 95.
24. Ibid.
25. Favier & Martin-Roland, 1991, p. 474.
26. T. Pfister, 1985, p. 271.
27. Pfister, *ibid.*, p. 269, and Bauchard, 1986, p. 147.
28. Giesbert, 1990, p. 180.
29. Favier & Martin-Roland, 1991, p. 476-7.
30. Ibid., p. 473.
31. P. Hall, 1986, p. 201.
32. F-O. Giesbert, writing in *Le Nouvel observateur*, 4.3.83., p. 23.

33. The same author in *Le Nouvel observateur*, 11.4.83., p. 23.
34. This view is argued in H. Machin & V. Wright, 1985, p. 4.
35. Favier & Martin-Roland, 1991, p. 471.
36. Ibid., p. 469.
37. P. Hall, 1986, p. 193.
38. Quoted in Favier & Martin-Roland, 1991, p. 490.
39. Poperen quoted in *Le Nouvel observateur*, 4.3.83., p. 23
40. Machin & Wright, 1985, p. 24.
41. As said to Attali and quoted in Favier & Martin-Roland, 1991, p. 482
42. Ibid.
43. V. Wright, 1989, p. 59.
44. Machin & Wright, 1985, p. 16.
45. Quoted in Favier & Martin-Roland, 1991, p. 462.
46. Machin & Wright, 1985, p. 2.
47. Quoted in Favier & Martin-Roland, 1991, p. 488.
48. Ibid.
49. Interview with Attali in *Globe*, p. 54.
50. Quoted in Favier & Martin-Roland, 1991, p. 490.
51. J-M. Colombani, 1985, p. 38.
52. See the account in Bauchard, 1986, p. 143.
53. F-O. Giesbert, 1990, p. 177.

Chapter 7

1. See, for example, J. Massot in *Les Régimes Semi-présidentiels*, Paris, PUF, 1986, p. 295, CNRS conference chaired by M. Duverger.
2. It should be noted that meetings of the Conseil de Cabinet were reintroduced for a short time under the premiership of Jacques Chirac in 1986.
3. Figures in J. Massot, 1987, p. 133.
4. E. Suleiman in E. Suleiman & R. Rose, 1980, p. 116.
5. An example of this point would be the President's effective control of the SGCI as described by C. Luquesne in *Projet*, juillet-août, 1987, pp. 41-54.
6. G. Jones, 1991, p. 163.
7. Ibid.
8. See, for example, his chapter in S. Bornstein, D. Held & J. Krieger, 1983, p. 24.
9. P. Hall, 1986, p. 232.

10. P. Cerny, *State Capitalism in France and Britain*, in P. Cerny & M. Schain, 1985, p. 213.
11. *Ibid.*, p. 214.
12. *Ibid.*, p. 215.
13. J. Hayward, 1983, p. 12.
14. S. Mazey, *Power Outside Paris*, in P. Hall, J. Hayward & H. Machin, 1990, pp. 152-67.
15. J. Frears, 1990, p. 33.
16. A. Stone, 1989, p. 17.
17. *Ibid.*, p. 33, note 41.
18. *Ibid.*, p. 24-5.
19. J. Foyer & G. Lardeyret, 1991.
20. J. Frèches, 1989, p. 63.
21. P. Servent, 1989, p. 244.
22. H. Feigenbaum, 1990, p. 275.
23. J-M. Colombani & J-Y. Lhomeau, 1986, p. 190.
24. V. Wright, 1989, p. 73.
25. P. Servent, 1988, p. 239.
26. J. Gaffney, 1988, p. 49.
27. A. Cole, 1989, p. 17.
28. G. Lemaire, 1983, p. 88.
29. For a list of such meetings refer to J-Y. Lhomeau, in *Le Monde*, 26.10.83.
30. A. Cole, 1989, p. 19.
31. G. Jones, 1991, pp. 174 & 177.
32. F. Greenstein, 1967, pp. 629-41.
33. H. D. Lasswell, 1960.
34. D. Taras & R. Weyant, *Dreamers of the day: a guide to roles, character & performance on the political stage*, in L. Pal & D. Taras, 1990, p. 6.
35. A. J. Ayer, 1956, p. 71.
36. F. Greenstein, 1967, p. 635, and H. Machin, *Political Leadership*, in P. Hall, J. Hayward & H. Machin, 1990, p. 108.
37. R. Rose, 1987, p. 22.
38. *Ibid.*
39. P. Servent, 1988, p. 260.
40. G. Jones, 1991, p. 169.
41. Interview with the author. Anonymity was requested.
42. See the article by H. Machin, 1989, pp. 59-81.

