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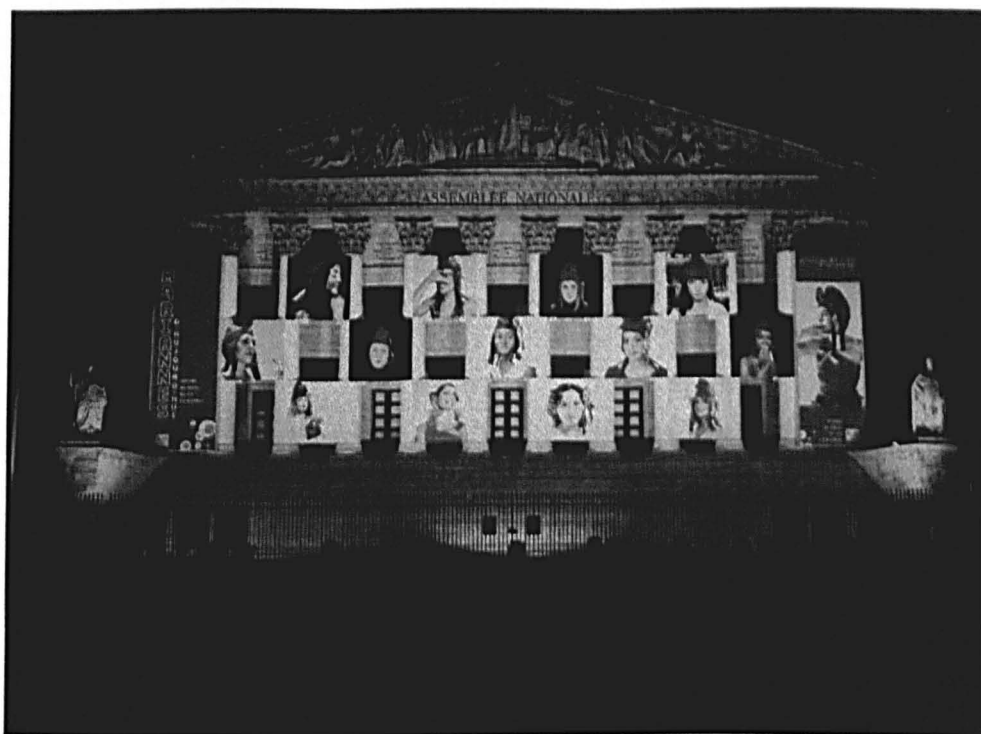
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Women and the National Assembly in France: an Analysis of  
Institutional Change and Substantive Representation, with Special  
Reference to the 1997-2002 Legislature.

Submitted for the degree of Doctor of Philosophy

July 2004



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06/05

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## Abstract

This thesis explores institutional features of the Fifth Republic in France that affect women's representation, both in terms of their access to elected office and in terms of their ability to substantively represent women once elected. After identifying factors that were particularly favourable to women in the 1997 Parliament, it assesses the institutional reforms enacted from 1997-2002, which include not only the Constitutional Amendment and the Parity Law, but also limitations on the *cumul des mandats*, reform of the Senate, the creation of a *statut de l'élu* (defining elected officials' benefits and rights) and of the new parliamentary Women's Delegations. It attempts a holistic appraisal of the institutional reforms, and their effect on patterns of political recruitment.

The second part analyses practices and power within the Palais-Bourbon to assess gender differences in access to parliamentary posts and tasks. It investigates the National Assembly as a 'gendered institution' and asks whether women are in a position to make a difference to the political process and legislative outcomes. It finds perceptible differences in women's and men's access to power, their committee work and use of parliamentary questions.

The thesis concludes with a study of the Women's Delegation. After investigating the rationale and circumstances of its creation, the institutional status of the Delegation within the Assembly is analysed. Its contribution to legislation and its *modus operandi* in the 1997 Parliament, as well as its integration into the National Assembly are examined, in order to ascertain whether it has the potential to enhance women's substantive representation and to provide 'safe space' for women Deputies.



## Acknowledgements

In four years one accumulates a lot of debts. Without the scholarship awarded by the Carnegie Trust for the Universities of Scotland, I would not have been able to embark on this thesis, which I hope repays the trust they placed in me.

My thanks go in particular to Professor Siân Reynolds who allowed me a free rein, but knew when to tighten it. She gave me confidence, encouragement and the sound advice I needed to keep everything under control. The support *à distance* of the staff of the French Department at the University of Stirling was much appreciated.

Without the cooperation of the French Deputies and National Assembly staff who were generous with their time and opinions, I would not have been able to interpret the objective data. Thanks also to the staff of the Information Service of the National Assembly for help in obtaining some of the data.

Many people have contributed to the logistics. All the friends in Scotland and Paris who have put me up on my travels deserve thanks for also putting up with me: I shall now have to find a different excuse for visiting Stephanie and Luca. French childcare policy made a big difference, and my thanks go specifically to the staff at 'Lous Péquelets' crèche who are so wonderful I couldn't legitimately feel guilty: thanks also to the friends and neighbours who filled the gaps.

Most of all, my thanks go to Fred for forbearance, technical support and all the rest. Last but not least, to Roxane and Leila who have grown with this project, but who are so much more challenging, stimulating and lovable than any thesis.

## Introduction and Literature Review

When this thesis proposal on women in the French National Assembly was taking shape in 1998, it was evident that the climate was ripe for change. All the ingredients for reform were present. Thanks to the efforts of campaign groups inside and outside formal politics, it was publicly recognised that there was an inveterate problem which was a source of injustice to women and an impoverishment of politics in general. Gender parity had become a fully-fledged issue in national politics during the 1995 presidential campaign, and developments on the international stage (which showed France up as the 'lanterne rouge' in terms of women in politics) rubbed salt in wounded national pride. The arrival of the *gauche plurielle* in 1997 with record numbers of *députées* and a platform of modernisation heralded reform, but the course and the extent of change were unknown. How far would it go? Would it remain a priority or be left to simmer down? Would the presence of more women in the Assembly influence the outcome?

As events unfolded at speed, it transpired that this field would offer more than could have been imagined. This made it a very enriching and exciting subject, but it complicated the task. I had set out to look at women's representation and the 'woman-friendliness' of the National Assembly, but then

the Parity Legislation changed the rules of political recruitment, and the creation of parliamentary Women's Delegations introduced a new gender dimension to the Palais-Bourbon. It is always difficult to hit a moving target, even more so when the target changes shape! At a practical level, these changes yielded a great deal of new, unexplored data, which was, however, difficult to process – in part because the statistics were rarely gendered, so had to be 'hand-picked'. Moreover, despite the wealth of secondary literature on theoretical aspects of women's representation in France, relatively little academic work has been done on practical aspects of 'getting elected' and 'being an *élue*' (although there is a certain amount of 'campaign' literature – personal or polemical accounts). This makes it difficult to find points of comparison, to assess, for example, whether or not the 1997 Parliament was more or less amenable to women. Consequently, many of the observations are preliminary and provisional, and will need to be tested against data collated over a longer period.

Within these constraints, the first aim of this thesis is to assess the **parity legislation and other institutional reforms** affecting women's political representation. It asks whether the 1997 Parliament fulfilled its promise and to what extent it marked a watershed in women's representation. It looks more closely at how, and by whom, these reforms were enacted.

The mechanics of these institutional reforms tackle the numbers side of the parity debate – how to get more women into politics – but they cannot address the other hopes that are vested in women, i.e. that they will 'make a difference'. The new legal framework goes some way towards satisfying the justice arguments, but it does nothing for the substantive representation of women which it is hoped could grow out of better numerical representation.

The second line of inquiry therefore involves looking at the **National Assembly as a potentially gendered institution** and at **Deputies' behaviour** in the 1997 Parliament. Is the Assembly truly *universaliste*? And if not, how does gender affect access to positions of responsibility? Are there any significant

variations in the way women and men work: do they use different parliamentary tasks (questions, committees, debate etc.) to work towards a different agenda?

The third part of this thesis lies at the intersection of these two paths: the Women's Delegation - one of the institutional innovations of the *gauche plurielle* - created a new space in an old institution. The thesis concludes by asking whether the Women's Delegation can provide 'safe space' for Deputies of both sexes to contribute to substantive representation.

During this journey to the centre of the Assembly, I became aware of certain undercurrents, that are not within the focus of this thesis but which kept recurring and which have bearing on the issues addressed. They constitute a subtext that helps make sense of some of the findings. They cannot be fully explored, but they will surface in the course of the thesis, and will be picked up again in the conclusions. They involve three issues:

**Getting seen, heard and counted.** Because women are such a small minority, they are often either overlooked or over-exposed. This can have positive effects - it provides role models for the future, bestows legitimacy and 'normality' on women politicians - though it can entail additional pressures. It can also be misused, either for essentialist 'image' purposes, or as a 'cache-sexe' to disguise underlying inequality. Republican universalism compounds women's invisibility by denying difference: it is assumed that laws and policies are the same for everyone, and so long as gender is not a statistical category, this cannot be challenged. The parity debate made gender into an accepted dimension of citizenship: it also focussed unprecedented attention on the 1997 intake of *députées* and the political parties. Visibility is an inevitable backdrop to the 1997 'Parity Parliament'.

**Revolving Door Syndrome.** French women leave politics much more quickly than men. This phenomenon is observed elsewhere, but it appears to be particularly acute in France, where a web of mutually reinforcing institutional and cultural factors exacerbates the problem of retention. This not only holds down

the numbers of women in politics, but, crucially, it reduces their chances of capitalising on their experience. It is all the more insidious because it remains invisible: attention is fixed on the entrance, not the exit.

**Representing women in constituency-based elections.** Although this thesis is deliberately limited to the legislative side of *députation*, the two halves cannot be so easily sundered. There is a complicated relationship between legislative and constituency work. Painstaking committee work on women's issues is not a vote-winner in the same way that a *question au gouvernement* on the closure of a local factory could be. Indeed feminist identification can be a disadvantage, even with women voters. Moreover, marginal seats – in which women are over-represented – require more nurturing, which can limit the incumbent's availability for legislative tasks and increase the pressure to deliver 'local' results. In this light, PR seems doubly advantageous for women: they not only stand a better chance of election, but, unshackled from constituency constraints, they may be freer to prioritise women's issues.

## Style

Because this thesis inevitably uses a lot of French expressions and quotes, the following typological conventions will be observed:

*Italics will be used for:*

- current French terms or short expressions (*cumul, gauche plurielle, le fait majoritaire*)
- names of Ministries and government agencies (*Observatoire de la parité*)
- emphasis, particularly in quotes.

**Bold** will be used to emphasise salient findings or points of contrast.

'Single inverted commas/roman script' will be used for:

- unattributed quotes ('lanterne rouge', 'universalisme républicain')
- first instances of expressions with particular meaning ('critical acts', 'safe space')
- phrases from the Delegation survey or interview questionnaire.

"Double inverted commas" are used only for quoting written sources or interviews.

Regarding translation, all interview quotes have been kept in French for authenticity, as have the names of temporary committees. However, the Permanent Committees and titles of legislation have been translated for ease of reading. The terms *députée* and *sénatrice* will be used on occasion *in the feminine only* as shorthand for women parliamentarians.

To preserve anonymity, interviewees are identified by number (see Appendix C.3). Quotes are attributed by [N°X] immediately after the quote, or by "Interviewee N°X" in the text. To facilitate recognition of significant characteristics, Roman script is used for women, italics for men; N°s 1-11 are *gauche plurielle*, N°s 12-18 are opposition members.

## Literature Review

Beyond the general works on women and politics in France, this thesis draws on three sub-categories of literature: theoretical and practical studies of parity; the institutional framework of the Fifth Republic; state feminism and women's policy input/behaviour.

As regards literature in French, studies of **women in politics** were sparse up until the 1980s. Duverger, Dogan and Narbonne laid the foundations as early as 1955 with the findings of the UNESCO survey. Thereafter, apart from isolated chapters in more comprehensive volumes on women - for example, Albistur and Armogathe's classic *Histoire du féminisme français* in 1977 – the subject lay virtually dormant for almost 30 years (during which French feminism eschewed engagement with the political establishment in any case). In 1983, Janine Mossuz-Lavau and Mariette Sineau revived interest with their first joint venture, *Enquête sur les femmes et la politique en France*. Since then they have undertaken a wealth of empirical research, and both became advocates of parity, contributing to the formulation of the laws through their involvement in parliamentary hearings and (in Mossuz-Lavau's case) in the work of the *Observatoire de la parité* (discussed in

(3.b), Chapter 1). Mossuz-Lavau dealt primarily with the voting patterns and political involvement of *électrices* (1994, 1997b, 1997c, 1997d, 2002a, 2002b), and edited a comprehensive volume with Armelle Le Bras-Chopard (1997). Sineau, on the other hand, focussed more on *élues* – their socio-educational profile, their perceptions of their rôle and the institutional difficulties they face in the Fifth Republic (Sineau 1988, 1992, 1994, 1997b, 2001a).

Of particular relevance to the issue of women's behaviour as politicians are *Les femmes ne sont pas des hommes comme les autres* (Mossuz-Lavau, with Anne Kervasdoué 1997) and *Des femmes en politique* (Sineau 1988) which, on the basis of extensive interviews, begin to identify some of the differences between male and female behaviour. Central to Sineau's investigation is the notion that the status of women - as a minority only recently 'legitimised' in politics - conditions their perception of themselves and their male counterparts, which in turn may affect their political praxis and aspirations. This astute emphasis on minority status enables her to define difference without falling into the essentialist trap (a perennial risk in France). It also ties in with what became 'critical mass' theory (based on Drude Dahlerup's *From a Small to a Large Minority* published in the same year) which was to become a prominent argument for parity. It established a framework for looking at women's participation in French politics: the notion of minority status lies at the core of this thesis.

Sineau also co-authored (with Jane Jensen 1995) a comprehensive analysis of François Mitterrand's pre- and post-1981 contribution to women's rights and women's issues, whose subhead – *un rendez-vous manqué* - is unequivocal. Her most recent book, *Profession femme politique: Sexe et pouvoir sous la Cinquième République* (see below), combines a rare gendered account of de Gaulle's institutions with a detailed comparative survey of the women and men serving in the 1997 Parliament (previous surveys had targeted women only). The other authoritative history of women in French politics since the Liberation is William Guéraiche's *Les femmes et la République* (1999). Beyond an extraordinarily detailed panorama of women's participation in the wings and up-front in formal politics,

this draws on a wealth of archive material and interviews to flesh out the women of the Fourth and early Fifth Republics.

These wide-angled studies are complemented by a few more narrowly-defined works devoted to **women in political parties or personal profiles**. For example, Renée Rousseau (1983) looks at Communist women, Bataille and Gaspard (1999) give a unique insight into the Socialists' *circonscriptions réservées* in the 1997 elections, Lesselier and Venner (1997) and Mayer and Sineau (2002) dissect the *Front national*. These valuable single-party studies illustrate the difficulties faced by women across the spectrum. Mazur and Appleton (in Norris and Lovenduski 1993) go one step further: in comparing the PS and RPR, they identify the hiatus between reality and rhetoric around women's involvement on both sides of the political divide. Given the way that the promise of parity was used as a vote-winner, it is important to keep this perspective in mind when assessing party actions in the 1997 Parliament.

In parallel, there has been a plethora of insider stories by or about prominent women politicians (Gaspard 1979; Roudy 1985, 1995; Schemla 1993; Barzach 1994; Szafran 1994; Royal 1996; Barret-Ducrocq and Pisier 1997; Bredin 1997; Guigou 1997; Bachelot and Fraisse 1999) including a biographical dictionary (Helft-Malz and Lévy 1996). Though subjective and perhaps not wholly disinterested, these are worthy of attention in that they corroborate the findings of more systematic accounts based on interview material (Sineau 1988; Mangin and Martichoux 1991; Adler 1993; Freedman 1997) and undoubtedly fed the public discussion of parity and of the public/private spheres. Common threads are the aggressiveness and masculinism of politics; feelings of illegitimacy resulting in a need to blend in (*sur-adhésion*) or to stand out (*surcompensation*); guilt vis-à-vis family; attitude to time-use (efficiency versus verbiage, task-orientation versus career-building), different perception of power, awareness of a responsibility to substantively represent women.

Until Gill Allwood and Khursheed Wadia brought together the different strands of women's political activities into one thorough-going volume (2000),



studies in English had been fragmentary. Apart from Claire Duchen's seminal account of French feminism (1986) and Dorothy Stetson's review of women and public policy (1987), they often consisted of single chapters in anthologies on French studies, like Siân Reynolds' chapter in *The Mitterrand Years* (Maclean 1998) or Máire Fedelma Cross' more recent contribution to *Women in Contemporary France* (Gregory and Tidd 2000). Alternatively, they appear in transnational collections, for example, Amy Mazur on *égalité professionnelle* in *Equality, Politics and Gender* (Meehan and Sevenhuijsen 1991) and the *Ministère des Droits de la femme* in *Comparative State Feminism* (Stetson and Mazur 1995), or Anne Stevens' chapter comparing France, Britain and Germany in *Women, State and Revolution* (Reynolds 1986). It is interesting to note that few politics textbooks as yet include distinct references to women's involvement even though their under-representation has now been an issue in France for over 15 years. Rather than having a separate women's section, Anne Stevens (1996, 2003) makes women part of the picture by weaving data into the appropriate passages throughout *The Government and Politics of France*. In most other textbooks, however, women's political participation is conspicuous by its invisibility. Apart from Yves Mény, whose profile of elected representatives begins with a description of the 'quasi-monopole masculin' before looking at age, education and socio-professional background (1993: 183), French political scientists also suffer from tunnel vision. (Lévêque 1997).

In contrast with the paucity of research on the concrete aspects of women's representation, there is a relatively large body of recent work on gender and democracy/citizenship from a historical and political philosophy perspective. This interest, kindled in the seventies, reached a crescendo after the bicentenary of the Revolution and eventually crystallised around the parity debate, with the emergence of *pro-* and *anti-paritaire* schools of thought, exemplified by the two special issues of *Nouvelles questions féministes* (15:4 in 1994 and 16:2 in 1995). Although much of the historical reappraisal predates the period under consideration, it cannot be dissociated from the subject matter of this thesis. For

example, the failure to identify, or even name, women's exclusion from the Republic (exemplified by the continuing misuse of *suffrage universel* to describe the momentous event of 1848)<sup>1</sup> shored up the myth of undifferentiated citizenship: this could partly explain the dearth and tardiness of research on politics and women. In the same vein, the misrepresentation of female rulers and leaders, recently illustrated by a study of the portrayal of women in school textbooks (Lelièvre and Lelièvre 2001), feeds the apprehensions and perceived 'queerness' of women in power: this in turn influences the way in which women today can engage in politics. However, this literature will not be explored in greater depth, because it is not directly relevant to the central inquiry of this thesis – what practical progress was made in the 1997 Parliament towards greater women's representation, and to what extent did the women Deputies act differently as legislators?

Likewise, the abundant political philosophy and campaigning literature on the theory of parity, though fundamental to the issue of women's representation, will not be surveyed in depth. The clash between *universalistes* and *essentialistes* raised important questions about citizenship and representative democracy. Sparked off by *Au pouvoir, citoyennes!* (Gaspard *et al* 1992), the arguments from both sides have been brought together in several anthologies, primarily *Nouvelles questions féministes* (cited above), *Projets féministes*, 4-5 in 1996, *Pouvoirs* n° 82 in 1997. However, this domain has been amply explored, by feminist academics (Lagrange, Varikas, Pisier, Riot-Sarcey, Delphy, Viennot, Haase-Dubosc, Louis, Dental), philosophers (Fraisie, Agacinski, Badinter), practitioners (Gaspard, Roudy, Halimi, Bachelot, Lipietz) as well as the political scientists already mentioned. Moreover, since the Constitutional Amendment in 1999, this is, for the foreseeable future, a closed chapter. Whatever the arguments for and against, the notion of gendered citizenship is now a constitutional reality, and this thesis

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<sup>1</sup> See Reynolds: 1986 and 1994, Rosanvallon: 1992, Perrot in Le Bras-Chopard and Mossuz-Lavau: 1997, and most recently Michel Offerlé's 'Un homme, une voix?' (sic): 2002 (2<sup>nd</sup> edition).

focuses not on the processes that led to this point – skilfully analysed by Jill Lovecy (2000) -, but on the results that flow from it.

Works on the **practical aspects of parity** range from descriptions and justifications of the parity campaign (Mossuz-Lavau 1998, Haase-Dubosc 1999, Jensen 2001), to explorations of the electoral options available (Martin 1998, Gillot 1999, Halimi 1999) and their likely impact (Sineau 2001b). The first round of municipal, departmental and senatorial elections in 2001 generated a considerable number of articles reviewing results particularly for the *conseils municipaux* (Mossuz-Lavau 1997e, 1998, 2000, 2002a; Sineau 1997a, 2001b, 2001c, 2002b; Dauphin 2002; Gaspard 2002), and more specific research projects looking at the detailed application of the parity legislation. Many of these – concentrated on parity in the municipal councils – are ongoing, but some preliminary reports have already been published (see *Politix* 2002). In addition, the state agencies responsible for monitoring the legislation (the *Observatoire de la parité*, and the parliamentary Women's Delegations) have compiled gendered data and taken evidence from interested parties to measure progress and formulate guidelines for the future application or modification of the law (Génisson 2001, 2002; Zimmermann 2003). An overall picture of the pre- and post-legislative stages is therefore beginning to emerge.

However, none of these studies has so far addressed the **legislative process** itself, nor the **input of the women Deputies**. Moreover, despite the title of the law – ‘*égal accès des femmes et des hommes aux mandats électoraux et aux fonctions électives*’ – it only covers elected office, and not executive positions within the various local councils or in Parliament. Whereas the issue of women's access to the executive board of municipal councils has attracted scholarly attention, their deployment within the National Assembly has not yet been systematically explored. Sineau highlights the uneven distribution of women Deputies in the Permanent Committees of the Fifth Republic and outlines their access to certain positions of responsibility at the beginning of the 1997 Parliament (2001 60-61 & 226-29; 2002b), and Guéraiche (1999) provides isolated references to the promotion

of individual women. There is, however, no comprehensive account extending up to 2002.

The standard literature on the **institutions of the Fifth Republic** – like the politics textbooks mentioned above – is firmly rooted in undifferentiated citizenship, so rarely admits gendered interpretations. Sineau breaks this practice by clearly identifying some of the features that made it ‘une République des mâles’, which, according to Bachelot and Fraisse (1999: 73), is “presque un système de prédation organisé”. Her original critique of the 1958 arrangements does not extend to the internal workings of Parliament, however.

Literature on **state feminism** has focussed on the Ministry for Women’s Rights which, though a ‘pavé dans la mare’ in the 1980s, has ceased to ripple. It generated considerable comment and analysis and its inexorable decline has been amply documented (Reynolds 1988; Mazur 1995; Barret-Ducrocq 1997: 366-69; Jensen and Sineau 1995: 182-207; Allwood and Wadia 2000: 186-88). In contrast, little attention has been devoted to the *Observatoire de la parité* or the Women’s Delegation beyond a summary description of their remit (Mossuz-Lavau 1998; Abélès 2000; Assemblée nationale 2000; Sineau 2001). An exception is the work of Mazur and Baudino in the ongoing RNGS Comparative State Feminism project: their interim study (RNGS May 2000) does analyse the contribution of the *Observatoire* at the beginning of the parity debate, but stops short of the parliamentary readings of the Parity Law.

Apart from work on state feminism and on electoral systems (for the purposes of parity - see above), gender has been ignored in most studies on **institutional or parliamentary practices**. Largely for practical reasons (women were statistically insignificant), but perhaps also through intellectual choice based on universalism, the few existing studies of Deputies’ behaviour do not take gender into account. Hence Maryvonne Bonnard’s perceptive comparison of Special and Permanent Committees (1981) underlines the enhanced power of the President and *rapporteur*: she looks at opposition access to such positions but not gendered access. Likewise Charles Henry’s analysis of written parliamentary

questions differentiates Deputies' behaviour on a multitude of criteria but not gender (1993). It is perhaps more surprising that the literature following the first round of decentralisation in the mid-eighties continued this tradition: Elizabeth Dupoirier constructs a profile of the first intake of regional councillors as compared with mayors and departmental councillors, using a variety of categories but omits gender (Dupoirier in Loughlin and Mazey 1995). The same applies for *cumul des mandats*. A substantial amount of research has been undertaken since 1985, an explicit link with women's exclusion was made during the parity debate – notably by the Committee *rapporteur* Bernard Roman, the *Observatoire de la parité* and the Women's Delegation – and yet current studies still do not address gender (see Augé 2002). This may also derive from the fact that official sources (such as the National Assembly and the Interior Ministry) are resolutely universalist, so data is only very gradually being disaggregated by gender. In these circumstances, *Les femmes députées de 1945 à 1988* – a treasure trove of information on the parliamentary activity of all *députées* up to 1988, compiled from the archives of the National Assembly by a former Deputy – is all the more remarkable (Pascal 1990). Moving away from a statistical approach, *Un ethnologue à l'Assemblée* is a rich portrayal of the inner workings of the Palais-Bourbon and the habits of its tenants (Abélès 2000). This gives precious indications of the utility and significance of certain parliamentary practices, but it gives only fleeting insights on women's minority status.

Although research on women's **substantive representation and gendered parliamentary practice** is under-developed in France (Sineau's work is the exception) there is a growing body of work based on other polities. The pioneering work on political recruitment by Pippa Norris and Joni Lovenduski (1993, 1995, 1997) helped to reveal the mechanics of women's under-representation. This work, in conjunction with Anne Phillips' theory of a politics of presence (1995), underlay the recent proliferation of work in English-speaking and European circles, which focuses increasingly on substantive representation. They revisit critical mass and critical acts (Norris 2000; Lovenduski 2001;

Lovenduski and Norris 2003), with specific reference to Westminster. Lovenduski has also engaged in international/comparative projects, such as International IDEA (with Karam, Dahlerup, Matland *et al* 1998) and the Research Network for Gender Politics and the State (RNGS 2000; Stetson 2003) seeking to analyse and disseminate findings on how women can make a difference. Much work is still pending, though preliminary findings are becoming available at conferences (ECPR, Marburg September 2003; "Les Femmes dans quelques parlements de tradition britannique: une comparaison", Ottawa June 2004). Of particular relevance to this thesis are issues of mainstreaming (Squires and Wickham-Jones 2002) and studies of behavioural and attitudinal difference (Childs 2001, 2002, 2004; Ross 2002). The innovations of the devolved parliaments in Britain from 1999 with record levels of women in Scotland and Wales, have provided raw material for more detailed empirical research than was previously possible, exemplified by the ongoing Gender and Constitutional Change project (Mackay *et al*). Other articles have already been published (Brown *et al* 2002; Busby and MacLeod 2002).

The European Parliament, like the Scottish and Welsh parliaments, has two advantages regarding women's representation: it is recent and peripheral (with respect to national parliaments), therefore less hidebound by male tradition and competition. This relative freedom, combined with higher female representation than in most national parliaments, makes it an ideal site to look at differences in women's involvement (Footitt 2002, Kauppi 1999). North American literature is also evolving from explanations of women's absence (for example Darcy, Welsh and Clark 1987, 1994) to assessments of their parliamentary work and their substantive impact (Thomas and Wilcox (eds) 1998). However, research in the French context is inhibited by two factors. On the one hand, the increase in women's representation is so small and so recent that observations can only be tentative, and on the other hand any enquiry based on difference is still highly contentious in the 'République une et indivisible'. Approaching this subject from outside France and French thought is consequently a distinct advantage.

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In the light of the literature reviewed above, the lines of investigation pursued in this thesis will be developed in such a way as to complement existing work and fill in certain gaps. Consequently, more attention will be devoted to the second and third parts – on parliamentary procedures and substantive representation – than to the first part which has been subject to intense but selective scrutiny.

**Part I** covers the institutional aspects of women's representation. After an overview of previous trends in women's representation from 1946 to 1997, it analyses the state of play when the *gauche plurielle* came to power, to identify the factors that were particularly favourable to women: parity in the electoral campaign, the composition of the Assembly, impetus from the executive. This draws largely on existing secondary literature. Particular attention is paid to the role of Lionel Jospin and agencies of state feminism, on the basis of primary sources.

It then assesses the institutional reforms enacted from 1997-2002, which include not only the Constitutional Amendment and the Parity Law, but also limitations on the *cumul des mandats*, reform of the Senate, the creation of a *statut de l'élu* (defining elected officials' benefits and rights) and of the new Women's Delegations. All of these measures are inextricably linked, and had the potential to enhance – or undermine – the effectiveness of the Parity Law proper.

The impact of the Parity Law on elections since 2000 has been assessed elsewhere: this section goes beyond interpretations of results to attempt a more holistic appraisal of the institutional reforms, and their effect on patterns of political recruitment. The contribution of the 1997 intake of women on the passage of the Parity Law will be analysed subsequently in a case study of the Women's Delegation's legislative work.

**Part II** examines the internal management of the National Assembly to identify the strategic positions and tasks which could enable women to influence the

legislative agenda and process. It then maps women's access to key posts within the Assembly on the basis of raw data on Deputies' in-house responsibilities.

After defining which parliamentary tasks could be meaningful indicators of gender difference (by setting textbook description of parliamentary procedures against observed practice and Deputies' opinions) and devising a male control group to factor out attributes other than gender that could influence behaviour, a limited gender audit of Deputies' work in the 1997 Parliament was undertaken.

This involved a detailed comparison of men and women Deputies' contributions to committee work and their use of the three types of parliamentary questions. It again draws on raw data and interview material.

Explanations of the differences observed – which remain very tentative because of the absence of previous data – are attempted to try to assess to what extent the Assembly is a 'gendered institution'. Do the traditions, practices and institutional features of the Assembly have a different effect on men and women Deputies?

Part III is devoted to the Women's Delegation and the substantive representation of women.

In the early planning stages of this thesis, the Women's Delegation did not exist: it first met in November 1999 and kept a deliberately low profile. However, while assessing the Parity Law and grappling with the problem of measuring group difference, it became apparent that this could be an important site for collective action. Women continue to be a small and isolated minority, so the Delegation could provide a 'safe space' to compensate for the lack of critical mass. It could act as a rallying point enabling women from diverse political families to focus their efforts on certain issues, or alternatively it could be a base in which a 'women's consensus' could be fostered then refracted through other areas of parliamentary work. It could also provide opportunities for men to articulate undeveloped equality concerns. Consequently, the Women's Delegation has grown from a footnote to a major section of this thesis.

After investigating the rationale and the circumstances surrounding its creation, the institutional status of the Delegation within the Assembly is outlined.



Having established the Deputies' expectations and the scope for action available to this new body, its legislative input is evaluated, via an overview of the bills it handled and an in-depth case study of its contribution to the Parity Law. In addition to generating different outcomes, the Delegation could initiate different ways of working. To sketch the working practices that began to evolve in the 1997 Parliament, a variety of primary sources were used, principally pre-legislative reports, minutes of Delegation meetings and the *Journal officiel*. These objective sources were complemented by subjective feedback from Deputies and Assembly staff, and the results of a short survey sent to all Deputies (excluding Delegation members) in December 2001. The general opinion expressed in this survey forms the basis of an assessment of the initial perception of the Delegation and its prospects for the future.

In conclusion, we ask whether the 1997 Parliament marked a watershed in women's representation in France; what gender differences were observed within the National Assembly; and what kind of difference the Women's Delegation could make.

## Part I

### Institutional Aspects of Women's Representation

The slow progression of women's political representation in France since 1945 has fuelled demands for statutory measures, particularly since the Constitutional Council's 1982 ruling against quotas. After sketching trends in female participation and campaigns for change, Part I argues that the advent of the *gauche plurielle* in 1997 broke the deadlock and ushered in a period of significant and inter-connected reforms.



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## Chapter 1

### Trends in Women's Representation since 1944 and the State of Play in 1997

#### In the beginning...

Until recently, there was a tendency to forget that universal suffrage in France dates from 21 April 1944, and not from 1848. It is thanks to the impetus of the Bicentenary of the Revolution, combined with the rise of parity and the 50th anniversary of winning the vote, that feminist reminders of this particular 'silence de l'histoire' found resonance in public debate. Women's under-representation is sometimes explained by this lateness, but its significance should not be overstated as it is only relative<sup>1</sup>. Indeed, the circumstances of the first elections – municipals in April 1945, Departmental in September, and the *Assemblée constituante* in October – favoured women's participation: significant numbers of men were still out of circulation; women benefited from PR and their links with the resistance<sup>2</sup>. Consequently, women started at a relatively high level at the Liberation: Guéraiche (1999: 16-19) estimates<sup>3</sup> that there were 7.5% of women in the *Comités*

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<sup>1</sup> See Reynolds (2002).

<sup>2</sup> They earned direct benefits through their personal involvement – Lucie Aubrac, Marie-Claude Vaillant-Couturier – , sometimes reinforced by their status as widows of war heroes – Gilberte Brossolette.

<sup>3</sup> Guéraiche (1999 : 20) raises an interesting query on the validity of statistics concerning women's participation in the Fourth Republic that is consonant with present-day problems. He suspects that series of astonishingly round figures provided by the Interior Ministry may in fact be

mainstream politics – notably with the advent of the Fifth Republic, which, for institutional reasons analysed by Sineau (2001a), held women at base level for two decades. The events of May '68, for instance, came a year *after* a 'frémissement' in women's representation (Guéraiche 1999: 19), when women fleetingly topped 2% in the National Assembly and their presence in the Departmental Councils doubled: 1967 also coincided with significant developments within the Palais-Bourbon, as argued in Chapter 3.

Likewise, 1981 did not mark a turning point in women's representation, despite the creation of Roudy's Ministry of Women's Rights: the upturn dated from the municipal, legislative and European elections of 1977-79 (though this trend was consolidated after 1981). The creation and PR-election of Regional Councils in 1986 was a major event in representative democracy, and therefore could – or indeed should – have accelerated women's entry into politics. However, the failure to address gender explicitly (in the aftermath of the Constitutional Council's 1982 rejection of municipal quotas) and the disappointing results<sup>5</sup> made decentralisation into another 'rendez-vous manqué'. Nor did the ill-starred introduction of PR for the 1986 legislative elections bring tangible benefits for women's representation<sup>7</sup>. Consequently there are three distinct phases in women's representation: the Liberation and Fourth Republic; the first two decades of the Fifth Republic; and a period of growth from 1977.

### Transition

The flatline of the 1950s and 1960s is a direct consequence of the institutional arrangements of the Fifth Republic and the personal style of President de Gaulle<sup>8</sup>. Sineau cites several factors: the recruitment of technocrats from the male-dominated *grands corps* and *grandes écoles*; the reintroduction of majoritarian

<sup>5</sup> There were 9% of *conseillères régionales* in 1986. This compares unfavourably with other PR elections in France: 14% in the 1983 Municipal elections and 20% in the 1983 European elections.

<sup>6</sup> This was how Jensen and Sineau (1995) judged the Mitterrand era.

<sup>7</sup> The proportion of female candidates reached the record level of 24.7% (only surpassed in 2002 because of the distortions caused by the Parity Law), but the number of *députées* rose from 26 to 34, hovering at this level until 1997.

