

Le grand lion & the pack of hyenas.

Decentralization and local representative democracy during Jacques Chirac's time as mayor of Paris (1977-1995).



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Image : (from left to right) Bernard Quesson, Claude-Gérard Marcus, Alain Juppé, Jacques Chirac together in 1988. Marcus was the mayor of the 10th arrondissement from 1983 until 1989 and Quesson his adjoint (alderman). Juppé was the ‘‘fils préféré’’ of Chirac and part of Chirac’s ‘‘État-major’’, the unofficial group that ruled Paris (© Wikimedia Commons).

‘Les moyens ne sont jamais adéquats quand le but est mal défini.’

Jacques Chirac in *La France pour tous* (1994).

Note regarding the orthography

In French, in general, names of institutions and titles are written with lower-case letters. For example, conseil municipal, le ministre. However, if there is a part of the name that is unique or characterizes the institution or title, the first letter of that word is written in upper-case, for example, conseil municipal de Limeuil, le ministre de l'Intérieure et la Décentralisation.

However, an 'exception' is le Premier Ministre. If an institution is unique or considered of national importance, then it is spelled with a upper-case letters. Example, Conseil d'État, Collège de France.

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Introduction

On the first of January 2019, a French law came into effect that further decentralized the politico-administrative make-up of the Paris.¹ The government that had presented the bill, the mainly socialist Second Valls government (2014-2016) under the presidency of socialist François Hollande, was motivated by the belief that it was important to assure that local issues were taken into consideration during the decision-making process and that citizens were involved in the elaboration and execution of policies. To this end, the sub-municipal entities of Paris, the conseils d'arrondissement, ought to receive more competences. However, this was only the most recent installment in the process of infra-municipal decentralization in the city of Paris.²

Namely, this process was started in 1982. In that year, the French parliament, in which the communist group and the socialist group had a majority together, passed the law concerning government agencies of inter-municipal cooperation and the administrative organization of Paris, Marseilles and Lyon, commonly abbreviated as the Loi PLM.³ This law created, among others, the arrondissement councils, the conseils d'arrondissement, which decentralized the city of Paris. The socialist-communist Second Mauroy government (1981-1983) serving during the presidency of socialist François Mitterand (1981-1995), which had proposed the bill, stated that the goals of the decentralization were 'to bring government closer to the people, improve the participation of citizens in the governance of matters that concern them directly and democratize the city of Paris, while at the same time respecting the unity of the municipality.'⁴

¹ In this thesis, for 'political decentralization', 'decentralization' is used. For 'administrative decentralization', 'deconcentration' is used.

² Ministère de l'aménagement du territoire, de la ruralité et des collectivités territoriales, 'Projet de loi relatif au statut de Paris et à l'aménagement métropolitain et exposé des motifs' (2016) 1–2, 4 [, <https://www.legifrance.gouv.fr/affichLoiPubliee.do?type=general&idDocument=JORFDOLE000032965297>].

³ In this thesis, for the easy of reading, the law of December 31, 1982, concerning the 'établissements publics' and the administrative organization of Paris, Marseilles and Lyon, will be abbreviated as 'PLM law', referring the 'Loi PLM', the French abbreviation commonly used. 'Établissements publics' is translated here as 'government agencies'. An établissement public is a juridical person who is funded by the government, has a certain financial and administrative autonomy vis-à-vis the latter and has as goal to promote the common good. Since the definition of a government agency comes close the definition of an établissement public, the former was chosen to be used. The dispositions in the law regarding établissements publics are not relevant for this thesis.

⁴ Présidence de la République, 'Press release of the Conseil des ministres of Tuesday, October 5, 1982' (1982), Archives Nationales, Scanned upon request; Le Journal Officiel de la République française, 'Loi n° 82-1169 du 31 décembre 1982 relative à l'organisation administrative de Paris, Marseille, Lyon et des établissements publics de coopération intercommunale. | Legifrance', *Legifrance* [, <https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000000880033>].

According to the law, the conseils d'arrondissement had to express their approval or disapproval on every by-law the central municipal council passed. Furthermore, the conseils d'arrondissement would decide where and in which buildings new day nurseries, community houses, youth centers and certain other local facilities would be located when the municipal council decided that new ones were going to be created in an arrondissement. Moreover, the conseils d'arrondissement would also be responsible of the daily management and maintenance of these specific local facilities.⁵

At the moment the law was passed, president of the center-right Gaullist Rassemblement pour la République (RPR) and therefore parliamentary opposition leader Jacques Chirac (1932), was the mayor of Paris.⁶ Chirac held the office of mayor of Paris from 1977 until 1995 and had a majority in the municipal council of Paris, the Conseil de Paris, during his entire term in office because of the municipality's two-round electoral system in 1977, and semi-proportional representation from 1982 onward, which both benefitted the winner. Furthermore, all conseils d'arrondissement and arrondissement mayors, maires d'arrondissement, pertained to Chirac's majority during his entire term in office. He therefore was an important actor inside of the Parisian municipal system who could hold much influence over the latter.⁷

Ever since the moment the government announced its bill, Chirac expressed his resistance to it. In one of the multiple instances he voiced his opinion, the mayor said that the bill was 'an unacceptable distinction, a lie, an insult to history and a nasty trick.' After the law was passed, he stated 'we will implement the law, but in a restrictive way.'⁸ The tension between Chirac's resistance to the creation of the conseils d'arrondissement and the fact they were still going to be created, makes it interesting to look at the way in which the law was implemented in Paris in practice and if the goals of the legislator were reached.

⁵ While the law only states the conseil d'arrondissement 'manages' the group of facilities and thereby remains vague about the specific competences of the conseil d'arrondissement, in a debate in the Assemblée nationale the responsible minister clarified a bit more what 'managing' meant in practice. It is clear that 'management' meant 'daily management' and that maintenance is part of this. Source: Assemblée nationale, 2^o séance du 22 octobre 1982, 6199. These terms were probably not defined very clearly in order to leave room for interpretation for the municipalities.

⁶ Gaullism is political school of thought that bases its ideas in the thinking and actions of Charles de Gaulle. It is hard to situate it on the political spectrum. Gaullism considers that a strong presidential executive is needed in order to assure a stable society. Furthermore, national independence was an important trait of Gaullism. Source: Ian Campbell, 'Gaullism', in: *The Concise Oxford Dictionary of Politics* (2009).

⁷ Le Journal Officiel de la République française, 'Loi n° 82-1169 du 31 décembre 1982 relative à l'organisation administrative de Paris, Marseille, Lyon et des établissements publics de coopération intercommunale. | Legifrance'; Philippe Nivet, Yvan Combeau, *Histoire politique de Paris au XXe siècle*. (Paris 2000) 302.

⁸ Andrew Knapp, 'Paris : Le système politico-administratif local, 1977-1987', *Annuaire des collectivités locales* 7 (1987) 65-90, there 74 <doi:10.3406/coloc.1987.1013>.

It is considered that representative democracy is of good quality when its constituents are represented well, and, in line with Hanna Fenichel Pitkin in *The concept of representation* from 1967 and Robert Alan Dahl in *Polyarchy: Participation and opposition* from 1971, that good representation constitutes in voicing concerns and desires of constituents.⁹ In that sense, the first goal of the PLM law of the Second Mauroy government, ‘improve the participation of citizens [...]’, is a prerequisite for good representative democracy. This is because interaction between representatives and citizens, whether the interaction is directly or indirectly, is the way in which a representative acquires information about the concerns and desires of its constituents, which the representative, in turn, can voice. With ‘bringing government closer to the people’, in turn, the government meant that the representative had to have more contact with his constituents.¹⁰

Consequently, both ‘bringing government closer to the people’ and ‘improv[ing] the participation of citizens [...]’ had the same result, namely increasing the interaction between representatives and constituents. Therefore, both first goals of the government were actually prerequisites for the last goal, ‘democratize the city of Paris’.¹¹ The research question of this thesis is therefore: did the creation of the conseils d’arrondissement in the city of Paris lead to improved local representative democracy during the period that Jacques Chirac was the mayor of Paris (1977-1995)?

Literature review

According to the research in the field of infra-municipal decentralization, many municipalities are decentralizing because they want to improve their local representative democracy. In a collection of studies on infra-municipal decentralization in Europe called *Sub-Municipal Governance in Europe: Decentralization Beyond the Municipal Tier* from 2012, Nikolaos-Komninos Hlepas and others describe how decentralization has reached this goal in some cities, while it did not in others. A reconstruction of the practice of decentralization in Paris

⁹ Hanna Fenichel Pitkin, *The concept of representation* (Berkeley 1967); Robert A Dahl, *Polyarchy: Participation and opposition*. (New Haven 1971).

¹⁰ This is the impression the minister gave during the legislative debates on the PLM law by citing words of former minister Michel Poniatowski who said the following: ‘[...] “pour que les élus, les fonctionnaires et les administrés puissent y nouer des rapports plus étroits, plus fréquents et plus confiants.”[...] “donner aux administrés dans les mairies d’arrondissement un contact plus aisé avec les élus responsables”.’ Source: Assemblée nationale, ‘2° séance du 20 octobre 1982’, *Compte Rendu Intégral. Constitution du 4 octobre 1958. 7° Législature*. 6038–6064, there 6053.

¹¹ Which is assumed to signify “make representative democracy in Paris stronger” since the institution that was introduced, the conseil d’arrondissement, was of representative-democratic nature.

can add to these results by leading to insights about why the decentralization in Paris improved democracy or not.¹²

The observation whether or not infra-municipal decentralization improves democracy is valuable for the debate on decentralization as well. Namely, it would constitute an argument in support of the scholars that are in favor of decentralization, the latter because of a various set of reasons. The debate on decentralization has existed since the Age of Enlightenment. While thinking on decentralization predates this period, during the Age of Enlightenment the ideas on decentralization became more important and explicit. In *De l'esprit des lois*, which was published in 1748, Montesquieu showed that he was a proponent of decentralization. To be precise, he was a clear proponent of a federation. According to the philosopher, if a republic was too small, it would be destroyed by a foreign power. However, if a republic was too big, it would 'destroy itself through inner vice'. Through a federation, according to Montesquieu, this external power of a big republic and the internal power of a small republic could be combined.¹³

Later, in 1788, the Founding Fathers of the United States of America James Madison and Alexander Hamilton argued in *The Federalist Papers*, especially in paper nine and ten, for more centralization after having perceived the dysfunctioning of the decentralized confederacy. In 1835, Tocqueville spoke highly of 'provincial liberty' in his *De la démocratie en Amérique*. According to him, the legislation in centralized nations did not take the diversity and customs of localities into account while confederations did. Tocqueville furthermore argued that citizens were not very free when a government was very centralist. This was because he considered that a centralist government did not leave any room to act and decide for citizens.¹⁴

The current debate on decentralization is present in many disciplines but it is mainly concentrated in public economy and public administration. The most important ideas, which form the basis of the current debate, can be found in the so-called First Generation Fiscal Federalism works of Charles Mills Tiebout in 1956 and Wallace Eugene Oates in 1972. This intellectual school is based in the United States of America, hence their focus on federalism. Tiebout's and Oates' most important conclusion was that tax raising should be done by a

¹² Harry Daemen Linz Schaap, *Renewal in European Local Democracies Puzzles, Dilemmas and Options* (Wiesbaden 2012) 9–13; Nikolaos-Komninos Hlepas e.a., ed., *Sub-Municipal Governance in Europe* (Cham 2018) 254–255 <doi:10.1007/978-3-319-64725-8>.

¹³ Charles-Louis de Secondat, Baron de la Brède et de Montesquieu, *De l'Esprit des Loix. Tome I.* (Édition de R. Derathé; Paris 1973) 141–148.

¹⁴ Alexander Hamilton, James Madison en John Jay, *The Federalist Papers* (with an introduction, table of contents and index of ideas by Clinton Rossiter; New York 1961); Alexis de Tocqueville, *De la démocratie en Amérique. Tome Premier* (11th edition; Paris 1848) 155–156, 262[<https://gallica.bnf.fr/ark:/12148/bpt6k37007p>].

centralized level of government since differences between local governments in taxes on mobile goods would lead to a race for the bottom among local governments. As Oates wrote in 1999 in an article called 'An Essay on Fiscal Federalism': 'An aggressive local program for the support of low-income households is likely to induce an influx of the poor and encourage an exodus of those with higher income who must bear the tax burden.'¹⁵

Moreover, they argued that local governments were more capable of defining local preferences for local public goods than central governments. Subsequently, according to Tiebout and Oates, local governments had to define local preferences, while the taxing was the task of the central government. Subsequently, since local government should not raise taxes, the central government was to send financial support to the local governments according to the two scholars.¹⁶

The First Generation Fiscal Federalism school was followed by the Second Generation Federalism school at the beginning of the 2000s. This school focused on the incentives that local public officials received. This change of focus took place in the context of evaluations that were done at the end of the 20th century on development strategies which had been implemented in development countries in the 1950s and 1960s. In these reports, it was noted that policy-makers in development countries had not taken into account local conditions when they made policies. The evaluations considered that this was the consequence of the incentives that policy-makers and local civil-servants executing the policies had been receiving, which did not motivate the latter two groups to serve the interest of the local population. The corruption, absenteeism, and power of lobby groups that were also observed by the reports, only reinforced this conviction.

Jaques Cremer, Antonio Estache and Paul Seabright, in *The Decentralisation of Public Services: Lessons from the Theory of the Firm* from 1995, but Seabright even more so in *Accountability and decentralisation in government: An incomplete contracts model* in 1996, asserted that this problem essentially had to do with accountability. They argued that in a centralized state local civil servants were, in practice or formally, accountable toward higher echelons of power, which incentivized them to serve the interest of the higher echelons, and not the local population. However, by turning these positions into electable offices, the people holding these positions became accountable toward local citizens, since their career perspective

¹⁵ Wallace Eugene Oates, 'An Essay on Fiscal Federalism', *Journal of Economic Literature* 37 (1999) 1120–1149, there 1121.

¹⁶ Charles Mills Tiebout, 'A Pure Theory of Local Expenditures', *Journal of Political Economy* 64 (1956) 416–424; Wallace Eugene Oates, *Fiscal federalism* (New York 1972); Dilip Mookherjee, 'Political Decentralization', *Annual Review of Economics* 7 (2015) 231–249 <doi:10.1146/annurev-economics-080614-115527>.

depended of them. As a consequence, the people holding office were responsive to the wants and concerns of the citizens.¹⁷

This mechanism of electability, responsiveness and accountability is now one of the main arguments in the group of scholars in the current debate on decentralization that is in favor of decentralization. Nowadays, the case for decentralization is concentrated around a recurring set of arguments, namely, that decentralization would lead to increased citizen participation, deepened democracy, more accountability and hence better responsiveness, reduced bureaucracy and decreased public spending. Evaluative studies focus on revealing if decentralization processes have led to these outcomes.¹⁸

Among the scholars dealing with decentralization at this moment, Jean-Paul Faguet is a renowned expert. In his book his book *Decentralization and Popular Democracy: Governance from Below in Bolivia* from 2012, he is as well a proponent of decentralization. He agrees to the assertion of Estache, Cremer and Seabright that decentralization works since the locally elected are accountable to citizens and not to a higher level of government.

He adds that the change in accountability not only leads to a change in supply (delivered results and delivered public goods by the locally elected), but also to a change in demand. That is to say, citizens, according to Faguet, start to participate more in local politics since they see that this results in obtaining matters. Since citizens become more involved in politics, democracy is deepened. In his book, Faguet combines qualitative and quantitative research and states that decentralization in Bolivia has lead to deepened democracy since it increased accountability, responsiveness and citizen participation, primarily because the direction of accountability was moved.¹⁹

While political scientist Daniel Treisman himself does not pertain to the group that is in favor of decentralization, he does make an important remark that could be considered pro-decentralization. In his book *The Architecture of Government: Rethinking Political Decentralization* from 2007, Treisman states that there is one argument on which opponents

¹⁷ Jaques*Estache Cremer, *The decentralization of public services : lessons from the theory of the firm* (31 augustus 1994) 1; Paul Seabright, 'Accountability and decentralisation in government: An incomplete contracts model', *European Economic Review* 40 (1996) 61–89 <doi:10.1016/0014-2921(95)00055-0>; Barry R. Weingast, 'Second Generation Fiscal Federalism: Implications for Decentralized Democratic Governance and Economic Development', *SSRN Electronic Journal* (2006) there 7 <doi:10.2139/ssrn.1153440>.

¹⁸ Christopher Pollitt, 'Decentralization: A Central Concept in Contemporary Public Management', in: *The Oxford Handbook of Public Management* (Oxford 2007) there 12 <doi:10.1093/oxfordhb/9780199226443.003.0017>; Jean-Paul Faguet, *Decentralization and Popular Democracy: Governance from Below in Bolivia* (Michigan 2012) 160–161; Mookherjee, 'Political Decentralization'. Moreover, there are basically three ways in which the evaluative studies are conducted, in a qualitative or quantitative manner, or through a combination of these two.

¹⁹ Jean-Paul Faguet, *Decentralization and Popular Democracy: Governance from Below in Bolivia*, 280, 284.

and proponents of decentralization often agree. Namely, that decentralization leads to policy stability. This is, according to Treisman, an application of the theory of veto players of George Tsebelis. This game theory states that, the more actors participate in policy making, the more divergent interests are involved. Consequently, it becomes more difficult to change the status-quo since a number of actors have to agree. In other words, the more actors participate, the greater policy stability is.²⁰

Other proponents of decentralization are Hehui Jin, Yingyi Qian and Barry R. Weingast. They demonstrate in their article *Regional decentralization and fiscal incentives: Federalism, Chinese style* from 2006 that Chinese and Russian local economies grow when a decentralized government can hold on to a bigger part of the increased revenues they receive after establishing a business-friendly policy for local companies. The scholars therefore argue that decentralization leads to local economic development.²¹

Another pro-decentralization argument was published in an article in 1988 by Michael L. Marlow. He shows that fiscal decentralization leads to slowing down of the growth, stalling of the growth, or even a decrease of the size, of the total public sector of the United States. In other words, decentralization in the US leads to less bureaucracy on all government levels. Furthermore, in some instances, decentralization might lead to decreased public spending. This was concluded in a study by Frannie Humplick and Azadeh Moini-Araghi on road provision by decentralized governments.²²

In the modern debate on governmental decentralization one can still see the Tocquevillian conviction that decentralization leads to more freedom as well. Jin, Qian and Weingast argue in their article that a centralist government should decentralize economic activities in order to let the market thrive, thereby allowing ‘citizens to hold the government accountable for its economic actions and to secure markets from arbitrary state intrusion.’²³

Among the scholars against decentralization there is the economist Rémy Prud’homme. In his World Bank Report called *On the Dangers of Decentralization* from

²⁰ Daniel Treisman, *The Architecture of Government: Rethinking Political Decentralization* (New York 2007) 201; George Tsebelis, *Veto Players. How Political Institutions Work* (Princeton 2002) 19.