Chapter 8

1. V. Wright, 1989, p. 28.
2. Ibid., p. 33. The emphasis is mine.
3. P. Dunleavy & R. Rhodes, 1990, p. 24.
4. Quoted in J-L. Quermonne, 1982, p. 69.
5. D. Ashford, 1982.
6. Ibid., pp. 11-12.
7. Ibid. p. 300.

Bibliography

- D. Ashford, *Policy & Politics in France: Living with Uncertainty*, Philadelphia, Temple University Press, 1982.
- D. Assouline & S. Zappi, *Notre Printemps en Hiver*, Paris, La Découverte, 1987.
- A. J. Ayer, *The Problem of Knowledge*, Pelican, 1956.
- E. Balladur, *Passion et Longueur du Temps*, Paris, Fayard, 1989.
- P. Bauby, *Le cabinet du Premier ministre depuis l'alternance au pouvoir de 1981*, Paris, AFSP, 1984.
- P. Bauchard, *La Guerre des Deux Roses*, Paris, Grasset, 1986.
- P. Birnbaum, *Les Sommets de l'Etat*, Paris, Seuil, 1977.
- J. Blondel & F. Müller-Rommel, *Cabinets in Western Europe*, Macmillan, 1988.
- P. Boggio & A. Rollat, *Ce Terrible M. Pasqua*, Paris, Olivier Orban, 1988.
- J-P. Bonhoure, Particularités de la Discussion Budgétaire. Paper given to a conference entitled *L'Assemblée Nationale Aujourd'hui*, Paris, AFSP, 21-22.11.85.
- S. Bornstein, D. Held & J. Krieger, eds., *The State in Capitalist Europe*, Allen & Unwin, 1983.
- A. Boubilil, *Le Soulèvement du Sérail*, Paris, Albin Michel, 1990.
- P. Cerny & M. Schain, *Socialism, the State and Public Policy in France*, Frances Pinter, 1985.
- B. Chenot, Le ministre, chef d'un administration, in *Pouvoirs*, no. 36, 1986.
- A. Claisse, *Le Premier ministre de la Ve République*, Paris, LGDJ, 1972.
- S. Cohen, (i), *La Monarchie nucléaire*, Paris, Hachette, 1986.
- S. Cohen, (ii), Monarchie nucléaire, dyarchie conventionnelle, in *Pouvoirs*, no. 38, 1986, p. 13.
- A. Cole, The French Socialist Party in Transition, in *Modern & Contemporary France*, no. 37, April 1989.
- J-M. Colombani, *Portrait du Président*, Paris, Gallimard, 1985.
- J-M. Colombani & J-Y. Lhomeau, *Le Mariage Blanc*, Paris, Grasset, 1986.
- M. Cotta, *Les Miroirs de Jupiter*, Paris, Fayard, 1986.
- C. Debbasch, Président de la République et Premier ministre dans le système politique de la Ve République, in *Revue du Droit Public et de la Science Politique en France et à l'Etranger*, 1982, no. 5.
- B. Delcros & F. Névoltry, *Le Conseil Supérieur de l'Audiovisuel*, Paris, Editions Victoires, 1989.