<sup>8</sup> Sineau (2001a: 43-71), Chapter 2 "La Glaciation gaulliste".

elections which favour conservatism (because of the strong constituency link) and *cumul des mandats*; the presidentialisation of the regime (exacerbated by direct election from 1962) in conjunction with the General's personal style and attitudes gave a decidedly virile and paternalistic twist (Sineau 2001a: 27-42). For the few women who had just stepped over the threshold during the Fourth Republic, these changes effectively closed the door, which was then locked by two other developments. The newly-created Constitutional Council, with a system of nominations that ensured 100% maleness until 1992, was to guard over de Gaulle's institutions, slowing down progress by upholding the status quo (as demonstrated by its 1982 decision). The reinvigorated Senate could not have been better designed in 1958 to keep women out: indirectly elected by the *grands électeurs* of the communes and Departmental Councils, charged with representing the *collectivités locales* (and therefore rural, conservative France), the upper chamber is the second *garde-folle* of the Gaullist Republic (see (2), Chapter 2 for their attitude to parity). Although these changes were ostensibly aimed at other targets – the Communists, the proliferation and 'irresponsibility' of political parties, parliamentary instability – they also held women's representation below pre-1958 levels.

The rising curve in the 1970s is also linked to presidential personality and developments at state level. The election of the President by universal suffrage from 1965 – while reinforcing the symbol of a presidential *pater familias* – also forced candidates to take greater heed of the female electorate at a practical level.<sup>9</sup> Consequently, Giscard, seeking to incarnate youth and modernity, was more amenable to women's rights (using *le fait du Prince* to promote women, appointing Françoise Giroud *secrétaire d'Etat à la Condition féminine*, reform of abortion law).

However, increased female participation derived as much, if not more, from grassroots societal change. Analysing women's voting behaviour, Mossuz-Lavau

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<sup>9</sup> Speaking of the 1974 Presidential elections, Sineau (2001a: 72) states: "Les deux challengers, Valéry Giscard d'Estaing et François Mitterrand, se livrent à une sorte de surenchère sur ce thème [le rôle politique des femmes], conscients, l'un et l'autre, que le changement politique passera par les femmes." She goes on to point out that 1974 saw the first woman candidate, Arlette Laguiller.

(1998: 12-21) identifies three stages: a period of 'apprentissage' up to the late 1960s (women were more conservative and abstentionist); 'décollage' in the 1970s (convergence of male and female behaviour); and 'autonomie' from the 1980s (women moved to the left and rejected the *Front national*). She ascribes the 'décollage' – which coincided with the upturn in female representation at all levels – to women's access to education and employment, and the waning influence of the Church. It is less a change in the nature of the state than a change in the perception of women as autonomous, political beings that initiated the rise in women's representation.

Mitterrand pursued and amplified the Giscardian approach – stretching *le fait du Prince* to the limit by appointing Edith Cresson and pushing his other nominees to seek electoral anointment, creating the Ministry for Women's Rights. However, he was reluctant to go beyond incentive and example, despite growing evidence that this was not working and despite increasingly vocal demands for change. The adoption of 25% quotas for municipal elections was struck down by the Constitutional Council in 1982, effectively blocking positive action<sup>10</sup>. By 1995, the level of women Deputies, Mayors, Senators and Departmental Councillors was still stagnating below the 10% threshold: in other words, women were only making headway in PR elections. Why?

Speaking of the twin rights won by women in 1944, Mossuz-Lavau (1998: 12) states: "Autant, pour ce qui dépend d'elles, à savoir le vote, les Françaises ont progressé à grands pas, autant pour ce qui ne dépend pas d'elles, l'éligibilité, le constat est encore très négatif." She gives a succinct summary of specifically French factors impeding women's progress – *la loi salique, cumul des mandats*, electoral arrangements – but the real sticking point, in her view, was "la mauvaise volonté de nombre de partis politiques qui sont des cénacles masculins fonctionnant en circuit fermé, se reproduisant à l'identique," (op. cit: 24): the

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<sup>10</sup> Quotas had already been put forward in the past, most notably in Giroud's *Cent mesures* in 1975 (15%), and Monique Pelletier's 1979 bill for 20% in municipal elections which was derailed by the change of power in 1981. Odette Casanova lists 24 parliamentary initiatives to improve women's representation (Assembly Report N°2074).

pertinence of this insight is illustrated by the post-parity attitudes of major parties (see Chapter 2). By the late 1980s, there was deadlock. Something had to give: would it be the women, the political parties, or the '*verrou constitutionnel*'?

### Agitation

Several parties, mostly on the left, attempted to introduce voluntary measures during the 1980s and 1990s, culminating in Rocard's *chabada* – or alternate - lists for the 1994 European elections. Six other lists applied the same principle, with the result that the French Delegation to the European Parliament missed the 30% mark by a whisker. However, parties had greater difficulty in voting and applying positive measures in domestic elections.

At the same time, a positive dynamic was building between women's groups and trans-national moves towards greater political participation. In 1991, the European Commission set up the Women in Decision-Making Network, and subsequently organised women's summits which were to produce the influential Athens and Rome Charters (1992, 1996), recognising the need for specific measures to put the principle of equality into practice. In 1994, the Interparliamentary Union advocated positive measures and temporary use of quotas, and in 1995, the UN World Conference on Women further consolidated demands via the Beijing platform of action.

On the domestic front, the first shot in the parity campaign was the publication of *Au Pouvoir citoyennes! Liberté, égalité, parité* (Gaspard et al: 1992). This spawned a plethora of publications, campaign groups, and events<sup>11</sup>: one of the earliest, the *Femmes pour la parité* network, initiated the *Manifeste des 577*, signed by politicians, academics and other prominent citizens and published in 1993<sup>12</sup>. In that year, Gisèle Halimi threw *Choisir* into the fray. Yvette Roudy established the *Assemblée des Femmes* which maintained pressure within the PS: she

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<sup>11</sup> For details of the groups involved see Mossuz-Lavau (1998), Jensen (2001), Freedman (1997).

<sup>12</sup> *Le Monde*, 10/11/1993.

was also one of the instigators of the *Manifeste des dix pour la parité* in 1996<sup>13</sup>. Building on a growing body of feminist research, academics joined together in a series of seminars in 1994-95 (organised by Marie-Victoire Louis) publishing their work in *Projets féministes* (1996), which complemented the NQF pro- and anti-parity volumes (1994, 1995). Their combined efforts made parity into an issue of the 1995 presidential campaign, during which Balladur, Chirac and Jospin were summoned to present their 'women's platform' to a packed *palais des Congrès*. Once elected, Chirac had to keep his word.

In the midst of all this ferment, Alain Juppé committed a serious but helpful political mistake in dismissing eight out of twelve of the women he had appointed to his first cabinet only 6 months previously<sup>14</sup>. He compounded this blunder by failing to take seriously the first report of the *Observatoire de la parité*<sup>15</sup>, the government think-tank created by Chirac to satisfy - or pacify - activists' demands (see (3.b) below). This exacerbated demands and ultimately put Chirac under even greater pressure to match Jospin's pro-parity bid.

By 1996, the *Demain la parité* network claimed 2 million members, and federated a broad range of women's and feminist groups, deliberately building muscle to flex in the legislative elections due in 1998. Their hand was strengthened by the above-mentioned *Observatoire* report, a cross-partisan hybrid, drafted by Gisèle Halimi under the aegis of Roselyne Bachelot. On the negative side, philosophical differences over interpretations of universalism grew intense. While this mobilised considerable energy amongst intellectuals, the different strands of pro-parity activism had already won the battle of public opinion<sup>16</sup>.

Having sketched an outline of women's representation and moves for change, we can now look more closely at the conditions within parliament and

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<sup>13</sup> L'Express, 06/06/1996. This was signed by Michèle Barzach, Frédérique Bredin, Edith Cresson, Hélène Gisserot, Catherine Lalumière, Véronique Neiertz, Monique Pelletier, Yvette Roudy, Catherine Tasca et Simone Veil. See Mossuz-Lavau (1998: 40-41).

<sup>14</sup> The fate of the so-called 'juppettes' in November 1995 played an important part in forging greater solidarity between women from the left and right.

<sup>15</sup> Halimi (1999), see Mossuz-Lavau (1998) for Juppé's reactions.

<sup>16</sup> Sineau (in Martin 1998) gives a detailed analysis of opinion poll findings.



government from 1997, before analysing the institutional reforms linked to women's representation.

### State of Play

Since there was no fundamental regime change in 1997, we need to ask what, beyond conjunctural factors in the 1990s, made the 11th Legislature more amenable to women's representation. It is argued here that the circumstances of the election of the new parliament, the personal convictions of the Prime Minister and the configuration of state feminism combined to provide favourable conditions for improved political representation.

#### 1. The Circumstances of the 1997 Election

##### a. The PS and *Circonscriptions Réservées* – a Dress Rehearsal for Parity

Although designed to produce results in the short term, with hindsight the PS strategy for increasing numbers of *députées* acted as a laboratory simulation for parity. It exposed the latent mechanisms and attitudes within the party which had excluded women in the past, therefore substantiating the need for binding legislation in the immediate present, and signalling potential pitfalls in the future<sup>17</sup>. *Circonscriptions réservées* (the equivalent of all-women short-lists in a third of constituencies) were introduced in May 1996 by Lionel Jospin. Making this a priority so soon after his election as First Secretary, and driving it forward in record time (it had party approval and lists were established by September), proved to be fortunate, as candidate selection was complete before early elections were called. It was an impressive achievement by the party's own standards in the past (it tripled the level of women candidates in 1993<sup>18</sup>) and compared well with its allies and rivals. Although the parties on the left achieved similar

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<sup>17</sup> The selection procedure is thoroughly documented by Bataille and Gaspard (1999), who carried out a survey of all women candidates in February 1997, to explore their motivations and profile and assess reactions to the *circonscriptions réservées*. With a 90% response rate, the evidence collected can be assumed to be representative and not just sour grapes.

<sup>18</sup> 45 out of 539 PS candidates, or 8.7%. Gaspard and Bataille (1999: 97).

numbers of women, the right (hampered by large numbers of incumbents) made little progress<sup>19</sup>.

The election results (16.7% of *élues*) were less rosy than the selection results (27.3% of *candidates*), but the *circonscriptions réservées* were nevertheless an important learning process which broke several taboos. For example, parties often claim that they cannot *find* enough women who are *able* and *willing* to run. The Bataille and Gaspard survey provides innumerable examples of party officials' selective blindness and remarkably imaginative explanations for the absence of suitable women. In the Ardennes, apparently, knowing how to hunt, shoot and butcher a wild boar was one of the main criteria of candidate selection... (op. cit.: 108). As regards ability and experience, despite the under-representation of women in local elective office and party management (where candidates are generally recruited), the 1997 candidates were not deficient<sup>20</sup>.

The *circonscriptions réservées* also showed the full depth of resistance (particularly at the Departmental level) and the shortcomings of quotas – which become a ceiling rather than a lower limit. Without qualitative criteria for the constituencies reserved for women, local party managers volunteered marginal or no-hope seats for female candidates<sup>21</sup>; when negotiating electoral alliances, female candidates were frequently withdrawn (30% of constituencies had been

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<sup>19</sup> Candidate levels in 1993: 32.3% parties from the far left, 26.8% PC, 27.7% Ecologists, 12.1% *Front national*, 8.9% UDF, 7.7% RPR. Mossuz-Lavau (1998: 61).

<sup>20</sup> Bataille and Gaspard (1999: 100-103) demonstrate that a third had already fought a national election (as *titulaire* or *suppléant*), 80% held office in the party, most commonly at branch level (65%) or federal level (56%), with a quarter having worked at party headquarters. Finally, it transpires that women were willing to stand – but only if space was made for them: 29.2% of the respondents would definitely not have stood, and 20.4% might not have stood if the constituency had not been *réservée*.

<sup>21</sup> For example, Yvette Roudy had already warned the party hierarchy of this risk at the *Convention nationale* of September 1996: "Il faut lever une ambiguïté et savoir si, quand on parle de 30% de candidates, il s'agit de 30% de circonscriptions où il y a quelque chance d'être élue. ....J'ai trouvé très malicieuse cette espèce de générosité consistant à donner des circonscriptions aux femmes contre des ténors de la majorité ! Il y a des gens qui sont vraiment comblés.... M. Balladur aura une femme socialiste. MM. Seguin, Jean-Louis Debré, Baudis...". *Vendredi*, 27/09/96, quoted by Bataille and Gaspard (1999: 98).

designated, but by election day only 27.3% of women were still standing<sup>22</sup>). In addition to overt negative deployment, Bataille and Gaspard catalogued allegations of underhand manoeuvres to engineer the selection process, such as encouraging less threatening or ambitious women (e.g. wives of other local politicians) to challenge promising prospective candidates even at the risk of losing the seat; soliciting women with ministerial prospects so that the local male aspirant could stand in as *suppléant*. For many party women, the shenanigans of the selection procedure either opened their eyes or strengthened their resolve, thus creating a solid core of advocates – within the party and in the National Assembly.

As well as giving a stark illustration of the nature and locus of resistance, the results of this policy – outlined below – vindicated Lionel Jospin's decision, and helped turn the tide in favour of parity. As early as February 1998, Mariette Sineau predicted that: "La décision prise par le PS de s'imposer un quota de 30% de candidates aux législatives de mai-juin 1997 a sans doute été plus révolutionnaire qu'il n'y paraît. Le pari du renouvellement par les femmes s'étant révélé électoralement "payant" pour les socialistes, il a déclenché une véritable dynamique. Sous peine de désaveu politique, tous les autres partis, y compris à droite, sont amenés à faire du suivisme en la matière. Aux régionales de mars 1998, les candidatures RPR et UDF comprennent 30% de femmes. C'est là une vraie rupture dans les pratiques partisanes françaises!"<sup>23</sup>

#### b. The *Dissolution ratée*

The reasons for Jacques Chirac taking a gamble on early legislative elections and the consequences of his decision have been thoroughly dissected, but the implications for women's representation have not been prominent in the debate. Although the *dissolution* was spectacularly *ratée* for Chirac and the right (the

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<sup>22</sup> See the example of Nicole Sabiols-Cansouline who withdrew in favour of the Communist candidate to strengthen the chances of the left against the *Front national*. Bataille and Gaspard (1999: 110).

<sup>23</sup> Sineau (in Martin 1998: 80-81). However, this did not apply in the 2002 legislative elections when the main parties fell back on 'safe' male candidates because of the fear of the FN.

number of RPR and UDF Deputies collapsed from 463 to 248<sup>24</sup>), it was good news for women. It contributed directly to the feminisation of the Assembly (women, often standing in marginals, fare better when many seats change hands) and created a favourable balance of power between left and right, and within the majority.

### **The *Gauche Plurielle***

Although the PS, with 246 seats, failed to obtain an absolute majority (289), the Communists, *Verts* and other left-wing groups rapidly coalesced into the *gauche plurielle*, with a tenable majority of 320 seats. Despite having sunk, in the first round, to their lowest level since the beginning of the Fifth Republic<sup>25</sup>, the right nevertheless mustered 257 seats – only 32 short of the majority. This left the PS dependent on its allies, who could potentially use their leverage to ensure that the PS honoured its obligations. Consequently, the coalition appeared very vulnerable (60% of the electorate did not believe that the unprecedented *cohabitation* between a right-wing President and left-wing government could last the full five years<sup>26</sup>) but this very fragility helped the cause of women's representation: the Communists and *Verts* had a good track record and a commitment to parity, so could be relied on to maintain pressure on their senior partner. They also pushed for other institutional reforms directly linked to women's representation, for example the '*statut de l'élue*' (see below) and the contentious *dose de proportionnel* for legislative elections.

### ***Ratée? Not for Women***

Women benefitted from the dissolution not only in terms of immediate results but also in the long term. At a stroke, the number of women in the Assembly almost doubled, from 35 (or 6.1%) to 63 (10.9%), thanks to the electoral success of the PS which returned 42 of them. Indeed, if the PS were taken out of the equation, the percentage of women (21 out of 331) would have stagnated at

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<sup>24</sup> *Le Monde*, 03/06/97.

<sup>25</sup> *Le Monde*, 03/06/97, *Le 'champs de ruines' de la droite*.

<sup>26</sup> According to a SOFRES/*Le Monde*/TF1 opinion poll on election night, *Le Monde*, 03/06/97.

6.3%. Their partners in the *gauche plurielle* returned 9 more women, whereas only 12 women were elected on the right (see Appendix A.1). Three quarters of the Socialist women were novices, often elected in *circonscriptions réservées*. These women were potentially the most motivated advocates of parity: they had seen for themselves what a substantial difference limited positive action could make, and the extent of resistance it incurred.

This astonishing increase was widely reported – as was the fact that France was still second-to-last in the EU league table (ahead of Greece)<sup>27</sup>, ranked 55 in the Interparliamentary Union's world classification<sup>28</sup> (up from 72<sup>nd</sup>) and lagged 4.4 percentage points below the average for European OSCE member states. The election result was enough to put the issue firmly on the agenda (even though other issues were uppermost) without giving cause for complacency or self-congratulation. France, 'la patrie de la Déclaration des droits de l'homme', could no longer tolerate such a slur on 'her' democratic credentials, and the parity debate moved from the periphery to centre-stage. The left had already demonstrated their support for increased numbers of women in politics in stark contrast to the cavalier attitude of the right, exemplified by the ill-fated 'Juppettes'<sup>29</sup>.

Consequently, the time was ripe for institutional change - provided that the political will of the parties in the *gauche plurielle* (and particularly of the PS) survived the transition from opposition to governmental responsibility and that it could overcome the general hostility of the right. However, despite a clear commitment from Lionel Jospin and the party hierarchy at national level, discontent and division simmered in the ranks (fuelled by the *circonscriptions réservées*). The other partners in the *gauche plurielle* were similarly divided: while the Communists and the *Verts* were in favour, the MDC and PRG were imbued with the republican values of universalism. The prospects for significant and

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<sup>27</sup> Bataille and Gaspard (1999: 189).

<sup>28</sup> <http://www.ipu.org>, accessed 10/11/1999, and IPU (1997: 98).

<sup>29</sup> Despite repeated regrets expressed by Alain Juppé, it is interesting to note that no women were selected by the RPR in Juppé's home territory of the Gironde for the next legislative elections (*Libération*, 09/03/2002).

concrete progress on the issue of parity as opposed to rhetorical mechanisms (Appleton and Mazur: 1993) were therefore just as unpredictable as for the survival of the Jospin administration. Even Janine Mossuz-Lavau, one of the leading proponents of parity with clear Socialist sympathies, expressed doubts at the beginning of the Parliament (1998: 136): "Même si [Jospin] a toujours souligné que son programme serait réalisé sur l'ensemble de la législature, nombre de femmes apprécieraient que la parité ne soit pas reléguée dans le tout dernier train des mesures à envisager pour les quatre prochaines années."

### Cohabitation and Modernisation

The decisive factor which boosted parity up the agenda and accelerated progress was the period of cohabitation ushered in by the ill-timed elections. Parliamentary initiative was blocked by the *verrou constitutionnel*. Consequently, the ball was in the executive court, and the competition between President Chirac and Prime Minister Jospin (likely rivals for the Elysée again in 2002) worked in favour of gender parity<sup>30</sup>.

Jospin's attitude was well-publicised and unambiguous, so it was no surprise that he included constitutional reform in his *Déclaration de politique générale* in June 1997. The situation was less clear-cut with Jacques Chirac. Although he had apparently crossed the Rubicon in 1995 as regards women<sup>31</sup>, his reluctance regarding a legal obligation was exemplified by his statement on 14 July 1997: "Si rien ne peut être fait sans passer par une indication constitutionnelle, je dois dire que je me ferai à cette idée."<sup>32</sup> His own wavering was accentuated by the divergence between his parliamentary troops and public opinion (always a major consideration for Chirac). Shortly after Jospin's *Déclaration*, an Ipsos poll revealed that 80% of the electorate supported parity, and 78% favoured a limitation of the *cumul des mandats*, the other major plank in Jospin's modernisation programme.

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<sup>30</sup> Not for the first time, the election of the President by universal suffrage had a direct bearing on women's representation (see above).

<sup>31</sup> See Sineau (2001a: 166).

<sup>32</sup> *Le Monde*, 16/07/1997, quoted by Mossuz-Lavau (1998: 114). Chirac favoured *quotas de fait* over *quotas de droit*: see also pp.53-54 on the President's attitude.

Here lies the key to Chirac's conversion. The leitmotiv of modernisation was back, with specific regard to politics (as opposed to society and the economy). This was supposed to provide an answer to the growing disenchantment of the electorate with politics and politicians in general, as exemplified by the inexorable rise of abstentionism and the recourse to protest voting. And in 1997 modernisation hinged on women. As argued by Mariette Sineau "les femmes vont être au centre des réformes institutionnelles prônées par la gauche pour moderniser la vie politique. C'est là une nouveauté radicale, quand on songe que, dans le passé la modernité politique s'est toujours effectuée sans elles, sinon contre elles."<sup>33</sup>

Although the National Assembly was amenable to parity and modernisation in general, Senate hostility was as persistent as it was predictable<sup>34</sup>. Paradoxically, it was the deterioration of the situation in the Palais du Luxembourg – described by Carole Barjon in the *Nouvel observateur* as "immobile et conservateur, arc-bouté sur ses privilèges" - that finally forced the President's hand<sup>35</sup>.

To prevent Jospin stealing his thunder, Chirac approved the Prime Minister's proposed Constitutional Amendment in May 1998, and deployed considerable effort to impose his will on his followers. Barjon aptly summarised this reaction: "Impossible pour le président de la République, fervent défenseur de la modernisation de la vie politique, de laisser ses amis politiques bloquer une réforme qu'il a lui-même approuvée. Sauf à passer pour un chef de guerre sans autorité. Ou, plus dangereux encore, à abandonner à Lionel Jospin un thème devenu électoralement porteur pour sa future campagne présidentielle."

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<sup>33</sup> Sineau (2001a: 177).

<sup>34</sup> Despite the activities of a handful of senators whose *mission d'information* 'Les femmes dans la vie politique' provided invaluable preparatory work: Senate Report N°384, M. Richert, 07/07/1997.

<sup>35</sup> *Nouvel Observateur*, 25/02/1999.

## 2. Lionel Jospin and *Le Fait du Prince*

The common denominator in all of these factors is Lionel Jospin. He had been a prime mover in introducing *circonscriptions réservées*. Was he responding to mounting pressure from women party members and public opinion (1996 was a year of intense activity on the part of the advocates of parity, culminating in the *Manifeste des Dix*)? Was it an astute way to “rénover le parti sans pour autant ... s’en prendre aux courants, [se] procurant de surcroît une image féministe” as argued by Sineau (2001a: 178)? Was press speculation about Sylviane Agascinski’s powers of persuasion grounded? Whatever the explanation, the fact remains that his active sponsorship was crucial to the 30% quota<sup>36</sup>, and it is generally agreed that Jospin’s personal convictions underpinned the moves towards equal access<sup>37</sup>. This is borne out by the constancy of his commitment. He had already spoken out in favour of parity as presidential candidate before taking the leadership of the PS, and thereafter, as Prime Minister, he personally appointed record numbers of women ministers and introduced measures to feminise the upper echelons of the civil service. He played a decisive role in advancing the Constitutional Amendment and the Parity Law, by brokering the terms for the amendment with the President, using *déclarations d’urgence* to expedite parliamentary proceedings so that parity came into force for the 2001 elections (see Chapter 2). During interviews, several Deputies also spoke of Jospin’s personal involvement.

### a. Women in Government - Real Jobs for Real Femmes Politiques

Jospin’s first cabinet, appointed on 4 June 1997, included eight women out of a total of 26 members, or 30.7%, which echoed the party’s parliamentary quota and complied neatly with public opinion<sup>38</sup>. In quantitative terms, this was only

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<sup>36</sup> According to Roselyne Bachelot “Ce qui est arrivé à gauche aux dernières élections législatives relevait de la volonté de Lionel Jospin, et Lionel Jospin uniquement. Pas du parti. ... Il y a un homme qui a fait un cheminement personnel. Ou qui a eu l’intuition que c’était un bon coup politique, je ne sais pas.” Bachelot and Fraisse (1999: 72). See also Bataille and Gaspard (1999: 97).

<sup>37</sup> See Sineau (2001a: 178-180) for assessment of his attitude.

<sup>38</sup> In a CSA poll published in June, 88% of the respondents wanted to have at least a third of ministerial posts given to women (Sineau 2001a: 182).



slightly better than the Juppé government (28.5%)<sup>39</sup>. However, unlike its predecessor, the Jospin government maintained this level throughout the five years of its existence<sup>40</sup> and in qualitative terms there was no comparison. This time, the women were more often senior ministers (5). They were in key positions, with Martine Aubry (*Emploi et solidarité*<sup>41</sup>) and Elisabeth Guigou (the first woman to become *garde des Sceaux*) ranking second and third in the cabinet, and Catherine Trautmann (*Culture et Communication*), acting as government spokesperson (albeit briefly). They were not restricted to social welfare, though they were also present in these traditional 'female' areas (Ségolène Royal was initially responsible for *Education secondaire* and then for *Famille et Petite enfance*, while youth came under the remit of the Communist Sports Minister, Marie-George Buffet). They were sometimes in direct contact with more male-dominated strands of society, for example Dominique Voynet (*Environnement*), who had to take on the hunting and farming fraternity, and Marylise Lebranchu at *Industrie et PME*. The contrast with the ephemeral and euphemistically-named *Ministère de la Solidarité entre les générations* (including women's affairs) conferred upon Colette Codaccioni by Alain Juppé could hardly be more striking. This time women ministers were there to stay and be taken seriously.

The fact that these women obtained such posts is directly linked to the kind of women they were. Unlike Juppé's appointees, who were in some cases chosen quite arbitrarily outwith political circles, the women of the *gauche plurielle* all had solid political backgrounds. Four of them were national office holders in their respective parties<sup>42</sup> and four others had previous ministerial experience (Aubry, Guigou, Royal and Trautmann). They had all passed the test of parliamentary

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<sup>39</sup> Sineau (2001a: 170).

<sup>40</sup> Out of a total of 36 Deputies entering gouvernement, 11 were women – making an overall average of 30.5%. Calculation based on <http://www.assemblee-nationale.fr/qui/modifications.asp>, accessed 23/05/02.

<sup>41</sup> The fact that Martine Aubry was in charge of this portfolio assumes even greater significance when we consider that the main preoccupation of the electorate was unemployment.

<sup>42</sup> This includes Dominique Voynet, leader of the *Verts*, and Marie-George Buffet, number two in the Communist Party.

election<sup>43</sup>, and in addition held local mandates. With such a track record, they had greater chances of survival than their forerunners, and indeed, in the relatively infrequent reshuffles that followed, fluctuations in the level of women and the nature of their responsibilities were minimal<sup>44</sup>. The psychological impact of women succeeding other women – Elisabeth Guigou taking over *Emploi et solidarité* from Martine Aubry and passing the Justice portfolio to Marilyse Lebranchu, Catherine Tasca following on from Catherine Trautmann – should not be underestimated, as it reinforced the feeling that women were here to stay (and contributed to women getting ‘seen, heard and counted’). However, the appointment of so many women ministers depleted the percentage of women Deputies, as only 3 of the 26 ministers were replaced by female *suppléantes*<sup>45</sup>.

#### **b. Women in the *Haute Fonction Publique***

The feminisation of executive responsibility extended beyond ministerial portfolios to embrace cabinet posts, senior government appointments (*préfets*, ambassadors, etc.), and top civil service jobs. On the first count, Sineau (2001a: 185-6) is critical of the Jospin administration: with an average of 22% *collaboratrices* in ministerial cabinets in 1997, women ministers outnumbered female cabinet staff in percentage terms for the first time ever, and Jospin scored lower than average. However, this does not allow for the rapid increase in numbers (32.8% by September 2000<sup>46</sup>) nor the longer-term groundwork he initiated (see below). As regards senior government-appointed positions, 11% were occupied by women

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<sup>43</sup> One of them, Michèle Demessine, was a Communist Senator rather than being a Deputy. She was subsequently reelected to the Senate in the first post-parity elections of 2001 and resigned from the cabinet.

<sup>44</sup> They never fell below 30% and rose as high as 39.2% in January 2000 after the appointment of Florence Parly. Sineau (2001a: 197).

<sup>45</sup> Cécile Helle, the youngest Deputy in 1997, replaced Elizabeth Guigou; the other two *suppléantes*, obligingly resigned when their mentors (Chevènement and Strauss-Kahn) left the government to allow them to be re-elected in by-elections.

<sup>46</sup> Cotta, Michèle (2000: 158-161). While acknowledging this progress, Michèle Cotta is equally critical: “La féminisation des cabinets ministériels est donc à l’image de celle de la haute Fonction publique et le discours politique sur la parité ne s’est manifestement pas concrétisé dans le choix des collaborateurs et collaboratrices des ministres.”

by the end of the Parliament, as opposed to 3% in 1997<sup>47</sup>. Sineau charts a spate of government appointments of women to high-ranking civil service positions (in charge of ENA, CNRS and COGEMA for example), and specifies that more women were promoted to the 'direction d'administration centrale' "sur l'injonction du Premier ministre". Jacques Chirac joined in by appointing Monique Pelletier to the Constitutional Council in March 2000<sup>48</sup>.

Rather than being 'collateral advantage', these improvements – albeit inadequate in 50/50 terms – appear to result from a coherent strategy pursued by the Prime Minister's office. In parallel with the new legislation on Equality at Work, the Colmou report (commissioned by the *Ministère de la fonction publique*) on equal opportunities in the civil service was published in February 1999 <sup>49</sup>; by March 2000, a *circulaire du Premier Ministre* imposed 'plans pluriannuels d'amélioration de l'accès des femmes aux emplois et postes d'encadrement supérieur'<sup>50</sup> to be supervised by a new steering committee (chaired by former Civil Service Minister Anicet Le Pors). Also in March, the Prime Minister commissioned a more general report, from the *Conseil économique et social*, on women in decision-making (covering the private and voluntary sectors, unions and professional bodies, government appointments, quangos etc.)<sup>51</sup>. Recommendations from these Colmou and Cotta reports subsequently resurfaced in draft legislation or debate, and may account for the requirement that ministers present half-yearly gendered reports on their appointments to the *Conseil des ministres*<sup>52</sup>. Whether Lionel Jospin was acting on his own initiative or responding

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<sup>47</sup> According to Danièle Pourtaud, *sénatrice*, speaking at an *Assemblée des femmes* conference in Montpellier, 30/03/2002.

<sup>48</sup> Sineau (2001a: 186). This made 3 out of 9 members, the first woman – Noëlle Lenoir – having been appointed in 1992, by Henri Emmanuelli at the request of President Mitterrand (Jensen & Sineau 1995: 330)

<sup>49</sup> Colmou, Anne-Marie (1999)

<sup>50</sup> *Journal officiel*, 07/03/2000. Each Ministry was to set and meet realistic targets for all management tasks and posts. See Akhazane and Daudié (2001).

<sup>51</sup> Cotta, Michèle (2000).

<sup>52</sup> According to a statement by Nicole Péry, *Secrétaire d'Etat aux droits des femmes*, in the National Assembly. Quoted by Akhazane and Daudié (2001: 46).

to prompts, this betokens a desire not only to draw more women into those channels of recruitment over which he had some influence, but also to **change the regulatory framework** and define benchmarks.

### c. *Missions au Gouvernement*

Retrospectively Jospin's actions elucidate an observation made when analysing Deputies' work within the Assembly. Ministers regularly appoint Deputies in a temporary, consultative capacity on issues in which they have specific expertise. These *missions au gouvernement* (see Appendix A.2) are a golden opportunity to provide input on government policy at the pre-legislative stage (as exemplified by Catherine Génisson with Equality at Work) and are valuable in terms of career, experience and visibility. From 1997 to 2001, 17% of these *missions* were entrusted to women. This is higher than the level of women Deputies in the Assembly, but in line with the proportion of Socialist women: since these posts generally go to members of the governing parties, it can be argued that women simply got their fair share. However, it is interesting to note that eleven out of twelve women were novices (but 'only' twenty-five of the fifty-eight men), and that 3 women and only 4 men were subsequently promoted to the cabinet. This suggests a fast-track for the promotion of women. Moreover, the range of issues addressed was broad and evenly balanced between social and other questions<sup>53</sup>.

Lionel Jospin is not directly responsible for these nominations, of course, but it forms part of the overall image of his administration consciously promoting women in politics.

### d. Vital Statistics

Recognising that gender deficits can only be revealed and progress measured if adequate data are collated (as exemplified by the Colmou and Cotta

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<sup>53</sup> I have not been able to procure data for previous Parliaments, but after 18 months in office, only 11.4% of these *missions* created by the Raffarin government have been accorded to women. Of the 4/35 women, 2 are veterans, and with one exception they handle social issues. Based on [www.assemblee-nationale.fr/12/tribun/missions.asp](http://www.assemblee-nationale.fr/12/tribun/missions.asp) and [www.assemblee-nationale.fr/12/tribun/missionsant.asp](http://www.assemblee-nationale.fr/12/tribun/missionsant.asp), accessed 21/05/2002 (*gauche plurielle*) and 21/11/2003 (Raffarin government).

reports), the *Service des Droits des femmes* (described below, section 3.a) commissioned a report on the availability of gendered statistics. This resulted in another prime ministerial *circulaire* aiming to improve and 'engender' government databases, and commissioning additional studies<sup>54</sup>. Much of the action undertaken by the *gauche plurielle*, was underpinned by new gendered statistics (for example, Equality at Work, and the unprecedented *Enquête nationale sur les violences envers les Femmes en France*<sup>55</sup>). Again, this has implications for getting 'seen, heard and counted'.

In summary, as well as using *le fait du Prince* to promote women individually, Lionel Jospin also used his position to change the framework of recruitment and to promote women in state machinery collectively. Whether these more fundamental changes will have longer term effect is unclear, and there is no proof that these measures emanated from Jospin. Indeed, cross-referencing their timing with developments in the agencies of state feminism (see (3) below) suggests that the initiative lay elsewhere. However, delegating responsibility and then acting on subsequent proposals is an indication of good management and goodwill (which again contrasts with Juppé who set up the *Observatoire de la parité*, then quietly ignored its findings). Jospin may not have *had* these ideas, but he *heard* them and acted on them. The most compelling argument in favour of Jospin's receptivity, is the rapid disintegration of PS commitment to gender parity since his withdrawal from national politics. Falling 14 points short of parity for candidates in the 2002 legislative elections, the PS betrayed the spirit of its own creation – losing credibility and state funding (of 1.3 million Euros) to boot. In informal conversation about candidacies in 2004, a *secrétaire national* confided "depuis que Jospin est parti, ils sont complètement désinhibés".

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<sup>54</sup> *Circulaire du 8 mars 2000 relative à l'adaptation de l'appareil statistique de l'Etat pour améliorer la connaissance de la situation respective des femmes et des hommes*, [www.journal-officiel.gouv.fr](http://www.journal-officiel.gouv.fr). Amongst other measures, it extended disaggregation by gender, identified supposedly neutral categories ('foyer fiscal', 'chef d'entreprise') which may mask gender disparities.

<sup>55</sup> See Jaspard, Maryse in INED (2000).