²¹ Hehui Jin, Yingyi Qian en Barry R. Weingast, ‘Regional decentralization and fiscal incentives: Federalism, Chinese style’, *Journal of Public Economics* 89 (2005) 1719–1742, there 1740 <doi:10.1016/j.jpubeco.2004.11.008>.

²² Michael L. Marlow, ‘Fiscal decentralization and government size’, *Public Choice* 56 (1988) 259–269 <doi:10.1007/BF00130275>; Jean-Paul Faguet, *Decentralization and Popular Democracy: Governance from Below in Bolivia*, 163–164; Frannie Humplick and Azadeh Moini, ‘Decentralized structures for providing roads : a cross-country comparison (English) | The World Bank’, 32 1996 [<http://documents.worldbank.org/curated/en/607281468764135383/Decentralized-structures-for-providing-roads-a-cross-country-comparison>].

²³ Alexis de Tocqueville, *De la démocratie en Amérique*. Tome Premier, 148–149; Jin, Qian en Weingast, ‘Regional decentralization and fiscal incentives’, 1720.

1995, he claims that it is very likely that decentralization leads to a decrease in production efficiency. According to Prud'homme, this is because local governments cannot benefit from an economy of scale in services in the way a central government can. More precisely, the problem is not that local governments could not benefit from economies of scale per se, since they could indeed create constructions in which they would, but that local governments, in practice, do not set up systems in which they can use economies of scale.

Moreover, Prud'homme argues that higher levels of government attract more qualified people. This is, according to Prud'homme, because these higher levels offer better careers since these have a 'greater diversity of tasks, more possibilities of promotion, less political intervention, and a longer view of issues.' Furthermore, the economist states that corruption is more likely to exist on a local level and that therefore decentralization might be accompanied by corruption, an argument economist Vito Tanzi agrees with in his article from 1995 called *Fiscal Federalism and Decentralization: A Review of Some Efficiency and Macroeconomic Aspects*.²⁴

Another argument against decentralization is voiced by James Manor. He states in his World Bank report *The political economy of democratic decentralization* from 1999 that decentralization tends to facilitate elite capture of local government since local elites are more influential at local than at higher levels. What's more, according to Manor, local elites tend to serve their own interests more than high-level elites since they are less benevolent toward the poor as compared to high-level elites.²⁵ Jonathan A. Rodden argues, in his book *Hamilton's Paradox: The Promise and Peril of Fiscal Federalism* that in a decentralized system, local politicians do not face incentives to respect financial discipline since they know the center will bail them out. A situation which could lead to fiscal instability of a state in its entirety.²⁶

Political scientist Treisman does not support either side of the debate, he believes that decentralization in itself is not good or bad. In his book *The Architecture Of Government: Rethinking Political Decentralization* from 2007, he argues that it is hard to draw any conclusions from the available evidence and that the results of decentralization depend on the

²⁴ Rémy Prud'homme, 'On the dangers of decentralization (English) | The World Bank' (1995) 9–11 [<http://documents.worldbank.org/curated/en/218141468739288067/On-the-dangers-of-decentralization>]; Jean-Paul Faguet, *Decentralization and Popular Democracy: Governance from Below in Bolivia*, 165; Vito Tanzi, 'Fiscal Federalism and Decentralization: A Review of Some Efficiency and Macroeconomic Aspects', *The World Bank* (1995) there 301.

²⁵ James Manor, 'The political economy of democratic decentralization (English) | The World Bank' (1999) 106–107 [<http://documents.worldbank.org/curated/en/386101468739238037/The-political-economy-of-democratic-decentralization>].

²⁶ Jonathan A. Rodden, *Hamilton's Paradox: The Promise and Peril of Fiscal Federalism* (Cambridge 2005) 270–271 <doi:10.1017/CBO9780511616075>; Alberto Diaz-Cayeros, *Federalism, Fiscal Authority, and Centralization in Latin America* (Cambridge 2006) 207–208 <doi:10.1017/CBO9780511617928>.

quality of its implementation and contextual factors. To prove this, he rebukes many of the arguments in the pro-and contra camp. He denies for example that decentralization necessarily leads to more responsiveness and effectiveness as compared to centralization. He counters the argument that decentralization gives the possibility for local differentiation in policies with the argument that fully centralized states can geographically differentiate their policies as well.

Treisman argues that the argument that local governments are more sensitive to local issues does not hold because ‘responsiveness at either level of government will depend primarily on the intensity and pattern of competition for office.’, implying that a higher tier of government will be as sensitive to local issues as a local government on the condition that there is competition between politicians for the obtainment of office on this higher level of government. He adds that, in a system in which members of parliament are still connected to a local electoral district, ‘it is not clear why a member of a national parliament [...] would be less concerned to help local voters than a mayor or councilman elected in the same district. Both need local voters support to get reelected.’

Furthermore, according to Treisman, the lower level of government would not help coordination and disciplination of the locally elected by citizens because the latter group is smaller compared to the population of an entire country since ‘coordinating becomes unlikely when numbers [of citizens] raise above a few hundred.’ On top of that, according to Treisman, decentralization can decrease accountability when decentralization leads to a situation in which it is unclear which level of government has which particular responsibilities. This due to the fact responsibilities are often shared among multiple tiers of government, making it harder for citizens to distinguish which tier of government is responsible for what exactly.

Next to this, Treisman argues that the longer chain of bureaucracy does not necessarily lead to bad bureaucracy. If the bureaucrats are well paid and inspected there is no reason to expect why it would function worse according to Treisman. Therefore, a central government that deconcentrates does not necessarily function in a less optimal way than a decentralized government would with its shorter bureaucratic chain. Treisman’s ending remark is clear, ‘it is hard to reach to any general conclusions about whether political -or administrative, or fiscal- decentralization will improve or impair the quality of government and economic performance.’ However, he goes further. He namely rebukes the scholars in the camp that argue that decentralization works as long as it well designed or introduced under the right conditions by stating that it is impossible to find any clear conditions under which

decentralization might work. Consequently this ‘undermines even a conditional endorsement of decentralization.’ according to Treisman.²⁷

Not much has been written on the functioning of the conseil d’arrondissement during Chirac’s time in office or its implications. In 1984, Jean de Soto, jurist and adjoint au maire d’arrondissement of the 5th arrondissement, thus part of Chirac’s majority, wrote a review of the implementation of the PLM law based on his own experience and observations. He writes that deconcentration took place instead of decentralization and that the preeminence of the central municipality over the arrondissements was asserted, which was necessary according to him. According to De Soto, Chirac’s majority in the Conseil de Paris and all the conseils d’arrondissement, and the fact that all maires d’arrondissement were part of Chirac’s majority, ‘permitted Chirac to soften the hard edges and make the arrondissements go at the same pace.’ Moreover, according to De Soto, inhabitants participated in the governance of the city.²⁸

While agreeing on the observation made by De Soto about the limitedness of the decentralization, in 1987, historian Andrew Knapp wrote more extensively about the implementation of the law and the municipality. He published his findings in an article called *Paris : Le système politico-administratif local, 1977-1987*. His article successfully reconstructs the inner-workings of the Parisian municipal apparatus as a whole in the period 1977-1987. According to Knapp, the decentralization law was implemented in a restrictive way mostly regarding the budget that was transferred by the municipality to the arrondissements and regarding the amount of facilities that were delegated by the municipality to the conseils d’arrondissement for daily management and maintenance.

Knapp describes a Paris in which Chirac was the undisputable ‘king’, in which the technical services of the municipality were hierarchical and ultimately only answered to Chirac. In other words, Knapp describes a very centralized municipality.²⁹ However, the historian further states that, while the maires d’arrondissement did barely have any resources, they did have political powers due to Chirac’s way of implementing the law. This was because in 1983 some conseils d’arrondissement offered some obstruction to plans that Chirac wanted the municipal council to pass. Thereafter, Chirac offered to consult the maires

²⁷ Daniel Treisman, *The Architecture of Government: Rethinking Political Decentralization*, 270–283.

²⁸ Jean de Soto, ‘L’arrondissement de Paris’, *Revue du droit public et de la science politique en France et à l’étranger* Septembre-octobre 1984 (1984) 1117–1417, there 1325.

²⁹ While the words municipality, and later, municipal council are used, it should be noted that this is done for the ease of reading. In reality, during the period Chirac was the mayor of Paris, Paris was both a municipality and Département. Therefore, the council was alternatively the council of the Département and the municipality. A more extensive explanation is found in the chapter on the historical context of this research.

d'arrondissement from then on in an informal way earlier on in the decision-making process in exchange for them never obstructing plans.

Subsequently, from 1984 onward, according to Knapp, no open conflicts between the maires or conseils d'arrondissement and Chirac took place. Moreover, the deconcentrated units of the technical services and two civil servants of every branch of the technical services of the municipality were in touch with the maire d'arrondissement as to prevent potential legal conflicts.³⁰

Sociologue Karim Haddab was another academic who in 1988 wrote a dissertation called *L'application de P.L.M. à Paris ou le centralisme à l'échelon d'arrondissement*. Haddab agrees on the observation made by De Soto on the limitedness of the decentralization, as he does on the observations made by Knapp regarding the predominance of Chirac, the verticality and loyalty of the technical services to the mayor and the nuances applicable to the aforementioned matters. Haddab adds that the maires d'arrondissement agreed to delegate the maintenance of the facilities that they managed to the technical services. Further, he states that the maires d'arrondissement sometimes tried to influence the local units of the technical services. However, according to Haddab, this was not something that happened often nor does he attach any conclusions to this.³¹

In 1990, Jurist Jean-François Durantin analyzed the law itself but also made small remarks concerning its implementation. He states that Chirac and the municipal council restrained the management of facilities by the conseil d'arrondissement to the largest possible extent. All the conseils d'arrondissement together did not manage more than 23 small sport fields, 13 establishments of public showers, 10 boules pitches and 2 community centers. Lastly, only 22% of the green areas that should have been delegated according to the law were delegated to the conseils d'arrondissement. Nonetheless, according to Durantin, there was no restraint regarding day nurseries.

In his conclusion, Durantin states that, while the law offered a real possibility to decentralize, in practice the decentralization to the arrondissement was very restricted. Subsequently, he esteems the change between before the implementation and after the implementation 'not very bold'. According to Durantin, in practice, no real infra-municipal power on the level of the arrondissement was created. On the contrary, Durantin states that the way of implementing the law only increased the powers of the technical services, the mayor

³⁰ Knapp, '5. Paris'.

³¹ Karim Haddab, '4. L'application de P.L.M. à Paris ou le centralisme à l'échelon d'arrondissement', *Annuaire des collectivités locales* 8 (Dissertation)(1988) 67–84 <doi:10.3406/coloc.1988.1037>.

and the rest at the top of the municipality, as well as the mayor's power over the arrondissements. According to the jurist, this was due to Chirac's majority in the Conseil de Paris, the conseils d'arrondissement, and to the fact that all maires d'arrondissement were part of Chirac's majority. These namely did what Chirac wanted them to do.³²

A more recent study of the subject matter was conducted by jurist Christelle Paillot in 2007 called *L'arrondissement parisien, entre déconcentration et décentralisation*. Besides a chapter on the history of the conseil d'arrondissement of the period when Chirac was out of office, she does not add anything new to the debate since she has the same viewpoints as De Soto, Haddab, Durantin and Knapp. What's more, her sources are primarily the works of De Soto, Durantin, Haddab and Knapp.³³ Other literature in which the conseils d'arrondissement are discussed share the same characteristics, the works of the four pioneers are used as the sources of their statements and are consequently the same as the statements of De Soto, Haddab, Durantin and Knapp. An example of this is the article of Gérard Marcou from 2004, called *Les réformes possibles : de la déconcentration accrue au pouvoir d'agglomération*. Marcou's main source is the article of Durantin. Yvan Combeau and Philippe Nivet, in their book *Histoire Politique de Paris au XX^e siècle*, use Knapp as their source and argue that the decentralization in practice was limited because of Chirac's stance.³⁴

One of the defects of the research about decentralization in Paris is that often the conseil d'arrondissement, the maire d'arrondissement and the cabinet d'arrondissement itself are not really focused on. While Knapp and Haddab analyze the way power flowed in the upper echelons of power through the agency of individuals, this type of analysis is not made by them of the conseil d'arrondissement, the maire d'arrondissement and the cabinet d'arrondissement which decentralized the municipal system. This is considered a defect, since it necessary to conduct research on the conseil d'arrondissement, maire d'arrondissement and cabinet d'arrondissement in order to be able to correctly analyze the decentralization.

This defect is reflected by the sources used by the scholars. Namely, only the legislation and interviews of politicians, maires d'arrondissement and civil servants are used, but not the documental evidence that was created at the level of the arrondissement. Moreover, research on the decentralization in Paris under Chirac has never been placed in the broader academic perspective regarding decentralization, nor has it been analyzed with

³² Jean-François Durantin, 'L'organisation administrative de Paris', *Les Petites Affiches* 30 (1990).

³³ Christelle Paillot, *L'arrondissement parisien, entre déconcentration et décentralisation*. Droit des collectivités territoriales (Paris 2007) 69–77.

³⁴ Gérard Marcou, 'Les réformes possibles : de la déconcentration accrue au pouvoir d'agglomération', *Pouvoirs* 110 (2004) 81 <doi:10.3917/pouv.110.0081>; Philippe Nivet, Yvan Combeau, *Histoire politique de Paris au XX^e siècle.*, 291–292.

concepts that are used by scholars in this field of research. Subsequently, it has not been evaluated either whether the event led to an improve of local representative democracy.

Materials and Methods

In order to be able to answer the research question whether decentralization Paris led to improved local representative democracy, it is necessary to analyze if the conseil d'arrondissement was functioning well according to the standards of representative democracy. As has been said before, it is considered that representative democracy is of good quality when its constituents are represented well. Therefore, it will be analyzed if the inhabitants of the arrondissement were in contact with the members of the conseil d'arrondissement, cabinet d'arrondissement and maire d'arrondissement and if the latter voiced their concerns and desires.³⁵

The minutes of two conseils d'arrondissement and the documents created by the technical services working at the level of the arrondissement are used to analyze the conseil d'arrondissement, the maire d'arrondissement and the cabinet d'arrondissement. The documents of the technical services are added because the technical services had to execute the maintenance which was the responsibility of the conseil d'arrondissement. These documents can therefore offer information on how the conseil d'arrondissement, maire d'arrondissement and cabinet d'arrondissement functioned.

Regarding the sources a couple of choices have been made. Since no documents of a maire d'arrondissement or cabinet d'arrondissement are available for consultation, the maire d'arrondissement and the cabinet d'arrondissement are analyzed by using the minutes of the sessions of the conseil d'arrondissement. This is possible because the minutes offer much information on the maire d'arrondissement and cabinet d'arrondissement. Additionally, the choice has been made to use the minutes of the sessions of the 7th arrondissement. This choice is based on the selection of documents of the technical services that was made.

Namely, the archives of the technical services are categorized by building. Most of these documents are letters and technical reports. The selection of buildings was made in two rounds. In a first selection round, all sets of documents that contained documents from the range 1977-1995 were selected. This period covers the entire duration of office of Chirac and covers both the period during which the commission d'arrondissement, the precursor of the conseil d'arrondissement, and the conseil d'arrondissement existed.

³⁵ Hanna Fenichel Pitkin, *The concept of representation*; Dahl, *Polyarchy: Participation and opposition*.

In a second selection round, all sets of documents about buildings of which the management and maintenance was handed over to the conseils d'arrondissement according to the PLM law, or of which it was likely that the conseil d'arrondissement, maire d'arrondissement or cabinet d'arrondissement was involved, were selected. This likelihood was based on the size and local character of the facility, as well as on the fact if the facility was mentioned in the parliamentary debates on the PLM law as being susceptible to be added to the list of facilities of which the management was going to be the competence of the conseil d'arrondissement.

Since the sets of documents that were selected were all of buildings located in the 16th arrondissement, the most logical choice would have been to use the minutes of the conseil d'arrondissement of the 16th arrondissement. However, since these documents have been lost, the minutes of the conseils d'arrondissement of the 7th and 8th arrondissement were selected. This choice was based on the similarities between the social-economic, political and geographical characteristics between the latter two and the 16th arrondissement. Namely, the 7th and 8th arrondissement are adjacent to the 16th arrondissement, and all three arrondissements have a high-income rate and generally vote right-wing.³⁶

This thesis is divided in 5 chapters. This research will start with a historical context to the matter in question. While some primary sources are used for the historical context, mostly secondary sources are used. Following the historical context, the second chapter will reconstruct how Chirac centralized the city of Paris and how the mayor in that way offered little freedom of movement to the conseil d'arrondissement, maire d'arrondissement and the cabinet d'arrondissement. This reconstruction is necessary in order to understand the dynamics of the conseil d'arrondissement as they are described in the third chapter. For this chapter the minutes of the conseil d'arrondissement of the 7th and conseil d'arrondissement of the 8th arrondissement are used. Furthermore, documents of the technical services are used.³⁷

The third chapter will argue that inhabitants of the arrondissement contacted the conseil d'arrondissement, the maire d'arrondissement and the cabinet d'arrondissement and that the latter voiced the concerns and desires of the inhabitants. Furthermore, it is also argued that the "arrondissement", in spite of Chirac's centralization efforts, found informal ways to influence politicians, the technical services and other actors, which it used to alleviate concerns and fulfill desires of the inhabitants. For this chapter, both the minutes of conseil

³⁶ Insee Île-de-France, Mairie de Paris, 'Une mosaïque sociale propre à Paris' Insee Analyses (2017) 4.

