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The New Face of Local Government in France

In the French Jacobin tradition, even though in principle the local level implements government policy, in reality the central government tolerates pressure from local authorities – hence the term ‘tamed Jacobinism’.

Because of the political and administrative domination of the central state, local power has for a long time been a residual power. In no other democratic system have politics and administration been so profoundly integrated: firstly, there is an unelected vertical administrative axis centred on the Prefect; secondly, there is an elected horizontal axis shared between Mayors and general councillors. The two axes are integrated by the local public services of the state (Equipment, Agriculture, Health, etc.).

Despite this, in France, local government is still seen as important in the eyes of the public. For instance, participation levels for local government elections are appreciably higher than for others, averaging 75 per cent since World War II. Even in these days of political disenchantment, public opinion polls show that, of all political mandates, that of the Mayor is most highly regarded; all agree that elected local representatives perform the most useful roles.

The ‘commune’ – the smallest unit of local government – remains to this day the traditional preserve of local community cooperation and the main prize after the presidential elections. The minimal reduction in the number of communes since their creation is witness to the permanence of this typically French institution:

- 44,000 communes in 1793 during the Revolution, often retaining the boundaries of the old parishes;
- 38,000 in 1799;
- 36,000 in 2001.

All attempts to amalgamate communes have failed. Thus, for 200 years, the communes and the state have been the two fundamental decision-making poles on the political map.

The 1982 laws on decentralisation, with increased autonomy of other levels such as the department and the region, have muddied this bi-polar model. Nevertheless, decentralisation is today an incomplete process which is proceeding with some confusion. The question is: are we moving towards the emergence of real local powers, such as exist in several European countries (Spain, Germany, Belgium, Great Britain) whose political structures are more or less federal?

This movement of decentralisation – slower and older than we might think – is the result of several factors:

- Firstly, the increased autonomy of the decision-making process of local government units may have originated in the three postwar decades (1945-75) of sustained and exceptional growth. In effect, this period legitimised the provision of some public services by these units on behalf of the state. In the context of growing consumption, the state felt compelled to use them to distribute goods and services. This provision of services has allowed local institutions to mediate between civil and political society, whilst ensuring the protection of local economic and social interests.
- Secondly, this development would not have come about without the ideological evolution of the central elites. The senior public servants who were the most innovative and most concerned with efficiency became aware of the need to adapt the multi-levelled political system to the need to manage the national system, whilst preserving at the same time a most traditional administrative and political control.

- Thirdly, the new middle classes achieved increased power in municipal representation. This group, made up essentially of private or public sector executives, increased local government pressures on the state in order to acquire financial resources to meet the growing demand for public goods, especially since the 1960s.

- Fourthly, other factors have contributed to this transformation, in particular the difficulties which emerged in 1975 following the OPEC oil crisis. As these developed, elected local representatives found themselves under the direct pressure of local populations demanding the creation of jobs, necessitating proactive economic policies, and policies of social security to meet unemployment and marginalisation.

- Fifthly and finally, the European context itself favoured this evolution. Several countries (Benelux countries, Spain, Sweden, Germany, Italy) came to adopt institutional reforms which, in different ways, gave local representatives increasingly bigger responsibilities, not only in urban management, but also in economic development, social security, culture and education.

This complex evolution culminated in 1982 and 1983 in the passing of decentralisation laws by the newly elected left-wing government. Such a redistribution of power by the state strengthened the resolve of local forces to take their destiny into their own hands. They could thus present themselves as increasingly autonomous actors, capable of mobilising resources and formulating strategies to implement urban, economic, cultural and other projects.

Local political systems were thus in a position to contribute to the regulation of the general and national political system. We can now examine the outcomes of this movement. Broadly, a series of institutions were created and a series of reforms launched which completed the 1982 decentralisation laws:

- The new amalgamated communes (‘agglomerations’) in 1983;
- The intercommunal charters in 1983;
- The communities of communes and towns in 1992;
- The law for the management and sustainable development of the nation in 1999;
- The law to simplify and reinforce intercommunal cooperation (elimination of districts, introduction of ‘communities of agglomerations’) in 1999.