However, this exemplary stance does not necessarily translate into broader support for women's issues. Lionel Jospin was strong on political representation – the kind of equality that was meaningful for women of his own class – but not spontaneously sensitive to other types of equality (although women Deputies' statements indicate that he was receptive when presented with equality measures). Geneviève Fraisse, the short-lived *Déléguee interministérielle aux Droits des femmes* (see below) points out that Jospin, like many of his predecessors, had a blindspot regarding women's rights. "... d'une certaine façon, Lionel Jospin aussi a oublié. Créer une délégation [interministérielle] six mois après sa nomination à Matignon et finalement un secrétariat d'Etat un an plus tard, cela révèle une certaine distance ! Il a nommé de nombreuses femmes ministres, mais il a presque oublié les droits des femmes."<sup>56</sup> She argued that there is no guaranteed link between gender parity and equal opportunities in general. "Cet homme-là peut très bien avoir décidé de faire monter des femmes en politique sans se préoccuper des femmes en général. C'est d'ailleurs une chose qu'il m'a dite. Nous n'avions pas pensé aux droits des femmes, parce que nous en avons fait élire en nombre... Et de ce point de vue, il a réussi quelque chose. Personne ne pense que ces femmes sont des potiches. Cela a effacé la mauvaise expérience d'Edith Cresson et des juppettes. Mais cela ne signifie pas que Lionel Jospin ait en tête les droits des femmes, les inégalités, les problèmes spécifiques. C'est mieux qu'un simple coup politique, mais ce n'est pas non plus le signe d'un véritable engagement pour le droit des femmes."

This brings us to the third strand of the argument: state feminism.

### 3. Women's Policy Agencies: "Des femmes ministres ne font pas un ministère des femmes"<sup>57</sup>

In 1997, both Executive leaders had the political will for reform (or at least recognised its expediency) but Parliament was more ambivalent. Finding a satisfactory compromise would be a delicate task, so the state agencies that could

<sup>56</sup> Bachelot and Fraisse (1999: 40).

<sup>57</sup> Louis, Marie-Victoire in *Libération*, 23/07/97

be called upon to develop the legislation and supervise application were to play a crucial role. Jospin's oversight in failing to establish and support an appropriate agency for women's rights could easily have scuppered his prime equality project, as argued below. However, the configuration of equality agencies during the 1997 Parliament ultimately proved propitious for gender parity.

#### a. *Service des Droits des Femmes*

From the apogee of Yvette Roudy's Ministry for Women, responsibility for women's rights had been progressively downgraded<sup>98</sup>, until, by the eve of the 1997 elections, it was simply tacked on to Employment with an annual all-in budget of 103 million francs, or 0.005% of the national budget. Now that the left was back in power, feminist circles sought to reverse this trend, without entertaining great hopes of satisfaction<sup>99</sup>. Despite the PS' successful quota, the only explicitly pro-women policies alongside parity concerned equality at work and contraception, measures that were indeed necessary but not exactly novel. In the first instance, these misgivings appeared to be justified: despite Dominique Voynet's calls for a dedicated ministerial office, women's affairs were part of Martine Aubry's extensive responsibilities as *Ministre de l'Emploi et de la solidarité*.

In November 1997, after growing exasperation on the part of women's groups from all sides in the voluntary sector, Geneviève Fraisse, the feminist philosopher, was appointed '*Délégue interministérielle aux Droits des femmes*'. She was to act as coordinator between the different ministries and interlocutor with women's groups, but she soon realised that Jospin's attempt to '*faire du droit des femmes autrement*' was untenable. "Quant aux moyens, l'interministérialité est un art difficile. .... En 1998 [le budget des droits des femmes] est même inférieur au premier budget du service en 1982. .... On dit que les mesures favorables aux droits des femmes sont comprises dans d'autres budgets. Nous savons bien que

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<sup>98</sup> See Amy Mazur (1995, 2000) for tables tracking the rise and fall of women's rights agencies.

<sup>99</sup> Louis, Marie-Victoire, *ibid.* 79 million of this total covered operating costs and wage bills etc, so precious little was left for proactive campaigning or financing of women's initiatives.

c'est faux."<sup>60</sup> In the same article, she implies that Martine Aubry (her ministerial boss) was not responsive, and Fraisse apparently did not have Lionel Jospin's ear<sup>61</sup>. Moreover, she lacked the support of certain feminist groups with whom she was supposed to work<sup>62</sup>. Consequently, twelve months later, the *Délégation interministérielle* folded. This occurred at a particularly critical point in time, only weeks before the first Assembly reading of the Constitutional Amendment.

Although Fraisse did not leave a tangible legacy, her brief passage should not be dismissed, because she may have acted as the fuse that signalled a short-circuit. After one year in office, women's support for the Jospin administration had started to slip, which Fraisse explained by the failure to complement political parity with more down-to-earth equality measures. "D'un côté, la parité dit: il existe des hommes et des femmes. De l'autre, les lois disent: il existe des êtres humains à qui il arrive des choses indifférenciées. .... Mais les femmes savent que c'est faux. .... Elles ne se reconnaissent pas dans les lois qui sont votées. Du coup, elles doutent de ce qui se passe du côté de la parité."<sup>63</sup> Without claiming a causal link, this foreshadows the thinking behind the parliamentary Women's Delegations, set up the following year, and echoed the rumbling disquiet over parity, perceived as an elite measure which would do nothing to improve most women's lot.

In November 1998, Nicole Péry, already *Secrétaire d'Etat de la Formation professionnelle*, took on Women's Rights (still under Aubry's auspices). In addition to running the network of *déléguées régionales*, the *Service des Droits des femmes et de l'égalité* was in theory supposed to draft, apply and evaluate measures to enhance women's rights, including 'parité dans les champs politique, économique et social'<sup>64</sup>. Like its predecessor, this body, which officially adopted mainstreaming,

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<sup>60</sup> Fraisse, Geneviève, *Le Monde*, 7-8/06/1998

<sup>61</sup> According to informal contacts with a prominent parity activist.

<sup>62</sup> Bachelot and Fraisse (1999: 184).

<sup>63</sup> *Le Monde*, 7-8/06/1998.

<sup>64</sup> Arrêté du 21/07/2000 relatif à l'organisation du Service des Droits des femmes et de l'égalité.



was *interministériel* and under-funded (despite an 11% increase from 1998-99, the budget of 100 million francs was lower than the figure quoted by Marie-Victoire Louis for the previous administration)<sup>65</sup>. Yet on paper at least, it set in motion a chain of positive initiatives: Péry presented a far-reaching women's rights platform to the cabinet within 6 months; the public information campaign on contraception (that Fraisse had been unable to impose) was finally launched and several measures surrounding violence against women were undertaken<sup>66</sup>; the Prime Minister's measures on statistics, women in decision-making and the civil service took a decisive turn in March 2000 and a European conference 'Femmes et hommes au pouvoir' was held in Paris on 17/04/1999<sup>67</sup>. It is tempting to advance two speculative explanations for this sudden volte-face. Firstly, the Fraisse fiasco may have prompted Jospin to take a personal interest (e.g. the Colmou report was commissioned by the Civil Service Minister in 1998, yet the *circulaire* in 2000 was signed by Jospin), and secondly the imminence of the 'Beijing +5' Conference may have stimulated broader pro-women action<sup>68</sup>.

Whatever the ultimate appraisal of its achievements, in practice the *Service des Droits des femmes* was certainly not the main architect of the parity legislation. Although the law was co-signed by Péry, the motive force was the *Observatoire de la parité* in the first instance, with the Women's Delegations taking over once the debate went to Parliament. After the first post-parity elections, responsibility

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<sup>65</sup> *Le Monde*, 24/06/1999.

<sup>66</sup> These included the *Enveff* survey, cited above (January-April 2000), two circulars on domestic violence (08/03/1999) and emergency accommodation (08/03/2000), *Assises nationales sur la violence*, in January 2001. The *Service des droits des femmes* contributed to the debates on organised crime and prostitution, and on pornography in the media.

<sup>67</sup> Sponsored by the European Commission and co-hosted by Aubry (*Emploi et solidarité*) and Moscovici (*Affaires européennes*), this was a follow-on from the Athens and Rome Conferences (1992 and 1996).

<sup>68</sup> Women 2000: Gender Equality, Development and Peace for the 21st Century. UN Conference, New York, 5-9 June 2000. <http://www.un.org/womenwatch/daw/beijing/platform/index.html>. As a member of the Commission on the Status of Women, it would have been embarrassing if France had nothing to show apart from the Parity Laws (which coincided with the conference). The crescendo of activity around 2000 echoes the activism in 1995 under Simone Veil.

shifted back to the *Observatoire* which analysed the results and 'took the temperature' of the major protagonists.

#### b. *Observatoire de la Parité*

This government think-tank was created, as we have seen, after Jacques Chirac's pledge in the presidential campaign of 1995. Under the leadership of Roselyne Bachelot-Narquin, its first *Rapporteuse générale*, it had proved to be dynamic and independent at least in the realm of political parity, as exemplified by the Halimi report. In the first instance, Jospin (the nominal chair) did not intervene: Roselyne Bachelot-Narquin remained in post until the expiry of her mandate in October 1998. At this juncture, however, the remit of the *Observatoire* was reinforced<sup>69</sup>. The rather vague aim "éclairer les pouvoirs publics ..... dans leur décision" became "émettre des avis sur les projets de textes législatifs et réglementaires dont [l'*Observatoire*] est saisi". An additional task was inserted: "évaluer la persistance des inégalités entre les sexes et identifier les obstacles à la parité, notamment dans les domaines politique, économique et social."

This new document set the framework in which the *Observatoire* was to work during the drafting and application of the parity legislation. Jospin's appointees - Dominique Gillot, in January 1999, replaced by Catherine Génisson in October - were both Socialist newcomers, and were committed to women's issues (like Mme Bachelot-Narquin). The list of members (appointed by the PM in January 1999 on Nicole Pery's recommendation) is also indicative of the government's attitude: they included the academics Janine Mossuz-Lavau, Michelle Perrot, François de Singly, Olivier Duhamel, voluntary sector activists (ranging from the *Fédération des Familles Rurales* to CADAC, via *Association parité*), media and union figures, as well as Senators and Deputies.

Although the *Observatoire* has been involved in consultation on a range of issues (equality in employment, sexism in advertising, etc.), the list of its

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<sup>69</sup> This assessment of the change in the *Observatoire's* remit is based on a comparison of *Décret N° 95-1114 du 18 octobre 1995* and *Décret N° 98-922 du 14 octobre 1998*. See also Akhazane and Daudié (2001: 43).

publications shows the clear pre-eminence given to political parity. After the Halimi report in 1996<sup>70</sup>, came the Gillot report, commissioned by Jospin in April 1999 (when the Constitutional Amendment was under debate) to formulate proposals for the Parity Bill due in autumn. These Recommendations went beyond political parity *stricto sensu* to flag *cumul*, *statut de l'élu*, gendered statistics and even the need to revise school manuals<sup>71</sup>. The reports produced in 2000 and 2002 by Catherine Génisson are respectively an appraisal of the draft legislation (reflecting the Women's Delegation report, and the general climate of opinion amongst Deputies), and an evaluation of its impact after the bout of elections in 2001. This report provides an initial gendered analysis of candidacies and results as well as identifying areas requiring further research or legislation (further developed in the Zimmermann Report of March 2003).

The *Observatoire* has not worked in isolation but has sought to be open and proactive. Before 2001, the General Secretary worked with the Interior Ministry to adapt the electoral database to the use of gendered statistics, and liaised with the *préfectures* (responsible for implementing parts of the law). The *Observatoire* also commissioned an opinion poll of mayoral candidates to evaluate their perception of parity and their attitude to its application<sup>72</sup>. The lists of witnesses called to give evidence show a desire to enlarge the debate beyond the usual political confines<sup>73</sup>.

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<sup>70</sup> Published by *la Documentation française* 1999.

<sup>71</sup> This was also incorporated into Mme Péry's women's rights platform. See also Lelièvre and Lelièvre (2001).

<sup>72</sup> *Sondage CSA/Observatoire de la parité/Ministère de l'Emploi et de la solidarité*, March 2001 'La loi du 6 juin 2000 sur la parité vue par les Têtes de liste aux prochaines élections municipales: perception, mise en œuvre et effets attendus'.

<sup>73</sup> In the Gillot Report, for example, the representatives of associations outnumbered those from political organisations. The balance tilted towards party representatives in the Génisson Report of 2002, because of the nature of the document, but five of the more active parity associations participated (*Assemblée des femmes*, UFCS, *Elles aussi*, CNDF and the *Collectif Féministe Ruptures*) and three regional studies were incorporated (Languedoc-Roussillon, Nord-Pas-de-Calais, Val-de-Marne).

It also co-produced a series of interviews, 'Les Députées aussi', with all but two of the women Deputies of the 1997 Parliament<sup>74</sup>.

Towards the end of the Parliament, the *Observatoire* was weakened by continuity problems, but when the legislation was being drafted and first applied, it was a powerhouse of ideas and activity.

### c. *Délégations aux Droits des Femmes et à l'Égalité des Chances*

The third element in the equation are the two Women's Delegations, the pseudo-committees established in the Assembly and Senate in July 1999, which are studied in detail in Part III. They are strictly speaking not *state* agencies, but *parliamentary* bodies operating independently of the government and of each other. In practice, however, there was healthy contact between the two Delegations and, given the balance of power within the Assembly and the parity stance of the government, there was also considerable convergence between the aims of Jospin, Martine Lignières-Cassou and Danièle Pourtaud, the instigators of the two Delegations.

Set up in 1999, their role is to examine draft legislation to determine its potential impact on women's rights and equal opportunities, to make appropriate recommendations and intervene as necessary in plenary debate. Although they are subordinate to whichever permanent committee has formal responsibility for pre-legislative scrutiny, they have similar powers to call expert witnesses and participate in the plenary debate. In interviews, it was repeatedly emphasised that the Delegations were to be *transversale* – i.e. feed an equality perspective into any legislation as a complement to the permanent committees. The aim is therefore mainstreaming.

Officially, the decision to create such organisms was independent of the parity debate, resulting from the recognition of a gap in the internal structure of the Parliament, and the need to comply with the 1995 Beijing Conference on Women which called upon all governments to promote "une politique active et

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<sup>74</sup> This was produced by LCP-AN (*La Chaîne parlementaire*) and hosted by Eliane Victor who had run the seminal series, 'Les Femmes aussi', in the 1970s.

visible d'intégration de la problématique de l'égalité de genres dans tous leurs programmes, pour en analyser *avant que les décisions ne soient prises* les effets à la fois sur les hommes et sur les femmes."<sup>75</sup> It was, however, a very fortunate coincidence because the Assembly Delegation fulfilled its role in exemplary fashion, particularly regarding parity (see Case Study, Chapter 8).

When the Women's Delegation was set up, the only significant objection (from the RPR) was that it overlapped with the *Observatoire*<sup>76</sup>. The *modus operandi* of these two bodies regarding parity demonstrates the counter-argument: the *Observatoire* is part of the *executive* and as such has advisory input to the government in the very early stages, before legislation is drafted, whereas the Delegations are *parliamentary* tools to help Deputies and Senators evaluate and improve legislation under debate. As such, the two bodies are complementary. At the post-legislative stage there is potential overlap, as both can legitimately seek to follow up laws that have been voted, but in the 1997 Parliament there was a clear will to maximise resources by avoiding duplication. Hence the transfer of responsibility between the stages of consultation (*Observatoire*), legislation (Delegation) and monitoring (*Observatoire*). Likewise while the *Observatoire* has undertaken regular assessments of political parity after each diet of elections, the Delegation has not involved itself at all in this issue, concentrating its efforts on the evaluation of the Abortion and Contraception Law.

This overview of agencies for state feminism shows that the Jospin administration got off to a false start in 1997: it was slow in appointing a *Députée interministérielle* then failed to support her. Once the situation had stabilised, Péry's team in the SDF pushed forward on a number of fronts, leading to greater activity from 2000 and closer involvement of the Prime Minister. However, as argued in (3.b) above, progress on gender parity in politics was powered by the push-me-pull-you partnership between the *Observatoire de la parité* – Chirac's

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<sup>75</sup> UNESCO (2000: 5), my italics.

<sup>76</sup> These objections may have been politically motivated, as the RPR sought to play up the significance of Chirac and Juppé's brainchild.

brainchild - and the Women's Delegations - a parliamentary invention. The initial fumbling over a wider women's agenda and the agency through which it should be achieved could have compromised the parity project. Although Jospin played a decisive role in introducing parity, he owes much to his nominees in the *Observatoire* and to the handful of *députées* and *sénatrices* who made the Delegations into effective equality machines.

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In seeking a framework for 'Comparative State Feminism', Stetson and Mazur (1995: 287-291) found that the most effective state feminist offices:

1. arose in countries where the complementarity of radical and reformist feminist groups exerted pressure on the political establishment;
2. where the state was perceived as "the major actor for dealing with social inequality";
3. were created by social-democratic governments in response to demands of widely-based women's groups;
4. adopted a cross-sectoral approach.

In her case study of the *Ministère des Droits de la Femme*, Mazur argues that though institutionally the most powerful agency so far, its policy outcomes were largely symbolic because none of these conditions were met<sup>77</sup>. The evidence of this chapter shows that there have been several fundamental changes since the Roudy era, largely hinging on the transformation of feminist groups and debate. In the 1990s, the emergence of more reformist groups - some now focussing on political representation - produced a more even balance between the two wings of French feminism, which at the same time became more permeable to international

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<sup>77</sup> Stetson and Mazur (1995: 76-94; 287-290). Mazur argues that the MDF stemmed from PS feminists, and not the wider feminist movement which was in any case dominated by antisystem groups. Also that its very independence prevented it from permeating other branches of the state which is traditionally hostile to interest groups and lobbies. Thus it was doubly isolated.

influences<sup>78</sup>. This satisfies the first of the conditions outlined above, and had a double impact.

Firstly it helped shift the perception of the state. Women's exclusion had been a fringe phenomenon with no incidence on the principles of the Republic: it was 'women's fault', and not a systemic problem of the state. This changed when the notion of gendered citizenship gained currency. In parallel, Chirac's use of *la fracture sociale* in the presidential campaign, then the general ethos of the *gauche plurielle*, sent out the message that the state could and should tackle social inequality – and by extension, gender-based injustice. This meets the second condition.

The *rééquilibrage* in French feminism also forced Chirac and Juppé to create the *Observatoire de la parité* which was not just a party-political product, but the tip of a widely-based, independent movement. This broad base – which it actively fostered – enabled the *Observatoire* to resist the disinterest of its initial patrons and outlive, indeed thrive, on the change of majority. The third condition is met.

Finally, in contrast to their more powerful predecessors, and in response to international incentives (the Beijing Platform), the agencies of state feminism all adopted a cross-sectoral, mainstreaming approach. Although the effectiveness of this in other areas is debatable, the discussion below of the Delegation's contribution shows that *transversalité* was central to the outcome (Chapters 8 and 9). Thus, on all four counts, there had been positive developments since 1981.

However, this favourable configuration of state feminism could not have produced results by itself. Baudino (2000: 107) points out that the *Observatoire* "n'est qu'un organe consultatif. Non seulement ses recommandations n'ont aucune prise sur l'agenda politique mais le gouvernement reste libre de les suivre, de les modifier voire de les ignorer." These agencies articulated the problem, but the solutions they proposed would not have reached the parliamentary agenda

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<sup>78</sup> On the remobilisation of French feminism in the 1990s and international influences, see Allwood and Wadia (2002).

without the Prime Minister's active support nor survived the *navette* without a core of support in the Assembly.

This analysis of the state of play in 1997, shows an alignment of the objectives of the Assembly, the Executive, and state feminism, providing a unique window of opportunity. "Juin 1997 va marquer une rupture dans l'histoire des femmes et de la République. Le changement est double. D'une part, les femmes elles-mêmes participent au combat victorieux de la gauche. Loin d'être, comme en 1981, les spectatrices passives de l'alternance, elles vont en être les actrices essentielles et en recueillir les bénéfices. C'est le début d'un vrai pouvoir politique détenu conjointement par elles tant au sein de l'instance législative qu'au sein de l'exécutif. .... Par ailleurs, et surtout, les femmes vont être au centre des réformes institutionnelles prônées par la gauche pour moderniser la vie politique."<sup>79</sup>

The next chapter analyses the content and interactions of these 'réformes institutionnelles'.

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<sup>79</sup> Sineau (2001a: 177).



## Chapter 2

### Institutional Reforms, 1997-2002

Discussion of statutory measures to increase women's participation in politics focuses almost exclusively on the **Constitutional Amendment**<sup>1</sup> in July 1999, and the **Parity Law** of June 2000<sup>2</sup>. These represent the keystone of the legislative strategy, but they must be set in the context of several interdependent laws passed during the 1997 Parliament, which flow directly from the commitment to modernisation outlined above. It was hoped that the **Anti-Cumul** law in April 2000<sup>3</sup>, would indirectly benefit women by freeing up more political posts. The **Reform of the Senate**<sup>4</sup> also under debate during spring 2000, underlay the measures proposed to improve the Upper Chamber's gender representativity. Both of these laws, which shape the electoral framework in which parity was to operate, were weakened, inevitably undermining the effectiveness of the parity law.

Beyond the strictly electoral reforms introduced by the government, two backbench initiatives were also directly linked to women's representation. These

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<sup>1</sup> *Loi constitutionnelle N° 99-569 du 8 juillet 1999 (Congress of Parliament in Versailles).*

<sup>2</sup> *Loi N° 2000-493 du 6 juin tendant à favoriser l'égal accès des femmes et des hommes aux mandats électoraux et fonctions électives.*

<sup>3</sup> *Loi organique N° 2000-294 du 5 avril 2000 relative aux incompatibilités entre mandats électoraux, Loi ordinaire N° 2000-295 relative à la limitation du cumul des mandats électoraux et des fonctions électives et à leurs conditions d'exercice.*

concerned the Women's Delegation and the formulation of a *statut de l'élu* (see (4) below), aiming to improve the practical aspects of standing for local office, which, given the division of domestic labour, was expected to be more beneficial to women than men<sup>5</sup>. These measures were initiated and sponsored by women, then pushed up the agenda by party managers who rapidly recognised their cogency. Although they were not originally part of Jospin's parity strategy, it will be argued that they are an integral part of the equation.

In terms of women's representation, a narrow focus on the Parity Law not only underestimates the achievements of the 1997 Parliament, but also colours the assessment of the content and effectiveness of the law itself. For example, had the government bill on *cumul* survived intact, more incumbents (particularly Mayors and Departmental Councillors) would have stepped down, making more seats potentially available for women. Inclusion of *intercommunalité*<sup>6</sup> could also have affected the results. This *manque à gagner* cannot be quantified, but the interrelation cannot be ignored. Likewise, the debates on *cumul* and Senate Reform – held before June 2000 – may have helped plough a furrow for the parity debate by raising issues of democratic deficit, legitimacy, and the need for renewal of the political elite. The initial moves on the *statut de l'élu* came hard on the heels of the Parity Law: this issue – an attempt to carry parity to grassroots politics – might not have risen up the policy agenda without the impetus built by the preceding laws. The parity debate undoubtedly accelerated the creation of the Women's Delegations, which in turn had a direct and positive impact on the

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<sup>4</sup> Loi N°2000-641 du 10 juillet relative à l'élection des sénateurs.

<sup>5</sup> Initially a Communist-sponsored bill to revise and extend the specific rights and benefits accorded to elected representatives, this was ultimately incorporated into the 'Démocratie de proximité' Bill, *Projet de loi N° 3089, submitted 23/05/01*.

<sup>6</sup> This is a new tier of local government emerging between commune and department, where several communes federate to pool resources and improve efficiency. Since the 1999 reform (which simplifies the procedure for setting up 'établissements publics de coopération intercommunale' – EPCI – and offers financial incentives) there has been an explosion in their number, and power is being transferred from the mayors to the *présidents intercommunaux*. At present, these bodies exist on the democratic fringe, and function in a closed circuit. See (3) below for a discussion of the exemption from parity measures.

content of the subsequent law. Without claiming to define all the cross-influences, the following sections will establish links between these reforms. I propose to deal with them in chronological order of debate, except for the Women's Delegation, which will be analysed in Part III.

### 1. The Anti-Cumul Law

In addition to assessing the provisions of the Law, this section looks at the impact of plural mandates on women's representation, the aims of the reform and gives a gendered breakdown of the practice in the 1997 Parliament. It then explores Deputies' attitudes to *cumul*, before drawing tentative conclusions about the success of the reform and its interaction with the Parity Law.

#### a. *Cumul* in the Fifth Republic

The practice of *cumul* existed before 1958, but during the Fifth Republic it has become a cornerstone of political recruitment. Whereas the highest recorded levels of *cumul* for Deputies were 35.7% in the Third Republic (1936) and 42% in the Fourth Republic (1952), the figure fluctuated between 64-74% after 1958<sup>7</sup>. Approximately half of the parliamentarians in 1998 were also mayors, with, in addition, 36% of *députés-conseillers généraux*, and 44% *sénateurs-conseillers généraux* (see Appendix A.3). A substantial minority of Deputies are multiple *cumuleurs*: 38% held two other local positions in 1998<sup>8</sup>.

*Cumul* has become an unwritten 'institution', a central cog in the state machine which no politician can ignore. The causes and consequences of *cumul* have been explored elsewhere<sup>10</sup>, although most analyses up to the present have not considered gender implications (developed below). Despite numerous objective drawbacks (conflict of interest, absenteeism, creeping 'technocratisation',

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<sup>7</sup> Assembly Report N° 909: 6. The figures for the Senate are very similar.

<sup>8</sup> Ibid.

<sup>9</sup> Krook (2003) identifies three types of 'institution' affecting political recruitment: systemic (electoral rules, constituency, size etc.); normative (constitutional requirements, party statutes); and practical (party selection criteria and expectations). *Cumul* falls into the last category and has indeed in France become institutionalised, in that it is beyond the power of any single party to avoid it.

<sup>10</sup> See in particular Knapp (1992); CREAM (1999); Roman (2000).

clientelism, *notabilisation*), *cumul* has very strong subjective appeal. While *députés-maires* feel legitimised by the groundwork in the town hall, electors feel they have more control over and contact with a national representative who is anchored to the constituency in a local capacity. This creates an emotional bond that is highly resistant to legal interference. For the politician, being a Deputy is the most powerful, prestigious and well-paid job, but it is also the least appreciated by the electorate, and therefore perhaps the least satisfying<sup>11</sup>. Bernard Roman speaks of 'une oasis d'affectivité', and claims that: "Cet attachement culturel, mais aussi *affectif*, des maires à leur mandat est très puissant, même quand ils sont parlementaires. .... Ce sentiment entretient une résistance très vivace et très *subjective* chez les élus"<sup>12</sup> (my italics).

The response of the electorate is apparently equally subjective and ambivalent. A study based on exit polls at the 1997 legislative elections in four cities revealed that although most electors disapprove in theory, they recognise their own self-interest and condone the system by reelecting their influential and efficient *cumuleurs*<sup>13</sup>. Believing that the electorate feels safer with someone who's already in office, the parties reinforce the 'machine à cumuler' by selecting candidates for winnable seats from the pool of local representatives. *Cumul* is therefore convenient for the elector, the incumbents, the political parties and even the centralised state<sup>14</sup>.

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<sup>11</sup> In a recent opinion poll, only 36% of electors expressed trust in their Deputy (the lowest figure) whereas 70% had faith in their mayor. 55% trusted their *conseiller général*, 54% their *conseiller régional*, 42% their Senator, and 39% their MEP: the trust rating is proportional to proximity. *Libération*, 16/11/2000, conducted by SOFRES for the *Journal des maires*, November 2000.

<sup>12</sup> Roman (2000: 156). He reports a colleague's comments on 'cumul-consolation' which "compense sur le terrain, la faiblesse inhérente à la fonction parlementaire" (p. 120).

<sup>13</sup> Olivier (1998) found that while a clear majority (60-68%) believed that a "député doit être seulement député", a quarter of these anti-cumul electors said that they wanted their own mayor to be a deputy as well.

<sup>14</sup> Roman summarises this comfortable symbiosis: "... il est toujours plus simple d'accéder à un ministre pour évoquer un problème local quand on est parlementaire (même de l'opposition) que lorsque l'on n'est que maire ou conseiller général (même de la majorité). Un député ou un sénateur peut tisser un réseau de relations au niveau national qui lui permettra d'exercer une forme d'influence sur l'administration d'Etat et dont il pourra tirer parti à l'échelon local, par exemple, dans ses rapports avec l'autorité préfectorale. De même, il est plus aisé pour le pouvoir

Mounting criticism has triggered an on-going debate, but voluntary restraint on the part of individuals or parties is political suicide. The constitutional expert, Guy Carcassonne, points out that *cumul* is 'politiquement obligatoire' so long as it is not 'juridiquement interdit'<sup>15</sup>. Thus change could not happen spontaneously or by gradual reform: like parity, it had to be self-inflicted *en masse* by the principal beneficiaries themselves.

#### b. Extent of Reform

A first attempt at reform was made in 1985<sup>16</sup>, but the results were very disappointing and had greater repercussions at local than at national level<sup>17</sup>. The greatest virtue of this first round was to break the taboo and test public reaction. Jospin, acting on his modernisation agenda and responding in part to public opinion<sup>18</sup>, wrote reform into his *Déclaration de politique générale* along with parity, and by April 1998 far-reaching draft legislation was submitted to parliament. Deputies and Senators would be allowed one other local mandate (thus preserving the national<->local link), but could no longer hold any fonction exécutive (Mayor or President of a Regional/Departmental Council)<sup>19</sup>. Its main aims were therefore to

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central de faire relayer ses décisions par des députés-maires ou des sénateurs-maires. .... Dans ce mécanisme, le cumul fait figure de rouage essentiel. A l'origine conséquence de la centralisation de notre pays, il est devenu aujourd'hui l'un des principaux obstacles à l'approfondissement de la décentralisation en France." Assembly Report N° 909.

<sup>15</sup> Quoted by Roman (2000: 32)

<sup>16</sup> *Loi organique* N° 85-1405 for deputies and senators, and *loi ordinaire* N° 85-1406 for local representatives, *Journal officiel*, 30 December 1985. In theory, this limited parliamentarians to one other mandate, and allowed two concurrent mandates for local politicians, but exemptions and thresholds severely restricted its scope in practice. A previous change in the 'code général des collectivités territoriales' in 1982 had already made it impossible to be President of a Departmental and Regional Council at the same time. Assembly Report N° 909.

<sup>17</sup> Mabileau (1991) reported that the new law covered only 2% of the 500,000 elective posts in France, and found that only 298 jobs were put back into circulation up to 1989 as a direct result of the laws. This represented only 3.4 % of the 8,677 jobs falling within the scope of the 1985 law.

<sup>18</sup> In early 1997 an opinion poll (quoted in Assembly Report N° 909: 11) revealed that 86% of the interviewees favoured further restrictions. Shortly afterwards the *Nouvel Observateur* published a manifesto with 6,000 signatures (including Elisabeth Badinter, Evelyne Pisier, Marie-Claire Mendès-France, Marie-Christine Blandin, Yves Mény, Guy Carcassonne, Olivier Duhamel, Sami Naïr) and an 'Association pour le mandat unique' was established.

<sup>19</sup> In addition it banned parliamentarians from becoming European Deputies, and limited local officials to two mandates and one *fonction exécutive*.

limit concentration of executive power, and to abolish the population thresholds that had exempted most communes from previous legislation.

It took two years to force this laboriously through Parliament, because of the determined opposition of the right and the Senate. At the end of the day, the final documents<sup>20</sup> maintained most of the restrictions on local representatives and European Deputies, but were considerably softer on parliamentarians, and reintroduced a threshold set at 3,500 inhabitants (exonerating over 90% of communes). A Deputy or Senator can still hold one *fonction exécutive* plus one other local mandate - or two, if one of them is a council seat in a commune with fewer than 3,500 inhabitants. Local representatives have an absolute maximum of two seats (with no exoneration for smaller communes) plus one *fonction exécutive*. MEP's can hold only one local mandate. In effect, this sets a ceiling of 2 posts for local politicians while tolerating up to 3 posts for national politicians<sup>21</sup>. There is little wonder that the editorial of *Le Monde* after the final reading was entitled 'Corporatisme parlementaire'<sup>22</sup>, as the potential for concentrating power rises the higher up the political ladder we go. Was this institutional reform a partial success, or a partial failure?

Comprehensive studies of the number and type of posts liberated have not yet appeared, and initial observations are contradictory: there was a rash of by-elections in the *cantons*<sup>23</sup>, but the *député-maire* proved resistant to change, even in Socialist ranks<sup>24</sup>. Beyond quantitative assessments, the fundamental flaw is the failure to sever the link between national office and local executive posts: the 2000

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<sup>20</sup> *Loi organique N° 2000-294 relative aux incompatibilités entre mandats électoraux, Loi ordinaire N° 2000-295 relative à la limitation du cumul des mandats électoraux et des fonctions électives et à leurs conditions d'exercice, du 5 avril 2000.*

<sup>21</sup> The situation of my local representatives may clarify the inconsistency of the situation. My Departmental Councillor who is also Mayor of her village has reached her legal limit. My local Deputy, on the other hand, became President of the Departmental Council in 2001, and could have kept his seat on the Municipal Council.

<sup>22</sup> *Le Monde* 10/03/2000

<sup>23</sup> 'Maire Info' (a daily news bulletin co-sponsored by the AMF) reported 35 Departmental by-elections from March-June 2001, directly resulting from the Anti-cumul Law. <http://www.maire-info.com>, accessed 27/01/04

law has simply intensified competition rather than changing underlying mentalities. Moreover, non-inclusion of the burgeoning *structures intercommunales* (whose presidents are indirectly elected from member communes' councils) has enabled incumbent mayors to sidestep the law by withdrawing from the town hall to the *présidence intercommunale*<sup>25</sup>, or even keeping both posts. Mabileau (1991) concluded that the 1985 reform had "plutôt légitimé que réduit une pratique que les Français réprouvent en principe mais pérennisent par leurs votes." In 2002, Andolfatto and Greffet drew almost identical conclusions: "Les restrictions au cumul, adoptées par les députés eux-mêmes, ne semblent pas pour l'instant en mesure d'endiguer cette tendance; elles conduisent plutôt à entériner, sinon consolider l'existant."

### c. Effects of *Cumul* on Women

The 2000 Anti-Cumul Law, drastically amended by the opposition, did not represent a radical departure from the Joxe reform. However, it broke new ground by spotlighting the link with women's exclusion, which is reinforced by the effects of *cumul* on political recruitment. This interconnection is obvious once it has been formulated, but until the 1990s *cumul* was, for most observers, another gender-neutral subject<sup>26</sup>. In 1988, Mariette Sineau had included a number of women Deputies' criticisms of *cumul* in a section on political ambition, but hers was an isolated voice<sup>27</sup>. The *Observatoire* was instrumental in implanting the idea (which undoubtedly germinated in the feminist debates of the 1980s) into mainstream politics. The recommendations of each report identified *cumul* as a major obstacle to parity, and broadened their criticism to '*cumul dans le temps*'.

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<sup>24</sup> *Le Monde*, 04/05/2001. *Député en 1997, maire en 2001: la rénovation de la théorie à la pratique*,

<sup>25</sup> Such was the case of Pierre Mauroy, who left Lille town hall to Martine Aubry, and became president of the Lille agglomeration.

<sup>26</sup> Apart from a fleeting reference to husband-and-wife teams as a means of avoiding the 1985 legislation, Knapp's very thorough and incisive article (1991) does not mention gender. Nor did Mabileau (1991) or any of the contributors to the CREAM conference papers cited above. More surprisingly, Philippe Augé (2001) committed the same oversight in 2001.

<sup>27</sup> Sineau (1988: 84-85). According to Christiane Papon (RPR), non-cumul had been a demand of 'Femme-Avenir' since the late seventies.