³⁷ The sources were consulted in the Archives de Paris, the archives of the municipality and département of Paris.

d'arrondissement of the 7th arrondissement and the conseil d'arrondissement of the 8th arrondissement are used. Furthermore, sets of documents of the technical services working on the level of the arrondissement about buildings in the 16th arrondissement are used to reconstruct the contact between the technical services working on the level of the arrondissement on the one hand, and the conseil d'arrondissement, maire d'arrondissement and cabinet d'arrondissement on the other hand.

The penultimate chapter will briefly discuss the precursor of the conseil d'arrondissement, the commission d'arrondissement, what is necessary in order to be able to determine if the representative characteristics of the conseil d'arrondissement, maire d'arrondissement and cabinet d'arrondissement were consequence of the dispositions of the PLM law or not. For chapter two, three and four also the PLM law has been used, as well as, to a lesser extent, other legislation and debates in the Assemblée nationale.³⁸

³⁸ Le Journal Officiel de la République française, 'Loi n° 82-1169 du 31 décembre 1982 relative à l'organisation administrative de Paris, Marseille, Lyon et des établissements publics de coopération intercommunale. | Legifrance'.

1. The historical context

Since 1859, through the issuing of a law during the Second Empire, Paris has been divided in 20 arrondissements whose borders have not changed noteworthy ever since. However, at that moment, Paris had already been divided into 12 arrondissements since 1795. By instituting the arrondissements, the Directorate, which was in power in 1795, eliminated the single municipality elected by direct universal suffrage, and replaced it with the 12 arrondissements. These arrondissement were municipalities which were governed by three administrators of the Département de la Seine, the administrative level above the municipal level. The administrators were appointed by the state, consequently the Directorate placed Paris under tight government control.³⁹

The creation the arrondissements was motivated by the fear that yet another popular uprising that would replace the ones in power. The same reasons spurred Napoleon Bonaparte (1769-1821) to maintain the 12 arrondissements and reaffirm government control by replacing the three administrators of the département with two prefects, the police prefect, in charge of maintaining order, and the préfet de la Seine, in charge of the administration. The conseil général de département, the council of the département, governed Paris. Both the prefects and the members of the conseil de département were appointed by Napoleon.⁴⁰

In this way, Napoleon created a structure that is partly existent up to this day, also known as the régime préfectorale. In this structure, the prefects of the Département de la Seine, thus the representatives of the state, were in charge, and not a municipal council, mayor or another entity representing the municipality. This put Paris legally and administratively in a different position than all other cities and municipalities of France, to whom the common statute was applied, which meant a municipality governed itself. Since self-governing was the rule, the exceptional position of Paris was called the special statute.⁴¹

³⁹For the location of the arrondissements and an overview of the territorial administration of France, see the Maps and Schemes chapter at the end of this research. Christelle Paillot, *L'arrondissement parisien, entre déconcentration et décentralisation*. Droit des collectivités territoriales (Paris 2007) 5; Philippe Nivet, 'L'histoire des institutions parisiennes, d'Étienne Marcel à Bertrand Delanoë', *Pouvoirs* 110 (2004) 5, there 7 <doi:10.3917/pouv.110.0005>.

⁴⁰ Georges Lefebvre, *La France sous le Directoire (1795-1799)* (Paris 1977) 63–65; Pierre-Éric Spitz, 'L'administration parisienne de la noblesse d'État à l'entreprise de services', *Pouvoirs* 110 (2004) 115, there 116 <doi:10.3917/pouv.110.0115>; Nivet, 'L'histoire des institutions parisiennes, d'Étienne Marcel à Bertrand Delanoë', 8; Jean-Baptiste Duvergier, 'La loi du 28 Pluviôse an VIII (February 17nd, 1800)', *Collection complète des lois, décrets, ordonnances, règlements, et avis du Conseil d'Etat. Tomé 12ième*. (Paris 1826) 88–119, there 88.

⁴¹ Paillot, *L'arrondissement parisien, entre déconcentration et décentralisation*, 5; Nivet, 'L'histoire des institutions parisiennes, d'Étienne Marcel à Bertrand Delanoë', 7–8.

After Napoleon, every time the memory of the previous uprising started to fade, and, with it, the ones in power began to consider a liberalization of the administration and political make-up of Paris toward the common statute, a new attempt to start a revolution or revolutions swept away the gained trust. The revolutions of 1830, 1848 and the Paris Commune, on top of the always-present memory of the first French Revolution, all sowed distrust toward the city of Paris. At every instance that other municipalities were given more rights, the new laws did not apply to Paris, and its special statute was maintained. As a consequence, the general institutional make-up of Paris remained the régime préfectorale for over 150 years.⁴²

Accordingly, since Napoleon, the arrondissements had been strictly deconcentrated administrative districts attached to the Département. They had a maire d'arrondissement, two adjoints au maire d'arrondissement (alderman of the maire d'arrondissement) and a commissaire de police. The maire d'arrondissement and the adjoints au maire d'arrondissement were in charge of the administrative tasks of the arrondissement, which were not specified by law, and keeping the registers of personal data (état civil) of the people living in the arrondissement.⁴³ The commissaire de police functioned as the local police department. From 1870 on, the maires d'arrondissement had three adjoints, and all four were appointed by the government. Their tasks were keeping the registers of personal data, the military census, verifying voting rolls and executing social assistance. The character of the arrondissement made that they were a part of the ensemble that made up the régime préfectorale. The law instituting this structure, would remain in force over 150 years.⁴⁴

Two moments in which the state's grip over Paris was remarkably loosened are the years 1975 and 1982. In 1975, while the statute itself was not changed, important modifications were made to the institutional and administrative make-up.. One of them was the merger of the municipal and departmental council in 1967, creating the Conseil de Paris. During the end of the 1960s and mostly at the beginning of the 1970s, left-wing, centrist, independent right-wing and some Gaullist politicians expressed that they wanted to change

⁴² Nivet, 'L'histoire des institutions parisiennes, d'Étienne Marcel à Bertrand Delanoë', 8–9. To illustrate how much the state held power over the city, and to what extent the council did not hold much, the fact should be considered that the minister of the interior had to approve certain budgets of the préfet de la Seine. Source: Paillot, *L'arrondissement parisien, entre déconcentration et décentralisation*, 6. Its name changed from conseil de département to conseil général du département de la Seine, which was the generic name for a department council. Source: Archives de Paris, 'Conseil général de la Seine puis de Paris' [<http://archives.paris.fr/a/252/conseil-general-de-la-seine-puis-de-paris/>].

⁴³ République française, 'Loi concernant la division du territoire de la République et l'administration du 28 nivôse an VIII de la République une et indivisible', *Bulletin des lois de la République française*. (wl 1800) 270–363, there 7. Gallica: < <https://gallica.bnf.fr/ark:/12148/bpt6k6534793j/f268.image>>.

⁴⁴ Paillot, *L'arrondissement parisien, entre déconcentration et décentralisation*, 5–6.

the special statute. Consequently, 8 bills were introduced to this end. However, the right-wing Gaullist First, Second and Third Messmer governments (1972-1974), during the presidency of right-wing Gaullist Georges Pompidou (1911-1974), was not keen on changing the statute itself, and it took the next center-right, non-Gaullist, president Valéry Giscard-d'Estaing (1926) of the Fédération nationale des républicains et indépendants (FNRI), to really change it.⁴⁵

During his presidency (1974-1981), Giscard-d'Estaing had the ambition to democratize and normalize France in its entirety, Paris included. But since RPR adversaries could put up opposition in Paris, and in fact had put up opposition until then through certain administrative positions and the Conseil de Paris, it might be that Giscard-d'Estaing was willing to change the statute as well because he wanted Paris to cease to be a stronghold of Gaullism, which it had been since 1962. According to the Philippe Nivet in *L'histoire des institutions parisiennes, d'Étienne Marcel à Bertrand Delanoë* and Sue Collard in *Politics, culture and urban transformation in Jacques Chirac's Paris 1977-1995*, Giscard-Estaing desired the election of a mayor that was as well member of his political party, the FNRI. And since Giscard d'Estaing was elected himself at 56,9% in Paris, the president had high hopes this would happen. However, no evidence exists to support that this has been the motivation of the president.⁴⁶

The law of December 31, 1975 reforming the administrative make-up of the city of Paris, which was proposed by the First Chirac government (1974-1976), made up out of the RPR, FNRI and three other center and center-right parties, created the position of mayor of Paris, taking over many of the special competences of the préfet de la Seine, making the power of the latter more similar to the power of a ordinary prefects. The mayor was to be elected through secret vote by the Conseil de Paris. Moreover, the number of councilors of the Conseil de Paris was increased from 90 to 109 members. Concerning the Préfet de Police, the

⁴⁵ Nivet, 'L'histoire des institutions parisiennes, d'Étienne Marcel à Bertrand Delanoë', 15–16; Philippe Nivet, Yvan Combeau, *Histoire politique de Paris au XXe siècle*. (Paris 2000) 271; Jacques Le Cacheux en Laure Tourjansky, 'Dix ans de décentralisation française : éléments de bilan', *Revue de l'OFCE* 41 (1992) 151–193, there 151 <doi:10.3406/ofce.1992.1280>; Cour des comptes, 'Rapport public thématique « La conduite par l'état de la décentralisation »' (wl 2009).

⁴⁶ Nivet, 'L'histoire des institutions parisiennes, d'Étienne Marcel à Bertrand Delanoë', 15–16; Sue Collard, 'Politics, culture and urban transformation in Jacques Chirac's Paris 1977-1995', *French Cultural Studies* 7 (1996) 001–031, there 7 <doi:10.1177/095715589600701901>; Philippe Nivet, Yvan Combeau, *Histoire politique de Paris au XXe siècle*, 252. The law was adopted in 1964. The secondary legislation (the décrets d'application) was delivered in 1967, hence the creation the Conseil de Paris happened in 1967. The law : Le Journal Officiel de la République française, 'Loi n° 64-707 du 10 juillet 1964 portant réorganisation de la région parisienne | Legifrance' [, <https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000000319965&categorieLien=id>]; Collard, 'Politics, culture and urban transformation in Jacques Chirac's Paris 1977-1995', 7; Jean Bothorel, *Le Pharaon. Histoire du septennat giscardien. 19 mai 1974- 22 mars 1978*. (Paris 1983) 231.

police prefect, the law did not change anything substantially. What's more, although the mayor has been receiving sets of limited police competences since 1986 onward, nowadays the police prefect still exists and practically continues to hold the same competences as he did in 1800.⁴⁷

On the level of the arrondissements, the law of 1977 changed the maires d'arrondissement into the commissions d'arrondissement. The commissions had a merely consultative function to the mayor, and only deliberated on affairs submitted to them by the mayor or the Conseil de Paris. The commissions d'arrondissement were clearly not supposed to be anything more than geographically-bound advisory groups to the Conseil and the mayor, since the law stated that opinions and advice on any other affair were 'nullified and invalid'. To that end, the position of maire d'arrondissement ceased to exist. The commissions were composed by civil servants, elected councilors of the Conseil de Paris which were elected in the arrondissement and personalities representative of the daily life of the arrondissement, the latter were selected by the Conseil de Paris. The civil servants kept the registers on personal data.⁴⁸

The importance of the creation of the position of the mayor of Paris in 1975 cannot be overestimated. On the local scale, its importance was that, with the exception of a few intervals, the city had not been governed by a mayor since the end of the Terror in 1794. All the power had since then been in hands of the state. While in 1968 and in later instances grave disturbances would take place in Paris, these were not the citizens of Paris themselves anymore that were turning against their government. This was a result of that fact that the size of the working class living inside the ring road, the former city walls, was dwindling in 1975, and the average income of Parisians increased. As a result of this socio-demographic change,

⁴⁷ Spitz, 'L'administration parisienne de la noblesse d'État à l'entreprise de services', 116–117; Le Journal Officiel de la République française, 'Loi n° 75-1331 du 31 décembre 1975 portant réforme du régime administratif de la ville de Paris', *Legifrance* 144 [, <https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000000699208&categorieLien=id>] Chapitre III; Le Journal Officiel de la République française, 'Loi n° 64-707 du 10 juillet 1964 portant réorganisation de la région parisienne | Legifrance', 6204–6205; Jean-Baptiste Duvergier, 'Arrêté des Consuls du 12 Messidor an VIII qui détermine les fonctions du préfet de police de Paris (July 1st, 1800)', *Collection complète des lois, décrets, ordonnances, règlements, et avis du Conseil d'Etat. Tomé 12ième*. (1826) 251–256; 'Projet de loi relatif au statut de Paris et à l'aménagement métropolitain', [, <http://www.senat.fr/rap/116-082/116-0821.html>]; Philippe Nivet, *Le Conseil municipal de Paris de 1944 à 1977* (Paris 1994) 380–392 <doi:10.4000/books.psorbonne.1112>.

⁴⁸ Le Journal Officiel de la République française, 'Loi n° 75-1331 du 31 décembre 1975 portant réforme du régime administratif de la ville de Paris'; Paillot, *L'arrondissement parisien, entre déconcentration et décentralisation*, 6–7; Nivet, 'L'histoire des institutions parisiennes, d'Étienne Marcel à Bertrand Delanoë', 15–16; Gérard Marcou, 'Les réformes possibles : de la déconcentration accrue au pouvoir d'agglomération', *Pouvoirs* 110 (2004) 81, there 84 <doi:10.3917/pouv.110.0081>.

the population of Paris was voting for the conservative right, as the elections results of the presidential elections which Giscard-Estaing won show.⁴⁹

The creation of the position of mayor was also important to national politics for several reasons. Firstly, the mayor of the capital of centralized France was nationally, and even internationally, a visible and important personality. An illustration to the national importance is that, ever since the creation, there has been competition between the mayor and the president on who is the designated person to decide on projects that change the character of the city, the so-called Grands travaux.⁵⁰ Regarding the international level, the first mayor of Paris after the law of 1975 welcomed many heads of state to the Hôtel de Ville.⁵¹

Secondly, regarding elections, being mayor meant a lot since one had gained the municipal majority in the largest and politically most important city of France, which meant that the mayor's party was a considerable political force. When the majorities in the Conseil de Paris and parliament were different, occupying the Hôtel de Ville of Paris was a valuable asset. This was because of the opposition that could be raised from the Hôtel de Ville.

Other reasons were the possibility for both a mayor and its political companions to gain experience, the possibility to try new policies.⁵² On top of that, since the councilors of the Conseil de Paris played an important role in electing the senators of the département, holding a majority in the Conseil de Paris was valuable to political ends regarding the senate as well.⁵³

⁴⁹ Albert Soboul (A.O.), *Dictionnaire historique de la révolution française* (Paris 1989) 271; Manfred Röber en Eckhard Schröter, 'Governing the Capital—Comparing Institutional Reform in Berlin, London, and Paris', in: Robin Hambleton and Jill Simone Gross et al., *Governing Cities in a Global Era* (New York 2007) 33–43, there 10 <doi:10.1057/9780230608795_3>; Philippe Nivet, Yvan Combeau, *Histoire politique de Paris au XXe siècle.*, 272. The intervals constitute the mandate of less than a year of 2 mayors in 1848, and a mandate of a year of two mayors in 1870. Source: Nivet, 'L'histoire des institutions parisiennes, d'Étienne Marcel à Bertrand Delanoë', 9–11.

⁵⁰ Examples are La Défense under Giscard-d'Estaing, Les Halles under multiple presidents, the renovation of the Louvre and the Opéra-Bastille and multiple other projects under Mitterand. As a mayor, Chirac would try to take over the control over the projects. Susan Collard, 'The architecture of power: François Mitterrand's *Grands Travaux* revisited ¹', *International Journal of Cultural Policy* 14 (2008) 195–208, there 196–197 <doi:10.1080/10286630802106375>; Collard, 'Politics, culture and urban transformation in Jacques Chirac's Paris 1977-1995', 7.

⁵¹ Collard, 'The architecture of power', 196–197; Collard, 'Politics, culture and urban transformation in Jacques Chirac's Paris 1977-1995'; Florence Haegel, 'Le maire de Paris en représentation(s)', *Politix* 6 (1993) 65–87 <doi:10.3406/polix.1993.2028>.