- A. Devaquet, *L'Amibe et l'Etudiant*, Paris, Odile Jacob, 1988.
- M. Dobry, *Sociologie des Crises Politiques*, Paris, Presses de la FNSP, 1986.
- J. Dray, *SOS-Génération*, Paris, Ramsay, 1987.
- F. Dreyfus & F. d'Arcy, *Les institutions politiques et administratives de la France*, Paris, Economica, 1987.
- A. Duhamel, *La République giscardienne*, Paris, Grasset, 1980.
- A. Duhamel, *La République de M. Mitterrand*, Paris, Grasset, 1982.
- O. Duhamel, Signer ou ne pas signer?, in *Le Monde*, 12.4.86.
- P. Dunleavy, A. Gamble & G. Peele, eds., *Developments in British Politics* 3, Macmillan, 1990.
- P. Dunleavy & B' O'Leary, *Theories of the State*, Macmillan, 1988.
- P. Dunleavy & R. Rhodes, Core Executive Studies in Britain, in *Public Administration*, vol. 68, Spring 1990.
- M. Duverger, *La Monarchie Républicaine*, Paris, Laffont, 1974.
- M. Duverger, *Echec au Roi*, Paris, Albin Michel, 1976.
- M. Duverger, *La Cohabitation des Français*, Paris, PUF, 1987.
- C. Estier & V. Neiertz, *Véridique histoire d'un septennat peu ordinaire*, Paris, Grasset, 1987.
- P. Favier & M. Martin-Roland, *La Décennie Mitterrand: 1, Les Ruptures*, Paris, Seuil, 1991.
- P. Favre, *La Manifestation*, Paris, Presses de la FNSP, 1990.
- H. Feigenbaum, Recent Evolution of the French Executive, in *Governance*, vol. 3, no. 3, July 1990.
- A. Fontaneau & P-A. Muet, eds., *La Gauche Face à la Crise*, Paris, FNSP, 1985.
- J. Fournier, *Le Travail gouvernemental*, Paris, Dalloz et Presses de la FNSP, 1987.
- J. Foyer & G. Lardeyret, Dérive institutionnelle, in *Le Monde*, 18.4.91.
- J. Frears, The French Parliament: Loyal Workhorse, Poor Watchdog, in *West European Politics*, vol. 13, no. 3, 1990.
- J. Frèches, *Voyage au centre du pouvoir*, Paris, Odile Jacob, 1989.
- J. Gaffney, French Socialism & the Fifth Republic, in *West European Politics*, vol. 12, no. 3, July 1988.
- Y. Galland, Monarchie absolue, in *Le Monde*, 19.9.90.
- Y. Gaudemet, Le Président de la République est tenu de signer, *Le Monde*, 18.4.86.
- F-O. Giesbert, *Jacques Chirac*, Paris, Seuil, 1987.
- F-O. Giesbert, *Le Président*, Paris, Seuil, 1990.

- P. Godt, *Policy Making in France*, Pinter, 1989.
- F. Greenstein, The impact of personality on politics: an attempt to clear away underbrush, *American Political Science Review*, vol. 61, no. 3, Sept. 1967.
- R. Hadas-Lebel, La République fonctionne, in *Le Monde*, 19.9.90.
- P. Hall, *Governing the Economy*, Polity Press, 1986.
- P. Hall, J. Hayward & H. Machin, eds., *Developments in French Politics*, Macmillan, 1990.
- D. Hanley, A. Kerr & N. Waites, *Contemporary France: Politics & Society since 1945*, RKP, 1979.
- J. Hayward, *Governing France: the One and Indivisible Republic*, Weidenfeld & Nicolson, 1983.
- Institut Charles de Gaulle & AFSP, *De Gaulle et ses Premiers ministres*, Paris, Plon, 1990.
- Institut Français des Sciences Administratives, *Le Budget de l'Etat*, Paris, 1988.
- G. Jones, ed., *West European Prime Ministers*, Cass, 1991.
- A. Jouary & A. Spire, *Le coup d'Etat continue: Mitterrand et les institutions*, Paris, Messidor, 1985.
- S. July, *Les Années Mitterrand*, Paris, Grasset, 1986.
- J. Larché, Le Président de la République est tenu de signer les ordonnances, in *Le Monde*, 29.3.86.
- P. Lascombe, Le Premier ministre, clef de voûte des institutions?, in *Revue du Droit Public et de la Science Politique en France et à l'Etranger*, jan.-fév. 1981, no. 1.
- H. Lasswell, *Psychopathology & Politics*, New York, Viking press, 1960.
- G. Lemaire, *Le PS face au pouvoir*, Paris, Cahiers du CERAT, 1983.
- G. Lord, *The French Budgetary Process*, University of California Press, 1973.
- H. Machin, Stages and Dynamics in the Evolution of the French Party System, in *West European Politics*, vol. 12, no. 4, Oct. 1989.
- H. Machin & V. Wright, eds., *Economic Policy & Policy Making under the Mitterrand Presidency*, Pinter, 1985.
- J. Massot, *Le Chef du Gouvernement en France*, Paris, La Documentation Française, 1979.
- J. Massot, *L'Arbitre et le Capitaine: la responsabilité présidentielle*, Paris, Flammarion, 1987.