This idea rapidly gained currency as exemplified by the repeated references of Bernard Roman (*rapporteur* and PS sponsor in the Assembly)<sup>28</sup>, by frequent links in the press, and the fact that by 2001, 9 out of 13 party representatives giving evidence to the *Observatoire* spontaneously broached the subject (although their views on the degree of limitation were different)<sup>29</sup>. The *Convention pour la 6ème République* (the campaigning group founded by Arnaud Montebourg in 2001-2002), targetted *cumul* and used women's under-representation to support its argument for limits in the number and duration of mandates<sup>30</sup>.

Curiously, after remaining unspoken for so long, the impact of *cumul* on women's recruitment has now become so self-evident that the alleged reasons are generally implicit or piecemeal. It therefore seems appropriate to define the gendered implications of *cumul*, which go much deeper than the increased availability of posts. Indeed, the *Observatoire*, summing up the evidence from hearings in 1999, reports that various witnesses "émettent des doutes quant à la probabilité que les postes ainsi libérés [via la limitation du cumul] puissent échoir à des femmes. Cela contribuerait certainement au renouvellement de la classe politique mais pas forcément à sa féminisation."

Carcassonne's contention that *cumul* has become virtually compulsory, irrespective of candidates' or parties' beliefs or intentions was confirmed by Deputies' statements at interview. In present circumstances, *cumul* debars women from politics, not only because they are novices (whose opportunities are limited when insiders monopolise the vacancies) but also because of their gender. These gender-specific obstacles derive from paths of recruitment in French politics, party attitudes and the unequal division of domestic labour.

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<sup>28</sup> In his Assembly Report N°909 and his published essay, *La Fin du cumul* (2000). Bernard Roman and Catherine Génisson (in charge of the *Observatoire* at the time) were both PS novices elected in Nord-Pas-de-Calais, and both sat on the Bureau national: personal links may have facilitated this synergy.

<sup>29</sup> Génisson (2002).

<sup>30</sup> See, for example, *Petit argumentaire statistique contre le cumul dans le temps du mandat de député*, [http://www.c6r-fr.org/site/tribunes/tribunes\\_libres](http://www.c6r-fr.org/site/tribunes/tribunes_libres), accessed 14/05/2002.



As regards recruitment, it has long been established that *cumul* concentrates power within a closed circuit of local 'barons', - who have achieved standing through their profession, family connections or party activism. Until quite recently, all of these avenues were relatively closed to women: they were less likely to have a high-profile in professional circles; they only 'inherited' family seats when sons and brothers were not available; and before the mid 1980s claims for women's representation were not taken seriously by party managers who were overwhelmingly male. Reliance on the local *notabiliariat* ensured that *baronnes* or *patronnes* were uncommon.

Access is further restricted when political parties base their selection procedures on the anticipated dividends of *cumul* (fed by perceptions of the electorate's behaviour). The following observation of a member of the PS *Commission électorale* for 1997 illustrates party beliefs and their fallacy: "Tout le monde était acquis à l'idée [des circonscriptions réservées] ..... Certains membres de la commission pensaient ... qu'un élu, pas nécessairement député sortant en l'espèce, mais un maire par exemple, avait plus de chances de remporter l'élection qu'une femme 'non-élue' ou 'moins élue'. Donc beaucoup faisaient valoir l'idée que quelqu'un qui avait déjà un mandat était plus connu et avait plus de chances de remporter une circonscription. ... Or ils ne se sont pas révélés exacts à l'issue du scrutin. ... Donc l'allégation selon laquelle un maire était forcément plus facilement élu ne s'est pas vérifiée."<sup>31</sup>

To become *candidat(e)* it's best to be already *élu(e)*, which perpetuates the exclusivity of the gentleman's club<sup>32</sup>. Beyond the immediate consequences in selection, this underlines the patriarchal design of the Fifth Republic: Sineau (2001a: 38) argues that the father figure, 'l'homme providentiel' symbolised by de

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<sup>31</sup> Bataille and Gaspard (1999: 133).

<sup>32</sup> Roman (2000: 60-61) cites his own example as First Secretary in the Nord: "Lorsque, pour une élection législative, je recherchais le meilleur candidat dans une circonscription, je me demandais quel était le plus notoire, quel était le plus populaire et souvent, mon choix s'arrêtait sur le maire de la commune la plus importante de la circonscription ou sur un conseiller général d'un des cantons concernés. ... Et c'est ainsi que j'ai fabriqué des dizaines de cumulards."

Gaulle, imbues the whole institutional framework of the Fifth Republic. “Par une sorte de mimétisme institutionnel, on va voir émerger ... un présidentielisme municipal ... . Tout se passe comme si le caractère monarchique du régime élargissait son champ d’action jusqu’à la commune, celle-ci pratiquant à son niveau une sorte de ‘monarchie municipale’.” *Cumul* can only exacerbate this.

At a pragmatic level, the different social responsibilities that are still born in the vast majority of cases by women compound the effects of *cumul*. Given that women still carry out 80% of domestic chores and two thirds of family care on top of their paid employment<sup>33</sup>, and that the conduct of politics is rarely family-friendly, women can ill afford the luxury of one political job, never mind several.

A less obvious way that *cumul* depresses women’s representation is the notion that a *non-cumuleur* is paradoxically seen as a second-class Deputy. *Députés-maires* can use their town hall facilities for parliamentary duties and vice versa, and are considered more influential in attracting investment/funding for their constituency. They can use their achievements as mayor to their advantage in the quest for reelection. It is in these terms that Allières (1998: 74) links women and *cumul*: “il délégitime les carrières seulement législatives, il restreint l’accès des femmes aux mandats électifs. Les femmes cumulent beaucoup moins que les hommes et patissent plus qu’eux des inconvénients du non-cumul (pauvreté des ressources matérielles et logistiques, enracinement et notoriété moindre, *leadership* problématique).”

In this connection, one UDF *non-cumuleur* even argued that parliamentary absenteeism (a common argument against *cumul*) may be more of a problem for *non-cumuleurs* as: “Ceux d’entre nous qui n’exercent aucun mandat local sont contraints d’être présents sur le terrain pour être réélus députés.”<sup>34</sup> This suggests that *cumul* not only obstructs initial access to elective office, but that it can affect Deputies’ legislative capacity and chances of re-election. If, as is commonly

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<sup>33</sup> Dominique Méda (2001: 27).

<sup>34</sup> Jean-Antoine Léonetti, quoted in Roman (2000: 122).

believed, women resort less to *cumul* they are doubly disadvantaged, and this handicap can be crucial if – as is often the case – they have marginal seats.

#### d. Women's Use of *Cumul*

The unspoken assumption – that women practice *cumul* less than men – is so strong that it has generally not been tested. None of the *Observatoire* reports, the prelegislative reports, nor the Interior Ministry have provided gendered data to date. Beyond this tacit agreement, opinions diverge as to the reasons for women's relative restraint: is it a deliberate choice born of principled or practical reasons, or lack of opportunity? Some activists claim that the gap will shrink over time, as *femmes politiques* are primarily political animals, likely to respond in the same way as men to a given set of conditions and temptations<sup>35</sup>.

To measure gender differences, a snapshot was taken of patterns of *cumul* within the National Assembly before and after the Departmental and Municipal elections of March 2001, when both the Parity and Anti-*Cumul* laws applied for the first time. (See Appendix A.3)

Predictably, Deputies preferred the mandate of Mayor (51.6% of all Deputies before the law came into force) or Departmental Councillor (38%) to a Regional Council seat (9.9%) as the latter provides less local visibility and electoral capital. Before the 2001 elections, the greatest differential between men and women was observed for the most attractive *cumul* option – *député-maire*: men were five times more likely to head a town hall than women (55.8% of male Deputies, 11.1% of women). Conversely women were more likely than men to be regional councillors (16.7% against 9.2%). This concurs with Sineau's findings (published later in 2001 and based on June 1997 figures), which prompted her to underline “la fragilité de l'implantation locale [des femmes], dans un système électoral qui privilégie les notables.”<sup>36</sup>

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<sup>35</sup> Such was the view of a representative of the *Association pour le mandat unique* at the seminar ‘Pour une République Moderne: Démocratie and Parité’, organised by the *Assemblée des femmes*, in June 2001.

<sup>36</sup> Sineau, Mariette (2001a: 225).

It could be argued that the preponderance of Socialist novices amongst the women Deputies artificially depressed the female *cumul* rate. However, when the female rate of *cumul* for *député-maire* after 2001 was compared with the rate for men in the Control Group (to factor out party and seniority differences<sup>37</sup>), there was still a gender gap: roughly one in three male Deputies were Mayors, against one in seven female Deputies. (See Appendix A.3.b, and section (4), Chapter 3, for details of the Control Group.) This tentatively confirms that the lower rates of *cumul* for women derive more from gender than secondary characteristics of the female cohort, although the sample cannot give a precise measure of the impact of gender (it was not designed for that purpose).

Appendix A.3.b suggests that the Anti-Cumul Law appears to have been effective in the short-term, as the overall rate of mayoral *cumul* fell by a fifth to 41.1%, with an even more marked fall in the proportion of Departmental Councillors (27.4%). (Regional rates remained stable as there were no elections). Trends diverged as regards women Deputies: while the drop in the proportion of women Departmental Councillors mirrored the trend for men, and male mayoral *cumul* fell, the proportion of women *députées-maires* rose slightly, from 11.1% to 14.8%. This figure in itself does not prove anything, because the numbers involved (6 and 8, out of 54 women Deputies<sup>38</sup>) are too small to be reliable. It is also a relative figure: with 8 women in the pool of 296 *députés-maires*, 96.6% of this particular type of *cumuleur* were still men (as were 94.3% of *députés-conseillers généraux*). However, it is such a surprising contrast (greatly amplified after the 2002 legislative elections<sup>39</sup>) that it merits attention.

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<sup>37</sup> As expected, the *cumul* rate was lower for the sample than for all Deputies, primarily because it reduced the impact of more established politicians: only a quarter of the men and women in the sample were Mayors, against 41.1% of the whole Assembly. Appendix A.3.

<sup>38</sup> Four were re-elected incumbents, three had previously been mayor or *adjointe*, and one had held no elective mandate before 1997.

<sup>39</sup> By February 2004, the overall rate of *députés-maires* had crept back up to 47.8%, with 20/71 women (28.2%) and 256/506 men (50.6%). Rates for *députés-conseillers généraux* were remarkably stable, while men *députés-conseillers régionaux* became slightly more scarce. See Appendix A.3.

Two possible explanations come to mind. Firstly, although the same proportion of men and women in the 1997 Parliament held one other mandate, ‘*multi-cumuleurs*’ were more often men (whereas women were more likely to be ‘*non-cumuleurs*’)<sup>40</sup>. Consequently, men were more likely to have to sacrifice a mandate, while more women had spare ‘*cumul-capacity*’. The second possible explanation for the post-2002 result concerns the electoral differences between the Municipal and Departmental Councils. The former, with a PR system and a relatively high level of women, were partially covered by the Parity Law, whereas the latter, where majoritarian elections deterred women, were exempt. Although no targets were set for Mayors, the larger pool of eligibles and the impetus of the law could have tipped the balance.

These results demonstrate that *cumul* was – and is – less prevalent amongst women Deputies, but do not elucidate the reasons. Did women reject *cumul*, or were their attempts at *cumul* rejected? Deputies’ opinions were explored in interviews.

#### **e. Deputies’ Attitudes to *Cumul*: Choice or Necessity?**

The consensus amongst the 18 interviewees (including 4 men) was that women choose not to seek multiple mandates. Only four dissident voices (of both sexes, from left and right) argued that time, opportunity and the new law would wipe out the difference. One woman veteran [N°16] in a written reply added: “On supporte moins qu’elles cumulent!” This implies an additional double standard in selection procedures, whereby women may be penalised for what is perceived as an advantage for male candidates. Although this may have been founded in the pre-parity era, there are signs that the tide has turned. The explanations for women’s lower *cumul* rates – offered readily and generally with conviction – were based on principled or personal reasons.

Most of the principled objections hinged on the ability – and the need – to ‘do the job properly’ (which resonates with the findings on women’s legislative

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<sup>40</sup> Sineau (2001a: 226). In 1998, 9.5% of Deputies had no other mandate and 38% held two other

work in Part II). Interviewee N°15 declined to run for the town hall, because she considered that “la gestion d’une ville de 150 000 habitants n’est pas compatible avec la députation sans que l’un ou l’autre ne souffre.” Interviewee N°1 claimed that women are reluctant to take on more than they can handle: “On a ce souci de perfection qu’on nous a inculqué depuis toute petite”. She raises concerns that *cumul* can involve delegating to non-elected civil servants: “Quand on fait plein de choses, on ne fait vraiment rien, on donne le pouvoir aux administratifs.” The claim that *cumul* is undemocratic was made even more forcefully by interviewee N°5: “... celui qui est élu, c’est quand-même le maire. Le cabinet - le citoyen, il ne connaît pas. Il ne sait pas qui est le directeur de cabinet, ... en plus il ne l’a pas choisi. Donc ce n’est pas eux qui doivent faire la politique.”

Justice and fairness were invoked to explain the gender gap. Interviewee N°5 pointed out that “l’un des enjeux de la limitation du cumul des mandats aussi c’est de faire de la place à tout le monde”. According to interviewee N°11, “[les femmes ont] peut-être plus le souci de faire de la place aux autres. C’est ma conviction. Je ne veux pas m’accaparer le pouvoir longtemps. ... C’est un droit démocratique de faire participer les autres.” This belief that women are more inclined to share political opportunities chimed with the unusual decision of two PS Deputies after the change of government to ‘jobshare’ a seat in the Assembly Bureau<sup>4</sup>. Interviewee N°12 had a more radical interpretation based on the distinction between ‘responsabilités’ and ‘pouvoirs’: “L’approche de prendre des responsabilités est beaucoup plus féminine. Les hommes y sont pour le pouvoir, ils n’en ont *jamais* assez.” The implication is that women candidates take on a job of work, while men seek titles. The task-oriented approach is self-limiting, whereas status can be accumulated.

Personal reasons were less often given, and they focussed more on perceived emotional differences than on the division of domestic labour which was cited by only one Deputy. Interviewee N°5’s initial reaction to the question

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mandates, compared with 20% of women *non-cumuleuses* and 26% of *multi-cumuleuses* in 1999.

was: "Elles ont la volonté de garder une vie à côté de la politique. Non seulement la volonté, mais aussi l'obligation par leur place sociale. C'est pas être ringard ni masochiste de dire que c'est les femmes encore en France qui s'occupent de la maison, de la famille - c'est une réalité. Non seulement c'est une réalité, je pense que c'est un besoin. ....[la politique] est un monde qui est dur au niveau des rapports de force ..... et votre vie de famille vous permet de garder un équilibre. La femme a besoin de cet équilibre-là." If women reject *cumul* to preserve their emotional balance, maybe they have less need of Bernard Roman's 'oasis d'affectivité' in the town hall.

Interviewee N°8's response synthesises several of the views above: "C'est par rapport à leur vie privée. ... Une femme existe plus par elle-même, que par rapport à ses représentations sociales, alors qu'un homme existe avant tout pour sa représentation sociale. ... C'est un choix. Je vois des copines qui sont députées, elles disent 'non, je n'ai pas besoin de ça pour exister. Ça me suffit.' Je préfère prendre ce mandat et bien m'en occuper, plutôt que de cumuler et de ne plus être ni là, ni là."

Opinions were equally concordant around the pressure to accumulate mandates, apparently increased by the media attention surrounding parity. Interviewee N°12's account of her selection in the 1998 regional elections illustrates this. "On est venu me chercher pour conduire la liste, parce que la liste socialiste était menée par un collègue député ... donc on s'est dit qu'il fallait quelqu'un de poids pour conduire la liste [dans sa région], et que ça serait bien de mettre une femme. C'était au départ un argument électoral, ... la droite moderne, et en plus la droite qui met une femme contre un homme." Party persuasion sometimes led to a no-win situation, as exemplified by interviewee N°5's experience. Despite her known views, the PS wanted her to stand in the municipal and departmental elections in March 2001, which, had she won, would have involved resigning one seat immediately. Judging this untenable, she

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<sup>41</sup> These were Hélène Mignon and Françoise Pérol-Dumont.

accepted the municipal candidacy, but declined the other offer, thereby risking marginalisation within the party. However, this stance did not protect her from rumours that she was 'seat-chasing'.

Beyond cases of direct pressure, most Deputies were conscious of indirect pressure, which was not gender-specific. Interviewee N°14 acknowledged "Je prends des risques en ne pas étant cumularde, car l'année prochaine qui est-ce qu'il va falloir que je batte? Le maire de la principale ville de ma circonscription. Lui, il est maire et moi, pas. Lui, il est sur place, moi, je suis à l'Assemblée."

Interviewee N°3 referred to a second mandate as "une assurance tous-risques". It is undoubtedly significant that the most defiant reaction – which nevertheless confirms the insurance policy concept - came from a party outsider, interviewee N°8. "Soit le boulot que je fais en tant que députée plaît aux gens, et je serai reconduite, mais je n'ai pas envie de me casser dans ma vie privée. ... Et je n'ai pas envie d'avoir un autre mandat de conseillère générale ou régionale pour être sûre que si je perds mon mandat, je me le récupère. Si je perds ce mandat, eh bien, tant pis, je redeviendrai prof, mais la vie c'est pas que ça."<sup>42</sup> When assessing future trends in women's *cumul*, it is important to bear this context in mind. Men are of course subject to party pressure too, but the scarcity of women and continuing parity rhetoric could increase pressure and sharpen the dilemma for women, particularly if they are in marginal seats.

When questioned about their attitude to 'le mandat unique', opinions were more equivocal, perhaps because personal convictions were tempered by realism. The majority were in favour of further restrictions (a single mandate, inclusion of *intercommunalités* or banning parliamentarians from *fonctions exécutives*) but recognised their vulnerability as *non-cumuleur(e)s*. Those who supported the local/national link nevertheless argued for restraint and preferred non-executive local office. The overall impression was that they would rather choose not to *cumul*, but recognised the advantages it offered.

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<sup>42</sup> She was beaten in the 2002 elections and is now President of an ecological organisation.



In contrast, nearly all interviewees endorsed the idea of term limits (advocated by the *Observatoire* and various women's organisations) and agreed on a maximum of 3 mandates, or 15 years (2 mandates, or 18 years for Senators). Justifications referred to notions of a fair-share of opportunities and doing the job properly. It should, however, be stressed that most interviewees were relative newcomers, and that longer-serving Deputies, were more circumspect. Interviewee N°12, on her third term, agreed with the need for restraint but emphasised the value of experience. "Ce n'est pas un métier, c'est une fonction qu'on assume pendant un certain temps. Mais il faut un certain temps pour être à l'aise. Ce que je vous ai répondu aujourd'hui, je n'aurais pas pu vous la répondre en '93. Je ne dominais pas du tout la fonction, les tenants, les aboutissants. Deux mandats me semblent un peu courts." Beyond increasing turnover and injecting new blood into politics, term limits could have implications for women's access to positions of responsibility within the Assembly hampered at present by male longevity (as argued in Chapter 4).

This discussion of the practice of plural mandates raises more questions than it answers. It demonstrates that its impact on women's representation is much more pervasive and deeply rooted than it seems at first sight. It is not just a matter of numbers of seats and oligarchic control of access. It also involves more fundamental questions of how power – or 'responsibility' – is used. Holding concomitant mandates requires total availability of a kind that women are less able and apparently *less willing* to give: 'cumul-consolation' may be satisfactory for men, but women stress their need for an emotional life outside of politics. It implies a monopolistic concentration of power that is considered incompatible with 'doing the job properly' or fairness. In this connection, interviewees' comments echoed broader differences in male/female attitudes to politics identified in other studies. Respondents in Mariette Sineau's survey, conducted in 1984-5<sup>43</sup>, perceived male colleagues to be more monopolistic and 'monomaniacal'

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<sup>43</sup> Sineau (1988).

with regard to politics: in 2001, women stressed the need to share office, and to prioritise emotional fulfilment outside politics over a second mandate. The exasperated charge “ils survolent tout, et ils sont nulle part”<sup>44</sup> and claims that women were more diligent have transmuted into disapproval of delegating and the theme of ‘doing the job properly’. These observations prefigure some of the findings concerning Deputies’ legislative work in Part II.

This analysis does confirm that *cumul* is indeed less prevalent among women Deputies who are acutely aware of the risks incurred by non-compliance. Surprisingly, it reveals distinct approval amongst women for the introduction of term-limits, but more mixed attitudes to capping concurrent mandates. However, it does not resolve the issue of choice or necessity: although more interviewees expressed a principled stance against *cumul*, the predominance of Socialist newcomers and the party line may have coloured the message. And at present it is impossible to say whether the Anti-Cumul Law will help raise levels of women’s representation overall.

Preliminary indications are contradictory. Since the 2002 legislative elections, there has been an unequivocal upturn in the percentage of women *députés-maires*. The gender gap has shrunk dramatically: before March 2001, 11% of women Deputies were Mayors, but this had risen to 28% by February 2004, with men hovering around 50% at both points. However, only 8 more women Deputies were elected in 2002 than in 1997. The implication in this very circumscribed example is therefore that women did achieve more equal access to *cumul*, but not greater access to elective office. On the other hand, if the drop in *députées-conseillères générales* is partly due to the Anti-Cumul Law, then it will have impoverished an area of politics where women are already scarce. Furthermore, there are signs that parties, having drawn more women into the recruitment pool in 2001, are now reusing the same women in subsequent contests. In 1997, Le Gall (quoted in Alliès, 1998) concluded that: “Ce sont des femmes et des nouveaux élus

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<sup>44</sup> Florence d’Harcourt, quoted by Sineau (1988: 85).

qui, dans le futur, en l'absence d'une loi, pourraient, eux aussi, être aspirés par la spirale infernale du cumul des mandats." It seems that the reform enacted by the *gauche plurielle* fell short of their intentions: it only succeeded in shrinking the circle without breaking it, primarily because the ban on parliamentarians holding local executive office was excised. However, it did succeed in making an explicit link with women's recruitment, albeit at a secondary level.

## 2. Senate Reform

Beyond the fact that the Senate has been the least feminised area of French politics (during the Fifth Republic, the percentage of women had risen from 1.9% to 5.9% in 1998), the institution itself is profoundly hostile to women, because of its mode of indirect election. It was designed to represent the *collectivités locales* and to provide a degree of legislative stability<sup>45</sup>, but over time, the Senate has overfulfilled its contract: stability has become inertia, and territorial representation has become corporatism and parochialism. In the 1997 Parliament, the Senate pruned several key laws concerning the democratic functioning of the State, e.g. the laws on parity, *cumul* limits, 'Démocratie de proximité'. Much is made of the fact that there has never been a change of majority in the Senate, rooted firmly on the conservative side of centre, but 'alternance' was never intended in the Upper House, which embodies 'la France éternelle des campagnes'. The left has naturally harboured aspirations for reform, but this is illusory without a root-and-branch transformation of the Fifth Republic. The Senate is a product of its electoral system, which Jospin had promised to preserve, and, even if the *gauche plurielle* had been prepared to challenge this system, constitutional reform requires total agreement between both Chambers and the cooperation of the Head of State, which were both implausible.

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<sup>45</sup> Hence the use of an electoral college based on members of local assemblies, and the election of only a third of senators every three years, which precludes any major swing in the composition of the Upper Chamber. Most senators stand for at least two consecutive mandates, and the vast majority hold another local mandate. See François Chevalier (1998: 282).

### a. Government Intentions

Lionel Jospin therefore simply tried to mitigate the structural conservatism of the Senate. Although the measures were necessarily tame, they met with fierce resistance in the Senate<sup>46</sup>. In the first instance<sup>47</sup> the government sought to extend PR to all departments returning at least three senators and to correct the imbalance in the distribution of *grands électeurs*, by linking the number of *délégués* for a commune to its population and not to the number of *conseillers municipaux*<sup>48</sup>. A second round of proposals aimed to increase and redistribute senatorial seats on the basis of 1999 census figures<sup>49</sup>. The ostensible justification of these latter measures was 'le principe d'égalité des suffrages', but the concrete result would be an erosion of the predominance of rural France in the Palais du Luxembourg.

The common denominator of these three measures was that they were favourable to the left: they also had consequences for women's representation, although only the first – extension of PR – was explicitly linked to parity. As larger communes have consistently returned more women, adjusting the balance of *délégués* could produce electoral colleges that were better disposed to women candidates, and new seats in more populous departments could have offered more opportunities for female candidates. However, neither of these measures made it to the *Journal officiel*, so this remains speculative.

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<sup>46</sup> When presenting the Bill to the *Groupe socialiste* in the Senate, Jospin admitted "Chacun sait que la réforme envisagée ne changera pas cette anomalie (la non-alternance au sein du Sénat), mais elle changera ce qui peut l'être." *Le Monde*, 03/03/1999. Claude Goasguen, DL spokesperson, called it 'un acte de guerre' and went on to claim that "Si (le Gouvernement) avait voulu que le texte sur la parité ne passe pas, il n'aurait pas fait autrement." *Le Monde* 17/02/1999. This comment underlines the link between Senate Reform and the parity legislation.

<sup>47</sup> *Projet de loi sur le Mode d'élection des sénateurs*, submitted to the Senate 10 March 1999.

<sup>48</sup> The ratio of *conseillers municipaux*/inhabitants is lower in small communes which then have a proportionately greater influence in the Senate elections. According to *Le Monde* 30/01/1999, communes with 500 inhabitants or less account for 8.4% of the total population but return 16% of the *délégués sénatoriaux*.

<sup>49</sup> *Projet de loi organique N° 235* and *Projet de loi ordinaire N° 236*, submitted to the Senate 23/02/2000. The sliding scale set in 1976 provided for one seat for the first 150,000 inhabitants plus an additional seat for every 250,000 thereafter. Despite three subsequent censuses and massive population transfer, the seat allocation had never been revised. Twenty-two new seats were therefore to be created, primarily in urbanised departments, and four abolished (three in Paris).

## b. Results for Women

The net gain in the subsequent law was the lowering of the PR threshold. Previously, only 15 departments returning 5 or more senators had used PR, while two-thirds of seats were fought on a first-past-the-post basis. The new law extended PR to 50 departments accounting for 70% of seats. In conjunction with the Parity Law, which imposed zipped (or *chabada*) lists in PR departments, this proved effective in the 2001 elections. The press and parties had made conservative estimates<sup>50</sup> regarding women because the effects of zipping are minimised on short lists (if votes are spread evenly over several lists, only the list leaders are elected), particularly if there is a proliferation of credible contenders. However, in September 2001, 22 women were elected - 21.6%, against 3% in 1998 - which boosted the aggregate level to 10.9%. All but two of these *sénatrices* were elected from PR lists, and 9 came from 3- or 4-seat Departments previously subject to FPTP: thus the Senate Reform almost doubled the impact of parity. (The dissident lists set up by many incumbent senators to avoid being ranked third behind a female newcomer also helped by splitting the vote.)

Beyond the increase in numbers, the extension of PR also affected the geographical distribution of *sénatrices*, a fact that has been neglected in assessments of parity so far<sup>51</sup>. The 67 women elected to the Upper Chamber from 1946-2000, were overwhelmingly concentrated around Paris: 70 metropolitan departments had never had a *sénatrice*. (After the 2002 legislative elections, 29 have still never had a *députée*, and 23 departments have had neither). However, in 2001, 9 metropolitan departments returned their first *sénatrice*<sup>52</sup>, turning the tide on

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<sup>50</sup> *Libération* 02/08/2001 and *Le Monde* 01/09/2001 both predicted 5 or 6 additional *sénatrices*.

<sup>51</sup> Sineau (2001a) discusses 'la géographie électorale' briefly with reference to the 1997 Assembly. She finds that women Deputies were also concentrated around Paris and in major urban centres and were absent from most rural departments, although there were exceptions. She also claims that Socialist quotas and the *circonscriptions réservées* widened the geographical distribution of women Deputies – in the same way as the Senate Reform, though to a lesser degree.

<sup>52</sup> Mmes André (Puy-de-Dôme), Beaufile (Indre-et-loire), Didier (Meurthe-et-Moselle), Ferat (Marne), Gourault (Loir-et-Cher: FPTP seat), Henneron and San Vicente (Pas-de-Calais), Herviaux (Morbihan), Mathon (Loire), Rozier (Loiret). In addition, Mme Payet was the first *sénatrice* in la Réunion. All information on geographical distribution of parliamentarians is

the 'sénatrice des villes, sénateur des champs' dichotomy. It is often argued that women's representation is accelerated once pioneers break the mould, and some Deputies believed that constituents raise different issues with women representatives. Consequently, this opening up of the Senate could have important long-term significance at a symbolic and substantive level – if it is sustained.

The most convincing proof of the validity of the Senate Reform is that the new UMP majority set about reworking it within their first year back in power. Although Jospin achieved none of his initial objectives apart from the PR-based parity provision, the reaction he provoked helped create a momentum for change. In addition, opposition to the Anti-Cumul Law and parity had shown the hard-core of senators in a reactionary, misogynistic, out-of-touch light that the media were prompt to amplify. This gave rise to a 'procès en ringardisation' which alienated the public<sup>53</sup> and put the issue on the agenda of the presidential campaign<sup>54</sup>.

The 2003 reforms, introduced by the Senate and its President, Christian Poncelet, reduced the term of office from 9 to 6 years, lowered the age of eligibility to 30, increased and redistributed seats in line with the 1999 census .... and raised the threshold for PR to 4-seat departments. Only 52% of seats are now subject to PR (and therefore gender regulation) instead of 70%, and 20 departments revert to

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based on data supplied by the Information Services of the Senate and Assembly, with additional material from Pascal (1990).

<sup>53</sup> See "Le Sénat tente de se 'déringardiser'", in *Libération* 17/02/1999) and Gisèle Halimi "La misogynie siège au Sénat", *Libération*, 04/02/99). The Senate tried to salve its image by organising a press conference (16/02/1999) on the theme of 'Modernisation de la vie politique' in answer to the "scandaleuse campagne contre l'institution même du Sénat" organised by the government and the PS, according to Alain Madelin (*Le Monde*, 05/02/1999).

<sup>54</sup> Christian Poncelet (President of the Senate) in 'Monsieur Jospin, que voulez-vous faire du Sénat ?', *Le Monde* 28/03/2002 spontaneously suggested reducing the senatorial mandate to 6 years and a readjustment of urban /rural representation. See also the reply: "La réforme ne peut s'arrêter aux portes du Sénat" *Le Monde* 13/04/2002, by Jean-Jack Queyranne, ministre des relations avec le Parlement. Poncelet subsequently honoured his commitments, but undermined the parity provisions in the process.

FPTP<sup>55</sup>. Just 4 years after the Constitutional Amendment, equal access has suffered its first legal setback: the Constitutional Council considered that changing the threshold for PR was not prejudicial *per se* to equal access as defined in article 3<sup>56</sup>. In the next elections (September 2004), although the overall percentage of women may remain stable because of the women elected in 2001, the renewal rate is likely to be significantly lower<sup>57</sup>.

Jospin's reforms sought to address not only the numerical under-representation women in the Senate but also the institutional bias inherent in the Upper Chamber's design. They also encouraged progressive Senators and legitimised their work and their demands. Poncelet prosecuted the case for modernisation, but partly unravelled the pro-parity measures, and undermined the Senate Delegation.

### 3. Parity Legislation

The Constitutional Amendment and the Parity Law have been widely debated<sup>58</sup>. This section will therefore be limited to a brief analysis of the main provisions and results of the legislation, in order to assess how it fits into the overall picture, and whether it constitutes a 'critical act' (Dahlerup 1988: 296). The details of the law will be discussed in greater depth in Chapter 8, which analyses Women's Delegation input to the Parity Law.

#### a. The Constitutional Amendment

It is important to remember the context at the beginning of the 1997 Parliament before judging the final outcome of the Constitutional Amendment, which was far from a foregone conclusion. Although feminist groups and women politicians had succeeded in making parity an issue with popular appeal, opinions

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<sup>55</sup> *Loi N° 2003-696 du 30 Juillet 2003*, For the implications of these laws, see Senate Women's Delegation Report N° 324; Assembly Women's Delegation Report N° 996; *Le Monde*, 01/07/2003 *Réforme du Sénat: le recul de la parité*, and 04/07/2003 *Les députés veulent démanteler le projet de réforme du Sénat*.

<sup>56</sup> *Décision N° 2003-475 DC du 24 juillet 2003*, available on [www.conseil-constitutionnel.fr](http://www.conseil-constitutionnel.fr)

<sup>57</sup> The 2003 Senate Reform also highlighted the vulnerability of the Women's Delegations as the Senate President failed to challenge the erosion of parity.

<sup>58</sup> See Literature Review.

were divided amongst political deciders. Lionel Jospin's support was unequivocal, but Jacques Chirac was much more reticent<sup>99</sup>. The President came out in favour, and rallied the Senate, but it still required a 5-stage navette before agreement was found, opening the way to the Versailles Congress on 8 July 1999.

After much debate about which parts of the Constitution should be modified and how (see Baudino 2000: 108-110), the following clauses were inserted:

- Article 3 now includes: "La loi favorise l'égal accès des femmes et des hommes aux mandats électoraux et fonctions électives."
- Article 4, on the rôle of political parties, specifies: "Ils contribuent à la mise en oeuvre du principe énoncé au dernier alinéa de l'article 3 dans les conditions déterminées par la loi."

The first amendment was criticised because 'favoriser' was deemed weaker than 'garantir' or 'déterminer' and because 'parité' was supplanted by 'égal accès'. The second amendment, introduced by the Senate, signals the need for *lois d'application*, and clearly puts the onus on political parties by recognising their responsibility.

'Une étrange défaite' for Rose-Marie Lagrave (2000) and the anti-paritaristes, or a 'new era in French citizenship' according to Jill Lovecy: for or against, nobody can deny that the Constitutional Amendment marks a watershed. "The 1789 Revolution ushered in a century and a half of male-gendered citizenship in France, whilst the following half-century saw this replaced by a new principle of 'non-differentiation'. Now French citizenship has effectively been re-gendered, but this time on the basis of political equality between women and men." (Lovecy 2000: 462).

How should this re-gendering be put into practice?

#### **b. The Parity Law**

Lionel Jospin lost no time in setting the wheels in motion: he had already commissioned a report from the *Observatoire de la parité*, which was delivered in

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<sup>99</sup> Jensen (2001) gives a detailed account of the competition between the two executive leaders, and the debate on where the parity clause should be inserted.



September (Gillot Report). The Interior Ministry worked on the draft legislation throughout autumn, and the bill was sent to parliament in early December.

Anticipating a rough passage, Jospin applied a *déclaration d'urgence*, and the 5-stage *navette* ran from January to May 2000. Referral to the Constitutional Council further delayed promulgation, but the 'Loi du 6 juin 2000' (the officially preferred title) came into effect before the end of the session, in time for the 2001 elections<sup>60</sup>.

In order to press forward on parity, Jospin had repeatedly promised not to change the electoral system, to pacify fears of proportional representation. The architects of the Parity Law were hostage to this commitment, so the scope of the measures was drastically curtailed. Broadly speaking, the Law introduced zipped lists for all PR elections, and for first-past-the-post contests, it instituted a financial penalty for legislative elections only.

#### i) PR Elections

Regarding PR elections, there was relatively little controversy, revolving around the dilemma of 'tranches ou mille feuilles'<sup>61</sup>. Conventional zipping (the 'mille-feuille' variant) whereby fe/male candidates alternate on the list was appropriate for European and Senate elections in the largest departments. However, in two-round ballots – the municipal, regional and Corsican Assembly elections – this was considered problematic because of the difficulties of merging lists between rounds<sup>62</sup>. The creative solution (subsequently referred to as 'cluster-zipping') involves ensuring that in each 'tranche' of 6 candidates (ranked 1-6, 7-12, 13-18 etc.) there are 3 women and 3 men, in any order, leaving greater flexibility for inter-list negotiation. Any list that does not conform is disqualified before election day.