⁵² Andrew F. Knapp, 'Paris : Le système politico-administratif local, 1977-1987', 5 Tome 7 (1987) 65–90, aldaar 67 <doi:https://doi.org/10.3406/coloc.1987.1013>; Haegel, 'Le maire de Paris en représentation(s)'.
⁵³ The Grands électeurs were composed of three groups from 1964 until 1985: members of parliament, members of the council of the département, and delegates of municipal councils or their delegates. In 1985, regional councilors were added as a fourth group. However, the role of the councilors of the Conseil de Paris remained 2/4 of the college électoral. In addition, the segment of the French election law concerning the composition of the group of Grands électeurs in vigor from 1964 until 1995 (1977-1995 being the scope of this study), did not change significantly in any other way to be unable to make this claim. Besides the additions of special dispositions regarding Corsica and some territoires d'outre mer (dependent territories), the only change, the addition of sitting senators to the first group of Grands électeurs, was codified after 1995. Sources: Le Journal Officiel de la République française, 'Code électoral – Droit électoral' (1964) 9617 [,

Therefore, since politicians understood what was at stake, the municipal elections of 1977, unleashed a political battle for the mairie.⁵⁴ Giscard-d'Estaing presented candidate Michel d'Ornano, a member of the president's own party, the FNRI, on the front steps of the Palais de l'Élysée, the residence of the French president.⁵⁵ Giscard-d'Estaing's former prime-minister Chirac, who had resigned because he felt like the head of state had the tendency to involve himself in too many matters that had to do with governing the country, thereby leaving no room for the prime-minister to govern, presented his candidature as well. Chirac was motivated by the belief that he could rise above the division of the right that existed at that moment about the question which candidate was the most appropriate.⁵⁶

Chirac won the elections, and had the majority in the Conseil de Paris after the second round (54 out of 109 seats) and became mayor. It is interesting to consider Chirac had opposed changing the statute first as prime-minister, but in the end supported it. Knapp writes that this was because he saw in which way it could help him to become president. Whether this is true or not, in the end it did benefit Chirac, because the growth of his political influence during the 18 years that he occupied the Hôtel de Ville was at least partly a consequence of his time as mayor. Furthermore, Chirac ended up in a very favorable position during the negotiations among the national majority of Giscard-d'Estaing on the candidates for the upcoming parliamentary elections of 1978 since the RPR had been way more successful than the FNRI in the municipal elections, the latter had received 15 seats after the second round.⁵⁷

In 1981 Giscard-d'Estaing had served his term and, therefore, new presidential elections took place. These were won by socialist François Mitterand (1916-1996). The

<http://www.electoral.fr/?tag=code-electoral>]; Le Journal Officiel de la République française, 'Loi n°85-692 du 10 juillet 1985 modifiant le code électoral et relative a l'élection des conseillers régionaux | Legifrance' 7807 [, <https://www.legifrance.gouv.fr/affichTexte.do?dateTexte=&categorieLien=id&cidTexte=JORFTEXT000000511949&fastPos=1&fastReqId=1888009718&oldAction=rechExpTexteJorf>]. <

⁵⁴ Which by the press, and soon enough by political scientists, was called "La bataille de Paris". Source: Élisabeth Dupoirier, 'Une ou deux droites à Paris ? Les élections municipales de 1977 et la restructuration du bloc conservateur', *Revue française de science politique* 27 (1977) 848–883, there 848 <doi:10.3406/rfsp.1977.393751>.

⁵⁵ Andrew F. Knapp, 'Paris : Le système politico-administratif local, 1977-1987', 66.

⁵⁶ Jacques Chirac en collaboration avec Jean-Luc Barré, *Chaque pas doit être un but. Mémoires I*. (Paris 2009) 195–197; There are as well a number of studies that is rather cynical about Chirac's motivation to step down as prime minister. They argue that his reason was that he had planned to become mayor of Paris, which in turn was motivated by his, presumed, desire to become president. The following studies argue this: Andrew F. Knapp, 'Paris : Le système politico-administratif local, 1977-1987', 66; Paillet, *L'arrondissement parisien, entre déconcentration et décentralisation*, 7; Nivet, 'L'histoire des institutions parisiennes, d'Étienne Marcel à Bertrand Delanoë', 16.

⁵⁷ Haddab, '4. L'application de P.L.M. à Paris ou le centralisme à l'échelon d'arrondissement', 68–69; Nivet, 'L'histoire des institutions parisiennes, d'Étienne Marcel à Bertrand Delanoë', 16; Andrew F. Knapp, 'Paris : Le système politico-administratif local, 1977-1987', 66–67; Paillet, *L'arrondissement parisien, entre déconcentration et décentralisation*, 7; Dupoirier, 'Une ou deux droites à Paris ?', 849; Philippe Nivet, Yvan Combeau, *Histoire politique de Paris au XXe siècle.*, 275–276.

subsequent socialist-communist victory in the elections for parliament, turned the mayor of Paris into the leader of the opposition since he was a member of the Assemblée nationale at the same time he was mayor. During Chirac's time as leader of the opposition, one of the most important law proposals under Mitterrand were the ones on decentralization.⁵⁸

During the 1981 presidential elections, the Socialist Party already had devoted many of their key proposals to decentralization of the entire French institutional make-up. They believed that countervailing power to the state by strengthening lower-tier governments was needed. Moreover, the Socialist Party argued, by giving local government more responsibilities, local populations would become more involved in community service. In turn, the local vivacity would increase, the standing of the town's activities would increase and the town's identity would be asserted.⁵⁹

While Chirac had won the municipal elections in Paris in 1977, the socialists had won in the rest of the country. However, while Vivien A. Schmidt, in *Democratizing France: The political and administrative history of decentralization*, argues that the socialists wanted to decentralize because they aimed to give their own local councilors more powers, this is not probable. Even if they might have realized the political value of strong local institutions, most of them must have understood the volatility of political majorities, while the decentralization was to be permanent.⁶⁰ On top of that, no evidence exists to prove this.

Furthermore, while it seems that this is unknown among scholars since this is never mentioned, Chirac said the following in a campaign interview that was held by Chirac's political friend and fellow party-member Alain Juppé in the context of Chirac's campaign for the presidential elections in 1981: 'But I also mentioned the administrative organization. We were wrong to reject, in 1969, the regional reform that general De Gaulle proposed us. The moment has come to revive this project today. Not to offer political independence to the regions, of course, but to confer them a certain economic, social and cultural independence. Similar to the way in which the means and as well the power of mayors should be increased, who in that way will develop the day-to-day democracy. Similar to the way in which, as I

⁵⁸ Le Cacheux en Tourjansky, 'Dix ans de décentralisation française', 151; Cour des comptes, 'Rapport public thématique « La conduite par l'état de la décentralisation »', 1.

⁵⁹ Vivien A. Schmidt, *Democratizing France: The political and administrative history of decentralization* (Cambridge 1991) 105–106 <doi:10.1017/CBO9780511664229>; Pierre Rosanvallon, *La crise de l'État-providence* (3de druk; Paris 1981); Parti socialiste (PS), '110 propositions pour la France', *Le Monde diplomatique* (1981) [, <https://www.monde-diplomatique.fr/mav/124/A/51865>].

⁶⁰ Martino Mazzoleni, 'The Saliency of Regionalization in Party Systems: A Comparative Analysis of Regional Decentralization in Party Manifestos', *Party Politics* 15 (2009) 199–218, there 210–211 <doi:10.1177/1354068808099981>; Schmidt, *Democratizing France*, 106.

mentioned before, systematically, the consultation and the means of consultation should be improved.’⁶¹

Minister Gaston Deferre (1910-1986), significantly named ministre de l'Intérieur et de la Décentralisation, of the first three Mauroy governments under the presidency of Mitterrand (1981-1984), made his decentralization laws pass in the Assemblée nationale and the Sénat during the period the Mauroy governments were in power. The parliamentary opposition led by Chirac and his RPR, argued that decentralization would increase the desire for regional independence and thus threaten national unity,. In addition, they argued that it was a way to reinforce the competences of the local socialist politicians after the large socialist victory in the municipal elections of 1977.

The large socialist majority in parliament made it possible to pass the entire set of laws, commonly called the lois Deferre. One of these laws was the law of December 31, 1982, concerning governmental agencies and the administrative organization of Paris, Marseilles and Lyon, the PLM law. This law, decentralizing the city of Paris, fitted the context of the broader decentralization of the rest of France. This was one of the argument that was put forward by the government when introducing the bill.⁶² Furthermore, as has been said before, the government argued as well that decentralization in Paris was necessary ‘to bring government closer to the people, improve the participation of citizens in the governance of matters that concern them directly and democratize the city of Paris, while at the same time respecting the unity of the municipality.’⁶³

The first version introducing full-fledged municipalities in each arrondissement, was considered unworkable because it seemed like an attack on Chirac. This was because it would make Chirac the president of a community of municipalities, which meant that his competences would drastically reduced as compared to the responsibilities he had as mayor. Regarding the first version *Le Monde* even wrote: ‘while there exist legitimate grounds to

⁶¹ Institut de l’Audiovisuel (INA) Politique, ‘Jacques Chirac - Campagne présidentielle 1981 | Archive INA’ (1981) [, <https://www.youtube.com/watch?v=VoHSb56104s>]. from minute 14:14-16:03. The original French transcription can be found at the end of this thesis.

⁶² Frans Schrijver, *Regionalism After Regionalisation: Spain, France and the United Kingdom (doctoral dissertation)* (Amsterdam 2006) 177–178; Jean-Claude Thoenig, ‘La décentralisation, dix ans après.’, *Pouvoirs* (1992) 5–16, there 6; Laurent de Boissieu, ‘Élections sénatoriales 1980’ [, <http://www.france-politique.fr/elections-senatoriales-1980.htm>]; Laurent de Boissieu, ‘Élections sénatoriales 1983’ [, <http://www.france-politique.fr/elections-senatoriales-1983.htm>]; Présidence de la République, ‘Press release of the Conseil des ministres of tuesday October 5, 1982’; Haddab, ‘4. L’application de P.L.M. à Paris ou le centralisme à l’échelon d’arrondissement’, 67–68; Le Journal Officiel de la République française, ‘Loi n° 82-1169 du 31 décembre 1982 relative à l’organisation administrative de Paris, Marseille, Lyon et des établissements publics de coopération intercommunale. | Legifrance’.

⁶³ Présidence de la République, ‘Press release of the Conseil des ministres of tuesday October 5, 1982’ (wl 1982), Archives Nationales, Scanned upon request.

modify the statute to improve it, it would be regrettable to only modify it in order to change the people in place.’ The government tried to reconcile by applying the law to Lyon and Marseille as well, and by making modifications to the content of the law.⁶⁴

Still, the opposition was convinced that the goal of the modified version was exclusively to break the mayor’s power, and the debates remained passionate. Nonetheless, after months of using the navette, the mechanism of bills going back and forth between the senate and the parliament, and several bipartisan commissions, the law was passed. As a response, the leader of the opposition and mayor of Paris Chirac vowed to apply the law in a very restrictive way and stated that the law would be abrogated once the political constellations would allow it.⁶⁵

The final version introduced the conseil d’arrondissement and reintroduced the mairies and maires d’arrondissement. The amount of councilors in the conseil d’arrondissement depended on the size of the population of the arrondissement. The minimum was 10 councilors, the maximum 40. 1/3 of the councilors also had to have been elected during the elections for the Conseil de Paris, while 2/3 had to be solely councilors of the conseil d’arrondissement. All of the councilors were elected directly by the inhabitants of the arrondissement they were running in for office, by semi-proportional representation. The maire d’arrondissement was elected by the conseil d’arrondissement.⁶⁶

In 1983, municipal elections took place in Paris. It were the first in which the conseils d’arrondissement were elected. The right had a single list, which united the large RPR of Chirac, the large Union pour la démocratie française (UDF), which the successor-party of the FNRI of Giscard-d’Estaing, the Parti républicain (PR) had joined in 1978, and the smaller Centre national des indépendants et paysans (CNI). During his campaign, Chirac showed that his goal as mayor would be to ‘keep the unity of the municipality’, implying that full implementation the new PLM law led to division. Chirac’s list won a landslide victory, in the Conseil de Paris it had a majority of 141 against 22 for the left, and Chirac was reelected mayor. As well in all 20 arrondissements his list won and, subsequently, all maires d’arrondissement were of members of the parties of the majority. During the next Parisian

⁶⁴ Paillot, *L’arrondissement parisien, entre déconcentration et décentralisation*, 8; The article is irretrievable butis cited in Nivet. Philippe Nivet, Yvan Combeau, *Histoire politique de Paris au XXe siècle.*, 292.

⁶⁵ Assemblée nationale, ‘2^o séance du 20 octobre 1982’, *Compte Rendu Intégral. Constitution du 4 octobre 1958. 7^o Législature.* 6038–6064; Assemblée nationale, ‘2^o séance du 22 octobre 1982’, *Compte Rendu Intégral. Constitution du 4 octobre 1958. 7^o Législature.* 6173–6204; Andrew F. Knapp, ‘Paris : Le système politico-administratif local, 1977-1987’, 74.

⁶⁶ Le Journal Officiel de la République française, ‘Loi n° 82-1169 du 31 décembre 1982 relative à l’organisation administrative de Paris, Marseille, Lyon et des établissements publics de coopération intercommunale. | Legifrance’; Paillot, *L’arrondissement parisien, entre déconcentration et décentralisation*, 15.

municipal elections, in 1989, Chirac repeated this victory. The amount of councilors and arrondissement that he won in that moment was the same as in 1983.⁶⁷

⁶⁷ Paillot, *L'arrondissement parisien, entre déconcentration et décentralisation*, 71; Philippe Nivet, Yvan Combeau, *Histoire politique de Paris au XXe siècle.*, 302.

2. No room, no formal influence in practice: Chirac's centralization

2.1 Chirac's centralization and the formal competences of the conseil d'arrondissement

The conseil d'arrondissement was repressed by Chirac's way of managing the municipality. According to the PLM law, the conseil d'arrondissement had no right of initiative, but only the power to approve or disapprove the matters submitted to it by the Conseil de Paris.⁶⁸ The Conseil de Paris had to submit every matter of which the execution was going to take place completely or partially in the arrondissement. However, while this was the most important way in which the conseil d'arrondissement could show its disagreement on issues, in practice, the entities on the level of the arrondissement accepted almost every matter that was submitted to them. Even when debates emerged, they almost never led to a negative appraisal of the matter in question. Numerically, most matters the conseils d'arrondissement were consulted about were the attribution of subsidies to associations working in the arrondissement and whose headquarters were located in the arrondissement.⁶⁹

It was not only the fact that almost every matter was approved that rendered the sessions of conseils d'arrondissement rather insignificant, but as well the fact that some matters were not discussed at all by the conseil while they should have been. According to the PLM law, the conseil d'arrondissement had the power to deliberate about the spreading pattern, and thereby the exact location, of certain facilities and the buildings to be used or built for the facilities. In case a new building was constructed, also the decision about the parcel the building was going to be constructed on was up to the conseil d'arrondissement.⁷⁰ However, during the sessions of the conseil d'arrondissement these topics were never

⁶⁸ Haddab, '4. L'application de P.L.M. à Paris ou le centralisme à l'échelon d'arrondissement', 68.

⁶⁹ Mairie du VII^{ème} arrondissement. Archives de Paris, 2537W 1-2; Mairie du VII^{ème} arrondissement. Archives de Paris, 2932W 1, 6, 13; Mairie du XIX^{ème} arrondissement. Archives de Paris. 2252W 1.

⁷⁰ Assemblée nationale, '3^o séance du 22 octobre 1982', *Compte Rendu Intégral. Constitution du 4 octobre 1958. 7^o Législature.* 6207–6442, there 6226; Le Journal Officiel de la République française, 'Loi n° 82-1169 du 31 décembre 1982 relative à l'organisation administrative de Paris, Marseille, Lyon et des établissements publics de coopération intercommunale. | Legifrance'. The decision on the creation of a facility itself and the allocated budget, was taken by the municipal council after consultation of a commission that consisted of the mayor and the maires d'arrondissement. The conseil received this power in the field of day nurseries, youth centers (maisons de jeunes, clubs de jeunes), neighborhood associations (maisons de quartier), green spaces of the size less than an hectare, municipal showers, gyms, stadiums, and physical education field and every other equivalent installation. The power was only conferred if the facility mainly served the inhabitants of the arrondissement. The conditions of use and admission of the facilities were to be established by a mixed commission composed of an equal number of representatives of the municipal council and the conseil d'arrondissement.

discussed. This is illustrated by the events surrounding a governmental day nursery located in Rue Oudinot

Day nurseries were one of the facilities about which the conseil d'arrondissement had to deliberate. In 1994, the land alongside Rue Oudinot on which the governmental day nursery was built was sold by the government to the municipality. The building was in a bad state. Consequently, the municipality was going to decide to either rebuild the day nursery or not. It could be argued that rebuilding equaled creating a new facility, which would have obliged the Conseil de Paris to let the conseil d'arrondissement deliberate on it.

But, since it was not just a new day nursery that was going to be built after a decision of the Conseil de Paris to build one, but a day nursery that had come into the possession of the municipality, it could be understood that it was not practical if the conseil d'arrondissement would deliberate on the location of a new day nursery because the building already existed. However, it was still required for the Conseil de Paris to consult the conseil d'arrondissement because the latter had to be consulted regarding any type of matter in the arrondissement. Yet, the conseil d'arrondissement was not consulted. It was simply informed by the municipality what would happen. This illustrates that the conseil d'arrondissement was not always consulted while it should have been.⁷¹

According to the law, the conseil d'arrondissement not only decided on the specifics regarding the creation of a certain group of facilities, it was as well was responsible for the daily management and maintenance of that group.⁷² However, the Conseil de Paris sometimes decided on matters that concerned the daily management and maintenance of the facilities. An example of this is the sport hall Camou in the 7th arrondissement. Since this was a sport hall, it was one of the facilities the competences of the conseil d'arrondissement applied to. However, in 1990 the Conseil de Paris voted on the renovation of its roof, on which the conseil d'arrondissement then was only consulted, while the conseil d'arrondissement should have decided on the matter.⁷³ The same happened regarding day nurseries.⁷⁴ In practice, the

⁷¹ Mairie du VII^{ème} arrondissement, Procès-verbal de la séance du 15 septembre 1994 du conseil d'arrondissement. Archives de Paris. 2537W 2, 8; Mairie du VII^{ème} arrondissement. 2537W 1-2; Mairie du VII^{ème} arrondissement. 2932W 1, 6, 13; Mairie du XIX^{ème} arrondissement. 2252W 1.

⁷² While the law only states the conseil d'arrondissement "manages" the group of facilities and thereby remains vague about the specific competences of the conseil d'arrondissement, in a debate in the Assemblée nationale the responsible minister clarified a bit more what "managing" meant in practice. It is clear that "management" meant "daily management" and that maintenance is part of this. Source: Assemblée nationale, 2^o séance du 22 octobre 1982, 6199. These terms were probably not defined very clearly in order to leave room for interpretation for the municipalities.