- J. Massot, La pratique présidentielle sous la Ve République, in *Regards sur l'Actualité*, no. 139, mars 1988.
- D. Maus, La Constitution jugée par sa pratique. Paper given to a conference entitled *La Constitution de la Ve République* and published by the AFSP, Paris, 1984.
- D. Maus, *Les grands textes de la pratique institutionnelle de la Ve République*, Paris, La Documentation Française, no. 4786, 1985.
- S. Mesnier, Le rôle du Quai d'Orsay de mai 1986 à mai 1988, in *La Revue Administrative*, 1990.
- G. Milesi, *Jacques Delors*, Paris, Belfond, 1985.
- L. Pal & D. Taras, *Prime Ministers & Premiers: Political Leadership & Public Policy in Canada*, Ontario, Prentice-Hall, 1990.
- A. Peyrefitte, *Le Mal français*, Paris, 1976.
- T. Pfister, *La Vie Quotidienne à Matignon au Temps de L'Union de la Gauche*, Paris, Hachette, 1985.
- W. Plowden, *Advising the Rulers*, Blackwell, 1987.
- M. Prada, *Le Budget*, Paris, FNSP, service de polycopie, 1989-90.
- N. Prévost, *La Mort indigne de Malik Oussemane*, Paris, Barrault, 1989.
- R. Py, *Le Secrétariat général du gouvernement*, Paris, La Documentation Française, 1985.
- J-L. Quermonne, Un gouvernement présidentiel ou un gouvernement partisan, in *Pouvoirs*, no. 20, 1982.
- J. Rigaud, Pouvoir et non-pouvoir du ministre, in *Pouvoirs*, no. 36, 1986.
- J. Robert, M. Mitterrand peut refuser de signer, in *Le Monde*, 18.4.86.
- R. Rose, Présidents et Premiers ministres, éléments de comparaison, in *Pouvoirs*, no. 41, 1987.
- G. Ross, S. Hoffman & S. Malzacher, *The Mitterrand Experiment*, Polity Press, 1987.
- S. Rials, *Le Premier ministre*, Paris, PUF, 1985.
- C. Saves, Le dualisme de l'exécutif sous la Ve République, *La Revue Administrative*, sept.-oct. 1984, 37, (221).
- L. Schweizer, *Le Budget*, Paris, FNSP, service de polycopie, 1983-84.
- P. Servent, *Oedipe à Matignon*, Paris, Balland, 1989.
- J-L. Seurin, *La Présidence en France et aux Etats-Unis*, Paris, Economica, 1986.
- A. Stone, In the Shadow of the Constitutional Council: the 'Juridicisation' of the Legislative process in France, in *West European Politics*, vol. 12, no. 2, April 1989.

E. Suleiman & R. Rose, eds., *Presidents & Prime Ministers*, Washington DC, AEI, 1980.

J-L. Thiébault, *Jalons pour une analyse des conflits gouvernementaux sous la Ve République*, Les cahiers du CRAPS, no. 7, March 1989.

P. Williams & M. Harrison, *Politics & Society in de Gaulle's Republic*, Longman, 1971.

F. Wilson, *Interest Group Politics in France*, CUO, 1987.

V. Wright, *The Government & Politics of France*, Unwin Hyman, 1989.