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<sup>60</sup> There are in fact 2 laws: *Loi N° 2000-493 du 6 juin 2000 tendant à favoriser l'égal accès des femmes et des hommes aux mandats électoraux et fonctions électives*, and *loi organique N° 2000-612 du 4 juillet 2000*. The latter extends the provisions of the former to New Caledonia, French Polynesia and Wallis and Futuna.

<sup>61</sup> This analogy comes from Marie-Thérèse Boisseau during the Delegation hearings, and is recorded in Assembly Report N°2074.

<sup>62</sup> Of course this only poses a problem if it is assumed that the 'têtes de liste' will all be of the same sex.

The second contentious issue, also deriving from the obligation to preserve existing electoral arrangements, involved the threshold above which parity measures would apply in municipal elections. Below 3,500 inhabitants, the communes have slightly different systems that are incompatible with zipping (open lists, *panachage*, *candidatures libres*). However, maintenance of the 3,500 threshold exempts the vast majority of communes – and municipal seats – from the Parity Law (see Chapter 8 for a discussion of the threshold debate).

Apart from this major loophole, PR provisions were generally satisfactory, as illustrated in Table 2.1, below.

## ii) Legislative Elections

The financial penalty, based on the law on public-funding for political parties, is incurred by failure to present 50% of candidates of either sex (+/- 1%). It applies only to the first *fraction* of public money, determined by the number of votes won by each party in the first round, and is therefore linked to the number of candidates fielded, irrespective of outcome: it does not apply to the second *fraction*, based on the number of Deputies actually elected for each party<sup>63</sup>. The first *fraction* is reduced in direct proportion to the shortfall in candidates of either sex: a party which fields 40% of women candidates, loses 10% of their first *fraction*. It was considered unfair to extend this to the second *fraction*, because the parties cannot engineer gender balance in the results, which depend on electors' choice.

There were many misgivings about this option, only adopted because no alternatives were thought acceptable in France. Unlike the other provisions of the law which are prohibitive, this is based on disincentive. For PR elections, any list which does not comply is eliminated **before** the election: in this case, there is a graduated response **after** the election. Consequently, the parties are free to pay or obey, and there is nothing to stop them selecting large numbers of women candidates, then dumping them in unwinnable seats. Pessimists feared that this would enhance women's chances of selection, but not of election.

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<sup>63</sup> In 2002, each vote was worth 1.66 Euros, each Deputy was worth 45,393 Euros per year.

### iii) Parity-free Zones

Within the straitjacket of existing systems, no solutions were found for majoritarian Senate elections (apart from transferring some seats to PR, as described above) or departmental elections, where the financial penalty was inapplicable: state funding is not available in less populous *cantons*, and there are in any case many individual candidates outwith party control. Likewise, the composition of the council executives (town hall *adjoints*, local assembly presidents and committee chiefs) could not be regulated, as they are peer-elected on a majoritarian basis. The delegates on the newly-reorganised *structures intercommunales*<sup>64</sup>, being indirectly elected from the ranks of the municipal councils, are also exempt from gender regulation. This omission is particularly serious, as decision-making is shifting to the male-dominated, and parity-exempt *intercommunalités* from the communes – where women have gained the firmest foothold. Claude du Granrut claims that: “Le phénomène de l’intercommunalité correspond à une sorte de révolution silencieuse qui change imperceptiblement la vie des populations et de leurs élus.” (2002: 103) Unless this loophole is closed, women will miss out on this new tier of government.

### iv) Preliminary Effects of the Law

This overview shows that maintenance of the electoral architecture has resulted in a paradoxical situation where the greater the need for corrective action, the less stringent the measures to address gender imbalance. As Mariette Sineau pointed out in her evidence to the Women’s Delegation, “ce projet de loi ... va favoriser la féminisation des assemblées qui sont déjà les plus féminisées.”

This is demonstrated clearly by Table 2.1 which ranks the different tiers of representation according to pre-parity levels of women. The post-parity results in

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<sup>64</sup> See the definition of *structures intercommunales* at the beginning of this chapter. The present level (5.4% of women presidents in the 2001 EPCI) vindicates the sustained demands of women’s groups and some enlightened Deputies to introduce direct elections with explicit parity measures. Moreover, there is some evidence that men who have been ousted as mayors because of the new limitations on *cumul* (passed in March 2000) are falling back on the office of *président intercommunal* which is not covered by the new law (Sineau 2002: 216).

the right-hand column illustrate the conclusions of the *Observatoire de la parité* in its first assessment of implementation of parity: “là où la loi s’applique, elle a des effets déterminants sur la place de la représentation des femmes dans la sphère politique. D’autre part, là où la loi ne s’applique pas, la parité a peu d’effet d’entraînement sur la désignation des candidat(e)s.”

**Table 2.1 -Correlation Between Electoral Arrangements and Women’s Representation Before and After the Parity Law**

Assembly/office	Electoral System	% Women Pre-parity (date)	Provisions of Law	% Women Post-parity (date)
<i>Présidentes intercommunales</i>	Indirect	3.2% (1999)	Exemption	5.4% (2001)
Senate	Indirect: PR or Maj.	5.9% (1998)	Partial obligation	10.9% (2001)
Departmental Councils*	Majority	6.9% (1998)	Exemption	9% /10.9% (2001/2004)
Mayors*	Indirect	7.5% (1995)	Exemption	10.9% (2001)
National Assembly	Majority	10.9% (1997)	Financial incentive	12.3% (2002)
Municipal Councils*	PR	25.7% (1995) 21% 21.7%	- Stringent measures in large communes - Smaller communes (most seats) exempt - Overall rate	47.5% (2001) 30% 33%
Regional Councils	PR	25% (1998)	Stringent measures	47.6% (2004)
European Parliament	PR	40,2% (1999)	Absolute parity	43% (2004)

Sources: Interior Ministry, *Observatoire de la parité*, except pre-parity figure for ‘*présidentes intercommunales*’ (Delegation Report N° 2074) and 2004 results (*Observatoire des inégalités*, [www.inegalites.org](http://www.inegalites.org), accessed 17/06/2004).

For the Senate and Departmental Councils (partial renewal), these are the aggregate levels.

\* Metropolitan France only

A plausible consequence of the Parity Law is the emergence of a two-speed electoral system, with separate male and female paths of recruitment corresponding to first-past-the-post and proportional systems. This is graphically illustrated in Figure 2.1. (overleaf). Wherever the existing electoral arrangements

provided a window of opportunity, the architects of the parity law opted for maximum impact, in the hope that this would create an *effet d'entraînement* that would foster good practice in those tiers of government where it was difficult or impossible to legislate. The risk is that this may create a two-tier system, or even establish a negative dynamic in non-PR elections: male aspirants supplanted by women in town halls and Regional Councils may assert their primacy in the Departmental Councils and *structures intercommunales*. In this connection, Catherine Génisson (in charge of the *Observatoire*) described the *cantonales* as a “fenêtre thérapeutique masculine destinée à maintenir la représentativité des hommes dans les élections.”<sup>65</sup> Moreover, the success of the *effet d'entraînement* is determined by two factors: on the one hand by the goodwill of the political parties (who have to apply parity) and incumbents (who have to make space), and on the other hand, by parallel action in other domains over a sustained period of time to consolidate the law and extend the spirit of parity.

This thesis argues that the Jospin administration did provide fresh impetus to complementary movements (*cumul* limits, *statut de l' élu*, feminisation of the civil service, gendered statistics) and that it created or reinvigorated women's policy agencies (Women's Delegations and *Observatoire*). It remains to be seen whether these efforts will be sustained, however, and the auguries are not promising.

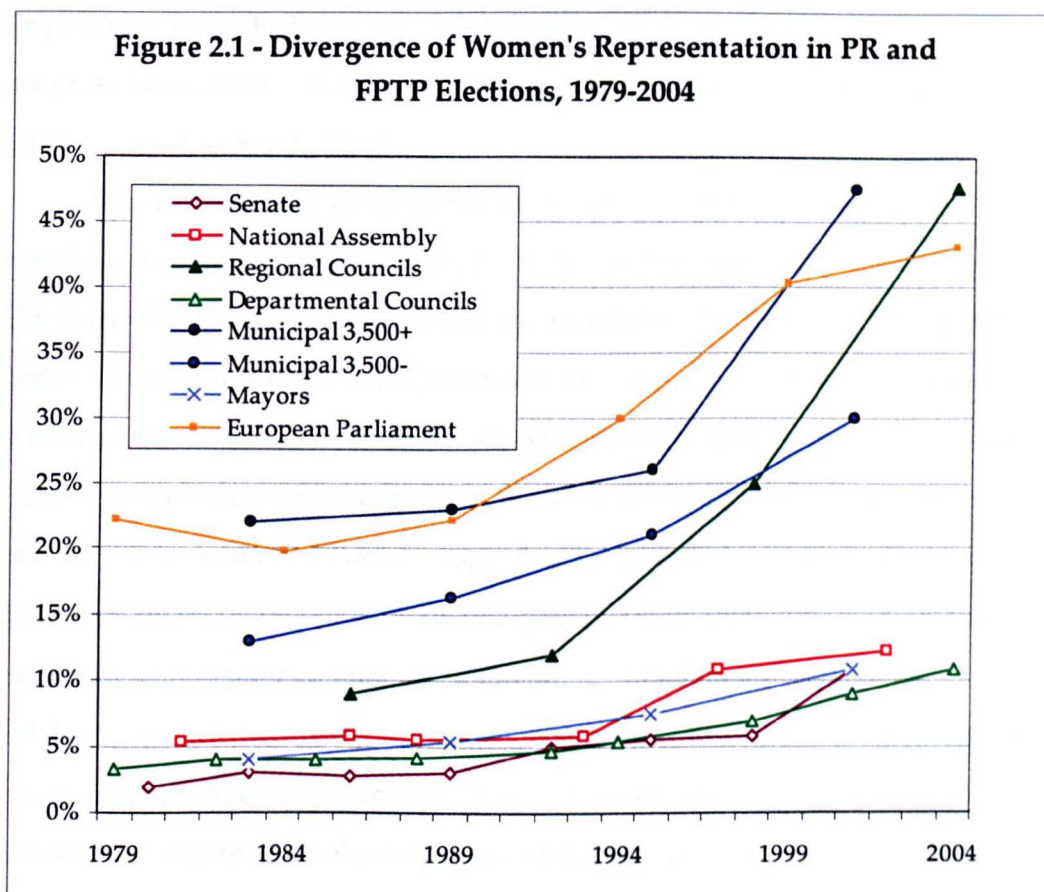
Regarding the goodwill needed to power the *effet d'entraînement*, it seems to be lacking on right and left<sup>66</sup>. In the 2001 departmental elections, the Socialist and Communist federation failed to meet the voluntary 30% targets set nationally; the proliferation of dissident lists on the right in the Senate elections underlined incumbents' resistance; the UMP's sacrifice of nearly 4 million euros of public-funding<sup>67</sup> in 2002 shows how little incentive-based parity weighs in times of crisis (and every election is a potential crisis from the party political point of view).

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<sup>65</sup> Cited by Sineau (2001a: 268-69).

<sup>66</sup> See Green (2003); *Assemblée des femmes* (2003)

<sup>67</sup> The *Observatoire* estimated their loss at 3,936,741.54 € (Zimmermann report, March 2003: 45).



Sources: Interior Ministry, *Observatoire des inégalités*.

Most analysts were disappointed in the initial results in 2001-2. Mariette Sineau (2002a) spoke of “la parité en peau de chagrin”, Greffet and Andolfatto (2002) referred to “l’échec de la parité”, Janine Mossuz-Lavau (2002a) rectified the misrepresentation of municipal results – mainstream media focused on the 47.5% in the 3,500+ communes, neglecting to specify that this involved but a fraction of the seats contested, as the smaller communes were exempt – and focussed on “les limites du mouvement paritaire”. The *Observatoire*, while expressing general satisfaction with municipal results, was critical of the minimal increase in numbers of mayors and *adjoints*, and of the situation in the *intercommunalités*, Departmental Councils and the Senate. Its conclusion that these elections “ne sont pas plus paritaires qu’avant le vote de cette loi,” refutes the existence of the elusive *effet d’entraînement*. Figure 2.1 shows that while the curve for the 3,500+ communes rises steeply, the curves for the smaller communes, mayors,

Departmental and Regional councils simply continue the existing trend, while progress slows for the European Parliament and the National Assembly. Only the Senate bucks the overall trend!

Beyond the statistical assessments, evidence is also emerging of manipulation and subversion of the parity ethos, particularly in the municipal elections. The *Observatoire* found that the established practice of following list order when constituting municipal council executives was widely violated<sup>68</sup>. Although many lists spontaneously applied alternate zipping, cases of 3 x 3 lists (where women were systematically at the bottom of each *tranche*) were not uncommon<sup>69</sup>. Achin and Paoletti argue that the prevalence of incoming women from civil society (who were on average younger than their male counterparts) is not necessarily a positive indication: recruiting outsiders was a means of sidelining experienced party women who were more of a threat<sup>70</sup>. Although this could affect the long-term success of parity, it is not relevant to the present discussion. This thesis seeks only to establish how the narrowly-defined parity legislation fits with the broader picture of inclusion and redefinition of politics, and whether it was a critical act.

## Conclusions

A critical act changes the position of women and leads to further change. In her evidence to the Delegation, Geneviève Fraisse argued that the inclusion of *égal accès* in Article 3: “démontre que nous ne sommes pas seulement dans une logique

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<sup>68</sup> According to Achin and Paoletti (2002: 49) “Le maintien d’une liste victorieuse telle que présentée aux électeurs est exceptionnel.”; see also Troupel (2002).

<sup>69</sup> Achin and Paoletti (2002) found that 53% of the lists in the *Communauté urbaine de Bordeaux* were *chabada*, and 15% had ranking patterns that were unfavourable to women including four 3 x 3 lists. In the two largest communes in the Gard (Nîmes and Alès), 3 x 3 lists presented by the mainstream right won the town hall.

<sup>70</sup> As indicated by the title of their article “Le ‘salto’ du stigmate: Genre et construction des listes aux municipales de 2001”, Achin and Paoletti (2002: 40) argue that list leaders traded on stereotypes, reversing previously negative perceptions of ‘femininity’ to project a positive image. This partly accounts for the numbers of women from the voluntary sector: “Cette valorisation rhétorique du lien entre femmes et société civile a contribué dans certaines configurations à dévaluer d’autres ressources ou d’autres critères pour leur recrutement, notamment leur investissement militant.”

comptable - même s'il faut l'être - mais que le débat sur la parité dans la vie politique ouvre celui de la définition du souverain et de la souveraineté. Il ne suffit pas de dire que la souveraineté appartient à un ensemble d'individus physiquement sexués, hommes et femmes. Il est important de souligner qu'il ne peut pas y avoir d'exercice de la souveraineté sans la participation des deux sexes." (N°2074). Such a fundamental redefinition of citizenship and sovereignty is indisputably a critical act.

Although judgement of the subsequent Parity Law is often clouded by disappointment in its initial results and multiple shortcomings, it has evidently changed the position of women, and will lead to further change – albeit much slower than hoped in some areas. After 2001, there were 21,200 more women in the municipal councils of the larger communes than before parity (Achin and Paoletti 2002: 33), and the majority of list leaders reported little difficulty in finding suitable candidates<sup>71</sup>. This lays to rest the most common practical arguments against parity: that there are not enough women with suitable skills and experience, who are willing to stand. The divergence of results in parity and non-parity elections demonstrates clearly that political parties can field women when they have to, but that they will not if they do not have to. This undermines the myth that women are to blame for their own exclusion, and clearly places the onus on party managers, whose responsibility is now enshrined in the Constitution.

It remains to be seen whether these women will make their mark, or will be prepared to renew their mandate – or move into other assemblies. There is also a real risk of a backlash and an erosion of the parity measures: however, the reform of the European and regional elections, show that even when the parity

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<sup>71</sup> According to a poll of list leaders' perception of parity (conducted in March 2001) at the instigation of the *Observatoire*, 78% said they had no difficulty in establishing candidate lists. See Génisson Report (March 2002: 16-20), for an overview of results.



mechanism is weakened, the results are still better than they were before parity<sup>72</sup>. At the very least, the parity legislation has conferred constitutional legitimacy, deployed women *en masse* in certain areas of the *res publica*, and revealed the full extent of party political responsibility and resistance. Both elements of the parity legislation are therefore critical acts in terms of women's political representation.

There was, however, disappointment that parity, in its ultimate formulation in law, was penned into electoral politics, and lost the all-embracing aspirations of the initial project. Under the heading 'La réforme paritaire: une occasion manquée', Baudino (2000: 102) argues: "si, d'un point de vue pratique, le programme paritaire consiste à assurer l'égal accès des femmes et des hommes aux fonctions politiques par des mesures positives, d'un point de vue théorique, il vise à inscrire la différence des sexes au coeur des institutions pour, en renouvelant leurs fondements, renforcer la démocratie." She concludes that: "l'adoption de ces mesures [la révision constitutionnelle et les lois d'application] est allée de pair avec l'abandon d'une dimension essentielle de la réforme, celle qui aurait permis de repenser l'action publique."<sup>73</sup>

This insight touches on the recurring criticism of political parity as an elitist issue that makes little difference for the majority of 'ordinary' women who will never stand for elective office. If taken in isolation, the Parity Law is indeed inadequate: however, such a narrow focus fails to recognise the repercussions of parity as a theme echoing throughout society and the media. If, on the other hand, political parity is seen as one piece of the larger jigsaw, it assumes greater significance and potential for bringing about change. The Zimmermann Report

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<sup>72</sup> In 2003 reforms weakened parity provisions by reducing the size of the constituencies: regional councillors are now elected on lists subdivided into 'departmental sections', and 8 'super-régions' have been created for European elections.

<sup>73</sup> Jensen (2001) ascribes this shrinkage to the combined effects of two trends. Firstly, seeking maximum cross-party support, the parity movement had to jettison potentially divisive aspects of women's rights and fall back on political parity as the lowest common denominator. Secondly, linkage with 'modernisation de la vie politique' domesticated parity demands: "As the arguments for parity were incorporated into the ongoing debates about the "crisis of representation", they were detached from their origins in a feminist project for social

(2003: 33) states that “La loi sur la parité est destinée à développer dans l’ensemble de la société une *culture de la parité*, que cela soit en politique ou dans tous les autres domaines, et en particulier les secteurs économiques, sociaux et juridiques. [Elle] ne prend tout son poids que lorsqu’elle est mise en perspective avec l’ensemble des mesures adoptées pour assurer l’égalité.”

It has already been argued that the Jospin administration implemented a range of low-key but fundamental changes: we will see, in Part III, that the *gauche plurielle* also put various women’s issues back on the parliamentary agenda (equal opportunities, abortion and contraception). Furthermore, this thesis contends (in Part III) that the parliamentary Women’s Delegations - with their potential to substantively represent women and to gender parliamentary debate - address this need to ‘repenser l’action publique’ and to extend parity into economic, social and legal spheres. And yet without the agenda status afforded by the debate on electoral parity, these Delegations would never have got off to such a rapid and vigorous start. Rather than missing the opportunity, the parity reform was a catalyst for further change beyond the limits of political representation.

#### 4. *Statut de l’élu*

The issue of the *statut de l’élu* – a revision and extension of the specific rights and benefits that can be accorded to elected representatives – is also a response to the accusations of elitism. It was often included in the debates on parity legislation, particularly by women Deputies and the left, as a means of ‘democratising’ parity. It was advocated by the *Observatoire de la parité* in its early reports, and has become a staple recommendation: eight of the party representatives giving evidence in autumn 2001 spontaneously broached the subject.

There were three main justifications. Firstly, it is seen as a way of facilitating the access of more women into politics, by alleviating some of the

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transformation and became an instrument for rescuing the liberal democratic institutions of France.”

additional social responsibilities women bear<sup>74</sup>. Secondly, by facilitating incumbents' exit from political office, it is seen as a way of reversing *cumul*<sup>75</sup>. The third objective was to widen the socio-professional profile of politicians at all levels. Certain professional categories are consistently over-represented, not only because their job provides useful skills (for example lawyers, *technocrates*) but also because of the protection or flexibility afforded by their employment status. Consequently, *fonctionnaires* of all types far outnumber private-sector workers. The right regularly decries the lack of management expertise in politics, while the left denounces the injustice and illegitimacy of a system which excludes blue-collar workers. It is too early to say whether parity will help remedy this situation, but the little evidence available tends to suggest that the entry of women aggravates this phenomenon<sup>76</sup>. The argument of the far-left against electoral parity, on the grounds that it served only the purposes of privileged women, is not without foundation.

The *statut de l'élu* could be interpreted as a way of making amends for this perceived exclusiveness, although this was never explicit. Much of the

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<sup>74</sup> See Méda (2001) on 'domestic parity'. Several Deputies in interview stressed the differences in male and female activism, as exemplified by Janine Jambu's comment: "Il faut qu'on crée les conditions pour que les femmes puissent réellement participer aux responsabilités, et ça ne se décrète pas. ... Le statut de l'élu ... est une priorité, et peut-être d'autres aides. Pour faire garder les enfants. Il faut voir tout ça. Et puis travailler autrement, aussi. Le militantisme des élus-hommes n'est pas pareil que le militantisme des élues-femmes, dans leur disponibilité. Et l'organisation d'une journée de travail quelquefois nous est imposée. Les hommes travaillent beaucoup le soir, parce qu'ils n'ont pas de contraintes, pour les femmes. ... Donc réorganiser un peu la vie militante, la vie politique – il faut qu'on réfléchisse à tout ça."

<sup>75</sup> Summing up the findings of the CREAM conference on *cumul*, Jacques Moreau made this link: "Une idée force développée dans ces contributions est que la solution au cumul des mandats implique, sinon l'achèvement, du moins la poursuite de l'édification d'un statut des parlementaires et d'un statut des élus locaux." (CREAM 1998). Danièle Pourtaud, vice-president of the Senate Women's Delegation, argued this case forcefully in informal conversation.

<sup>76</sup> Sineau (2001a: 211) reports that 43% of the 1997 intake of male Deputies were *fonctionnaires* against 52% of the women (mostly in education). She interprets this difference as follows: "En l'absence d'un statut de l'élu apportant certaines protections aux "gens du privé", il est clair qu'elles ont – plus encore que leurs camarades masculins – besoin de ce "filet" que représente l'appartenance à la fonction publique pour se lancer dans ce "métier" très incertain qu'est la politique". In the same year, 63% of women Deputies and 52% of their male colleagues were 'cadres supérieurs/ professions libérales', whereas only 4% of both sexes were 'ouvriers/employés'.

philosophical defense of parity was based on the idea that women are not a category, but one half of humankind, in response to the fears that accepting women's claim to representation would open the floodgates to unbridled *communautarisme*. Unlike the situation in Scotland, where inclusion is supposed to extend beyond women to all other types of social exclusion, gender parity in France was won at the expense of other types of inclusion. In this context, legislation on the *statut de l'élu* seems to be a very practical way of bridging the gap, at least regarding exclusion on the basis of social origin. It contributes only indirectly to exclusion on the basis of racial origin, however, by tackling the material and educational barriers more commonly encountered by ethnic minorities, and by introducing the habit of accepting difference.

It was the Communists who pushed the issue, tabling a private member's bill on 'Accès aux fonctions électives locales' as early as November 2000<sup>77</sup>. After a first reading in both houses<sup>78</sup>, this bill was suspended, its principles being subsumed in a more comprehensive government bill on 'Démocratie de proximité', tabled in May 2001 and hastily adopted at the end of the last parliamentary session<sup>79</sup>. The section on the *statut de l'élu* provided for reimbursement of childcare costs, in addition to general employment rights and benefits (extension of entitlement to paid and unpaid leave, access to training, improved financial compensation, etc.). It was less controversial than the rest of the bill and the Interior Minister stated his intention to enforce it before leaving office by circular to the *Préfectures*. However, the current legal situation is vague, because the relevant *décrets* have not been published. (Paradoxically, its

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<sup>77</sup> Given that parliamentary groups have few legislative 'niches' on the parliamentary agenda, the choice of this issue at that particular time (early in the parliamentary session immediately after the Parity Law) is indicative of the importance attached to it and its connection with women's representation. Significantly, it was sponsored by Jacqueline Fraysse, mayor of one of the few major towns (Nanterre) run by a woman.

<sup>78</sup> *Proposition de loi N° 2738*, debated in the AN on 14/12/00, and in the Senate on 08/02/01.

<sup>79</sup> This bill attempted to alleviate the *malaise* in municipal politics expressed in the March 2001 elections. It sought to enhance citizen's participation (primarily via *conseils de quartier*), the rights of local elected representatives (in particular opposition representatives) and transparency in decision-making.

incorporation into the government bill, while enhancing agenda status may have derailed the issue.)

The net gain regarding the *statut de l'élue* is at present inexistent. Despite discourse on childcare and other measures to facilitate women's access in the initial justifications of the bill, most of the subsequent provisions – if implemented – would do little specifically to help women. Indeed, given that they are often linked to employment status, and that women are more likely than men to be outside of paid employment<sup>80</sup>, it could be argued that the law would do more for men than for women. Moreover, the measures concern local elective office (parliamentarians already have their *statut*) so if enforced, their effects would take time to permeate through the system and enlarge the pool of candidates for higher office.

However, the high agenda status it achieved has legitimised the issue and reinforced the realisation that politics can and should be conducted in a more family-friendly way. The proponents of the bill recognised themselves that little could be achieved through legal channels alone, as the root of the problem lies in the unequal division of social responsibilities. In this respect, it was consistent with other Socialist initiatives, for example the introduction of paternity leave, or the creation of 'bureaux des temps' in certain town halls. It also ties in with the *Observatoire's* new focus on 'rites et usages politiques', identified as intangible barriers to women's involvement<sup>81</sup>. The creation of a *statut de l'élue* for local representatives may therefore contribute to improved representation of women in the long-term.

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<sup>80</sup> In 2002, the *Observatoire's* analysis of socio-professional background showed that the category with the biggest male /female discrepancy was 'autres ou sans profession' (8.51%/21.89%); this includes students, *femmes au foyer*, the retired and the unemployed. Génisson Report (2002).

<sup>81</sup> Zimmermann Report (2003: 32).

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During the 1997 Parliament, the *gauche plurielle* succeeded in introducing a series of coherent institutional changes to improve the balance between both sexes in politics at all levels. On the electoral front, the Constitutional Amendment broke the stalemate over measures to promote women and – theoretically – should guard against erosion of this new right. The Parity Law, for all its shortcomings, has already yielded spectacular results in some areas and in the longer term, it can be expected to bring further gains. Although the gendered impact of the Anti-*Cumul* Law cannot be quantified as yet, it can only be beneficial in the long term, as it targets one of the informal institutions that makes French politics particularly impervious to women. The attempts at reforming the Senate had limited but significant short-term impact by increasing women's numerical and geographical representation. In the longer term, they undoubtedly contributed to the positive clauses of the 2003 reform, which may mitigate the conservatism and inertia of the Upper Chamber.

The Women's Delegation, played a vital role in shaping the Parity Law. As demonstrated below (Chapter 8), it helped transform the rather feeble government bill into an effective electoral tool. In so doing, it demonstrated its potential for channelling external feminist thinking into the legislative process, for promoting a women's agenda, and for introducing gender awareness. The subsequent activities of the Delegation confirmed its capacity for enhancing the substantive representation of women. The legislation on the *statut de l'élu* may well come to nothing in concrete terms, but the debate in itself has signposted one possible course for future developments in women's political participation.

Critics have dismissed the Parity Law as a gimmick that fell short of expectations, because of the commitment to work within the existing electoral framework rather than introducing more sweeping changes (such as a mixed system with an element of PR). The fact that parity was interwoven with parallel modernising reforms implies a genuine commitment to increased women's

representation rather than a cosmetic measure. Moreover, given the hostility in the Senate and amongst the opposition, a radical overhaul of the electoral system could have derailed the enterprise or ended in stalemate.

Lionel Jospin has sometimes been criticised for getting off to a slow start with parity. This seems unfair in view of the electoral timetable and the *trêve républicaine* regarding electoral reform. Elections were due in 1998 (Regional and Departmental Councils, Senate), 1999 (European Parliament) and 2001 (Municipal and Departmental Councils, Senate). The obvious window of opportunity lay in the 1999-2000 session: the *Observatoire* submitted its proposals in September, draft legislation was tabled in December (only two months into the parliamentary session following the Constitutional Amendment), had its first reading in January 2000, and was in the *Journal officiel* by June, with immediate effect. The parliamentary process also reveals the degree of importance attached to political modernisation. Knowing that the first three fundamental laws (on *cumul* limits, Senate reform and the Constitutional Amendment) would not go unopposed, they were set in motion within 18 months of taking office. Moreover, for the Parity Law, the Prime Minister applied a *déclaration d'urgence*, a procedure he used sparingly (it covered only 9/162 government bills in 1999-2000).

These coherent institutional reforms have completely redefined the issue of women's representation in France. However, institutions only form a framework within which individuals and organised groups operate. The degree of change that can result from the reforms of the 1997 Parliament depends to a large extent on the goodwill of the actors involved. For example, progress on *cumul* now requires a reappraisal of party practices and assumptions surrounding recruitment rather than tighter state regulation, as "le problème du cumul des mandats est plus affaire de mœurs que de textes"<sup>82</sup>. Wider access to political office depends as much on *culture paritaire* as prescriptive legislation: the results of the 2002 legislative elections show that goodwill cannot be taken for granted.

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<sup>82</sup> Jacques Moreau concluding the CREAM conference papers (1999).

The next section of this thesis will look at the National Assembly as an institution and workplace, to see whether women were offered 'égal accès' within parliament itself.



## **Part II**

### **Parliamentary Practices**

In terms of women's access to political office, the 1997 Parliament represents a decisive step towards greater equality thanks to the institutional reforms analysed in Part I. It was also the first time in France that women broke through the 10% threshold in the National Assembly. Part II will look at practices and power within the Palais-Bourbon to assess gender differences in access to parliamentary posts and tasks. It investigates the National Assembly as a 'gendered institution' and asks whether women are in a position to 'make a difference' to the political process and legislative outcomes.

## **Chapter 3**

### **Internal Organisation in the National Assembly And Methods for Assessing Parliamentary Practices**

Much attention has been devoted to the gendered filters that prevent women from entering politics, but little quantitative analysis has been carried out on the question of gender neutrality within parliament. Mariette Sineau (1988) has conducted research into the differences in attitudes and perception of women politicians, and looked at the sociological differences between Deputies of both sexes. She gives a brief overview (Sineau 2001: 226-230 and 2002: 217) of certain aspects of the sexual division of labour at the beginning of the 1997 and 2002 Parliaments (the composition of the Bureau and the permanent committees). Jean Pascal (1990) lists positions held by women from 1945-1988 without comparative analysis or contextualisation. William Guéraiche (1999) provides valuable insights into how women have been deployed within parliament, but no systematic overview of their access to positions of power. Standard works on French constitutional arrangements interpret parliamentary institutions on party-political lines, but rarely mention gender (or class and race). At a practical level, it was not feasible until recently to quantify differences between male and female presence and participation when there were so few women. However, the increase in the number of women Deputies in 1997 made it possible to begin to measure gender differences within the Palais-Bourbon, although only tentative conclusions could

be drawn at this stage, as men still outnumbered women 8:1. Women Deputies continued to operate in a male-dominated and male-defined arena, so before looking at the difference they may have made, it is important to look at the institution itself and its managers.

The National Assembly, like any other workplace, has its internal organisation, which distributes power and responsibility via a hierarchy of managers. The parliamentary groups - 6 in the 1997 Parliament<sup>1</sup> – share the task of management. As political parties have not proved women-friendly in the past, it seems reasonable to ask whether women, once they have gained entry to the Assembly, are able/enabled to access the levers of power, or whether they encounter a glass ceiling, as is so often the case in the working environment. Hence the first task is to appraise the internal workings of the Assembly to establish where decision-making power lies, and to see whether women are present in these positions. Two types of 'decision-making power' are relevant to women's potential for 'making a difference': that which provides influence over legislative agendas or outcomes, and that which 'reveals talent'<sup>2</sup>.

The second step is to catalogue the tasks and opportunities available to Deputies (committee work, questions, private member's bills, amendments etc.) and select those which could serve as indicators of differences of the behaviour or deployment of men and women. Given that much of the activity within the Assembly is structured around the role of *opposition/majorité* and controlled by the parliamentary groups, measuring differences in behaviour is fraught with complications. Some parliamentary tools and tasks are available to all and sundry, many are more elusive (or exclusive) and subject to tight party control. Some have high prestige but little relevance to policy formulation or outcomes, while other unsung tasks may be deemed highly useful or constructive. Some tasks are potentially interesting, but data is too difficult to obtain or process. Once

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<sup>1</sup> With the exception of the composite *Radical, Citoyen et Vert* group, they mapped onto the main political parties outside the Assembly: PS, RPR, UDF, DL, PCF.

<sup>2</sup> Wright and Knapp (2001) contend that this is one of the functions of parliament.

the most appropriate areas of activity were identified, gendered statistics were compiled and analysed.

To avoid the pitfalls associated with an assessment of individual behaviour, I have sought to measure group difference, rather than individual deviation from an overall (therefore male) norm. Measuring group difference is, however, not without complications. The group of women Deputies who sat in the 1997 Parliament did not constitute a microcosm of the Assembly at large: for example, 65% of the women elected came from the PS, but there was not a Socialist majority of 65%! Consequently, these comparisons were based on a male sample, designed to minimise the major differences beyond gender which could influence behaviour (primarily party affiliation, and previous parliamentary experience). The methodology and composition of this sample are described in (4) below, and in Appendix C.2).

A quantitative analysis cannot take into account informal mechanisms that are particularly elusive, because they are, by definition, unwritten and often linked to context and key personalities. In order to interpret the variations observed and ascertain whether they resulted from individual preferences or party pressures, interviews were conducted with Deputies of both sexes and all political persuasions, to assess how they perceived the distribution of power within the Assembly, why they preferred certain types of action and whether their access to various posts and tools was encouraged or hampered. Details of these interviews are given below.

The following information is based largely on the series 'Connaissances de l'Assemblée', specifically N°s 4 and 12 (Assemblée nationale 1997 and 2000), and "Un Ethnologue à l'Assemblée" (Abélès 2000) supported by interview material. I have also drawn on Wright and Knapp (2001), Stevens (1996), Cole (1998), Frears (1991), and Yves Mény's *Politique comparée*.

## 1. The Internal Organisation of the National Assembly

As shown in Figure 3.1 below, management of the Assembly is split between two bodies: the Bureau, which handles general management, and the *Conférence des présidents*, responsible for political management. Both of these are headed by the Assembly President, who is the lynchpin of the edifice and is invariably a major player in national politics. This contrasts with the situation in Westminster where the Speaker is first and foremost a parliamentary figure. He<sup>3</sup> is theoretically elected by the assembled Deputies, but in practice he is the nominee of the strongest political party, as Deputies will not vote out with their own 'family'<sup>4</sup>. These two features of the French system - the use of the *perchoir* as a stepping stone in a national career coupled with party political control – may partly explain the exclusion of women: unlike most European parliaments, the National Assembly has never been headed by a woman.