⁷³ Mairie du VII^{ème} arrondissement, Compte rendu de la séance du vendredi 9 novembre 1990 du conseil d'arrondissement. Archives de Paris. 2537W 1, 4.

conseil d'arrondissement was also consulted about maintenance of elementary schools, facilities that were not part of the responsibilities of the conseil d'arrondissement. This emphasizes the fact that the "arrondissement" was merely consulted on maintenance on the group of facilities it was responsible for, while it should have decided on it.⁷⁵

The budget for the maintenance of sport halls and day nurseries which was not provided, should have been included in the annual budget for the conseil d'arrondissement, the état spécial d'arrondissement (ESA), which was determined by the Conseil de Paris. However, the budget for maintenance was never requested by the conseil d'arrondissement. Unsurprisingly, the ESA was very small in the period Chirac was mayor. If the conseil d'arrondissement had requested the budget, it would have done so by means of a wish, a written document in which the conseil d'arrondissement expressed its desire on whichever matter.⁷⁶

The will of Chirac to apply the law in a restrictive manner found its expression as well in the ways the municipality dealt with parks. This is illustrated by the example of the park Saint-Jean-Denys-Bühler that was located in the 7th arrondissement. This park had a surface of less than 1 hectare, which meant it had to be managed and maintained by the conseil d'arrondissement, just like the rest of the facilities the conseil d'arrondissement was responsible for. However, ever since the PLM law was implemented, the park was inserted in the lists of green spaces that were run by the Conseil de Paris.

While the conseil d'arrondissement called this an 'classification error', it also said that it was surprised that its earlier two wishes, of which the first one was expressed in 1990, were not responded to while it was the right of the conseil d'arrondissement to manage and maintain the park. In the end, the conseil d'arrondissement had to wait 2 years and ask three times before it became responsible of the management and maintenance of park Saint-Jean-

⁷⁴ Mairie du VII^{ème} arrondissement, Procès-verbal de la séance du 15 juin 1990 du conseil d'arrondissement. Archives de Paris. 2537W 2, 5; Mairie du VII^{ème} arrondissement, Procès-verbal de la séance du 12 octobre 1992 du conseil d'arrondissement. Archives de Paris. 2537W 2, 3

⁷⁵ Mairie du VII^{ème} arrondissement, Procès-verbal de la séance du 12 octobre 1992 du conseil d'arrondissement. Archives de Paris. 2537W 2, 5 ; Mairie du VII^{ème} arrondissement, Procès-verbal de la séance du 16 septembre 1992 du conseil d'arrondissement. Archives de Paris. 2537W 2, 8 ; Mairie du VII^{ème} arrondissement, Procès-verbal de la séance du 29 juin 1992 du conseil d'arrondissement. Archives de Paris. 2537W 2, 2 ; Mairie du VII^{ème} arrondissement, Procès-verbal de la séance du 5 décembre 1994 du conseil d'arrondissement. Archives de Paris. 2537W 2, 8 ; Mairie du VII^{ème} arrondissement, Procès-verbal de la séance du 10 octobre 1994 du conseil d'arrondissement. Archives de Paris. 2537W 2, 7-8.

⁷⁶ The wishes to the Conseil de Paris or the mayor on any matter concerning the arrondissement did not have any legal obligation, the Conseil de Paris was not bound to take any action upon them. Paillot, *L'arrondissement parisien, entre déconcentration et décentralisation*, 21–22; Le Journal Officiel de la République française, 'Loi n° 82-1169 du 31 décembre 1982 relative à l'organisation administrative de Paris, Marseille, Lyon et des établissements publics de coopération intercommunale. | Legifrance'.

Denys-Bühler in practice.⁷⁷ Summarized, the conseil d'arrondissement accepted almost every matter that was submitted to it by the Conseil de Paris. Moreover, the Conseil de Paris deliberated about matters that were actually matter the conseil d'arrondissement had to decide on.

2.2 The role of the technical services in Chirac's centralization

The technical services played an important role in centralizing the city of Paris to the detriment of the conseil d'arrondissement, cabinet d'arrondissement and maire d'arrondissement. The origins of this centralization lay in the decisions that Chirac made regarding the way he governed Paris, which were not impeded by the content of the PLM law.

Arrived at the Hôtel de Ville of Paris in 1977, Chirac encountered an administration that had belonged to the préfecture for 170 years. Under the préfecture, the departments, called the Directions, were very hierarchically organized, pyramid-shaped, and had at the top the powerful préfet de la Seine. Since the préfet was a high civil servant, at the moment that Chirac became mayor the Directions were not used to the ways of political leadership, and the dynamics, rules and tricks that entailed. Furthermore, Chirac redistributed the responsibilities of the Directions, thereby questioning the way in which the administration had been organized and functioning for 170 years.⁷⁸

What's more, because of the redistribution of responsibilities among the Directions, it was unclear to the Directions which Direction had which exact responsibilities. In this way Chirac, by means of a sort of divide et impera, increased the amount of conflicts between the Directions, which led to an increased need for arbitration. This arbitration between the Directions, in turn, was done by the secrétaire général Camille Cabana, who was loyal to Chirac and later joined the RPR. Subsequently, the Directions became therefore more dependent to the center. On top of that, Chirac made use of his power to decide to whom he would delegate his power of signature. Only 3 out of his 25 adjoints received it. These 3 RPR

⁷⁷ Mairie du VIIème arrondissement, Procès-verbal de la séance du 7 avril 1992 du conseil d'arrondissement. Archives de Paris. 2537W 2, 7; Mairie du VIIème arrondissement, Procès-verbal de la séance du 17 novembre 1992 du conseil d'arrondissement. Archives de Paris. 2537W 2, 3; Mairie du VIIème arrondissement, Procès-verbal de la séance du 10 octobre 1994 du conseil d'arrondissement. Archives de Paris. 2537W 2, 2-3; Mairie de Paris, 'Jardin de l'Église-Évangélique-Luthérienne-Saint-Jean-Denys-Bulher - Equipements – Paris.fr' [<https://www.paris.fr/equipements/jardin-de-l-eglise-evangelique-lutherienne-saint-jean-denys-bulher-16893>]; Mairie de Paris, 'Place du Président Mithouard' [http://www.v2asp.paris.fr/commun/v2asp/v2/nomenclature_voies/Voieactu/7777.nom.htm].

⁷⁸ Spitz, 'L'administration parisienne de la noblesse d'État à l'entreprise de services', 116–118; Paillot, *L'arrondissement parisien, entre déconcentration et décentralisation*, 73–77; Andrew F. Knapp, 'Paris : Le système politico-administratif local, 1977-1987', 79–83.

adjoints, Jean Tibéri, Christian de la Malène and Jean Chérioux, were not only small in number and members of the RPR, but as well political friends of Chirac. They were therefore loyal and did not use this power in ways Chirac did not want them to use it.⁷⁹

Also some heads of the Directions, the Directeurs, received it. While some of them knew Chirac personally and might even be called political friends, over the whole their relationships with Chirac were not as close as the relationships of the aforementioned politicians.⁸⁰ Still the possession of delegated signatory power did not lead to less loyalty among the Directeurs. This was because the Directeurs were indeed free to spend money on matters without asking permission of the political leadership, but only as long as these expenses did not pass a certain financial threshold.

Matters that were of enough importance to Chirac, non-daily expenses, were above that threshold. In other words, the Directeurs would never overspend or spend money on matters that Chirac found of enough importance to decide on himself. What's more, by handing power over to the Directeurs instead of yet more adjoints, Chirac held more control over the municipality than he would have done if he had done the other way around. This is because the adjoints were generally more keen to decide independently, since they were politicians, in comparison to the Directeurs, who were civil servants.⁸¹

Besides the centralization, the technical services were characterized by their hierarchy. The hierarchy in practice meant that every civil servant reported matters back to his superior until the message reached a Directeur. The Directeur would either make a decision himself, if the Directeur had signature power and the sum needed for the operation did not pass the threshold, or ask, whether directly or indirectly, Chirac to decide when the sum was above the

⁷⁹ Concerning Jean Tibéri, Christian de la Malène and Jean Chérioux. While the former two were delegated the signature power in every matter, Chérioux exclusively was delegated signature power in his working field. Source: Andrew F. Knapp, 'Paris : Le système politico-administratif local, 1977-1987', 73; Letter from the Directeur des Affaires Scolaires to the Directeur des Affaires Domaniales on 11/14/1977, Archives de Paris, Construction et entretien des équipements publics du 16e arrondissement: dossiers techniques (1911-1989), 2414W 67; Rapport de l'ingénieur T.B. chargé du 16ème arrondissement dated 12/5/1977, Construction et entretien, 2414W 67; Projet de délibération/exposé des motifs, Archives de Paris, Construction et entretien, 2414W 67, f. 1-2 ; Letter from the Directeur de l'Action Culturelle, de la Jeunesse et des Sports to the Directeur des Affaires Domaniales on 7/12/1977, Construction et entretien, 2414W 67, f. 1-2 ; Letter from the Cabinet du Secrétaire Général to the Directeur des Affaires Scolaires, de la Jeunesse et des Sports on 4/24/1978, Archives de Paris, Construction et entretien, 2414W 67, f. 1-2.

⁸⁰ One of the multiple examples of political friends heading the Directions is Cabana. Source: Knapp, '5. Paris', 82.

⁸¹ Ibidem, 72–80; Paillet, *L'arrondissement parisien, entre déconcentration et décentralisation*, 74–76; Spitz, 'L'administration parisienne de la noblesse d'État à l'entreprise de services', 116–118; Letter from the Directeur des Affaires Scolaires, de la Jeunesse et de Sports to the Sous-Directeur de l'Architecture on 6-27-1979, Archives de Paris, Construction et entretien, 2414W 67; The Sous-Directeur de l'Architecture to Mister Maritaud and Quéré on 4/7/1979, Archives de Paris, Construction et entretien, 2414W 67.

threshold or when the Directeur did not have signatory power. In either way, as described before, matters were decided as Chirac wanted them to be.⁸²

In 1983, the year in which the implementation of the PLM law started, and onward, the technical services simply remained organized in the way they had been organized before, very hierarchically and centralized. This was in part because of Chirac's decision to continue to govern Paris the way he had done before, but as well because the PLM law did not impede to centralize the technical services.

This was because the PLM law did not really change the organization of the technical services and the make-up of the political institutions that held authority over them. The law merely added the political institution the conseil d'arrondissement, the maire d'arrondissement and this adjoints, but did not create a separate technical service with civil servants to support the cabinet d'arrondissement and maire d'arrondissement. Instead, the law mentioned that the maire d'arrondissement 'had, according his needs, the technical services of municipality at his disposal.'

In other words, civil servants of the technical services of the municipality would be 'borrowed' to the maire d'arrondissement. Since the technical services of the municipality were responsible to the mayor of Paris, the civil servants that were put at the disposal of the maire d'arrondissement were be that as well. In other words, Chirac was the boss of the civil servants that were put at the disposal of the maire d'arrondissement. The maires d'arrondissement did not hold authority over these civil servants.

Moreover, the law was probably not a stimulation for Chirac to hand over responsibilities to the maires and conseil d'arrondissement. Because, if the technical services took missteps, he would ultimately be held accountable for it. Concluding, the organization of the technical services remained hierarchical and centralized, thus in hands of Chirac, after the start of the implementation of the PLM law because Chirac chose this and the PLM law created a structure in which this was possible and not discouraged.⁸³

⁸² Letter from the Section Locale de l'Architecture to the Directeur des la Jeunesse et des Sports on 11/20/1981, Archives de Paris, Construction et entretien, 2414W 67, f. 1-2; Letter from the Directeur de la Jeunesse et des Sports to the Directeur de l'Architecture on 12/10/1981, Archives de Paris, Construction et entretien, 2414W 67; Devis descriptif chiffré of 11/18/1981, Archives de Paris, Construction et entretien, 2414W 67.

⁸³ 'Code des communes | Legifrance', Article L122-11 [https://www.legifrance.gouv.fr/affichCode.do;jsessionid=7FC68511D719BE616A52BEA35F10FBB9.tplgfr26s_3?idSectionTA=LEGISCTA000006163335&cidTexte=LEGITEXT000006070162&dateTexte=19830101]; Le Journal Officiel de la République française, 'Loi n° 82-1169 du 31 décembre 1982 relative à l'organisation administrative de Paris, Marseille, Lyon et des établissements publics de coopération intercommunale. | Legifrance', 3.

In practice, this meant that the management and maintenance of facilities that were legally under the responsibility of the conseil d'arrondissement, remained in hands of the centralized technical services as they had been before the implementation of the law. This is reflected by the small size of the list that was made by the mayor and the maires d'arrondissement that indicated the exact establishments that were the responsibility of the conseils d'arrondissement in practice.

The customs of the technical services did not allow the "arrondissement" to involve himself in the management and maintenance. This was because the technical services preferred to benefit from the economy of scale, which meant that multiple arrondissements were put together when a single maintenance project or major works were executed.⁸⁴ As was mentioned earlier, if certain works passed a financial threshold, the Conseil de Paris or the mayor had to approve the project. Therefore, when multiple arrondissement were concerned often sums were needed that went by the threshold. In these instances, Chirac or the Conseil de Paris decided on the granting of the sums. In other words, Chirac or the Conseil de Paris directly decided on the maintenance and major works of facilities which were legally the responsibility of the conseils d'arrondissement. And as long as Chirac held the majority in the Conseil de Paris, as well the decision of the Conseil de Paris would turn out in favor of the desire of Chirac.⁸⁵

Next to the fact the maintenance and major works were in hands of Chirac, soon after the start of the implementation of the PLM law, the conseils d'arrondissement and maires d'arrondissement decided to hand over the financial management and accounting concerning the facilities that were their responsibility to the technical services. One can wonder if this decision really made a change. Even if they had decided to do the financial management and the accounting themselves, they would have needed civil servants. These in turn were provided by the municipality. It is not clear to what extent this decision was taken voluntarily by the maires d'arrondissement, but they probably took it because it they were keen to follow party lines. Since Chirac's election program promised to 'keep the unity of the municipality'

⁸⁴ Andrew F. Knapp, 'Paris : Le système politico-administratif local, 1977-1987', 75-76; Jean-François Durantin, 'L'organisation administrative de Paris', 20; Paillot, *L'arrondissement parisien, entre déconcentration et décentralisation*, 72.

⁸⁵ Letter from the SLA of the 16th arrondissement to the Directeur de l'Action Sociale de l'Enfance et de la Santé on 19-2-1986. Archives de Paris, Construction et entretien, 2414W 1 ; Mairie du VIIème arrondissement, Procès-verbal de la séance du 12 octobre 1992 du conseil d'arrondissement. Archives de Paris. 2537W 2, 3. Haddab, '4. L'application de P.L.M. à Paris ou le centralisme à l'échelon d'arrondissement', 73.

by means of applying the PLM law in a ‘very restrictive manner’, the maires d’arrondissement were obliged to accept this.⁸⁶

Summarized, the technical services were centralized, hierarchical and had no official communication with the conseil d’arrondissement, the maire d’arrondissement or the cabinet d’arrondissement since the latter three had no authority over them. They thus continued to function as if no conseil d’arrondissement, maire d’arrondissement and cabinet d’arrondissement existed, and they thereby executed tasks that were actually the responsibility of the conseil d’arrondissement. Since the technical services were hierarchical and centralized, this meant that Chirac hold on to power that should have been in the hands of the ‘arrondissement’. This combined with the summary of the way in which the conseil d’arrondissement used its formal competences in practice, it can be concluded that Chirac successfully minimized the freedom of movement of the ‘arrondissement’.

⁸⁶ Paillot, *L’arrondissement parisien, entre déconcentration et décentralisation*, 72–73; Haddab, ‘4. L’application de P.L.M. à Paris ou le centralisme à l’échelon d’arrondissement’, 69–70.

3. Informal influence for the people: contact between inhabitants and the conseil d'arrondissement and their advocacy

Inhabitants of the 7th arrondissement contacted the councilors of the conseil d'arrondissement. Following this contact, the councilors voiced these concerns in the conseil d'arrondissement and tried to influence politicians, the technical services and other actors to act upon these concerns. The influence over politicians and other actors was possible because legislation did not forbid this. However, this was unusual and not desired by the legislator. The influence over the technical service was, in turn, possible because of the ambiguity of the PLM law about what the relationship between the arrondissement and the technical services exactly entailed.

Namely, the PLM law created an ambiguous situation in which the technical services were 'put at the disposal' of the maire d'arrondissement, while the latter did not have authority over the former. In practice, civil servants were never explicitly 'put at the disposal' of the maire d'arrondissement and the technical services functioned in a very centralized and hierarchical manner during Chirac's period as mayor. These three factors made it unclear to what extent the maire d'arrondissement could make use of civil servants and what he could ask of them.

Additionally, some Directions had local units in the arrondissements. These local units were figuratively and literally close to the conseil d'arrondissement and the maire d'arrondissement, since they often had their offices inside the town halls of the arrondissements. At the same time, some Directions did not have local units, which reinforced the ambiguity. Concluding, the centralized and hierarchical way in which the technical services functioned did not suit the fact that some power had to be given away to an actor at a low level. However, the confusion about the extent to which the maire d'arrondissement could make use of civil servants and what for, created room for an assertive maire d'arrondissement to influence the technical services.

The 7th arrondissement had such an assertive mayor. Édouard Frédéric-Dupont (1902-1995), was the maire d'arrondissement of the 7th arrondissement from 1983-1995.⁸⁷ A representative to the national parliament from 1936 until 1993, a member of different right-

⁸⁷ A maire d'arrondissement who was not assertive, and therefore did not influence politicians, the technical services and other actors as much as Frédéric-Dupont, was Jacques Féron (1912-2009), maire d'arrondissement of the 19th arrondissement. See: Mairie du XIX^{ème} arrondissement. Archives de Paris. 2252W 1.

wing parties until 1978 and from 1978 onward member of the RPR. Frédéric-Dupont was a very active legislator, during the third term of office of the Assemblée nationale of the 4th Republic (1951-1955), he deposited 128 law proposals on life-annuity, disabled persons, the economically weak, amnesty, social rights of storekeepers and economic and fiscal legislation. Next to this he has been the president of the Conseil municipal de Paris (1953-1954), the precursor of the Conseil de Paris, and the Vice-president of the Assemblée nationale (1958-1962).⁸⁸ However, this did not mean that only the maire d'arrondissement was to be the person to try to influence politicians, the technical services or other actors. Although this was most often the case, the conseil d'arrondissement as a whole, members of the cabinet d'arrondissement or councilors of the conseil d'arrondissement tried to influence politicians, the technical services or other actors as well. Still this was often on the initiative of Frédéric-Dupont.