The law of 6 February 1992, completed and amended by the law of 12 July 1999, has put in place two possible forms of amalgamation: communities of agglomerations in urban areas, and communities of communes in rural areas. For the latter, the state allows autonomy in the choice of amalgamations, whilst remaining mindful of the coherence of boundaries. It also encourages the process through specific grants to the amalgamated communes. Some functions are compulsorily transferred to both forms of communities, for example, economic development and management of space. Others are optional, for example, culture, sport and social affairs.

The administrative structures of these groupings, in so far as they respect community identity whilst at the same time assisting the common focus of their energies and resources on precise goals, have seemingly been an undeniable success. There are, however, some pockets of resistance.

In 2000 there were 1,493 communities of communes, 51 communities of agglomerations, 12 urban communities and 281 districts – a total of 1,837 structures which had amalgamated 21,000 communes and 37 million inhabitants. The average size of each grouping was 11 communes, with a total of 22,000 inhabitants. This corresponded to the average local government unit in the main European countries.

However, despite these new developments, many of the old structures have been retained. This has led to a characteristically French pattern: the blurring of the links between the old and the new, confusing both the citizens and their elected representatives.

The territorial parcelling in France – and, in particular, the ‘communal map’ – remains unique in Europe: more than 36,000 communes, which is more than the total in other European Union members. For some, the situation does not fit the European economic imperatives which favour a concentration of resources in all sectors, including the local units. The aim is to avoid duplication of resources, both human and material.

The law of 4 February 1995 attempted to return to a management policy which had been somewhat abandoned since 1970, reclaiming the notion of the ‘country’ *(le pays)* as a further grouping of communes. This law was completed by the law of 25 June 1999. By 2000 there were 160 countries, covering more than 30 per cent of

France and amalgamating 11,566 communes, or 16 per cent of the population. They are not fully-fledged levels of government, but have an associate status, in order to develop common projects or to achieve economies of scale. The creation of countries continues to the present day.

Is it possible to speak of local government in the Anglo-Saxon meaning of the term? It would be more correct to speak of an evolution towards real local governments on a monocommunal or intercommunal scale. Today, it is even said that what we have is an evolution towards a 'governance' wherein the actors of civil society (associations, businesses, local committees etc.) are no longer content with a representative democracy, but seek a more participatory democracy based on contractual relationships.

Nevertheless, in contrast with European and American federal states, the autonomy of local institutions remains limited; the central government controls their institutional rules. However, the *a priori* control of the Prefect is replaced by an *a posteriori* process of legal protections (Administrative Tribunal, Regional Chamber of Accounts). At the same time, other technical controls don't disappear, particularly in urban planning, with the possible intervention of local public servants. Furthermore, other indirect controls, such as the planning state-region contracts, ensure maximum compliance with the goal of the national plan.

Conclusion

Undoubtedly the decentralisation laws of 1982 have released new energies, and local initiatives have multiplied. The increased number of levels and their growing powers are the source of projects financed from different levels, which in turn initiate constant negotiations between representatives in local, national and European spheres. In a way, problems tend to be addressed more at the local than at the national level. The exercise of local government powers in France is becoming more complex, with increased variations and multiple overlays.

The growth of zones of uncertainties, in encouraging strategic power plays at the local levels, may be contributing to the formation of local alliances and to the overall opacity of the effective focus of power. The state is no longer the absolute centralised regulator. It tends to become one player amongst many, insinuating itself into the complex network of play and counter-play at all levels.

Thus, as we consider the landscape of contemporary French politics, it becomes apparent that, more than any other factor, it is the process of amalgamation of communes which is leading towards an increasingly autonomous local government administration and a new delineation of local government power.

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