The most significant function of the President in the context of this thesis is that he has ultimate control over and responsibility for parliamentary proceedings. He calls and chairs the monthly meeting of the Bureau (which administers day-to-day operations) and the weekly meeting of the *Conférence des présidents* (which implements the parliamentary timetable). His most significant and visible task is organising and chairing debates in the Chamber during the nine-month parliamentary year, which also involves applying the *Règlement*. Deputies unanimously agreed that this position confers most influence on legislative proceedings – within the constraints of the current parliamentary system.

Although he nominates key figures in the state apparatus, he does not control appointments within the Assembly, which are more often made by the parliamentary groups. He therefore has less scope for 'revealing talent' than group presidents although he undoubtedly enjoys a degree of unofficial influence over such appointments.

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<sup>3</sup> I propose using the masculine for this post as there has never been a female president, nor even, except in 1997, a credible female candidate for the post.

Of the 21 members of the annually re-elected **Bureau**, the six vice-presidents are pivotal. Sitting on the *Conférence des présidents* and chairing plenary sessions in rotation, they have some control over the parliamentary timetable (though little say in the content of the legislative agenda, determined by the executive and dominant parliamentary groups) and the subsequent debates. The three quaestors manage the internal budget and personnel of the Assembly: their impact on policy is low, but their control of resources enables them to exert influence on the Deputies individually and collectively. The post of secretary, however, confers little influence, and does not serve as a stepping stone to further responsibility.<sup>5</sup>

Thus the position of vice-president is the most significant in terms of input into the legislative process, the quaestors hold financial and administrative power whereas the secretaries enjoy little status or influence.

The prime function of the *Conférence des présidents* is to organise plenary debate in the Chamber. It provides input to the parliamentary agenda, but does not set it, as the executive controls about 90% of parliamentary business, through the *ordre du jour prioritaire*. Interviewees frequently argued that their impact on legislation is determined more by the relative impotence of the National Assembly and the handicap of being in opposition, than by their sex<sup>6</sup>. The *Conférence des présidents* is theoretically responsible for questions in the Chamber (See Appendix E.1). In practice the *Conférence* oversees the allocation of time between groups, but

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<sup>4</sup> Although the office is theoretically exercised with total impartiality, Wright and Knapp (2001: 146) argue that the President is less neutral than the Speaker in Westminster.

<sup>5</sup> Secretaries are “responsible for monitoring ballots and certifying the exactness of verbatim report of debates”, [www.assemblee-nationale/AN-misc/8af.asp](http://www.assemblee-nationale/AN-misc/8af.asp), accessed 28/05/02). The menial nature of this task was confirmed in interviews with two women secretaries (UDF and PS): both, however, cited the case of lifting the parliamentary immunity of the deputy Marc Dumoulin (accused of sexual offences against his niece), emphasising the importance of women being involved in this decision.

<sup>6</sup> Wright and Knapp (2001: 134) argue that there has been a ‘partial recovery of parliamentary influence as a result of institutional reforms and of changing political practice’. It is too early to judge whether women are contributing to this trend, but some signs (most notably their impact on legislative outcomes via the Women’s Delegation, and their contribution to committees of enquiry and *missions d’information*) indicate that this may be the case.

as regards the content, simply rubber-stamps decisions presented by the group presidents.

A seat is therefore highly valued and useful. In terms of women's representation, it is unfortunate that the president of the Women's Delegation does not have the statutory right to sit in this body, unlike her colleague from the European Delegation. This would facilitate the inclusion of equality issues on the parliamentary agenda, and possibly improve advance planning of work within the Delegation, which at present is primarily reactive, and not proactive.

Access to the *Conférence des présidents* adds lustre to the job of *group president* which ranks among the consolation prizes for aspiring or ex-ministers, and often serves as a spring board to the 'perchoir'. Wright and Knapp (2001: 145) argue that a disciplined party system and *le fait majoritaire* are key features of the Fifth Republic: it follows that the group presidents are pivotal to parliamentary business<sup>8</sup>. The president is elected by the Deputies belonging to the group, and while the outcome is often a foregone conclusion, the party hierarchy does not always succeed in imposing its candidate<sup>9</sup>. The degree of control exerted by group presidents ranges from the tight grip of the Socialists, exacerbated in the 1997 Parliament by the delicate balance within the *gauche plurielle*<sup>10</sup>, to the ultra-flexible *Radical, Citoyen et Vert* group. Being small (33 members), recent (established 1997)

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<sup>7</sup> For example Laurent Fabius, elected *Président de l'Assemblée* in 1997, was a former leader of the *Groupe socialiste*. Likewise, the current President, Jean-Louis Debré, headed the RPR Group, and Philippe Douste-Blazy, portrayed by the press as a potential challenger in 2002, was previously in charge of the UDF Group. This is no accident: on the one hand, managing the parliamentary group provides the opportunity to develop and prove the skills required to chair the Assembly, and on the other hand the potential candidate – elected by his peers – can capitalise on the patronage dispensed as group president.

<sup>8</sup> This is paradoxical, in that their loyalties are divided between the Assembly, their extra-parliamentary party and, in the case of the majority group, the executive: Wright and Knapp claim that disciplined majority groups allow the government "to colonise parliament from within" (p. 146). This is significant for women on two counts: parliamentary group leadership seems particularly hard for women to penetrate (doubtless because of male control in the extra-parliamentary hierarchies), and the issue of women needing to achieve critical mass within the parliamentary parties in order to challenge party discipline.

<sup>9</sup> In June 2002 the rump UDF elected Hervé Morin against Anne-Marie Idrac, officially backed by François Bayrou.

<sup>10</sup> See Abélès (2000: 90-95), and Wright and Knapp (2001: 144).

and composite (the PRG, MDC and Verts had joined forces to reach the 20-member threshold), its president was more a coordinator than a captain<sup>11</sup>.

Despite these variations between groups, the presidents control patronage within their group and arbitrate decisions, for example on the private member's bills or *questions au gouvernement* presented by the group. They play an important role in committee work in that they control membership (with committee presidents), and can initiate certain temporary committees (*commissions spéciales*, for example). They generally chair the weekly group meetings, where all major decisions concerning the party line are discussed. The group presidents seek to "maintenir la cohésion et la discipline, mais aussi de veiller à assurer l'expression des différentes sensibilités."<sup>12</sup> Thus, they not only represent decision-making and authority, but are also responsible for fostering and facilitating, which is directly relevant to women Deputies. Although women do not form a *courant* in any of the parties, they could formulate a 'sensibilité différente', and the extent to which a group president is willing or able to recognise this difference may determine the emergence of individual women politicians and a collective women's agenda. A group or minority needs to have the group president's ear to get heard.

The prime function of the **presidents of the six permanent committees** is to organise preparatory work on proposed legislation: they chair meetings, allocate pre-legislative reports, and cooperate with the group president to decide which Deputies will defend bills or amendments. This confers considerable power over policy and 'personnel management': responsibility for a pre-legislative report provides Deputies with the opportunity of making their mark and furthering their career. Committee presidents play an important role in 'revealing talent'.

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<sup>11</sup> Abélès (2000: 93).

<sup>12</sup> Ibid, 92.



Like the Assembly President, the committee presidents, invariably from the parliamentary majority<sup>13</sup>, strive to maintain neutrality, but the preponderance of government bills in their workload inevitably masks this<sup>14</sup>. Moreover, the president is frequently the spokesperson of their party in the domain covered by their particular committee. S/he often has to juggle between formulating the party line and respecting the multi-party views of the committee. This post also serves as a consolation prize<sup>15</sup>, having therefore honorific as well as practical value<sup>16</sup>.

In the same way that there are discrepancies between the parliamentary groups, not all committee presidents are equal. The committee hierarchy will be described in the chapter on committees, but the particular role of the Finance Committee is relevant to the management structure of the Assembly as the *Rapporteur général* also sits in the *Conférence des présidents*. In addition, the Finance Committee president advises the Assembly President on the financial admissibility of amendments.

Thus, a great deal of influence and power is concentrated in the hands of the 35 members of the Bureau and *Conférence des présidents*. Although all members are theoretically equal, some are more equal than others in terms of control over policy and personnel. The most powerful and prestigious figures are the parliamentary group presidents (with influence in the Assembly and the extra-parliamentary party) who control patronage and are in charge of policy formulation and co-ordination. Next in line are the 6 permanent committee

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<sup>13</sup> Although there is no written rule on this matter, there has only been one opposition President (Foreign Affairs, 1988). Since this precedent, it has become customary to include opposition Deputies in the Bureaux of the permanent committees. (*Connaissance de l'Assemblée*, N°12: 28)

<sup>14</sup> From 1997 to 2001, 83%-90% of government bill reports per year were entrusted to members of the *gauche plurielle*, holding only 55,5% of Assembly seats. (Based on raw data supplied by the National Assembly Information Service.) Although the opposition submitted the majority of private member's bills, 73%-80% of reports were written by Deputies from the majority.

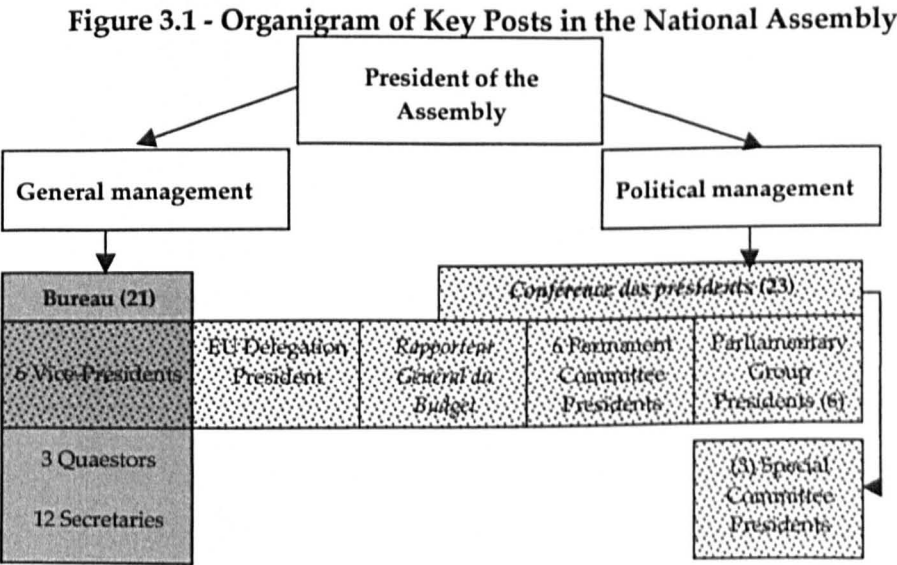
<sup>15</sup> As illustrated by the case of Edouard Balladur who became President of the Foreign Affairs Committee in June 2002, after his rival, Jean-Louis Debré, was elected *Président de l'Assemblée*.

<sup>16</sup> The prestige-rating can be measured by the prevalence of former or future ministers: seven of the ten committee presidents appointed in the 1997 Parliament had government experience: Le Garrec and Bartolone (Social Affairs); Loncle and Lang (Foreign Affairs); Quilès (Defence); Emmanuelli (Finance); Tasca (Constitutional Affairs).

presidents who command considerable authority but answer to the group presidents. The Bureau vice-presidents, despite their double remit in both branches of Assembly management, apparently have less status, undoubtedly because they have less policy input. The *Rapporteur général du Budget* does not have a high public profile, but plays an important role in vetting legislation. The other posts, having a more subject-specific role, are less powerful and less sought after.

2. Key Posts within the National Assembly

We shall now look at women’s access to these posts since 1945, and in particular since 1997.



a. *Présidence*

France, unlike most of its 14 pre-enlargement EU partners, has never had a woman at the head of its lower house<sup>17</sup>. Furthermore, in the first 40 years after women were enfranchised, there was only one woman candidate: Marie-Claude Vaillant-Couturier stood for the Communists in 1969. This symbolic gesture is anything but a gimmick. Since 1945, the Communists had deliberately placed women in the Bureau, as argued below, and Marie-Claude Vaillant-Couturier -

*résistante* and *ancienne déportée*, prominent in her party hierarchy, with 16 years of parliamentary experience and two spells as vice-president under her belt - certainly had the credentials. However, as Deputies vote along party lines, her bid was condemned to failure, and this has set the tone down to the present day, as illustrated by Appendix B.1.

Two decades later women started appearing more regularly, though in the first instance they were clearly 'protest' candidates (Yann Piat for the FN in 1986 and 1988, and Huguette Bouchardeau as a dissident PS candidate against Henri Emmanuelli in 1992). Although these women were supported by 8% of their colleagues at most, they no doubt helped prepare the ground for the first serious female candidacy – in 1997. Nicole Catala, standing for the RPR, knew that her defeat was mathematically inevitable, but with 38.6% of potential votes, she was not a marginal candidate. The same applied for Paulette Guinchard-Kunstler who garnered 24.6% for the PS in 2002, incidentally the first time that two women contested the election. Not for the first (or last) time, it appears that women fare better in opposition, when the power stakes are low, but have little chance of selection when the prospects are good.

There are several general explanations for the male monopoly of the *perchoir* - the absence of suitably qualified women, the balance of power within the dominant parliamentary groups, the 'ripeness' of mentalities – and one that is perhaps specific to France. Unlike the Speaker in Westminster who is first and foremost a parliamentary figure, the Assembly President is invariably a major player in national politics – a former or aspiring Minister. Although theoretically elected by the assembled Deputies, in practice he is the nominee of the strongest political party, as Deputies will not vote out with their own 'family'. Party political control and the significance of the *perchoir* in a national career combine to make the post particularly inaccessible to outsiders.

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<sup>17</sup> Nor had Belgium, Greece or Portugal. Sineau (2001).

## b. Assembly Bureau

Surprisingly, the Bureau has rarely been an exclusively male domain<sup>18</sup>. Women are numerically scarce, and frequently isolated, but it could almost be argued that they have been over-represented, if their presence in the Bureau is set against their presence in the Assembly at large. For example, in the 1973 Parliament, of the 8 women Deputies elected, five served in the Bureau (though not simultaneously), and until 1986, out of the pool of women Deputies, the proportion elected to the Bureau in each Parliament oscillated between 20-60% (except 1962-1967). Thus the average *députée* had a much greater chance of access to the Bureau than her male colleague<sup>19</sup>.

This initial impression does not stand up to closer scrutiny, however. One party alone was consistently responsible for the majority of these ideologically-motivated promotions – the Communists. Pascal (1990: 74) points out that 7 of the 14 vice-presidents, and 11 of the secretaries appointed from 1946-1988 were Communist women. Guéraiche (1999: 130-133) has demonstrated how the party line, upheld by the *Commission du Travail parmi les femmes* and a handful of well-placed women, accelerated the career of women members, quoting the example of Jacqueline Chonavel (reluctant *suppléante* of a deceased Deputy 1968- 81): “En 1975, année de la femme, une vice-présidente devait être choisie dans le groupe communiste. Des trois élues communistes, la députée de Seine-Saint-Denis est la plus ancienne. ‘Alors, il a fallu que je sois vice-présidente ! Oh là, là... Être au perchoir ! Le ciel me tombait dessus. En pleine réunion du groupe communiste, je me suis mise à pleurer.’” Although well-intentioned, this policy did not necessarily enhance women’s position because the individual women were generally too isolated and inexperienced to be able to grasp the opportunity, as argued below.

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<sup>18</sup> On the basis of Pascal (1990), only 8 annual elections in the Fifth Republic have not yielded any women members, the most recent being in 1985.

<sup>19</sup> This replicates the grassroots situation described by Guéraiche (1999: 133): “considérant le faible nombre de femmes en section, les militantes avaient, mathématiquement, plus de chances d’être désignées par le parti qu’un militant. Un homme n’a pratiquement aucune chance de connaître le même parcours que J. Chonavel. (party member who was forced to become a Deputy and enter the Bureau against her will)”

Table 3.1 summarises the number of terms of office held by women in the Bureau, and the proportion of women Deputies having entered the Bureau during each Parliament. (The Bureau is renewed annually so the total number of terms can exceed the total number of women recorded in the right-hand column, if any Bureau members are re-elected.)

**Table 3.1 - Women in the Bureau of the National Assembly: 1958-1997**

Legislature	Terms as Vice-pres. Left	Terms as Vice-pres. Right	Terms as Secretary Left	Terms as Secretary Right	Bureau members/ Deputies**
1 <sup>st</sup> (1958-62)*	2 (0)	1	-	-	3/9
2 <sup>nd</sup> (1962-67)	3 (0)	0	0 (0)	0	1/8
3 <sup>rd</sup> (1967-68)	2 (1)	0	1 (1)	1	4/10
4 <sup>th</sup> (1968-73)	0 (0)	0	3 (3)	0	2/8
5 <sup>th</sup> (1973-78)	2 (2)	1	3 (3)	3	5/8
6 <sup>th</sup> (1978-81)	2 (2)	0	3 (3)	0	5/18
7 <sup>th</sup> (1981-86)	1 (0)	1	4 (0)	0	6/26
8 <sup>th</sup> (1986-8)	0 (0)	0	3 (0)	3	4/34
9 <sup>th</sup> (1988-93)	0 (0)	0	8 (0)	5	3/33
10 <sup>th</sup> (1993-7)	2 (2)	4	0 (0)	4	3/34
Total Left/Right*	14 (7)	7	25 (10)	16	

Compiled from Jean Pascal (1958-86), and *National Assembly Information Service* (1986-97).

\* This excludes N. Sid Cara (Secretary for one term).

\*\* *France entière*, from Sineau (2001a).

Several quantitative observations can be made from this. Firstly, up to 1997, the non-Communist left was no more inclined to place women in the Bureau than the right: the figures in brackets giving the number of posts held by Communist women show that only seven of the fourteen *vice-présidentes* and fifteen out of twenty-five women secretaries on the left came from non-Communist parties, putting them on a par with the parties of the right. Secondly, although women were just as likely to be vice-presidents as secretaries (bearing in mind that there are 12 secretaries and only 6 vice-presidents), their chances of obtaining a vice-presidency were much slimmer when they belonged to parties of

government (figures for government parties are in bold-print): only 7/21 *vice-présidentes* came from the majority, against 23/41 secretaries. This is a telling detail, as we have already seen that *le fait majoritaire* reduces the opposition to impotence. Women are more often to be seen as opposition vice-presidents (whose role is largely symbolic) than **heard** as government vice-presidents (who have real power). This did not apply for the less influential post of secretary. The third observation concerns the proportion of women Deputies promoted to the Bureau. From 1986, this suddenly dropped from above 20% to around 10%, as the number of *élues* rose, and Bureau membership dipped. In itself this could be discounted as a mere statistical quirk, were it not for qualitative changes occurring at the same juncture.

Looking at who women Bureau members were, two features emerge: they were inexperienced and transient. From 1958-1988, of the 27 women Bureau members, 16 were in their first mandate at the time they were first elected, 8 were in their second<sup>20</sup>. During the same period, women generally held office for only one, sometimes two years within the same parliament and were rarely re-elected if returned in subsequent parliaments. This contrasts with the situation beforehand (in the Fourth Republic) and after the 1986 Parliament (with the notable exception of J. Thôme-Patenôtre, with 6 years service in 3 parliaments). It also differs from the pattern for male Bureau members, who are more often long-serving veterans<sup>21</sup>. A natural consequence of this transience is that, with a couple of brief interludes, there were never more than one or two women at any given time. As regards 'internal promotion' there are only 4 cases, since 1945, of women secretaries becoming vice-president (Dienesch, Chonavel, Constans, Fritsch). Comparable

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<sup>20</sup> Three notable exceptions were major figures from the post-war generation – Marie-Claude Vaillant-Couturier (PC, 5<sup>th</sup> mandate), Marie-Madeleine Dienesch (MRP, 6<sup>th</sup> mandate) and Jacqueline Thôme-Patenôtre (*Radical de gauche*, a newcomer to the Assembly, but with 12 years previous experience in the Senate, vice-president for 6 years).

<sup>21</sup> I do not have data on men for the same period, but at the end of the 11<sup>th</sup>, 9/15 men were veterans (3 or more mandates when first elected) and only 3 were novices, whereas 4/7 women were novices. At the beginning of the 12<sup>th</sup>, 14/20 men were veterans, whereas both women were only

data is not available for men, but in 2002 alone, 2 of the new male vice-presidents were former secretaries. There are of course valid explanations for the deployment of less experienced women for shorter periods – not least that there are so few women and that they tend not to be serial deputies. However, after their term in the Bureau, about a third of the women were re-elected as Deputies and yet did not resume their responsibilities. It may be that the women were reluctant to renew Bureau membership, as illustrated by Jacqueline Chonavel's reaction, quoted above. Whatever the reason, the result remains the same: isolated, less experienced, in opposition, and denied the opportunity of consolidating their position, women were clearly confined to a token presence in the Bureau.

The situation started to change during the first left-right cohabitation. At surface level, women appeared to falter: as already stated, the proportion of women Deputies elected to the Bureau dropped sharply, and for two consecutive parliaments there were no women vice-presidents. However, in qualitative terms, women fared better. The four secretaries of the 1986-88 Parliament were still novices (on their first or second mandate), but three of them stayed in office, and were re-elected in subsequent parliaments. This trend was reaffirmed in the next three legislatures, and as a corollary, there were generally three or four women in the Bureau together. Of the five *vice-présidentes* since 1986, three came from parties of government. Henceforth, there were fewer women, but they were more established (as illustrated by Appendix B.3), and could therefore hope to make more of a mark.

The 1997 Parliament confirmed and amplified all of these phenomena: 4 of the 8 women members of the Bureau were veterans, 4 sat for almost the whole parliament, and 4 came from the *gauche plurielle*. One of the PS novices, Christine Lazerges, was even appointed 1<sup>st</sup> vice-president in 2000, therefore acting as deputy

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on their second term. Some men have very long records – Jean Proriot had 7 mandates and one term in the Senate under his belt.

to Raymond Forni. Most importantly, with 7 members out of 21 from 2000-2002, women attained critical mass in the Bureau.

### *The Questure*

The quaestors are an integral part of the Bureau, but it seems appropriate to deal with this element separately because it does not follow the same progression. In the whole history of the Fourth and Fifth Republic, there has been only one woman quaestor – the Socialist Denise Cacheux in 1986, shortly before new legislative elections. As we will see in the following chapter, it is hardest for women to penetrate those areas where power is allied to money.

#### *c. Conférence des présidents*

Until recent years, although women sat in the Bureau, they had scant opportunity to bring their influence to bear on the general management of the Assembly, because of their token status. What is the situation as regards political management, i.e. their access to the *Conférence des présidents*?

We have already seen that few women gained access to the *Conférence des présidents* via Bureau membership (only 14 one-year terms as vice-president were served by women up to 1997). The alternative routes to political management lie with the legislative committees and the parliamentary groups.

The first, and apparently only woman to preside a permanent committee before 1997, was Marie-Madeleine Dienesch in charge of Social & Cultural Affairs in 1967-68. (This was a year when 4 women sat in the Bureau.) Her profile (she was serving her 8<sup>th</sup> term and had been an Assembly vice-president in 1958) contrasts markedly with Catherine Tasca, the chair of the Constitutional Affairs Committee from 1997-2000, who was a parliamentary novice<sup>22</sup>. As regards the special committees, all have been chaired by men since 1986 (the same probably applied before this date, though data is not available). The post of *Rapporteur général du budget* (appointed within the Finance Committee) has necessarily been

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<sup>22</sup> No other women committee presidents were found in the exhaustive material covering the period up to 1988. Although comprehensive data on the 1988-97 period was unavailable, secondary literature makes no mention of other women apart from Dienesch and Tasca.



held by men. Despite the feminisation of the EU Delegation and the presence of women vice-presidents, no woman has chaired this body in 30 years of existence. Women are therefore absent from committee-linked seats in the *Conférence des présidents*.

Although the posts of committee vice-president and secretary are not directly relevant to the question of access to institutional power (they do not contribute to overall Assembly management, nor do they have any statutory role in committee management), women's deployment in such posts reveals patterns that coincide with other findings in this thesis. For example, Pascal's biographical entries for women Deputies up to 1988 suggest that women had greater access to a broader range of Bureau posts in the legislative committees of the Fourth Republic than after 1958<sup>23</sup>: this is consistent with the hypothesis (in the following chapter) that the design of the committee system in the Fifth Republic is detrimental to women. Up to 1988, Pascal reports no women in the Bureaux of the Finance and Trade & Industry Committees, which still had no women officials in 1999 and February 2002.

As regards the seats reserved for parliamentary group presidents (6 in the 1997 Parliament), all were occupied by men from 1997-2002. To the best of my knowledge, no woman has yet headed a parliamentary party in the Assembly (although Michèle Alliot-Marie did take charge of the extra-parliamentary RPR in 2000).

In summary, of the 17 seats deriving from committee or party posts, only one was occupied by a woman, for 3 years. At the beginning of the Parliament, she was accompanied by one opposition vice-president from the Bureau, and after Mme Tasca's departure, the nomination of 2 majority vice-presidents boosted female participation to 3 out of 23 seats. At 13%, this is numerically consistent with the proportion of women Deputies, but it is far lower than the 33% of women

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<sup>23</sup> There were more committees with less power in the Fourth Republic, but the difference is considerable: 11 women Bureau members were found from 1946-58, but only 6 in the first 30 years of the Fifth Republic.

in the Bureau, and does not take into account the qualitative difference between seats. Although all presidents are theoretically equal, there is a distinct pecking order based on the degree of control over policy and personnel: the parliamentary group Presidents who enjoy “une autorité qui dépasse largement le cadre de l’Assemblée” (Connaissances de l’Assemblée, N°6) and the Committee Presidents, who steer the bills admitted on the parliamentary agenda, unquestionably have more clout than the Bureau vice-presidents.

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Two main conclusions can be drawn from this analysis of key posts. Firstly, that women are tolerated more in the administrative management of the Assembly (the Bureau) than in the politically sensitive *Conférence des présidents*. Secondly, that there have been distinct phases in their access to institutional power. During the ‘*glaciation gaulliste*’ and the ‘*dégel giscardien*’<sup>24</sup>, women had only a token presence in the management of the Assembly, but from 1988, a period of consolidation began, culminating, at the end of the ‘parity decade’, in a numerically commensurate share of institutional posts in the 1997 Parliament. The arrival of the *gauche plurielle* marked a significant step forward, although it is too early to judge whether this progress will be sustained.

At the beginning of this chapter, three possible explanations for women’s exclusion from Assembly management were suggested: the absence of candidates, the balance of power, and the ripeness of mentalities. This investigation of women’s access to institutional power sheds some light on each of these aspects.

The scarcity of women Deputies is obviously a major factor, but the link is not so straightforward as it seems: in the early years, for example, it may even have facilitated female promotion to administrative management posts (even though their marginal status kept them ‘powerless’). Although the level of women’s representation climbed steadily from 1978, it was only from 1986-88 that they started to acquire non-tokenistic presence in the Bureau. Whicker and Jewell

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<sup>24</sup> This is how Mariette Sineau (2001a) headed her sections on the early years of the Fifth Republic.

(1998: 164) observe this kind of time-lag in US State Legislatures: they also hypothesise that a threshold of about 10% of women representatives is necessary to make a significant difference in women obtaining leadership positions (op. cit: 167). This certainly seems to be the case in France, where women obtained critical mass in the Bureau after the election of 10.9% of women to the Assembly. This does not necessarily mean that women's access to leadership posts is set to follow the curve of women's representation in the near future, because of attitudinal and conjunctural factors (discussed below).

The link between women's presence in the Assembly and in leadership cannot be purely mathematical. Although more names are available on paper, the pool of women in national politics remains very small. Consequently, these women are solicited for a multitude of posts - in government and party hierarchies, for local mandates. However, there is evidence, on the one hand, that women prefer to do fewer jobs more thoroughly, and, on the other hand, that those who do accumulate posts are judged more severely than male colleagues<sup>25</sup>. It is also plausible that this *sursollicitation* may lead to burn-out, which could accelerate the female turnover rate - already higher than for men - and contribute to the 'revolving door syndrome'. Consequently, until women constitute a large enough minority for this pressure to be relieved, the increase in their participation in leadership may not be sustained.

Beyond the fact that women generally fare better in opposition, *le fait majoritaire* appears to be linked to women's access to key posts in other ways. Bonnard (1981) found that key posts in special committees are generally more accessible to the opposition than permanent committee posts, quoting specifically the 3<sup>rd</sup> and 5<sup>th</sup> Legislatures, where they obtained at least half of the posts: it so happens that women's presence in the Bureau peaked in these two Parliaments. Speaking about the 1988 '*politique d'ouverture*', Abélès (2000 140-141) points out that Rocard sought to enhance the role of the parliamentary opposition, which he

believed could lead to “une évolution en profondeur des mœurs parlementaires.”<sup>25</sup> As we have seen, this date also marked a turning point in women’s access to positions of power. Rather than a cause and effect link, these would seem to be parallel developments deriving from the same root – concern for a more respectful and constructive partnership, as opposed to naked power brokerage. The progress achieved in the 1997 Parliament conforms to this pattern: although political cleavages were marked (particularly between the two heads of the Executive), the Jospin administration (with a fragile and unstable majority) did not ride roughshod over the parliamentary opposition. Conversely, party political tension since 2002, combined with the massive UMP majority, is likely to undermine rather than consolidate women’s access to key posts.

The third general factor involves **mentalities**: are the assembled Deputies ready to accept the authority of women presidents? Despite nuances in the views expressed (and a potential divergence of deeds and words), the overall consensus was that the tide had turned in the 1997 Parliament, as illustrated by the opinion of one Socialist male veteran [N°3]: “J’espère ne pas être trop optimiste ..... Les femmes parlementaires à l’heure actuelle, par le calendrier de leur désignation, ont moins d’expérience que les hommes, à quelques rares exceptions près. Je pense que, sauf à instaurer une parité obligatoire (ce qui serait mal vécu) au niveau des présidences de commissions, il faudrait un certain temps. ... Mais je ne pense plus qu’il y ait de barrière psychologique à ce niveau-là. Je ne vois pas de poste à l’Assemblée, y compris éventuellement un jour la présidence, où on se dise ‘tiens on ne pourra pas mettre une femme à cet endroit-là’. ... Dans le monde de l’Assemblée, je ne vois pas plus de 10% ou 15% des parlementaires disant ‘on ne va pas mettre une femme là.’” In contrast, a Communist, female veteran, asked about a glass ceiling within the Assembly, spontaneously broached the issue of

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<sup>25</sup> For example Elisabeth Guigou drew more flak for standing in the Avignon town hall elections while holding a ministerial portfolio than the men in the Jospin cabinet.

<sup>26</sup> This was the year when an opposition Deputy chaired a permanent committee for the first time, and the opposition obtained Bureau seats in all of the others, *Connaissances de l’Assemblée*, N° 12: 28.

key posts: “Je crois qu’il n’est pas très intense, mais ça doit exister pour les fonctions, les responsabilités les plus importantes. Par exemple, une femme présidente de l’Assemblée nationale, [rires francs] je ne sais pas si cela fait partie des mœurs encore!” [N°11]. Perhaps the most convincing evidence is the total absence of hostility towards Catherine Tasca. With no previous parliamentary experience or legal training, she steered the prestigious Constitutional Affairs Committee during a turbulent period (covering PACS, Parity, and the Anti-cumul Law), earning the respect of her peers<sup>27</sup>.

Under the title ‘Into the Twenty-First Century: Will Women Break the Glass Ceiling?’, Schroedel and Mazumdar (1998: 206) state: “Being elected to political office is only the first step in achieving political power. Women need to occupy key policy-making positions within political institutions.” In France, women now have a firmer footing on the bottom rung of parliamentary representation, but this analysis shows that they are far from reaching the upper échelons of institutional power. The following chapters will look at the intermediate level of responsibility: do women manage to obtain strategic posts and tasks within the committees?

### 3. Parliamentary Tasks

There are many tasks which the Deputies can undertake in the National Assembly, but very few that they have to fulfil. Indeed, strictly speaking, their only obligation is not participation in debate in the Chamber, but in the permanent committee to which they have been assigned<sup>28</sup>. Absence of obligation is not, however, synonymous with freedom of choice, since many of the options are subject to control and to intense competition (under the arbitration of the parliamentary groups). It must therefore be born in mind that any differences

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<sup>27</sup> Abélès (2000: 154) describes the initial reticence of her colleagues, before concluding: “Mais son prédécesseur, le redoutable Pierre Mazeaud, dont certains se souvenaient qu’il avait proprement étrillé, quelques années auparavant, un président socialiste de la commission des Lois, a reconnu qu’elle ne se débrouillait pas si mal. Catherine Tasca s’est progressivement imposée par son travail et par son autorité.”

<sup>28</sup> In theory, failure to attend a third of weekly sittings in any year can entail a financial penalty and exclusion from the committee. Article 42/3 of the ‘Règlement’, *Connaissances de l’Assemblée*, N°12: 134).

observed between the way in which women and men Deputies behave result from the interplay between individual will and the pressure of the system. If women ask fewer questions in the Chamber, is it because they reject this activity, or are they rejected by the internal gatekeepers? It is difficult to define objectively which of these factors predominates: hence the importance of feedback from interviews.

Each option is outlined below, with the limitations on accessibility as well as the scope offered for 'revealing talent' and impact on legislation.

#### a. Plenary Debate in the Chamber

The *séance publique* is the most visible and conclusive aspect of the legislative procedure, but not necessarily the most important, either in volume or effectiveness. Deputies' opinions in interview were enlightening but paradoxical. They generally maintained that debate in the Chamber is primordial, then proceeded to say that they often had more important things to do than 'faire de la figuration'. This apparent contradiction may derive from the fact that most decisions about which bills are brought to the Assembly are taken elsewhere (in the *Conseil des Ministres* or *Conférence des présidents*, and not by the assembled Deputies), and that the bulk of legislative scrutiny occurs before the first reading. The initial opportunity to select and influence legislation does not reside in the Chamber. The second explanation – which follows logically from the first – is that the majority of *interventions* are also decided and prepared in advance. The section of the *Règlement* governing the *séance publique*<sup>29</sup> suggests that, for the bulk of the proceedings, the President knows in advance who will speak and for how long, and there appear to be relatively few spontaneous 'speaking slots'. In most cases the *Conférence des présidents* apportions debating time to the parliamentary groups, whose presidents submit lists of speakers, headed by a spokesperson. Deputies can sign up independently of the groups, but they have more chance of speaking in the Chamber if they are *rapporteur* or spokesperson, nominated for an

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<sup>29</sup> Titre 1<sup>er</sup>, Chapitres XI and XII, [www.assemblee-nationale.fr/connaissance/collection/6.asp](http://www.assemblee-nationale.fr/connaissance/collection/6.asp), accessed 08/01/03.

‘explication de vote’ or author of an amendment, bill or question. This underlines the indirect but pervasive role of the group presidents who exercise “une magistrature d’influence qui se manifeste, pour l’essentiel, hors de la séance publique”<sup>30</sup>. Deputies have perhaps less reason and fewer opportunities to shout and gesticulate than MPs.

Given the prominence of debate in the Chamber, and the widespread criticism of the style of debate by British women MPs<sup>31</sup>, it seemed important to gauge women’s participation. Moreover as women are reputedly put off by posturing and more inclined to time-effective types of work, a comparison of male and female attendance set against Deputies’ opinions on the usefulness of debate in the Chamber, could have been edifying. However, it became clear that it would not be meaningful to count *interventions* (for the reasons given above), and that it is impossible to quantify presence, because the data does not exist<sup>32</sup>. Furthermore, in interviews women Deputies did not appear to share the exasperation of their British counterparts. According to interviewee N°5 (a young, female novice): “on est entre gens de bonne compagnie. ... Vous vous retrouvez rarement en situation de déstabilisation.” (See (3), Chapter 5).