An example of when inhabitants of the arrondissement communicated their concerns to the conseil d'arrondissement and in which the conseil d'arrondissement subsequently tried to influence other actors to act upon these concerns, are the events regarding abandoned buildings in the arrondissement. In 1992, a couple contacted a councilor about an abandoned building next to their house. While the windows and doorway of the building had been closed off with bricks walls, the couple contacted the councilor to complain about the fact the one of the walls had been demolished. This did not look good and even created a 'dangerous situation' according to them. The concerned councilor thereafter voiced the concerns of the inhabitants in the conseil d'arrondissement. Thereafter, in order to solve the situation, the conseil d'arrondissement decided that the councilor had to inform the commissaire de police and request the owner of the building to solve the situation by letter.⁸⁹

A second example is a case in which a social worker had been receiving payment from the technical services of the municipality too late for a couple of months. Because of this, in 1990, she contacted a councilor of the conseil d'arrondissement. The council subsequently contacted the Direction de l'Action Sociale, de l'Enfance et de la Santé of the municipality to request that payment of the social assistant in the arrondissement would be made on time from then on.⁹⁰

⁸⁸ 'Assemblée nationale, Edouard Frédéric-Dupont - Base de données des députés français depuis 1789 - Assemblée nationale', [, [http://www2.assemblee-nationale.fr/sycomore/fiche/\(num_dept\)/3144](http://www2.assemblee-nationale.fr/sycomore/fiche/(num_dept)/3144)].

⁸⁹ Mairie du VIIème arrondissement, Procès-verbal de la séance du 12 octobre 1992 du conseil d'arrondissement. Archives de Paris. 2537W 2, 6

⁹⁰ Mairie du VIIème arrondissement, Compte rendu de la séance du mardi 15 juin 1990 du conseil d'arrondissement. Archives de Paris. 2537W 1, 10. The Protection maternelle et infantile (PMI) is a system for the protection of mothers and their children in France where one can receive preventive medical care, advice et

This contact and influencing is a well visible from the events surrounding a problem there existed after a glass recycling bin had been removed in 1992. The people that lived in the surroundings kept on placing their used glass on the spot where the bin had been. Therefore, the conseil expressed a wish to ask the technical services to continue the collection of the deposited glass and place a new glass recycling bin back in the place the previous one had been in before. Furthermore, the conseil d'arrondissement stated that this bin had to be of the latest generation, and thus sound-proof so it would not cause any nuisance to the surrounding habitants. One can conclude that this request was successful, since an engineer of the technical services in another instance contacted the conseil d'arrondissement to ask them where to place new glass recycling bins.⁹¹

In 1994, a building in the rich rue Sainte-Dominique was going to be sold. According to Frédéric-Dupont, a lot of inhabitants were worried that the new owners would sell the, probable antique, clock which was part of the building. These inhabitants therefore asked him to prevent that the clock would be sold. Subsequently, the maire d'arrondissement inquired into the matter and found out the new owners would keep the clock and communicated this to the worried inhabitants.⁹²

Another occasion in which the inhabitant of the arrondissement communicated their concerns and the conseil d'arrondissement tried to influence actors in order to solve the situation was concerning the installation of public toilets. The conseil d'arrondissement of the 7th had expressed its resistance against the creation of a public toilet in Avenue de Saxe through the means of a wish. However, none withstanding the wish, in 1990, Frédéric-Dupont found out that Conseil de Paris had decided on the place toilets anyway. Since the conseil d'arrondissement was not consulted, he sent a letter to the RPR adjointe of Chirac Anne-Marie Couderc, in which he mentioned that the Conseil de Paris had not consulted the conseil d'arrondissement and reiterated the negative opinion of the conseil d'arrondissement on the matter.

In the meantime, a councilor stated that she had been contacted by a member of the association Saxe-Breteuil. The latter said that toilets in the vicinity of the market on Avenue de Saxe were necessary for the market vendors. Therefore, the wish that the conseil

cetera. It was operated by the conseil général, the council of the département. Therefore in Paris the Conseil de Paris managed it since it had the role of conseil général as well.

⁹¹ Mairie du VII^{ème} arrondissement, Procès-verbal de la séance du 29 juin 1992 du conseil d'arrondissement. Archives de Paris. 2537W 2, 7; Mairie du VII^{ème} arrondissement, Procès-verbal de la séance du 18 mai 1994 du conseil d'arrondissement. Archives de Paris. 2537W 2, 9.

⁹² Mairie du VII^{ème} arrondissement, Procès-verbal de la séance du 15 septembre 1994 du conseil d'arrondissement. Archives de Paris. 2537W 2, 11.

d'arrondissement wrote after the letter of Frédéric-Dunpont was sent, was slightly different than the content of the letter. Namely, the wish not only read that 'the public toilets should not be placed on Avenue de Saxe', but also that 'the technical services should study the placement of a public toilet in the vicinity of Avenue de Saxe in close consultation with the councilors of the 7th arrondissement.'

This example shows that people working in the arrondissement, through the means of an association, contacted the conseil d'arrondissement of the 7th to express their concerns and viewpoints. Subsequently, the conseil d'arrondissement tried to directly influence the technical services to obtain what the people of the arrondissement wanted by requesting the technical services to conduct a study on possible locations for the toilets. Furthermore, the conseil d'arrondissement even wanted to decide on this location while this was not a competence the conseil d'arrondissement had.⁹³

A similar course of events was as well present during the intervention of Frédéric-Dupont in the Assemblée nationale during the high school demonstrations of October-December 1990. These demonstrations were caused by the communist-socialist Fabius government (1984-1986) under the presidency of Mitterrand, which had introduced a new high school policy in 1985. This policy had as a consequence that number of high school student increased considerably which deteriorated the daily circumstances in high schools. In November 1990, during the center-left Second Rocard government (1988-1991) under Mitterrand's presidency, more than 10.000 high school students coming from the Parisian suburbs, later joined by students from the inner-city as well, demonstrated in order to reclaim more cleanliness, safety, personnel and materials (such as pens and paper) in their high schools. These manifestations quickly spread to all big French cities. At their peak, on November 12, 1990, the number of demonstrators amounted to approximately 300.000, of which 100.000 in Paris.⁹⁴

In Paris, on that day, serious disturbances took place. Cars were burned, stores in the rich arrondissements were looted, journalists were beaten and fights took place between the police and the high school students. In spite of the disturbances, the troops of the Compagnies Républicaines de Sécurité (CRS), were in many instances told not to engage, since the Préfet

⁹³ Mairie du VII^{ème} arrondissement, Compte rendu de la séance du vendredi 9 novembre 1990 du conseil d'arrondissement. Archives de Paris. 2537W 1, 7.

⁹⁴ Claude Lelièvre, 'Mouvement lycéen : retour sur quelques mobilisations historiques', *La Tribune* [, <https://www.latribune.fr/opinions/tribunes/mouvement-lyceen-retour-sur-quelques-mobilisations-historiques-800966.html>]; Gorge Bernard, 'Depuis les années 1990, les lycéens font trembler les ministres.', *La Croix* (2008) [, https://www.la-croix.com/Archives/2008-04-15/Depuis-les-annees-1990-les-lyceens-font-trembler-les-ministres.-_NP_-2008-04-15-317517]; -, 'Lycées. Les mouvements lycéens depuis 1990', *L'Humanité* (1998) [, <https://www.humanite.fr/node/193185>].

de Police expected that this would possibly provoke more violence and trouble. In the 7th arrondissement, Frédéric-Dupont convened the conseil d'arrondissement in a extraordinary session on November 15th to discuss the events. He told the councilors that he had comforted the people who had been assaulted and the shopkeepers and car-owners whose property had been damaged.⁹⁵

Furthermore, he shared that he had asked the socialist ministre de l'Intérieur Pierre Joxe questions in the Assemblée nationale concerning the events on November 13, the day after the disturbances.. He asked how it could be possible that, while police forces were, without a doubt, protecting public buildings, the police forces were not present in the 7th arrondissement when the troublemakers started pillaging. The police, according to the maire d'arrondissement, had been careless about the protection of private individuals. Some gangs could even loot stores 3 times in a row without the police intervening. Moreover, the number of arrests was miniscule, according to Frédéric-Dupont.

He warned that, if such events reproduced itself, tragedies would take place, since the inhabitants of the 7th arrondissement were exasperated and felt threatened. He asked the minister why the latter prevented the police from intervening, and if the minister was planning to allow future manifestations in the 7th arrondissement. By way of request, the maire d'arrondissement then asked De Joxe to not allow any future manifestation in the 7th arrondissement, since the inhabitants should be able to live and work under normal circumstances. The minister replied to Frédéric-Dupont that he understood and shared the disapproval and resentment of the maire d'arrondissement toward the assaults which had taken place in the 7th arrondissement. While stating that he was taking in account the seriousness of the situation, he promised the maire d'arrondissement that measures would be taken to prevent such events from happening again.⁹⁶

During the extraordinary session in the conseil d'arrondissement, Frédéric-Dupont furthermore stated that, given the gravity of the situation, the conseil should refrain from partisan expressions. Therefore, he argued, the conseil d'arrondissement had to compose a wish. The maire d'arrondissement rebuked amendments which would make the wish polemical toward the Préfet de Police or the minister. The introductory paragraphs to the

⁹⁵ Institut de l'Audiovisuel (INA), '19/20 Émission du 12 novembre 1990' (1990) [, https://www.ina.fr/video/CAC03003766/19-20-emission-du-12-novembre-1990-video.html#xtor=AL-3%22%20target=%22_blank%22%20style=%22color:#0086b0;%22%3E].

⁹⁶ Mairie du VII^{ème} arrondissement, Procès-verbal de la réunion en session extraordinaire du jeudi 15 novembre 1990 du conseil d'arrondissement. Archives de Paris. 2537W 1, 1-2.

definite version of the wish expressed approval for the comments of the maire d'arrondissement on the floor of the National Assembly.

Furthermore, it reiterated the viewpoint of Frédéric-Dupont that it constituted a failure that police forces were not present and did not protect private individuals nor the property belonging to these individuals. The introduction also stated that the conseil d'arrondissement approved that it was mentioned in the wish that one of the councilors, who was the president of the association of storekeepers, manufactures and craftpersons, had visited the Préfet de Police accompanied by owners of small and medium-sized enterprises. During this visit they had protested against the 'inertia' of the police forces of the Préfet de Police. Lastly, the conseil expressed that it would make sure that the incurred damages would be paid by the state, as was proscribed by law. The wish itself was short, it requested that every manifestation would be prohibited until the end of the Christmas holiday season.⁹⁷

It results that the inhabitants of the arrondissement communicated their concerns to the councilor who was also president of the association. Furthermore, it seems probable that the inhabitants also did this when the maire d'arrondissement was visiting the scene. These concerns were subsequently communicated to other actors, namely to minister De Joxe by means of a wish and the Préfet de Police during the meeting. It was furthermore tried to influence these actors to act upon these concerns. Moreover, the use of a wish directed to the minister was a remarkable action. Although it was not forbidden, it was unusual for a conseil d'arrondissement to write one for anyone else than the Conseil de Paris.

Another example of the communication between the inhabitants of the arrondissement and the conseil d'arrondissement on the one hand, and the fact that the conseil d'arrondissement and the maire d'arrondissement tried to influence other actors on the other hand, was a course of event around two parking garages. Michel Roussin, a close collaborator of Chirac, played an important role in these events. On April 1, 1993, Frédéric-Dupont, who was 90 at that moment, chose to step down and not run for office in his electoral district of the Assemblée nationale during the elections of that year, according to the center-left newspaper Libération because he was tired. He still remained maire d'arrondissement. RPR-politician Roussin ran for office and won, in the district that was desired by many politicians on the right. After less than a month after the elections, Roussin was invited to become ministre de la Coopération in the RPR-UDF Balladur government (1993-1995) under the presidency of

⁹⁷ Mairie du VIIème arrondissement, Procès-verbal de la séance du jeudi 15 novembre 1990 du conseil d'arrondissement. Archives de Paris. 2537W 1, 2-3.

Mitterrand. About one year later, at the end of 1994, he became connected to a scandal about public tenders of social housing that had been used to benefit the RPR.⁹⁸

On May 6, 1993, the conseil d'arrondissement of the 7th arrondissement had been asked to indicate their preference between the two planned parking garages, parc Ségur and parc Villars. The conseil d'arrondissement had expressed in a wish that it chose parc Ségur, on the condition that yet another parking garage, parc Bosquet would be built as well. The plans to build this latter parking garage had been abandoned 10 years before.

However, because the local newspaper *Le Parisien* wrote in a accusatory way about Roussin, a representative of the local association Défense-Séгур contacted an adjointe au maire d'arrondissement.⁹⁹ As a result of this, the adjointe wrote a letter to Roussin on the matter, who then invited her and the representative for a meeting. The outcome was that Roussin, as minister, asked the chef de cabinet, the chief of staff, of Chirac to organize a meeting with all stakeholders of the parking garages.¹⁰⁰ Since the chef de cabinet took some time, Frédéric-Dupont took the initiative and made sure parking garage Ségur was improved in the way the conseil d'arrondissement preferred and that the parc Bosquet was going to be built as well.

Later, in 1994, when the municipality officially decided to build both parc Ségur and Bosquet, it stated that the parking garages could not be constructed at the same time. Therefore, the conseil d'arrondissement was again asked to express its preference. Considering that it should have all the information on the plans of the construction in order to make a well-founded choice, the conseil d'arrondissement requested a hearing of the involved

⁹⁸ 'Les secrets de Michel Roussin - *Le Parisien*', [, <http://www.leparisien.fr/politique/les-secrets-de-michel-roussin-10-12-2000-2001817103.php>]; Agence France-Presse, 'Michel Roussin, dans l'ombre de Jacques Chirac et des ennuis judiciaires - *L'Express*' (2011) [, https://www.lexpress.fr/actualites/1/politique/michel-roussin-dans-l-ombre-de-jacques-chirac-et-des-ennuis-judiciaires_1028096.html]; Dominique de Montvalon, 'Le plaidoyer de Roussin - *L'Express*' (1994) [, https://www.lexpress.fr/informations/le-plaidoyer-de-roussin_597967.html]; Gilles Bressons, 'Edouard Frédéric-Dupont, le député des «concierges», est décédé - *Libération*' (1995) [, https://www.liberation.fr/france-archiv/1995/02/16/edouard-frederic-dupont-le-depute-des-concierges-est-decede_121752]; Assemblée nationale, 'Michel Roussin - Base de données des députés français depuis 1789' [, [http://www2.assemblee-nationale.fr/sycomore/fiche/\(num_dept\)/6148](http://www2.assemblee-nationale.fr/sycomore/fiche/(num_dept)/6148)]; Philippe Madelin, *Le Clan des chiraquiens* (Paris 1997) 18–19, 191, 260.

⁹⁹ It is impossible to retrieve the article, which leaves it uncertain what the newspaper accused Roussin about.

¹⁰⁰ One could suspect that the meeting was about fraud, and that it was organized because the minister was fearful that a scandal would be revealed. This influence would therefore be unique to this case and not be representative. However, there is not enough proof to state that Roussin was involved in a scandal concerning the parking garages in the 7th arrondissement. Secondly, it is neither likely that there existed a scandal. The result of the meeting of the adjointe au maire d'arrondissement and the representative of the association with Roussin was that a meeting with all stakeholders would be held. It therefore seems a plausible hypothesis that the representative of the association was afraid that the inhabitants would not be involved in the decision-making process. Furthermore, Roussin's collaborative stance could be explained by his allegiance to the circonscription he won in, and/or because of solidarity with the person who possibly did not run in order to give him fair chances of winning the office.

technicians. One of them was working for the Direction de la Voire of the municipality, the other one for the municipality-owned company that exploited the parking garages, the Société anonyme d'économie mixte d'exploitation du stationnement de la Ville de Paris (SAEMES).

During the presentation, the technicians announced that the amount of parking lots of parc Bosquet would be smaller than had been foreseen in the plans, which created commotion among some councilors. One of these councilors consequently stated that if an extension of the parking garages was possible, it would be good to conduct a study on this. According to the concerned councilors, this solution would reconcile local worries and cost-efficiency. After this remark, the discussion veered to the designation of the groups that were going to be allowed to make use of the parking lots. Thereafter, one councilor proposed to conduct a technical study on what could be done regarding the amount of parking lots for visitors. The technician of SAEMES responded that SAEMES would conduct a research on this, and that this would take two months. Next to this, the conseil d'arrondissement ask Chirac in a wish to quickly start constructing the parking garages.¹⁰¹

In this example, inhabitants of the arrondissement contacted the conseil d'arrondissement to voice their worries. The representative of the association of inhabitants namely contacted the adjointe au maire d'arrondissement. Subsequently, a councilor successfully influenced a politician in order to try to settle the concerns the inhabitants had. Furthermore, in this example, it is described that a discussion took place in the conseil d'arrondissement during which the SAEMES technician and the civil servant were asked to answer the questions of the councilors. The goal of the hearing was to inform the conseil d'arrondissement in such a way to permit it to make a good decision. However, the questions of the councilors were not merely informative questions, they namely proposed solutions. Ultimately, the invitees not only took a certain solution into consideration, they even accepted to conduct research on it. In this way, the conseil d'arrondissement influenced the employee of SAEMES and the civil servant in a subtle way.

By assigning the SAEMES to conduct a study, the conseil d'arrondissement was , in a subtle way, directing a municipality-owned company, while the conseil d'arrondissement clearly did not have this power. The influencing by the adjointe au maire d'arrondissement and the president of an association of Roussin took place after a request of the president of the association, thus an inhabitant of the arrondissement who represented other inhabitants of the

¹⁰¹ Mairie du VIIème arrondissement, Procès-verbal de la séance du 4 janvier 1994 du conseil d'arrondissement. Archives de Paris. 2537W 2, 2-5. Gouvernement Premier Ministre, 'Saemes - Data.gouv.fr' [, <https://www.data.gouv.fr/en/organizations/saemes/>].

arrondissement. Therefore the resulting changes were an expression of the desire of the inhabitants in the surroundings of the planned parking garages. Because of that reason, the improvements were in line with the goal of the conseil d'arrondissement to do what was in the interest of the people of the arrondissement.

The councilors of the conseil d'arrondissement and the maire d'arrondissement also tried to influence politicians and other actor about matters of which cannot be proven that they were communicated by the inhabitants of the arrondissement to the councilors of the conseil d'arrondissement and the maire d'arrondissement.. While some of them probably were, most importantly they were all matters that were in the interest of the inhabitants if they were solved.

An example of this is the use by Frédéric-Dupont of his 'mayor allowance', his 'dotation de maire', an non-official budget for the maire d'arrondissement. This allowance most probably stemmed from Frédéric-Dupont's use of a possibility the PLM law offered him. Namely, the law let maires d'arrondissement move a fifth of the budget between articles inside of one chapter of the annual budget for the conseil d'arrondissement, the ESA, which was determined by the Conseil de Paris, without consulting the conseil d'arrondissement or mayor of the municipality.

Since articles in the ESA were strictly tied to specific matters, the permission to move sums of money freely offered the maire d'arrondissement a lot of freedom. While the matters in the ESA were only matters which allowed the conseil d'arrondissement to fulfill its management duties, which were, again, very limited in practice when Chirac was mayor, the permission to move sums of money gave the maire d'arrondissement freedom to decide what he would spend that money on.

In 1990, he used this to solve a problem concerning the layout of parking lots in the vicinity of a school. The delivery of supplies for stores caused traffic congestion in the crossroad of rue Malar and rue Saint-Dominique, which, according to Frédéric-Dupont, in turn, 'made it hard for mothers to drive around in their cars'. The fire department prohibited the new layout plan of the maire d'arrondissement, but the maire d'arrondissement shared with the conseil d'arrondissement that he would spent his allowance on research on the traffic congestion. Another instance in which Frédéric-Dupont used his 'dotation de maire' was when, in 1994, he considered the lighting of a square named Place du Président Mithouard not adequate enough and decided to improve it by using the allowance. Frédéric-Dupont's use of the 'dotation de maire' not only shows that he acted in the interest of the inhabitants of the

arrondissement, but as well also that the maire d'arrondissement, through assertiveness, could gain more influence over matters that benefitted the inhabitants of the arrondissement.¹⁰²

The situation of a social worker in the arrondissement in 1992, is another example in which it is probable that an inhabitant contacted the conseil d'arrondissement but of which this cannot be proven. In 1992, the conseil d'arrondissement expressed a wish that the social worker should be paid, to which the concerned Direction in a letter responded that that it would start paying immediately. This decision probably had a positive influence on the rest of the inhabitants of the arrondissement because it improved the working conditions of a social worker.¹⁰³

In 1990, the ministère des Affaires Étrangères decided to construct a residential car park of 300 lots next to the building of the Centre de Conférences Internationales that was going to be constructed. While the center-left Second Rocard government (1988-1991) under the presidency of Mitterrand was obliged to consult the conseil d'arrondissement, the state did not do this. What's more, the conseil d'arrondissement was against this plan and several councilors had already expressed their discontent before the final decision was made by the government. Because of this, Frédéric-Dupont, who was still a representative in the Assemblée nationale, used his seat to ask questions to the responsible minister, the socialist ministre des Affaires Étrangères Roland Dumas, in order to 'defend the right of the inhabitants'. From Dumas he received the assurance that no exemption would be made, thus that the consultative obligations would be respected. In this example one can see, while it is not clear whether inhabitants had communicated their concerns to the conseil d'arrondissement, that matters that were not in the interest of the arrondissement were voiced by the conseil d'arrondissement and that the conseil d'arrondissement tried to influence political actors.¹⁰⁴

Such a course of events took as well place in 1992, as a consequence of the issuing of a decree that instituted new guidelines for the education on first aid by socialist prime minister Édith Cresson (1991-1992) in 1991. In the 7th arrondissement, the association de protection civile du VII^{ème} needed more financial means to be able to conform to the new legislation.

¹⁰² Le Journal Officiel de la République française, 'Loi n° 82-1169 du 31 décembre 1982 relative à l'organisation administrative de Paris, Marseille, Lyon et des établissements publics de coopération intercommunale. | Legifrance', 6.; Mairie du VII^{ème} arrondissement, Compte rendu de la séance du mardi 14 mai 1990 du conseil d'arrondissement. Archives de Paris. 2537W 1, 12 ; Mairie du VII^{ème} arrondissement, Procès-verbal de la séance du 18 mai 1994 du conseil d'arrondissement. Archives de Paris. 2537W 2, 10.

¹⁰³ Mairie du VII^{ème} arrondissement, Procès-verbal de la séance du 7 avril 1992 du conseil d'arrondissement. Archives de Paris. 2537W 2, 7.

¹⁰⁴ Mairie du VII^{ème} arrondissement, Compte rendu de la séance du mardi 15 juin 1990 du conseil d'arrondissement. Archives de Paris. 2537W 1, 14.

Both a letter from the maire d'arrondissement to the Préfet de Police, and a letter from a councilor of the arrondissement to Chirac, did not result in a compensating subsidy for the association.

As a consequence, in 1992, Frédéric-Dupont said he would ask the Bérégenoy government (1992-1993) under the presidency of Mitterand, questions on this subject during a session of the Assemblée nationale. A week later, he sent a written question to the concerned minister, but the question went unanswered. While it is not sure if the association had contacted councilors of conseil d'arrondissement, they probably did. Moreover, it is clear from this case that the councilors and Frédéric-Dupont tried to influence other actors in order to obtain what was in the interest of the inhabitants of the arrondissement.¹⁰⁵

In 1990, a councilor of the conseil d'arrondissement asked the cabinet d'arrondissement and the maire d'arrondissement a question during a session of the conseil d'arrondissement about noise pollution by trucks in the Passage de la Vièrge. Frédéric-Dupont accompanied by civil servants and police officers, visited the location where the disturbance by the trucks had been experienced multiple times. During these visits the maire d'arrondissement, police officer and civil servants discussed solutions.

During the session of the conseil d'arrondissement in which the matter was discussed, the maire d'arrondissement said that the only measure which could be taken was recommending the truck-drivers of the Postes, Télégraphes et Téléphones (PTT) to drive slower, which moreover already had been communicated before. From this case, one can see that Frédéric-Dupont influenced the police and the technical services after a concern had been voiced by a councilor in the conseil d'arrondissement. This concern had most probably was communicated by an inhabitant of the arrondissement to the concerned councilor.¹⁰⁶

The fact that the maire d'arrondissement tried influence the technical service and thereby make them act in the interest of the arrondissement, is also clear from the case concerning bus line 69. On this line, of which multiple stops were located in the arrondissement, and which was operated by the state-owned company Régie Autonome des Transports Parisiens (RATP), there were multiple causes creating delays of its busses in 1992.

¹⁰⁵ Mairie du VIIème arrondissement, Procès-verbal de la séance du 7 avril 1992 du conseil d'arrondissement. Archives de Paris. 2537W 2, 8-9; Le Journal Officiel de la République française, 'Décret n°91-834 du 30 août 1991 relatif à la formation aux premiers secours. | Legifrance' [<https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000000356365&categorieLien=cid>]; Assemblée nationale, 'Année 1992-Lundi 13 avril 1992', *Question écrites présentées à l'Assemblée nationale et réponses de ministres. Constitution du 4 octobre 1958. 9^e Législature.* (1992) 1648–1839, there 1661.

¹⁰⁶ Mairie du VIIème arrondissement, Compte rendu de la séance du mardi 14 mai 1990 du conseil d'arrondissement. Archives de Paris. 2537W 1, 13

The Ministry of National Education partially caused the delays. While the building which housed the ministry had a large courtyard in which its employees used to park their cars, in 1992 the ministry decided to prohibit its civil servants to use the courtyard as a car park. Not having any other adequate facility in the surroundings of the ministry, many employees decided to park their cars on the sidewalks of the streets surrounding the ministry. Next to the general observation of the councilors of the conseil d'arrondissement that parking on the sidewalks was unjustified, illegal and that this created risks for people who had difficulties walking or were partially sighted, it also caused delays on line 69. Another, more straight-forward, cause for delay was the fact that car drivers used the lane designated for busses. Next to that, a specific traffic light made the busses lose some time as well.

Consequently, Frédéric-Dupont requested the police on the level of the arrondissement to survey the bus lane more. He furthermore requested the Direction de la Voirie to create an extra small bus lane. Concerning the traffic light, Frédéric-Dupont contacted the RATP. According to the RATP, the period during which the traffic light was green had to be extended in order to reduce the delay that was caused by the traffic light.

However, since the municipality decided on the periods during which traffic lights were a certain color, the company asked Frédéric-Dupont if he could request the municipality to extend the period during which the traffic light was green. The maire d'arrondissement thereafter undertook an inquiry and pressured the Direction de la Voirie and the police to change this. Lastly, the RATP communicated to the maire d'arrondissement that it would consider deploying another vehicle on the line as a way to address the delays.

From the case of line 69, one can see that the maire d'arrondissement took the initiative in trying to solve problems that existed in the arrondissement and that he successfully convinced multiple involved entities to take considerable measures in order to solve these problems. Moreover, Frédéric-Dupont all brought this about while at the same time not holding any competence over any of the matters or entities in question.¹⁰⁷

In 1987, the Conseil de Paris decided to build a trinquet court next to day nursery Viaduc in the 16th arrondissement.¹⁰⁸ Not only the decision to build such a court was made by the central municipality, the question as where to locate it also was the competence of the Conseil de Paris. However, the conseil d'arrondissement had to be consulted, and thus vote on

¹⁰⁷ Mairie du VII^{ème} arrondissement, Procès-verbal de la séance du 4 décembre 1992 du conseil d'arrondissement. Archives de Paris. 2537W 2, 7 ; Mairie du VII^{ème} arrondissement, Procès-verbal de la séance du 12 octobre 1992 du conseil d'arrondissement. Archives de Paris. 2537W 2, 16.

¹⁰⁸ A trinquet is the court for the homonymous sport, the latter related to tennis. Trinquet has many different varieties. In France, the most diffused variety is the Basque trinquet.

it, and the matter created quite some opposition in the conseil of the 16th arrondissement. This was because the new building would make the garden of the day nursery look even more like a corridor, according to the councilors.

Therefore, the conseil d'arrondissement expressed the wish that an extra piece of land should be added to the garden of the day nursery as a compensation, which the Conseil de Paris accepted. However, the land granted to the day nursery was part of the parcel that had been handed over by the municipality to the architectural firm that had been subcontracted to design the trinquet court. On top of that, the current garden of the day nursery had a higher elevation than the land the trinquet court was planned to be built on. As a consequence, if the piece of land was going to be added, the soils had to be leveled.¹⁰⁹

To prepare the necessary changes for the addition of the new piece of land, among others the leveling of the piece of land, a meeting was held in 1987, by civil servants of 2 Directions and the Section Locale d'Architecture (SLA), the local unit in the arrondissement of the Direction which was responsible of architectural affairs. A representative of the architectural firm which was going to design the trinquet court and RPR adjointe au maire d'arrondissement Daniele Giazzi were present as well.¹¹⁰

During the meeting the question was raised about who was going to pay for the works. According to Giazzi, the architectural firm had to pay. The adjointe au maire d'arrondissement furthermore added a statement concerning the project as a whole, namely, that conseil d'arrondissement had accepted the proposal to build a trinquet in the first place on the condition the day nursery would be compensated. Therefore, merely adding the piece of land would not suffice, because the land already was a parcel belonging to the municipality. Next to that, the land would not be of any use to the day nursery unless it was enclosed and leveled. The only thing the Direction de la Petite Enfance had to do, was to install a play area.

Later on in the meeting, the representative of the Direction de la Jeunesse et des Sports said it was not possible to change the works as much as Giazzi wanted to, because the funds

¹⁰⁹ Le Journal Officiel de la République française, 'Loi n° 82-1169 du 31 décembre 1982 relative à l'organisation administrative de Paris, Marseille, Lyon et des établissements publics de coopération intercommunale. | Legifrance', 4.

¹¹⁰ Danielle Giazzi had been conseillère d'arrondissement for the RPR since the promulgation of the PLM law in 1983. In 1989 Giazzi was elected conseillère in the Conseil de Paris, in addition to her office as a conseillère d'arrondissement. Since 2017, she has been maire d'arrondissement of the 16th arrondissement. She is a politician of Les Républicains, the successor party of Chirac's RPR. A Doctor of Pharmacy, in her non-political life, she has occupied several managerial positions. Ville de Paris, 'GIAZZI Danièle' [, <https://www.paris.fr/municipalite/la-maire-et-les-elus/giazzi-daniele-2179>]; Christine Henry, 'Paris : Danièle Giazzi, nouvelle maire du XVIe, dans les pas de Goasguen', *leparisien.fr* (2017) [, <http://www.leparisien.fr/paris-75016/paris-daniele-giazzi-nouvelle-maire-du-xvie-dans-les-pas-de-goasguen-30-07-2017-7166028.php>]; Who's Who, 'Danièle Giazzi' [, https://www.whoswho.fr/bio/daniele-giazzi_41059].

were connected to a specific plan of works. This plan had not included the modifications that were now proposed by Giazzi. On top of that, the representative of the Direction de la Petite Jeunesse said that if the major works were executed, more funds would have to be spent than had been budgeted. This would have as a consequence that not enough funds were available for security measures in other establishments.

After these remarks, understanding that the Direction de la Jeunesse et des Sports was the one who put up the strongest opposition, Giazzi stated, after reiterating the viewpoints of the Maire of the 16th, that she would contact the Directeur of the Direction de la Jeunesse et des Sports. While it is not clear what the results of this contact were, this case shows that the cabinet d'arrondissement had influence over the technical services and that this was used to obtain matters that were considered to be in the best interest of the inhabitants of the arrondissement.¹¹¹

Another case in which the technical services were successfully influenced, but of which it is not clear if there was a concern that had been communicated by the inhabitants of the 16th arrondissement, was an event concerning adjointe au maire d'arrondissement Laëtitia Louis.¹¹² In January 1986, the annual visit of the administrative inspector to the elementary school in Rue Decamps took place, but this time Louis was present as well. Before the visit took place, there already existed a plan for the creation of a corridor with a translucent roof in the courtyard of the building in which, among others, the elementary school was located. This plan had been made by the Section Locale, keeping in mind multiple concerns.

Nonetheless, during the visit, adjointe Louis came up with another plan. She namely proposed a corridor with a tiled roof. After the visit, the Section Locale began studied this new possibility. It resulted that if the new proposal was to be executed, a permit would be necessary and the neighbors would have to be requested permission. Subsequently, it would take more time to prepare the execution of the works if Louis' plans would be followed than when the plans of the Section Locale would be followed.

On top of that, the new type of corridor would take up a lot of room in the already small and dimly lit courtyard. Moreover, the new way of designing the corridor would not assure a continued connection between the building alongside the street and the part of the building on the other side of the courtyard in which the school was located. Concluding, the

¹¹¹ The minutes of meeting are the last documents in this set of documents. Réunion le 17 avril 1987 à 9H30, Archives de Paris, Construction et entretien, 2414W 17, f. 1-3 ; Planning des réunions, Archives de Paris, Construction et entretien, 2414W 17.

¹¹² Louis had been adjointe au maire of the 16th arrondissement since 1984. Louis later became conseillère in the Conseil de Paris.

proposal by the adjointe was not a very attractive one because of the time that was needed to prepare and execute the works. Still, the engineer that dealt with the matter, sent the elaborate new study on Louis' proposal for the corridor to his superior. In the letter it was implicitly asked which of the two solutions was going to be chosen. His superior, in turn, sent the letter to the Directeur des Affaires Scolaires.¹¹³

While it is not clear what happened after the letter was sent, and thus not if Louis successfully obtained what she wanted from the technical services, one can conclude from this course events that Louis did influence the technical services at the level of the arrondissement. As an adjointe au maire d'arrondissement, Louis did not have any authority over the civil servant at the level of the arrondissement or the inspector. What's more, elementary schools were not even included in the list of facilities which were managed and maintained by the conseils d'arrondissement. Moreover, it is not clear whether these modifications were asked for by inhabitants of the arrondissement.

In 1989, the Centre de Conférences Internationales, one of Mitterand's multiple Grands travaux, his presidential works to embellish the capital, was announced to be built on Quai Branly in the 7th arrondissement. However, from the beginning onward the municipality offered resistance to the project and a legal conflict between the state and the municipality took place. But not only the municipality offered legal resistance to the plans, in 1992, a lawsuit was namely as well filed by the Association de sauvegarde du site Alma-Champ de Mars, a local association of the arrondissement of which an adjointe au maire d'arrondissement was a member. The tribunal administrative, the lowest court for administrative law of the French judicial branch, decided in favor of the association. The ministre des Affaires Étrangères Dumas and non-partisan secrétaire d'État au Grands Travaux Émile Baisini of the Bérégovoy government responded by lodging an appeal to the Supreme Court for Administrative Law of France, the Conseil d'État.

In anticipation of the court case and its verdict in, the conseil d'arrondissement took the initiative to discuss the future use of the lot. However, while the conseil d'arrondissement had to be consulted by the Conseil de Paris if zoning plans were changed, it was only allowed to approve or disapprove a certain type of zoning and could not decide the type zoning itself.¹¹⁴ Anyway, since the verdict or the Conseil d'État was in favor of the government, the

¹¹³ Letter from the Section de l'Architecture du 16^{ème} arrondissement to the Directeur des Affaires Scolaires on 1/23/1986, Archives de Paris, Construction et entretien, 2414W 21, f. 1-2.

¹¹⁴ Before any deliberation in the municipal council, the mayor of the municipality was obliged to consult the concerned conseil or conseils d'arrondissement when a new, or an modification to a, zoning plan was to be proposed. The mayor had the duty to this as well when modifications or new zones d'habitation, urban

state could continue the project. This had as a consequence that that the municipality did not decide on a new zoning for the land on which the Centre de Conférences Internationales was planned to be built, and that the initiative of the conseil d'arrondissement was in vain. The government besides renounced to the project in 1994 and thereafter it offered the land to the Organisation for Economic Co-operation and Development (OECD).¹¹⁵

Still, both the fact that the conseil d'arrondissement acted in line with the desire of the association and that a councilor was a member of the association show that the conseil d'arrondissement was reflecting the desire of the inhabitants of the arrondissement. Furthermore, the intention of the conseil d'arrondissement to decide on the zoning plan indicates that the conseil d'arrondissement was willing to go beyond the legal framework in order to impose its will.