On the other hand Deputies did acknowledge the competition within their groups for ‘speaking slots’. Consequently, it seemed more feasible and appropriate to look at women’s access to plenary debate in certain circumscribed areas, specifically as *rapporteuses* and in questions.

### b. Committee Work

Each Deputy *must* sit on *one* of the six permanent committees, whose remit and size are defined in the Constitution and *Règlement*<sup>33</sup>. Membership is set

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<sup>30</sup> Connaissances de l’Assemblée, N° 6, Section 5.

<sup>31</sup> See Ross (2002), Tess Kingham’s article “Cheesed off by willy-jousters in a pointless parliament”, Guardian 20/06/2001.

<sup>32</sup> Voting records are not exhaustive, as the majority of votes are by a show of hands.

<sup>33</sup> Although ‘standing committee’ would seem more natural, I propose to use ‘permanent committee’ to avoid confusion with the Westminster system. The limitation on the number of permanent committees (a deliberate strategy to further restrict parliamentary powers in 1958) is increasingly contested by the members of parliament. See the “30 Propositions” for

annually by the parliamentary groups, and mobility depends on vacancies arising or willingness to swap. Given the premium attached to seats in certain committees, and the proclivity of long-serving Deputies to pursue their area of expertise, incumbency is a problem for newcomers.

Membership reflects the political make-up of the Assembly, but the committees are not representative of the Assembly at large, as there is considerable variation in terms of gender, length of service, and previous political rank. Because of the large numbers involved (between 73 and 145 members), the long timespan, and the volume of work (an average of 350-400 meetings per year<sup>34</sup>) this is a valid field of comparison (see Chapter 4).

The permanent committees prepare pre-legislative reports on any bill timetabled for debate and falling within their domain<sup>35</sup>: a *rapporteur* is appointed by the president to conduct this task. At the level of individual pieces of legislation, the *rapporteur*<sup>36</sup> has as much power as the president, and more influence. The task of preparing the report gives ‘upward’ access to ministers and ‘outward’ access to external partners, via hearings<sup>37</sup>. This could affect the nature of the recommendations made and the impact on public opinion, though in practice lack of time restricts in-depth hearings and much committee work is not open<sup>38</sup>. In committee meetings, the *rapporteur* often has final say over which recommendations and amendments are retained. The prominent role played in plenary debate can make a reputation, or open the way to becoming ‘the’ expert in

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constitutional reform advocated by the Convention de la VI<sup>e</sup> République ([http://www.c6r.org/article.php?id\\_article=23](http://www.c6r.org/article.php?id_article=23), accessed 30/12/02); Abélès (2000: 125-7) and Quilès and Levaï (2001). This view was also expressed by several Deputies during interviews.

<sup>34</sup> Connaissance de l’Assemblée, N°12: 33.

<sup>35</sup> The permanent committees are subject-specific, with their attributions defined by Chapter IX, article 36 of the Règlement. Ibid: 130.

<sup>36</sup> I propose to use the French term, because unlike the Chair of a Westminster committee, the *rapporteur* and President have two distinct functions, and are rarely the same person.

<sup>37</sup> Auditions have burgeoned over the last decade, especially in the Social Affairs Committee, and this trend seems set to continue. Connaissances de l’Assemblée, N° 12: 82.

<sup>38</sup> Connaissances de l’Assemblée, 35. Although members of the government and other deputies are free to attend, the vast majority of the committee meetings are closed to the press, the public is never admitted, and verbatim reports are not made available.



a given domain. Competition is therefore intense, but perhaps because much of the work takes place outwith the limelight and party-political crossfire, reports are accessible to newcomers and backbenchers. There is a large volume of reports that are, however, unevenly distributed throughout the committees and of variable significance. The gendered deployment of *rapporteurs* is therefore a statistically valid area of investigation, but one that entails some difficulties of interpretation.

Deputies may also sit on a variety of temporary committees, which fall into two categories: legislative (*Commissions spéciales* and *Commissions mixtes paritaires*) and non-legislative committees (primarily *Commissions d'enquête*, *Missions d'information* and the *Mission d'évaluation et de contrôle*). The characteristics of these bodies are detailed in Chapter 5.

The *Commissions mixtes paritaires* (CMPs – Joint Arbitration Committees) designed, in 1958, as a tool of consensus to iron out differences between the National Assembly and the Senate, will not be analysed. As women purportedly favour a consensual approach to politics, it appeared useful to assess women's presence in CMPs. However, in practice, CMP's are often used as a steamroller (by the Assembly) or as a stonewall (by the Senate)<sup>39</sup>. Given the party-political slant that this tool takes and the difficulty of obtaining gendered information, this issue was not pursued.

The *Mission d'évaluation et de contrôle* created by Laurent Fabius in 1999 to assess the financial efficiency of certain aspects of public policy, seems set to become a significant cog in the parliamentary machine<sup>40</sup>. Female participation will not be analysed in depth (because it was so limited and the M.E.C. is so recent), though it will be compared with involvement in the other *missions*.

Analysis of gendered access to the other committees, particularly regarding leadership posts (as president and *rapporteur*) was considered worthwhile. The volume lent itself to measurement, and the nature of competition for seats and

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<sup>39</sup> See John Frears (1991: 40).

<sup>40</sup> [http://www.assemblee-nationale.fr/dossiers/finances\\_publiques/mec\\_rffp.asp](http://www.assemblee-nationale.fr/dossiers/finances_publiques/mec_rffp.asp). See also Abélès (2000: 133-135), and *Connaissances de l'Assemblée*: 85-86).

subject matter could shed light on male/female preferences and deployment. Committees of enquiry, special committees and *missions d'information* (M.I.'s) are all dedicated to one specific issue (unlike the more general domain-based remit of permanent committees): task orientation is deemed to be a strong characteristic of women politicians (Thomas and Wilcox 1998). The overall level of female involvement could shed light on the validity of this in the French context, and variations in female membership within each category could reveal differences linked to subject matter. Regarding access, although there are no statutory limits, aspiring Deputies have to contend with stiff competition and parliamentary group control. Seats and leadership posts in special committees are at a premium (the president sits in the *Conférence des presidents*, and there were only 3 special committees); committees of enquiry are very popular and only slightly less exclusive; the high-volume and low-status *missions d'information* are much more accessible. Female participation as members and *rapporteuses* could be indicative of differences in deployment.

Particular attention will be devoted to the task of *rapporteur*.

### c. Parliamentary Offices and Delegations

The limits imposed on the permanent committees in 1958 mean that the internal architecture of the Assembly has been unable to evolve with the changes in state and society. (The ramifications of this rigidity for women's participation are explored in Chapter 4.) Consequently, a number of Delegations (parallel bodies in the Assembly and Senate) and *Offices* (joint bodies) have been created to complement the permanent committees. Their role and gendered composition are outlined here, but, with the exception of the Women's Delegation (see Part III), they will not be analysed in detail.

- The *Délégation pour l'Union européenne* was set up in 1979 to handle European policies, which are automatically referred to it<sup>41</sup>. It has 36

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<sup>41</sup> The principal task of the Delegation is to scrutinise EU legislation before enactment. See Abélès (2000: 125-126) and *Connaissances de l'Assemblée*, N°12: 87. The participation of women in this Delegation would most certainly merit greater attention than can be afforded in this thesis.

members (appointed on a party-proportional basis) who sit for the life of the parliament. It is a high-profile, well-established body (as witness the inclusion of its president in the *Conférence des présidents*), which, in view of the trend of European integration, is likely to gain further status. It requires a degree of technical expertise from its members, produces a very substantial volume of reports and therefore requires a high level of commitment and participation. In the 1997 parliament women were well-represented: their numbers rose from 6 to 9 members (25%) by the 2002 elections, and included Mme Catala (RPR) as vice-president. The level has since dropped to 4 women (11%)<sup>42</sup>.

- The *Office parlementaire d'évaluation des choix scientifiques et technologiques* (OPECST) was created in 1983, largely in response to the nuclear debate, to assess the potential consequences and impact of scientific and technological decisions. It is composed of 18 Senators and 18 Deputies, again on a party-proportional basis. Issues are submitted by committee or group presidents or a quorum of members of parliament. Alternatively it can request permission to investigate a particular question of its own accord – it has the *droit d'autosaisine*. As a bridge between politics, research and industry, this Office has a very sensitive role where the power stakes are high – the *rapporteur* has the same powers as the *Rapporteur au budget*, and can request the investigative powers of a committee of enquiry. Given the relative absence of women in politics, research and industry, it is unsurprising that they are under-represented, both in the Office and the *Conseil scientifique* composed of specialists in a broad-range of disciplines appointed to assist and advise the parliamentary members. At the end of the last parliament, the Office had one woman Deputy (Michèle Rivasi who

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<sup>42</sup> One woman left after joining the government, and 4 of the 1997 novices were appointed in the courses of the 1997 Parliament. Assembly Report N° 3683 and membership lists on [www.assemblee-nationale.fr](http://www.assemblee-nationale.fr), accessed 04/08/2002.

had made a determined effort to get co-opted<sup>43</sup>), and one Senator (Marie-Christine Blandin after the senatorial elections in 2001): it currently has no women Deputies. Women constitute 5.5% of the OPECST.<sup>44</sup>

- Created in 1996, the *Office de l'évaluation de la législation* checks that new laws fulfil their intended objectives and monitors implementation. Unlike the OPECST, the OEL is not assisted by a *conseil scientifique* and does not have *autosaisine*. However, it does have a separate budget to fund independent studies.

In 1999, the Office was chaired by Catherine Tasca, with Michèle Alliot-Marie as vice-president with one other *députée* (plus one *sénatrice*): there were 20% of women in the Assembly delegation. At the start of the 2002 Parliament there were only 2 *députées* and 1 *sénatrice*<sup>45</sup>. Up to 2002 it produced only 2 reports.

The twin *Office d'évaluation des politiques publiques*, was disbanded in 1999 because of its disappointing record, and has since been abolished.

- The *Délégation à l'aménagement du territoire*, set up in June 1999, has 15 members, with the aim of mainstreaming planning and environmental issues. One PS *députée* sat on this body during the 1997 Parliament and she was joined by another in June 2002 (Henriette Martinez, UMP). Issues are submitted by the usual channels, or by *autosaisine*<sup>46</sup>. It is too early to assess the power stakes of this body which published 5 reports up to 2002.
- Last but not least, there is the *Délégation aux droits des femmes et à l'égalité des chances* – the Women's Delegation, that will be explored in Part III. Subject to party-proportionality, this is the only gender-regulated body in the Assembly, with 53% of women in the 1997 Parliament.

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<sup>43</sup> Rivasi, Michèle (1998) *Ce nucléaire qu'on nous cache*, Paris: Albin Michel.

<sup>44</sup> The majority of members of the OPECST in the 12<sup>th</sup> Legislature were *ingénieurs* or from the medical professions; data is not available for the 11<sup>th</sup> Legislature. There were about 10 women Deputies in the 1997 Parliament with similar backgrounds (medicine, engineering, scientific research).

<sup>45</sup> Membership lists accessed on the AN website, 06/05/1999 and 04/08/2002.

The distribution of women throughout these pseudo-committees holds few surprises and shows a clear sexual division of labour. Women are least present in the technical-scientific stronghold of the OPECST, and the *Délégation à l'aménagement du territoire*, and most prevalent in the Women's Delegation. The only woman chair sat in the precarious *Office pour l'évaluation de la législation*. The situation as regards the EU Delegation was paradoxical, however. As an influential and long-standing body, seats carry a high premium, and yet women were well-represented in quantitative terms (25% women members) and qualitative terms (a woman vice-president, and several women *rapporteurs*). This could result in part from the traditional link between women's representation and Europe, but could also be connected to the expectations as regards the workload. As we will see below, women are more often present when there is spadework to be done.

A comparison of the statutory situation of these different bodies shows up divergences in power and resources. The Women's Delegation, despite its prolific output and dynamism, seems to have the weakest structure, even when compared with other recent organisms: no advisory body or separate budget, no statutory right of self-referral, no access to the *Conférence des présidents*.

#### d. Questions

French Deputies have three distinct methods for holding ministers to account with differing levels of accessibility and prestige: *questions écrites* (QE), *questions orales sans débat* (QO) and *questions au gouvernement* (QG, also called *questions d'actualité*). Because of their volume, different functions and availability, they lend themselves well to quantitative study. The differences between questions are summarised in Appendix E.1, and their implications in terms of gendered deployment are expanded in Chapter 6.

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<sup>46</sup> <http://www.assemblee-nationale.fr/connaissance/amenagement.asp> accessed 22/07/2003.

### e. Private Member's Bills and Amendments

Although the overwhelming majority of legislation in France is initiated by the executive, Deputies can have direct input to the legislative agenda via private member's bills or amendments. Only a small fraction of *propositions de loi* are ultimately voted (90% never reach debate) and they are subject to party political control or interference<sup>47</sup>. Although Deputies generated a large volume of bills, they were sceptical about their usefulness, particularly for Opposition members<sup>48</sup>. Because of distortions due to executive/party political influence, and the perceived low impact on legislative results, this area was not pursued.

Amendments were discounted for similar reasons. Their effectiveness, and their authors' intentions are extremely variable<sup>49</sup>, so it seems illusory to lump all amendments together. Amendments tabled by the opposition or the majority serve totally different purposes, and this, combined with the imbalance of women on the left/right, would have skewed a straight statistical analysis. This does not deny the impact that can occasionally be procured via amendments, however: we will see some examples of women's amendments in Part III.

### f. *Groupes d'amitié and groupes d'études*

The 'trombinoscope' of Deputies has numerous references to *groupes d'amitié* and *groupes d'étude*<sup>50</sup>. In the absence of written sources, the information

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<sup>47</sup> Wright and Knapp (2001: 152) maintain that some private member's bills are in fact government bills in disguise. Qualitative information on the true 'parentage' of private member's bills would be necessary to assess gendered access to the *ordre du jour complémentaire*.

<sup>48</sup> According to interviewee N°14, "Le seul intérêt des propositions de loi, est un peu de médiatisation, la possibilité de répondre à des sollicitations de tel ou tel groupe, ou préoccupation, et puis pour les quelques-unes qui rentrent dans les fenêtres parlementaires, la possibilité de marquer politiquement des points. ... Mais cela n'a pas d'influence sur le cours des choses."

<sup>49</sup> Some of the variables are: Deputies' reasons for tabling an amendment (constructive or obstructive), the different kinds of amendment (minor changes in wording or major changes in content), their institutional status (whether presented individually or adopted by the committee) and the context of the parliamentary groups (Socialists need group approval to sign an amendment).

<sup>50</sup> <http://www.assemblee-nationale.fr/tribun/>

below is drawn from contacts with the *Secrétariat général de la Présidence*<sup>51</sup> and interviews.

The 170 *Groupes d'amitié* with countries ranging from China to Vanuatu, are above all honorary, and not functional. They are fora for the exchange of information with no direct incidence on policy or legislation, though they do have diplomatic cachet. While these groups can serve a practical purpose (dependent on the president's dynamism and personal priorities as well as geopolitical factors)<sup>52</sup>, they remain very discreet, rarely having any echo outwith the Palais-Bourbon. There is evidence that the *présidence* of these groups (allocated by the parliamentary groups) is part of a reward system, not based on merit<sup>53</sup>. Longer-standing members often accumulate several posts when there are in fact not enough to go round: Michèle Alliot-Marie, for example, held office in 5 *Groupes d'amitié*.

A detailed analysis of the office-holders in the *groupes d'amitié* could be a useful indicator of the gendered use of patronage within the parliamentary groups, and a comparison of their activity could differentiate between the use to which men and women put these groups. This is, however, tangential to the subject of this thesis, because the *groupes d'amitié* confer neither decision-making powers nor the possibility to influence legislation.

The same applies to the *Groupes d'études*, but they merit further attention on several counts. In the highly cartesian structure of Assembly work, they form an enclave of anarchy and free choice. There is no limit on their number or

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<sup>51</sup> Telephone interview with M Bergounous, (*Chef de division du Secrétariat général de la Présidence*)13/11/2001.

<sup>52</sup> One Deputy from the Nord (N°13) used his position as president of the *Groupe d'amitié – Pays-Bas* to organise seminars on cross-border problems affecting his constituency and Dutch colleagues. Another (N°12) was invited to supervise the elections in Kosovo in her capacity as president of the *Groupe d'amitié – Yougoslavie*. In cases where France does not have diplomatic links with a particular country or region, the *Groupe d'amitié* becomes a '*groupe d'étude à vocation internationale* which, though not having any formal consular function, does have greater prominence. This was the case for Afghanistan, Irak, Palestine, North Corea, Burma, Lesotho, Erythrea – and the Vatican, according to the Assembly website, accessed 13/07/2001.

<sup>53</sup> Abélès quotes Odette Grzegorzulka (PS), a Polish-speaker with family ties, who sought the chair of the *Groupe d'amitié* for Poland: "j'étais une nouvelle, et le poste m'est passé sous le nez", p 29.

membership, nor their duration, work methods or outcome. Any Deputy can set up a study group, subject to validation by the Bureau, which determines the party affiliation of the chair and checks there is no overlap with other study groups or committees. The absence of power stakes and visibility mean that study groups are an informal forum which could potentially serve as a 'safe space' where Deputies of different affiliation can share experience, seek to extend their understanding of a given problem, and gain a platform on which to build alternative agendas. Although they are not designed to feed directly into legislation (M. Bergougnous insisted that they are *parallel* to the legislative process and are "une pratique et non un élément constitutionnel de la République"), they can provide resources and contacts in the voluntary sector which Deputies could subsequently draw on for networking purposes<sup>34</sup>. They can serve as a sounding box where Deputies can voice local issues to see if they have a more general resonance, and then federate to take further action.

The downside of this freedom is that no resources are made available (administrative support is provided by unpaid volunteers from the Assembly staff) which obviously complicates the operation of the most well-intentioned study groups. (It also complicates the task of research as there are no centralised records of membership and no minutes.) Consequently, very few produce reports or tangible results - a notable exception being Laurent Fabius' group on the 'Efficacité de la dépense publique et contrôle budgétaire' which culminated in the *Mission d'évaluation et de contrôle* described above<sup>35</sup>. Interviewee N°8 cited 'Santé/environnement' as a genuinely cross-party group that was productive: it organised three colloquia on BSE, 'le principe de précaution' and mobile phone masts. But she reiterated M. Bergougnous' regret concerning administrative support: "Le seul obstacle, c'est qu'on a un manque de moyens en termes d'administrateur. On fait bosser nos administrateurs à nous, mais on n'a pas

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<sup>34</sup> This hypothesis was borne out by the statements of some interviewees – interviewee N°15 cited the example of the group on Handicap, which she found very satisfying in terms of cross-party cooperation, feedback from voluntary groups, and input to subsequent legislation.



tellement d'administrateurs de l'Assemblée," [N°8]. The lack of support and status mean that this kind of personal investment, though generally approved, comes low down on the list of priorities. Furthermore, the absence of control and of expected outcome mean that a proportion of these groups exist only on paper. One interviewee pointed out laconically that "beaucoup servent à valoriser le président du groupe d'étude," [N°8]. Moreover, Abélès (2000 124) claims that *groupes d'étude* are linked with organised lobbies and pressure groups.

Without wishing to underestimate the value of this (on the contrary), it is virtually impossible to measure the 'hard-edged' impact of study groups. However, as they present opportunities for networking links with informal politics and for cross-party cooperation, this could be a rich vein of future research.

In conclusion, although each of these aspects of parliamentary work could potentially reveal evidence of sexual division of labour, many of them escape quantitative analysis, or are not pertinent in terms of assessing women's access to power and impact on the legislative process. The two areas which have been retained for detailed analysis in this thesis are **parliamentary questions** and **presence and participation in all types of committee**, including the deployment of women as *rapporteuses*.

However, in order to measure group difference between men and women, it is first of all necessary to define the populations involved.

#### 4. Cohort, Control Group and Interviewees

As indicated earlier, the female contingent within parliament fluctuates considerably, partly because of ministerial promotion. From the high point of 63 in the June 1997 elections, the number of women ebbed to 55 by 2002, with a total of 71 women having passed through the Palais-Bourbon.

The cohort used in this study is based on Assembly membership on 30 December 1999, the midpoint of the Parliament. During this parliamentary year

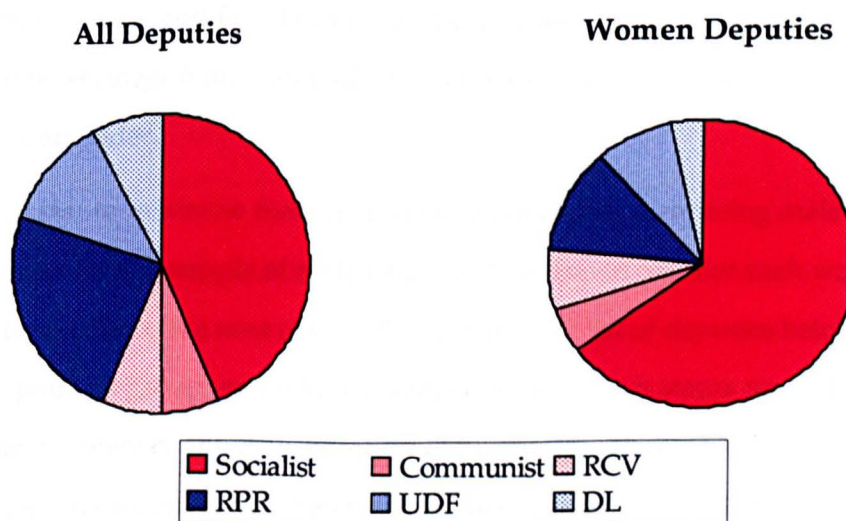
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<sup>55</sup> *Connaissances de l'Assemblée*, N°12: 86.

there were no other elections, with their potential impact on membership and participation<sup>56</sup>. This yielded a total of 60 women listed in Appendix C.1<sup>57</sup>.

The second difficulty in comparing male and female behaviour is that the sub-group of women differed substantially from the overall population of the Assembly, particularly regarding party affiliation, age and previous parliamentary experience. Whereas Socialist women constituted 65% of the female cohort at mid-term, the PS represented only 44% of the 577 Deputies. In contrast, only 12% of *députées* came from the RPR which held 24% of seats in total (see Figure 3.2). Given that Deputies' scope for action is largely determined by membership of a government or opposition party, this **cross-party imbalance** must be factored in to any comparison, to avoid confusing gender and party differences.

**Figure 3.2 – National Assembly Composition by Parliamentary Group and Gender, 1999.**



Compiled from data provided by the National Assembly Information Service.

<sup>56</sup> Regional and departmental elections were held in March 1998, European elections in June 1999, departmental and municipal elections in March 2001, and Senate elections in September 2001. Moreover, the Anti-cumul law which came into effect after 2000 amplified the turnover in elected seats, though most politicians appear to have resigned from other elected bodies, particularly the Departmental Councils.

<sup>57</sup> It also coincided with the publication of a mid-term Who's Who by the Assemblée nationale (1999) *Les députés de l'Assemblée nationale*. Paris: Assemblée nationale, Service de la communication et de l'information multimédia.

Party affiliation partly explains the experience deficit of the female cohort, as many of the women who won seats after the swing to the left were newcomers. In the course of the 1997 Parliament, 34% of the men and 66.2% of the women deputies were novices<sup>98</sup>. There may be a generation gap in the attitudes and behaviour of politicians, but having already served at least one term seems more likely to determine Deputies' ability to comprehend the system and access their preferred tools – the area under investigation. This was confirmed in interviews, by first-timers and veterans of different generations. Other research suggests that subsequent terms of office make less difference in a deputy's *modus operandi* than the pivotal transition between first and second terms<sup>99</sup>.

The difference in average age - 53 years/6 months for men, 50 years/2 months according to Sineau (2001a: 212) - is less significant. It is also a consequence of the cross-party imbalance: Figure 3.3 (overleaf), illustrating the distribution of male and female Deputies by age, shows that left-wing women tended to be younger than men while the more experienced female 'survivors' on the right were older.

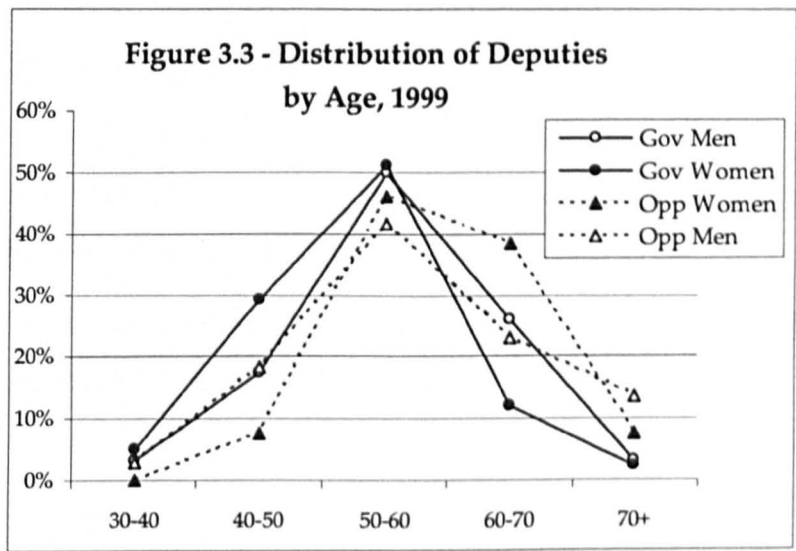
In order to minimise these distorting factors when comparing male and female behaviour, a sample of male Deputies was drawn up. For each woman in the mid-term cohort, the next man in the alphabetical list of deputies belonging to the same political group, and with the same novice/veteran status was selected. 'Apparenté-e-s' were counted as members of the group. As regards the composite RCV group, the women were matched with men from their own 'branch': Marie-Hélène Aubert with an ecologist, Gilberte Marin-Moskovitz and Chantal Robin-Rodrigo with MDC and PRG members respectively. Huguette Bello, as a novice from the *Parti communiste réunionnais* affiliated to the RCV group, was difficult to

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<sup>98</sup> Based on information supplied by the Service de la communication, Assemblée nationale (Mme Rateau-Bouanani). Out of a total of 642 deputies, 47 women/71, and 194/571 men were novices. By dint of the swing to the left, very few of these novices – men or women – came from the right.

<sup>99</sup> Henry (1993). This issue is of particular relevance for women's representation because of the 'revolving door syndrome', whereby women frequently sit for only one term. This means that

match. Her ‘twin’, Claude Hoarau, is an RCV member from La Réunion, but is not strictly speaking a novice, as he won by-elections in 1987 and 1996. However, on both occasions he sat for only 7 months at the tail-end of a Parliament, when little business is conducted and positions are already occupied. This male control group is listed in Appendix C.2.



Source: Compiled from [www.assemblee-nationale.fr](http://www.assemblee-nationale.fr), accessed December 1999.

This readjustment tends to confirm that the age differential is not primarily determined by gender, as the average age for the two groups, now matched for previous experience and political affiliation, shrinks significantly. The average age for women in the mid-term cohort was 51 years (oldest: 76/5 mths, youngest: 28/1 mth) against 51.8 years for men in the control group (oldest: 68/8, youngest: 32/1). On the contrary the deficit in women’s representation shows up clearly in the aggregate of previous parliamentary experience: the 21 women veterans accumulated a total of 162 years in the Palais-Bourbon before 1997 (an average of 7.7 years) with 220 years (average 10.5 years) for the 20 male veterans (excluding Claude Hoarau). In contrast, more women (10) had previously held government

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women as a group do not capitalise on their experience, and may reduce the overall 'efficiency' of women or their ability to influence policy.

portfolios than men (7), although two of these women had sat in the ill-fated Juppé cabinet in 1995. This is consistent with the established trend of top-down access of women to elective office<sup>60</sup>. As regards political experience in other assemblies, it has already been demonstrated in Chapter 2 that men are more likely to practise *cumul* than women. This may have implications on the way Deputies work - affecting their availability for national obligations (on the negative side) and the ability to create and utilise networks and influence (on the positive side), for example. However, it was decided not to use this as an additional criterion in compiling the control group because the control group was to be used in the analysis of *cumul* and because it would have been virtually impossible to find enough men satisfying all three criteria.

The quantitative comparisons in the following chapters on the use of questions and committee work are based on these two groups.

In parallel, 45 deputies of both sexes from all political groups were contacted with requests for interviews. Some were targeted because of specific involvement in women's issues, or because of their age/party profile, but several were chosen arbitrarily. Between September 2001 and January 2002, interviews were conducted, mostly with women, in order to obtain qualitative feedback on preliminary findings and explore Deputies opinions on their parliamentary work. (See Appendix C.3. for list of interviewees, and C.4 for the questionnaire.)

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<sup>60</sup> Whereby women seek election after having held posts in ministerial or presidential cabinets. See Sineau (2001: 75-77; 112-113), Guigou (1997: 134).

## Chapter 4

### Permanent Committees

We have seen that the distribution of key posts within the National Assembly is not gender-neutral: women have in some respects enjoyed preferential treatment, but they have been admitted and promoted in certain areas and excluded from others. There were also clear signs that the situation improved during the 11<sup>th</sup> Legislature. The aim of this chapter is to investigate the situation lower down the ladder, within the permanent committees of the 1997 Parliament. Women's participation in Temporary Committees and opportunities for drafting reports are assessed in the following chapter, which also explores Deputies' opinions of their contribution to committee work.

Some of the following observations concern structural features that are replicated from one parliament to the next, while others may be contingent. Several Deputies, in various connections, stressed the pivotal role of the committee president, whose personal style influences ambiance and day-to-day operation, and who delegates responsibility for committee tasks<sup>1</sup>. Given the absence of comparative data and the prevalence of first-time Deputies, it can sometimes be

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<sup>1</sup> Foreign Affairs under Giscard was contrasted with Lang's tenure in the 1997 Parliament (specifically regarding media involvement and high-profile public hearings), while Jean Le Garrec (in charge of Social Affairs) was praised for being "très attentif aux travaux des autres, [c'est quelqu'un] qui écoute, qui soutient ses parlementaires," [N°4].

difficult to distinguish between structural and contingent trends in committee work. However, it is fairly safe to assume that many of the observations below would apply to previous parliaments in principle, though they may differ in degree.

Statistical data has been compiled from the National Assembly website, from the *Bulletins statistiques de l'Assemblée nationale* for 1997-2002, and from supplementary information requested from the Assembly Information Service. Material on the inner workings of the committees has been gleaned from written sources (for example Abélès 2000; Quilès and Levaï 2001; *Connaissances de l'Assemblée*, N°12) and from oral contact with Assembly staff and parliamentary assistants. Once again, Pascal (1990) was an invaluable source of raw information and Sineau (1988, 2001a) provided the only gendered observations on committee membership (albeit limited). The American literature available (for example, Thomas and Wilcox 1998) could provide interesting leads in the future (for example on leadership styles), when more women have achieved higher levels of responsibility over a longer period of time. This chapter draws mainly on Deputies' answers to sections B and C of the questionnaire used for the interviews (see Appendix C.4).

### 1. Relative Merits

The permanent committees constitute the core of Deputies' parliamentary work, so where they sit can partly define the future course of their parliamentary priorities. However, Deputies are not entirely free to choose: seats in certain committees are at a premium (because of career-building potential or legislative impact), but there is a finite number of seats and Deputies can only sit in one committee. Consequently, the law of supply and demand creates a power differential between the permanent committees, which is brokered by the parliamentary groups.

There are six committees: Defence, Constitutional Affairs, Finance, Foreign Affairs, Trade & Industry and Social & Cultural Affairs. While the last two can have up to a quarter of Assembly seats (i.e. currently 145 members), the others

have a maximum of 73 seats. The smaller '*commissions nobles*' have a specific remit linked to different aspects of *affaires régaliennes*, whereas the last two were conceived, by the fathers of the 1958 Constitution, as catch-all committees encompassing everything else. In prestige and career terms, it is generally agreed that the committee hierarchy is:

- Finance/ Foreign Affairs
- Defence /Constitutional Affairs
- Trade & Industry /Social & Cultural Affairs

The last two committees (in which half of the Assembly sit) are commonly and eloquently dubbed '*les poubelles*'.

**Table 4.1 –Distribution of Novices in the Permanent Committees, 1999**

Committee	Total Membership	Men Novices	Women Novices	Overall Percentage
Finance	73	9	3	16.4%
Foreign Affairs	73	10	5	20.5%
Defence	69	24	1	36.2%
Constit. Affairs	73	22	5	37.0%
Trade & Industry	145	56	6	42.1%
Social & Cultural	144	49	19	47.5%
National Assembly	577	170	39	36.2%

Sources: *Journal officiel* 01/10/1998, cross-referenced with lists of first-time Deputies provided by the National Assembly Information Service.

This appraisal is confirmed by the presence of novices and politicians with national standing. For example, according to Mangin and Martichoux (quoted in Allwood and Wadia 2000: 39) membership of the Finance Committee enhances the statistical probability of cabinet appointment. Similarly Foreign Affairs reads like a Who's Who of French politics: Abélès (2000: 131) notes that a third of this "*club bien fréquenté*" in the 1997 Parliament were former ministers, including four ex-Prime Ministers and Valéry Giscard d'Estaing. The distribution of novices, which has not been charted, complements this image. As illustrated in Table 4.1, which



ranks the committees according to the proportion of novices, the higher the prestige-rating, the lower the percentage of novices.

In parallel with this hierarchy, the six committees can be appraised in terms of other advantages they are perceived to offer. These are linked to the nature and volume of work involved, the scope for influencing the legislative process and for making a name. The following assessment draws primarily on statistical data<sup>2</sup>, interview material and contacts with Assembly staff.

**Constitutional Affairs** is an attractive option: it is a very busy committee (producing 208 legislative reports in the 1997 Parliament, more than any other committee) with a varied, cross-sectoral remit that encompasses *affaires régaliennes* (as witness the bills on *droit d'asile*, *présomption d'innocence*, *réforme des tribunaux de commerce*, and of course parity and electoral matters) and social issues (divorce, PACS, household debt, *accueil des gens de voyage*, etc.). As such, while a legal background is useful, this committee offers opportunities that are accessible to non-experts, and could act as a useful training ground<sup>3</sup>. One woman Deputy with 7 years experience [N°18] considered it should be a 'passage obligé'. It is well respected within the Assembly, but rarely makes the headlines and holds few hearings. **Social & Cultural Affairs** has a similar profile, except regarding public impact and external contacts (it held 4 times as many non-ministerial hearings and is rarely out of the news). The wealth of issues covered was a distinct advantage for some Deputies: "le champ d'activité de cette commission est immense, donc on peut parfaitement y revenir en travaillant sur d'autres sujets. J'ai beaucoup travaillé sur l'emploi, la santé, la solidarité ... j'ai moins travaillé sur la culture, qui est un sujet qui me passionne," [N°4]. Furthermore, since 1996 this committee is responsible for the Social Security Budget: the 1997 Parliament therefore marks a watershed in the role of this committee which is now on the ascent. Abélès (2000:

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<sup>2</sup> See [www.assemblee-nationale.fr/seance/stats-legislature-2.pdf](http://www.assemblee-nationale.fr/seance/stats-legislature-2.pdf) accessed 04/03/2004, for overall statistics of parliamentary output.

<sup>3</sup> Abélès (2000: 154) confirms the legal nature of the committee and the presence of non-experts: "On est ici dans un univers de juristes, même si beaucoup de ses membres ne sont pas des professionnels du droit, à commencer par sa présidente."