Summarizing, this chapter has shown that inhabitants of the arrondissement communicated their concerns to the members of the conseil d'arrondissement, the cabinet d'arrondissement or the maire d'arrondissement. Thereafter, the ‘arrondissement’ tried to influence politicians, the technical services or other actors to obtain matters that would alleviate the concerns of the inhabitants. It can therefore be concluded that the ‘arrondissement’ found influence in informal ways and that this influence was used to obtain matters that were in the interest of the inhabitants of the arrondissement.

renovation zones, rehabilitation zones, artisanal zones or industrial zones were to be proposed to the municipal council. Sources: Le Journal Officiel de la République française, ‘Loi n° 82-1169 du 31 décembre 1982 relative à l’organisation administrative de Paris, Marseille, Lyon et des établissements publics de coopération intercommunale. | Legifrance’; ‘Décret n°83-666 du 22 juillet 1983 relatif aux modalités de consultation des conseils d’arrondissement et aux garanties de procédure en matière de plans d’occupation des sols (pos); de projets de zones d’habilitation; de zones de rénovation urbaine; de zone de rehabilitation; de zone industrielle et de zone artisanale; de zone d’aménagement différé (zad); de périmètre de la zone d’intervention foncière (zif) | Legifrance’, [,

<https://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000000328370&categorieLien=id>].

¹¹⁵ Mairie du VIIème arrondissement, Procès-verbal de la séance du 16 septembre 1992 du conseil d’arrondissement. Archives de Paris. 2537W 2, 9 ; ‘Conseil d’Etat, Section, du 30 octobre 1992, 140220, publié au recueil Lebon | Legifrance’, [,

<https://www.legifrance.gouv.fr/affichJuriAdmin.do?idTexte=CETATEXT000007810781>]; ‘Conseil d’Etat, 6 / 2 SSR, du 3 décembre 1993, 139021, inédit au recueil Lebon | Legifrance’, [,

<https://www.legifrance.gouv.fr/affichJuriAdmin.do?idTexte=CETATEXT000007835871>]; Anne Bauer, ‘Le gouvernement renonce au projet de Centre de conférences internationales - Les Echos’ (1994) [,

https://www.lesechos.fr/25/02/1994/LesEchos/16591-060-ECH_le-gouvernement-renonce-au-projet-de-centre-de-conferences-internationales.htm].

4. Improvement? The commission d'arrondissement, precursor of the conseil d'arrondissement

In this chapter the precursor of the conseil d'arrondissement, the commission d'arrondissement, will be discussed. It will be shown that the commission d'arrondissement was an entity that did not have contact with the inhabitants of the arrondissement nor tried to obtain matters in the interest of the inhabitants of the arrondissement.

The commissions d'arrondissement were created in 1975. They existed until 1982, when the conseils d'arrondissement and maire d'arrondissement replaced them. While the commissions d'arrondissement were one of the means to reach the goal of democratizing the city of Paris, the commissions d'arrondissement, because of its legal framework and Chirac's way of governing, did not truly reach this goal.¹¹⁶

This was a result of the legal framework, which did not assign many competences to the commission d'arrondissement. The entity only advised the mayor on matters that were submitted to it by the Conseil de Paris or the mayor, advice by the commission d'arrondissement on any other matter was 'invalid and nullified'. Furthermore, the composition of the commission d'arrondissement did not truly make it a democratic entity. It existed, in equal parts, out of councilors of the Conseil de Paris that had been elected in the arrondissement, civil servants selected by the mayor, and representatives of the social, cultural, sporting and familial life of the arrondissement and personalities that animated the life and the development of the arrondissement elected by the Conseil de Paris. 2/3 of the commission d'arrondissement was thus indirectly elected, of which 1/3 by the mayor. This contrast with the conseil d'arrondissement, where all councilors were directly elected by inhabitants, and the maire d'arrondissement was elected by the councilors among themselves.¹¹⁷

Chirac's way of governing was a factor in diminishing the power of the commission d'arrondissement. His very strict definition of majority rule practically ruled out any influence of the opposition, as well on the level of the arrondissement. The civil servants elected by Chirac and representatives of the life of the arrondissement elected by the Conseil de Paris were loyal followers of the mayor and the majority that had elected them. The members of the

¹¹⁶ Assemblée nationale, '1re séance du 2 décembre 1975', *Compte Rendu Intégral. Constitution du 4 octobre 1958. 5^e Législature*. 9178-9195, there 9178,9183; Paillot, *L'arrondissement parisien, entre déconcentration et décentralisation*, 6-7.

¹¹⁷ Le Journal Officiel de la République française, 'Loi n° 75-1331 du 31 décembre 1975 portant réforme du régime administratif de la ville de Paris'; Paillot, *L'arrondissement parisien, entre déconcentration et décentralisation*, 6-7; Philippe Nivet, Yvan Combeau, *Histoire politique de Paris au XXe siècle.*, 271-272.

opposition were therefore in minority in the commissions d'arrondissement. Le Monde even wrote that the commissions were not the consultative entities as envisioned by the legislator but relays of the mayor.¹¹⁸ Since the commissions were merely following the Conseil de Paris and Chirac, they did not voice the concerns of the inhabitants of the arrondissement and were probably not in contact with the inhabitants of the arrondissement. Neither did they try to influence other actors, politicians or the technical services to try and act on these concerns.¹¹⁹ It can be concluded that the commission d'arrondissement was merely a relay of Chirac, while the conseil d'arrondissement tried to obtain matters that were in the interest of the inhabitants of the arrondissement.¹²⁰

¹¹⁸ Since the original articles are irretrievable, the citations of Le Monde that were used are the ones are cited by Knapp, '5. Paris', 71.

¹¹⁹ Paillot, *L'arrondissement parisien, entre déconcentration et décentralisation*, 6–7; Jean-François Durantin, 'L'organisation administrative de Paris', 19; Andrew F. Knapp, 'Paris : Le système politico-administratif local, 1977-1987', 71; Marcou, 'Les réformes possibles', 85; Archives de Paris, Construction et entretien des équipements publics du 16e arrondissement: dossiers techniques (1911-1989), 2414W 67.

¹²⁰ Moreover, even if the commission d'arrondissement was in contact with the inhabitants of the arrondissement, it would not have been able to influence the technical services like the conseil d'arrondissement did. This was because the commission d'arrondissement was not responsible of the management and maintenance of anything, nor could it make use of civil servants of the municipality. Since an considerable part of the influence the conseil d'arrondissement obtained was by influencing the technical services which was possible because of the ambiguity of the PLM law, this meant that the commission d'arrondissement could never be as influential as the conseil d'arrondissement. This might have led to a decrease in inhabitants that contacted the entity, since it could not deliver.

5. Conclusion

When, in 2016, the Second Valls government published its bill that proposed to further decentralize the politico-administrative make-up of the capital, the explanatory memorandum stated that ‘there should be reflected on the role of the conseils d’arrondissement, since it had to be assured that local issues were taken into consideration during the decision-making process and that citizens were involved in the elaboration and execution of policies.’¹²¹

While this statement shows that the government asserted that, in 2016, local issues were not taken into account (enough) during the decision-making processes of the conseils d’arrondissement and that citizens were not involved (enough) in these processes, this thesis aimed to reveal if, earlier in time, the conseil d’arrondissement, maire d’arrondissement and cabinet d’arrondissement, on the contrary, had done this. The research question of this thesis was: did the creation of the conseils d’arrondissement in the city of Paris lead to improved local representative democracy during the period that Jacques Chirac was the mayor of Paris (1977-1995)?

On the one hand, it was shown that multiple competences which should have been delegated to the conseils d’arrondissement, maire d’arrondissement and his cabinet according to the decentralization law were in practice not conferred or only partially. This was illustrated by the sessions of the conseils d’arrondissement, during which almost all proposals done by the Conseil de Paris were approved without debate. No discussion on the management and maintenance of the facilities which was legally their competence took place either. The latter tasks were taken over by the hierarchical and centralized technical services, which were in hands of Chirac. In these ways, Chirac succeeded to great extent in preventing that the conseil d’arrondissement, maire d’arrondissement and cabinet d’arrondissement used their formal competences.

On the other hand, this thesis showed that the conseil d’arrondissement, maire d’arrondissement and the cabinet d’arrondissement were contacted by the inhabitants of the arrondissement, who communicated their concerns and desires to them. Thereafter, the conseil d’arrondissement, the maire d’arrondissement and cabinet d’arrondissement tried to, at times successfully, in informal ways, influence other politicians, the technical services and other actors to act upon these concerns and desires. The conseil d’arrondissement, the maire d’arrondissement and the cabinet d’arrondissement thus acted in the interest of the inhabitant

¹²¹ Ministère de l’aménagement du territoire, de la ruralité et des collectivités territoriales, ‘Projet de loi relatif au statut de Paris et à l’aménagement métropolitain et exposé des motifs’, 2.

of the arrondissement. At times, they even obtained what was wanted by the inhabitants of the arrondissement. In other words, the conseil d'arrondissement, maire d'arrondissement and cabinet d'arrondissement was responsive, stimulated their participation and obtained results in informal ways.

This thesis has shown as well that the commission d'arrondissement was merely a relay of Chirac. An important difference between the commission d'arrondissement and the conseil d'arrondissement was that the commission d'arrondissement mainly acted in the interest of the Chirac and his majority in the Conseil de Paris, while the conseil d'arrondissement acted in the interest of the inhabitants.

Since the members of the commission d'arrondissement mainly acted in the interest of Chirac, while the conseil d'arrondissement, maire d'arrondissement and cabinet d'arrondissement acted mainly in the interest of the inhabitants of the arrondissement, it can be concluded that the replacement of the commission d'arrondissement by the conseil d'arrondissement effectively shifted the direction of accountability from Chirac to the inhabitants of the arrondissement. It consequently results that the mechanism of accountability, responsiveness and participation, as described by Cremer, Estache, Seabright and Faguet, was put in place by the PLM law.

Representative democracy is considered of good quality when constituents are represented well and good representation constitutes in voicing the concerns and desires of constituents. Since the conseil d'arrondissement was responsive to its constituents, it can be concluded that the conseil d'arrondissement was an entity that was functioning well to the standards of representative democracy. Since the commission d'arrondissement was not responsive to the inhabitants of the arrondissement, the commission d'arrondissement was, in turn, not functioning well to the standards of representative democracy. Subsequently, it results that the PLM law put in place an institutional system that was more democratic than its predecessor.

However, the results delivered by the conseil d'arrondissement, maire d'arrondissement and cabinet d'arrondissement were obtained by means of informal influence. Ann Florini, in *The Right to Know, Transparency for an Open World* from 2007, states that transparency is necessary in representative democracy in order to make sure that citizens are able to obtain enough information about who to vote for. Moreover, Daniel Berliner, in 'The Political Origins of Transparency' in 2014 and Graham Hubbs in 'Transparency, Corruption, and Democratic Institutions' in the same year, state that

transparency is necessary in representative democracy because it prevents corruption and other unwanted behavior.¹²²

While in Paris, during Chirac's period in office, corruption was present at the level of the central municipality, there is no proof that this was as well the case at the level of the arrondissement. Secondly, assuming that the inhabitants of the arrondissement voted for the representative that listened to them and tried to solve their problems, the inhabitants probably knew who to vote for because they kept contacting members of the conseil d'arrondissement, the cabinet d'arrondissement and the maire d'arrondissement. In this sense, the quality of the representative democracy in Paris was not decreased by these factors.

However, in this thesis, another practice due to the "informal power" was encountered, namely, the danger that intransparency leads to undemocratic decision-making because a single actor can obtain a disproportionate share of influence. In many cases an adjoint au maire d'arrondissement or the maire d'arrondissement had much uncontrolled influence. A possible harmful consequence of uncontrolled influence can be that it leads to decisions that are not in the interest of all constituents. This was, however, not the case at the level of the arrondissement. All matters which were obtained by informal influence were in the interest of the constituents.

Thus, the decentralization in Paris had as a result that the representative democracy of the municipality-département was improved. However, because Chirac gave no freedom of movement to the conseil d'arrondissement, cabinet d'arrondissement and maire d'arrondissement, this increase in representative democracy was presupposed by an increase in intransparency. This gave members of the conseil d'arrondissement, the cabinet d'arrondissement and the maire d'arrondissement a disproportionately large uncontrolled share of influence, which led to an increase in obtainment matters that were in the interest of the constituents of the arrondissement.

With this reconstruction, the current research also nuances and partially contrast the studies done by Knapp, Haddab and Durantin. This study shows that Durantin made a faulty evaluation of the functioning of the conseils d'arrondissement. His strong conviction that the conseils d'arrondissement did not have power and that Chirac, on the contrary, increased his power over the arrondissement because of the decentralization law, does only partly

¹²² Ann Florini, *The Right to Know, Transparency for an Open World* (New York 2007) 2–3 <doi:10.7312/flor14158>; Daniel Berliner, 'The Political Origins of Transparency', *The Journal of Politics* 76 (2014) 479–491, there 479 <doi:10.1017/S0022381613001412>; Graham Hubbs, 'Transparency, Corruption, and Democratic Institutions', *Les ateliers de l'éthique* 9 (2014) 65, there 66–67 <doi:10.7202/1024295ar>; Ivar Kolstad en Arne Wiig, 'Is Transparency the Key to Reducing Corruption in Resource-Rich Countries?', *World Development* 37 (2009) 521–532, there 529 <doi:10.1016/j.worlddev.2008.07.002>.

correspond to the results of this research. In fact, while Chirac indeed “stripped” the “arrondissement” of most of its formal competences, the latter still found power in informal ways.

While the other two, Haddab and Knapp, were more nuanced and have described that the maire d’arrondissement had some particular ways to obtain influence, this research shows that the influence of the maires d’arrondissement could actually be more ample than suggested by Haddab and Knapp. Further, this thesis has as well rebutted that only the maire d’arrondissement could have influence. The councilors of the conseil d’arrondissement and members of the cabinet d’arrondissement also exerted influence over politicians, the technical services and other actors. Therefore, as well Haddab and Knapp underestimated the amount of influence the “arrondissement” truly had.

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Annex A - Original transcriptions

Transcription of minutes 14:14 to 16:03 of the interview of Jacques Chirac by Alain Juppé, in the context of Chirac's campaign for the presidential elections of 1981.

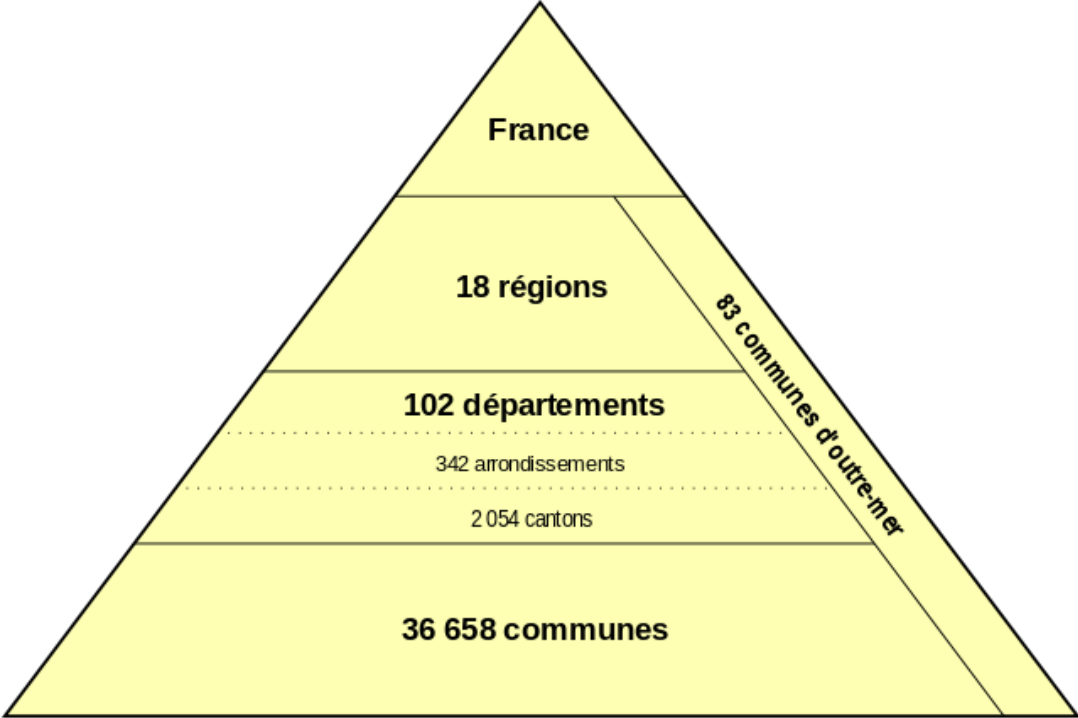
‘Mais au-delà je disais l'organisation administrative. Nous avons eu tort à rejeter, en 1969, la réforme régionale que nous a proposée le général De Gaulle. Le moment est venu de la reprendre aujourd'hui. Non pas pour donner l'indépendance politique, naturellement, aux régions, mais pour leur donner une certaine indépendance économique, sociale, culturelle. Comme il faut développer les moyens et aussi les pouvoirs des municipalités des maires, qui sont la possibilité de développer la démocratie du quotidien. Comme il faut développer, je le disais tout à l'heure, systématiquement, la concertation et les moyens de la concertation.’¹²³

¹²³ Institut de l'Audiovisuel (INA) Politique, 'Jacques Chirac - Campagne présidentielle 1981 | Archive INA'.; minute 14:14 to 16:03.

Maps and Schemes



Map of the Parisian arrondissements (© Wikimedia Commons).



The administrative division of France (© Wikimedia Commons).