107) points out that social issues kindle media and public interest, so identification with such questions (as *rapporteur*, for example) can pay dividends. The scope for making a substantive difference for women is self-evident. However, this committee inspires ambivalent feelings amongst women concerned about enforced specialisation and the risk of ghettoisation (as discussed below). The workload is high – it produces a large volume of reports and held more meetings in the 1997 Parliament than the Foreign Affairs and Defence Committees combined.

The limited workload can be a positive incentive for some Deputies to enter Foreign Affairs<sup>4</sup>. Senior politicians may wish to reap the rewards of their rank, but they do not need to make their mark, so this could leave space for energetic newcomers – or eclipse them. On paper, Foreign Affairs generates a substantial number of reports, but these are often formal documents ratifying treaties, drafted in large part by Assembly staff – “un exercice un peu vain” according to one Deputy (Abélès 2000: 131). It also holds many hearings, primarily involving government ministers or foreign dignitaries. In contrast with the other committees, whose proceedings are generally confidential, these are often open to the media. Some backbenchers may find the undemanding schedule beneficial for other legitimate reasons. “C’est la commission qui donne le moins de travail, moi, je suis dans une circonscription très difficile – à droite, très étendue, j’étais parachutée.... – il fallait que je m’investisse à fond dans le terrain. Il fallait donc être dans une commission qui me prenne le moins possible,” [N°2]. This is the ideal choice therefore for Deputies who need - or prefer - to prioritise *le terrain* over legislative work, or alternatively, who have caring responsibilities at home. (This was the case for the interviewee quoted, although she herself did not mention her family needs.) However, once the reflected glory of the other

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<sup>4</sup> Abélès conveys this elegantly (2000: 131): “Comme on le voit, la Commission des Affaires étrangères ne requiert pas un fort investissement de ses membres, les réunions sont en nombre limité, et on n’est pas là pour étudier des textes et produire des amendements. Cette sobriété dans le travail, jointe à la possibilité d’accomplir des missions aux différents points du globe, a tout pour attirer les élus prestigieux et par ailleurs suffisamment occupés.”

eminent members and international guests wanes, the work can become unsatisfactory. Interviewee N°2 went on to say: "Puis après, quand vous avez fini par auditionner tout ce que la planète compte de hauts responsables politiques ou de Dalaï Lama .... C'est passionnant, mais à un moment vous avez envie de passer à autre chose." (She subsequently moved to Constitutional Affairs.)

The **Defence Committee** offers similar advantages, with less *éclat*. In the 1997 Parliament it met only slightly more often than Foreign Affairs, conducted more hearings than any other committee but produced only 37 legislative reports. The most interesting aspect of its work was perhaps the 20 *missions d'information* (see Chapter 5). This number compares reasonably with all committees except Finance, though the topics were sometimes – but not always – abstruse<sup>5</sup>. Tedium and technicality constituted the main criticism of the **Trade & Industry Committee**<sup>6</sup>. "C'est vrai que dans notre commission, production et échanges, on a beaucoup moins de textes, ou alors ce sont des choses qui sont très spécialisées, par exemple en matière de transport, ou autres, donc c'était assez limité," [N°7]. It was argued that this made it difficult for novices to get involved. Only those Deputies with a specific interest or expertise were positive about this committee<sup>7</sup>. The combination of a low volume of work (12 M.I.s and 110 legislative reports for 145 members in the 1997 Parliament) and the presence of experts may explain the perception that this committee is particularly 'stitched up', as summarised by interviewee N°1: "Au bout d'un an à la Commission de la production, je n'ai jamais trouvé ma place. Jamais. Tous les postes étaient complètement réservés, c'est-à-dire qu'il n'y avait aucune possibilité de rien." The breadth of issues handled – beyond its main attributions, it covers agriculture and fisheries,

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<sup>5</sup> Such themes as "Actions destinées à renforcer le lien entre la Nation et son armée" or "l'Entretien de la flotte" are neither accessible nor appetising for non-specialist Deputies. On the other hand, the missions investigating French involvement in Rwanda and the Gulf-War Syndrome (conjointly with Foreign Affairs) were very attractive.

<sup>6</sup> The list of bills and reports handled by Trade & Industry confirms that the subject matter is often technical.

transport and telecommunications, environment – could potentially afford the same degree of interest and relevance to day-to-day life as Social Affairs.

Moreover, these issues often have unrecognised gender implications. The Communists have always prioritised this committee, for obvious ideological reasons: the nomination of André Lajoinie as President is indicative of Communist commitment, but also of the committee's low status (it was the only chair delegated to a junior partner in the *gauche plurielle*). However, in practice this committee does not generate media or parliamentary enthusiasm, nor procure many legislative or career opportunities. 'La Prod' appears to be the short straw, although this may be set to change<sup>9</sup>.

In contrast, the Finance Committee is almost universally coveted for a host of practical reasons beyond its unquestioned prestige.

"On voit tout passer, car peu de textes n'ont pas d'implications financières. C'est le meilleur poste d'observation de l'Assemblée," [N°3].

"C'est quand-même la commission la plus politique. On peut voter tous les textes qu'on veut, des textes nécessitent toujours des soutiens budgétaires. Cette commission, contrairement à ce que l'on croit, n'est pas du tout une commission technique, c'est une commission excessivement politique," [N°4].

"C'est là qu'on apprend beaucoup de choses, où on voit à peu près tous les projets de loi. .... On a une meilleure approche du travail parlementaire," [N°7].

These observations are backed up by the statistics. As regards meetings, it is second only to Social & Cultural Affairs (with half as many members); it holds relatively few hearings, but two-thirds of them involve ministers, which confers greater contact with government circles; in addition to the 137 reports published in the 1997 Parliament, it spawned more than twice as many *missions d'information* as

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<sup>9</sup> For example, N°13 who moved from Finance to Trade & Industry because of his commitment to transport policy, and N°11 who compensated for not being deployed in Social and Cultural Affairs by creating her own specialisation.

<sup>8</sup> In the first session of the 2002 Parliament, 'Production et échanges' was renamed 'Commission des Affaires économiques, de l'environnement et du territoire'. Given the currency of environmental issues and decentralisation the image of this committee is therefore substantially enhanced.

any other committee. The intense competition and expertise required for specific tasks within Finance could mean that it is harder to obtain such responsibilities, which may be 'monopolised'.<sup>9</sup> The workload is heavily concentrated in the autumn session, which may be a disadvantage for some Deputies, but could afford greater latitude throughout the rest of the year. Although less ostentatious than Abélès' 'repaire des gens en vue' (Foreign Affairs), the proceedings of the Finance Committee are solemn and ritualistic (Abélès 2000: 128), which can be gratifying. Rubbing shoulders with party and government 'deciders' – though not mentioned by Deputies – is rewarding in terms of self-image *and* promotion: getting noticed in Finance brings more benefits than excelling in Social Affairs or Trade & Industry. (This undoubtedly explains the higher probability of ministerial promotion mentioned above.) It is therefore most attractive on all counts: prestige, career prospects and legislative impact. The Finance Committee is the undisputed powerhouse of the Assembly.

This overview suggests an alternative categorisation of the permanent committees based on the opportunities they offer to engage in the legislative procedure and influence outcomes. In these terms, the most 'useful' seats are in Finance, Social and Cultural Affairs and Constitutional Affairs. This does not mean that membership of the other committees prevents Deputies from 'making a difference' (numerous counter-examples emerged in interviews<sup>10</sup>) simply that the dynamics are less favourable.

## 2. Gendered Distribution of Seats

We will now establish where the women of the 1997 cohort sat. The two extremes – the predictable concentration of women in Social and Cultural Affairs and their absence from Finance – have been highlighted, and their participation in

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<sup>9</sup> This was seen with the *missions d'information*, where the majority of reports were drafted by two committee heavy-weights, MM. Migaud and Tavernier.

<sup>10</sup> Marie-Line Reynaud sponsored a bill on Protection from termites in Trade & Industry, Martine Lignières-Cassou authored reports for M.I.s in Defence, and Marie-Hélène Aubert in Foreign Affairs, tabled a question on human rights in Tibet during the Dalai Lama's visit. These are just a few examples.

other committees outlined (Sineau 2001: 227; Abélès 2000: 52 and 129). This is presumed to derive from discriminatory practices and differences between male and female profiles. However, this section will analyse the imbalance in greater depth and advance alternative interpretations, involving structural features of the Assembly (seniority and committee system). After establishing the overall distribution of women Deputies, it focusses more closely on the 1997 newcomers (to factor out some of the benefits from previous parliamentary experience or reputation) before looking at the link between qualifications and professional experience.

#### a. The Proportion of Women in Each Committee

The distribution of seats throughout the six committees and the average percentage of women Deputies in each committee are summarised in Table 2. (See Appendix D.1 for a yearly breakdown.)

**Table 4.2 - Proportion of Seats and Women Deputies  
in each Permanent Committee, 1997-2002**

	Total seats	Women members (min. - maximum)	Women members (average % 1997-02)
Finance	73	1 - 3	4%
Foreign Affairs	73	10 - 13	16%
Defence	73	1 - 4	3%
Constitutional Affairs	73	7 - 8	10%
Trade & Industry	145	8 - 12	7%
Social & Cultural Affairs	145	22 - 28	18%

Compiled from *Journal officiel*, September and October, 1997-2001.

Several initial observations can be made:

- The committees fell into two distinct categories: those at or above the overall level of *députées* (Foreign, Constitutional and Social & Cultural Affairs), and those where women were clearly under-represented (Finance, Defence, Trade & Industry). Interestingly, the fault-line appears not to be

determined by prestige, but by inter-related subject matter. The two categories form distinct – and parallel – paths of progression. The economic overlap between the primarily ‘male’ committees is evident, though the link between the ‘female’ committees is less clear-cut. It hinges on the wide-ranging remit of the Constitutional Affairs Committee, described in section (1.a), which bridges the gap between Social and Foreign Affairs. There is a logical transition from Social Affairs to Constitutional Affairs; a Deputy is less liable to convert the experience garnered in Social or Constitutional Affairs into the credentials for entry into Defence or Finance; so where else could a senior *députée* go, other than Foreign Affairs?

- This could explain the the surprisingly high proportion of women in Foreign Affairs<sup>11</sup>, which may be the culmination of a longer parliamentary career<sup>12</sup>. Of the 21 veterans in the mid-term cohort, 7 were in Foreign Affairs and only 2 were not in the female triptych. (The effects of novice/veteran status on committee participation are analysed below.)
- The dearth of women in Finance and Defence is as patent as it is predictable. The 1997 Parliament, however, marked a great step forward, as women were at least present in all committees. Women have occasionally sat in the Defence Committee, but Finance had been an exclusively male bastion to all intents and purposes<sup>13</sup>. The 11<sup>th</sup> Legislature

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<sup>11</sup> This is high in relative terms within the 1997 Parliament and also with respect to previous Parliaments. Mariette Sineau speaks of a ‘*percée des femmes*’ (2001a: 227).

<sup>12</sup> The ‘surplus’ of women was indeed due to several senior women Deputies opting for, and obtaining a seat (e.g. Michèle Alliot-Marie, Yvette Roudy and Louise Moreau, the longest-serving woman of the Parliament with 19 years’ experience).

<sup>13</sup> Several Deputies (including a male veteran from the Finance Committee) were proud to claim that women had gained access to the Finance Committee for the first time during the 1997 Parliament, but there had been a precedent in 1967/8. This oversight can be forgiven, as Claire Vergnaud was appointed only months before parliament was dissolved, and, as a Communist under de Gaulle, she would have had little scope for action. Likewise, Edwige Avice is generally cited as the first member of the Defence Committee, though Madeleine Dienesch sat in it before 1978. These are examples of ‘false firsts’ that I encountered, where the previous presence of women in certain posts had already been ‘forgotten’ because it was too distant.

broke new ground, as the three appointees in Finance sat virtually for the duration of the Parliament<sup>14</sup>, and two came from the governing coalition. Nevertheless, this needs to be set in numerical perspective. Although the Defence Committee had up to four women on paper, Martine Lignières-Cassou was the sole female member from 1997 until one other woman made a strategic transfer in 2000<sup>15</sup>. In Finance, three women novices (albeit with strong professional profiles) were to work alongside 70 men, of whom 61 were veterans. Such extreme minority status coupled with a seniority deficit impedes the scope for voicing different concerns or acting differently, irrespective of the will and ability of these individuals to impose themselves<sup>16</sup>.

- Lastly, the *poubelles* have pronounced gender connotations. There are roughly twice as many women in Social Affairs as in Trade & Industry. This comes as no surprise, but if there are indeed two parallel career paths (as hypothesised), and if the entry points are largely gender-determined, women will have difficulty crossing over and breaking into Finance which, as argued in section (a), is so important for enhancing Deputies' career prospects and legislative impact.

#### **b. The Distribution of the Female Cohort**

Another set of observations emerge from analysis of the distribution of the female cohort across all six committees in Figure 4.1.

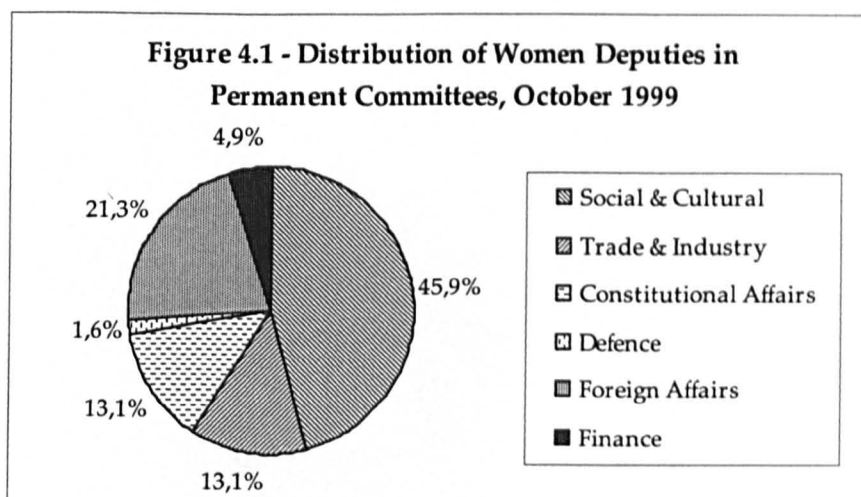
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<sup>14</sup> In June 1997, Marie-George Buffet was nominally a member, but she immediately took up a cabinet post. The other members moved into the committee in 1998/99.

<sup>15</sup> Two of the initial members obtained government posts (Ségolène Royal, Dominique Voynet) and one promptly transferred to Social Affairs. Michèle Rivasi needed membership to be able to draft the M.I. report on the Gulf War Syndrome.

<sup>16</sup> See Moss Kanter (1977) Dahlerup (1988). This issue of critical mass will be further explored in Part III.



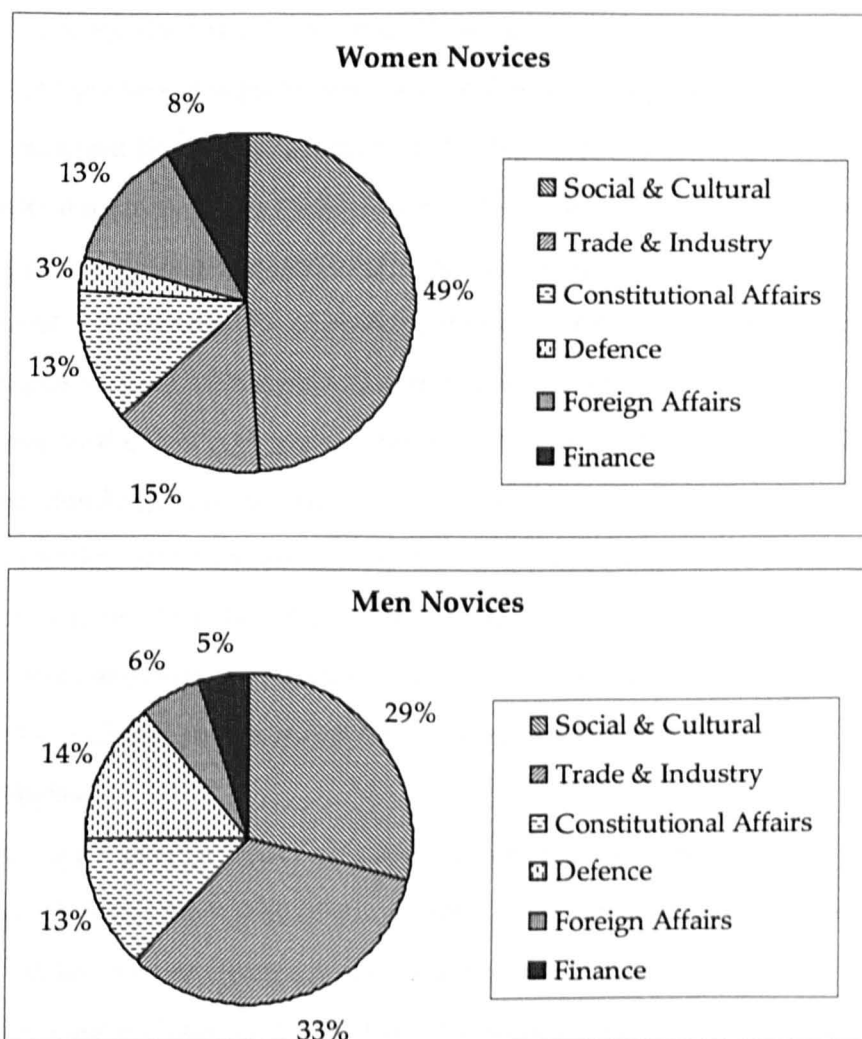


- **Women are slightly over-represented in the *poubelles*** (accounting for 50% of seats, and 59% of *députées*). Does this mean that women were ‘dumped’?
- **Women are also slightly over-represented in the two most prestigious committees** (representing 25% of seats, and 26.2% of the cohort). However, as we have seen, this could be a statistical quirk caused by a cluster of senior women politicians.
- **Two-thirds of *députées* sat in committees deemed ‘useful’** for legislative work and outcomes (Finance, Constitutional and Social Affairs).

These initial observations evidently need to be refined, to limit distortions caused by the size and characteristics of the female cohort. Party affiliation should not have any bearing in this context (as committee membership is party-proportional, but novice/veteran could impinge on the distribution of committee seats, as observed for Foreign Affairs). A second gendered comparison was therefore made of the committee membership of **novice** Deputies of both sexes.

#### c. The Distribution of Male and Female Newcomers

Figure 4.2 shows the distribution of the cohort of male and female newcomers throughout the six committees.

**Figure 4.2 – Distribution of Novices in Permanent Committees**

Sources: *Journal officiel* 01/10/1998, and lists of first-time Deputies provided by the Assembly Information Service.

- **Women and men novices are equally prevalent in the *poubelles* (64% and 62% respectively)<sup>17</sup>.** Women are over-represented in the 145-member committees, not because of their gender, but because of their novice status and massive investment in Social Affairs.
- **The gender distinction between Social Affairs and Trade & Industry** appears in even starker contrast: 49% of women novices sat in Social Affairs

<sup>17</sup> This also confirms “la règle non-écrite selon laquelle l’élu nouveau est envoyé faire ses classes à la Production ou aux Affaires sociales.” Abélès (2000: 30).

(29% of men); men novices were more than twice as likely as women to be in Trade and Industry (33% men, 15% women).

- The proportion of women novices is still twice as high as for men in Finance and Foreign Affairs (22% and 11%). This could imply a degree of positive discrimination (deliberate or sub-conscious) in favour of women in two of the most visible sites within the Assembly.
- 70% of women and 47% of men newcomers sat in the 'useful' committees (mainly because of women's presence in Social Affairs).
- However the data is presented, membership of Constitutional Affairs is consistently gender-neutral. In Figures 4.1 and 4.2 (showing the distribution of the female cohort), this committee (with 12.5% of seats) always shows 13%; in Table 4.1, the novice ratio falls within 1 percentage point of the overall rate for the Assembly; in Table 4.2, the proportion of women commissioners matches the average percentage of *députées*.

#### d. Mobility

It had been assumed that Deputies generally occupied the same seat for the duration of the parliament. However, interviews and end-of-parliament records revealed considerable movement apparently involving women more often than men, which merited closer attention. Why did these Deputies move, and at whose behest? How easy was it to obtain a transfer? Was there any pattern in the movements, and were women more mobile than men?

All of the interviewees who changed committees (with the exception of Cécile Helle - see below) had requested the transfer themselves, and had not been moved to make space for someone else. These involved permanent transfers (because they did not like their initial committee), or strategic transfers to obtain tasks to which they were particularly committed<sup>18</sup>. On occasion, these short-term

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<sup>18</sup> For example, Michèle Rivasi, whose questions on Gulf War Syndrome lead to an investigation, explained her transfer from Trade & Industry to Defence thus: "Quand j'ai lancé la Guerre du Golfe (sic) et j'ai eu ma mission d'information, il a fallu que je change de commission, puisque vous pouvez être rapporteur de la mission d'information à partir du moment où vous faites

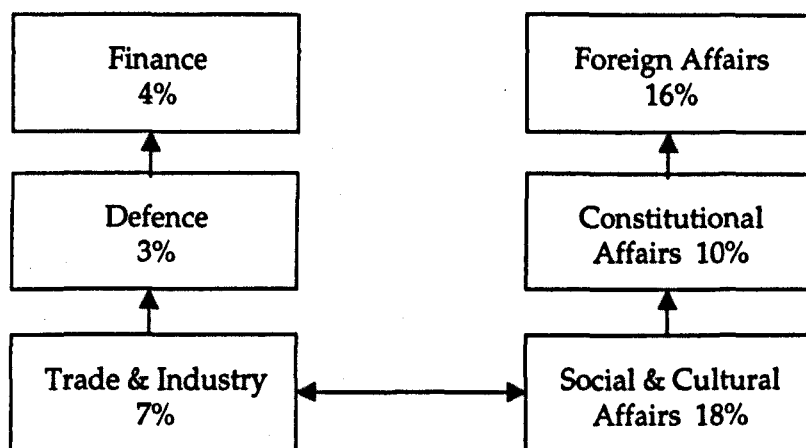
transfers opened up permanent opportunities: Cécile Helle had been asked to shadow the *rapporteur* on the Parity Law, and was therefore temporarily transferred to Constitutional Affairs (her performance was subsequently rewarded when a full-time seat became available). In contrast, Mme Lignières-Cassou returned to her post in the Defence Committee as soon as her bill on contraception and abortion had been passed.

None of the Deputies interviewed reported particular difficulty, even though ‘ça se négocie dure’, and they had to wait for a vacancy. However, party status may have played a part. One Deputy stressed that her party responsibilities had helped her navigate between three committees, and interviewee N°14’s position in the extra-parliamentary party undoubtedly facilitated her moves. On the other hand interviewee N°8 – an archetypal outsider – still obtained the strategic place she needed. More movements were observed among Socialists, probably because they controlled more seats and more parliamentary tasks requiring transfers (*rapporteurs*, temporary committee seats). The *Verts* seem to have been particularly mobile – Yves Cochet (who served for only 3 years) sat in 4 different committees.

Regarding patterns of movement, the end-of-parliament records on Deputies in the female cohort and male sample confirmed two observations. Firstly, that movements were either between the *poubelles* or along one of the discrete axes identified above. Only a handful of exceptions were observed. This supports the hypothesis of parallel paths of progression, with their gendered implications, illustrated in Figure 4.3.

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partie de la Commission [qui la crée]. Comme c’était la Commission de la Défense qui l’a demandée, j’ai vite fait un changement.”

**Figure 4.3 – Patterns of Mobility between Committees**

(Percentage of women in each committee)

Secondly, while a third of women made transfers, only a quarter of men in the control group changed committee: for both sexes, novices moved more frequently than veterans. Without a systematic survey of permanent committee deployment, it is impossible to determine whether women, more than their male colleagues, were moving because they had originally been assigned an inappropriate seat or because they were seeking a specific job. In other words, did women move more in order to escape from an unfavourable situation or to obtain an even more favourable position? Whatever, the interview evidence and this limited comparison of the female cohort and male sample show that they were generally to women's advantage, and they were not blocked by party managers.

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This analysis of the deployment of women in the permanent committees of the 1997 Parliament, when set in the context of the relative merits of the committees from the point of view of task opportunities and substantive impact, produces a slightly different perspective from existing literature. It confirms Sineau's observations on the imbalance between Finance and Social Affairs, and her positive appraisal of women's specialisation in the latter if committee deployment is judged according to usefulness rather than prestige (2000: 227). However, the hypothesis of a male/female logic of progression sheds a less

positive light on women's 'percée significative' in Foreign Affairs. Beyond its symbolic importance, this could actually have negative implications: if Foreign Affairs is the apogee of a female career in national politics, women – at least in the 1997 Parliament – ended up in a cul-de-sac where they could have less influence over legislation<sup>19</sup>. The other new insight concerns the role of the Constitutional Affairs Committee – incidentally the only committee in the 1997 Parliament to have had a *présidente*. The diversity of its remit, the wealth of opportunities together with the apparent gender-neutrality of its membership confer a pivotal role. For this reason, the participation of its male and female commissioners will be studied more closely, when examining reports.

### 3. Possible Explanations for Gender Imbalance in Committees

We will now investigate why women were so unevenly distributed throughout the permanent committees. This involves the dynamic between party control, Deputies' aspirations and profile. It is assumed that the pattern of 'masculine' and 'feminine' committees results from party discrimination and women's choice or specialisation. This section will argue that the factors governing committee membership are more complex, and probes assumptions about access by looking at Deputies' comments and professional background<sup>20</sup>.

#### a. Factors Influencing the Allocation of Committee Seats

The parliamentary group and committee presidents with their responsibility for personnel management, act as 'internal gatekeepers'. In attributing seats, they have to contend with four main constraints: their quota in each committee, incumbency/seniority, efficiency (matching the best candidates to

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<sup>19</sup> Sineau (1988: 204) quotes a similar opinion expressed by a Communist woman, claiming that Social Affairs is not 'une sous-responsabilité': "moi, je vous dis j'étais aux Affaires sociales, je considère que j'avais une plus grande responsabilité que maintenant aux Affaires étrangères."

<sup>20</sup> This is based on the profession declared by the Deputies on their Assembly CV <http://www.assemblee-nationale.fr/qui/trombinoscope-archives.asp>. The 'trombinoscope' uses self-reported information, and can only serve as a very rough indication of Deputies' professional backgrounds. The definitions provided can be very vague (*fonctionnaire, mère de famille nombreuse*) or misleading (Françoise de Panafieu is described as *sans profession déclarée*). Moreover, using the Deputies stated profession does not allow for other types of experience or skill. However, this was the most convenient single source of information available.

available seats) and Deputies' desiderata. Given the socio-professional differences between party representatives, it is not always easy to find 'appropriate' candidates for all committees<sup>21</sup>. Given the low renewal rate and the hierarchy of the committees, relatively few seats are available: it would be difficult to refuse Foreign Affairs to an ex-Prime Minister, or promotion to a Deputy having already served several terms in the *poubelles*. Keeping everybody happy is presumably the most intractable problem in what was termed 'une véritable foire d'empoigne'.

Deputies' choices are influenced by a range of factors other than personal preferences. The type of constituency – safe or marginal – can determine committee choice in that it effects Deputies' availability (e.g. N°2 with Foreign Affairs, cited above). Other constituency-linked factors can also come into play. A Communist *député-mayor* from a garrison town naturally opted for Defence: "Cela s'est fait par nécessité et je m'en félicite" – perhaps all the more so as he was "très pris par [son] mandat de maire et donc peu disponible."<sup>22</sup> Cognac induced one woman to choose Trade & Industry, as she felt best able to represent the agricultural interests of her constituency. The constraining influence of constituency was encapsulated by one Socialist elected in 1986 who specified: "c'était un scrutin proportionnel, je n'avais donc pas de circonscription véritablement, et j'étais beaucoup plus libre," [N°3]<sup>23</sup>. (This comment raises tantalising questions about the possibility of women's substantive representation in constituency-based elections: women's issues rarely emerge from one constituency, consequently there is little electoral benefit from identifying with

<sup>21</sup> The Communists are less likely to have lawyers to send to Constitutional Affairs or managing directors for Finance, hence perhaps the presence of a *tôlier-chaudronnier* in this committee.

<sup>22</sup> Similar considerations influenced Martine Lignière-Cassou's choice (quoted in Abélès, 2000: 52): "J'y suis allée un peu par défi. Cela m'intéressait et les questions de défense recoupaient les enjeux industriels de ma circonscription." He reports that she "ne regrette pas d'avoir bravé les préjugés, car c'est le seul moyen de faire avancer la cause des femmes au Palais-Bourbon."

<sup>23</sup> The impact of constituency interests and *suppléance* may seem peripheral, but the number of women Deputies is still so small that incidental factors can become disproportionate. For example, the committee of enquiry into the Safety of Industrial Plants had a surprisingly high

women's issues - although representing the female half of *la nation souveraine* can have negative fallout locally.)

*Suppléance* also plays a role, as the committee seat is bequeathed by the *titulaire* to their successor. This was the case for interviewee N°17 who chuckled "sinon, je ne serai jamais entré dans la commission des Affaires étrangères en tant que nouveau!" On a more negative note, interviewee N°5 spoke of the *suppléants* of new ministers arriving after *la curée* at the beginning of a new parliament and having to accept what is left.

This connects with the deficit of experience suffered by new Deputies. "On est élu, et – hop! - il faut s'inscrire dans une commission, en une journée il faut tout faire. .... La prochaine fois, je ne me laisserai plus avoir!" explained interviewee N°7 who then claimed that women with experience in ministerial cabinets or party management had an advantage in knowing what to ask for and how to get it. This was acknowledged by a novice who had been a party official: "Moi, j'ai travaillé ici pendant 4 ans avant d'être élue, donc je connais très bien tout le monde, tout le monde me connaît, j'ai un statut un peu privilégié"<sup>4</sup> [N°2]. Women, who are more often outsiders, are less well-equipped to negotiate with the internal gatekeepers (group and committee presidents).

This tension between supply and demand is fluid, so can work to Deputies' advantage, as exemplified by interviewee N°12: "Quand je suis arrivée au Palais Bourbon, j'étais une p'tite jeune, très disciplinée, on m'a dit : 'ah oui, toi, tu vas à la Commission des Affaires culturelles'. En 1993, quand je suis revenue, j'ai dit : 'ça sera la Commission de la Production et des échanges ou je change de parti.' Faut pas faire dans la nuance ..... et immédiatement on m'a trouvé une place". She could play this card because she was already established and her party could not afford to lose one of its few women. Newcomers can nevertheless use the threat of independence. When questioned about transfers between

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level of women – because three Deputies coincidentally came from the Toulouse area, affected by the AZF explosion in September 2001.



committees, interviewee N°8 – *apparentée socialiste* – explained her tactics thus:

“Tout ce que j’ai obtenu, c’est en mettant le feu. C’est en les menaçant de faire une conférence de presse, en disant qu’il y a un blocage à l’Assemblée.” Being a relative outsider can have its pitfalls, however.

There are notable differences between the parties regarding committee membership in general. The small and composite RCV group (particularly the *Verts*) was particularly flexible and responsive to individual choices, whereas the Communists seemed more inclined to accept the imperatives of rational deployment.<sup>24</sup> This is how interviewee N°11 explained why she didn’t obtain her first choice, in Social Affairs: “Le groupe communiste n’est quand-même pas le plus important – il fallait qu’on se répartisse de manière égale dans les commissions. C’est vrai que bien souvent les femmes sont dans la Commission sociale et culturelle. On est trois femmes dans le groupe, il y en a deux qui sont à la Commission sociale, et comme moi, je ne voyais pas pourquoi je ne serais pas dans une autre commission, j’ai accepté comme ça. Ce n’était pas fait d’une manière autoritaire. J’ai compris qu’il fallait faire un autre choix, donc je me suis investie dans cette commission [de la production] normalement depuis.” The Socialist Group is also reputed to be relatively disciplined, but with the balance of power in the 1997 Parliament the party had more latitude than the Communists, and its members, with the agenda status of parity, enjoyed some of the liberty of their ecologist colleagues.

On the right, all parties were at pains not to be seen to thwart women’s aspirations in the 1997 Parliament, though they were less concerned to positively promote them. Interviewee N°18 spoke of the ‘*élégance de son parti*’ in allowing her

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<sup>24</sup> She nevertheless did not get her first choice (Finance): “J’ai compris après coup, qu’il fallait mettre un seul choix! Si je suis réélue, je sais comment ça marche!”

<sup>25</sup> This tradition has been well documented, particularly by Guéraiche (1999). “Chez les communistes, on sait que le désintéressement personnel, et même l’humilité, l’effacement individuel devant le travail collectif et l’intérêt du parti sont la règle. Et les femmes, pour leur part, ne se montrent pas en reste dans l’obéissance à cette règle.” Sineau (1988: 121).

to move up to Foreign Affairs, and interviewee N°14 was finally granted a place in Finance.

Beyond all these variables, closer scrutiny of the two extreme cases of female under- and over-representation illustrates the inveterate problems of women's access to the permanent committees.

#### b. Women in Finance

According to interviewee N°2, "La Commission des finances est un bunker. En 1997, il n'y avait pas un seul nouvel élu pour nous [les socialistes], c'était tous des anciens. Il n'y avait pas une seule femme. ... J'ai essayé pendant quatre ans d'y entrer, et je n'ai jamais pu." Interviewee N°14's account is particularly eloquent: "Quand je suis arrivée au parlement en '97, j'ai cru naïvement, en tant qu'ancien ministre et ayant une grande expérience professionnelle dans la gestion de budgets publics, qu'on allait me mettre évidemment dans la Commission des finances. Bon. [Rires complices] Et donc j'ai compris que la Commission des finances, c'était pour des gens beaucoup plus anciens, beaucoup plus gradés dans l'Assemblée. Donc on m'a mise dans la Commission de la production, dont les principaux projets de loi étaient l'agriculture - et je suis dans un département urbain - et l'aménagement du territoire rural - et je suis encore dans un département urbain. Donc je suis passée à la Commission des Affaires culturelles, familiales et sociales. Ce qui m'intéressait, c'était le budget de la sécurité sociale qui est plus important que le budget de l'Etat. Je n'y ai pas eu une activité très satisfaisante, donc j'ai fini par arriver à la Commission des finances, qui était mon objectif, à la faveur du départ d'un de mes collègues."<sup>26</sup> Another (Socialist) novice [N°7] identified inertia and *copinage* as obstacles to access: "C'est surtout par cooptation .... c'est ceux qui sont bien en vue à l'intérieur du parti. On n'y entre pas comme ça."

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<sup>26</sup> Interviewee N°14's assessment of Trade & Industry is somewhat disingenuous, as her previous (and subsequent) expertise in transport could have had singular relevance to the Committee and to her constituency.

Can this resistance be explained by professional background? Of the 73 members, about a third declared professions linked to finance, economics or high-level administration (for example *inspecteur des finances, chef d'entreprise, économiste, conseiller à la Cour des comptes*). Only 12 of the seats were occupied by first-time Deputies. N°14's party held few seats, and all the male commissioners were veterans with appropriate experience (except Jacques Barrot, *sans profession déclarée*). Thus, while interviewee N°14 was clearly cut out for the Finance Committee it would seem that her party was *not* acting in bad faith – if the *prime à l'ancienneté* is considered valid. The other women Deputies who reported attempting to enter Finance were all PS novices, without particularly relevant profiles (party official, women's rights officer, *proviseur*). The Socialists held more seats and were able to place 7 novices. Both women commissioners were novices with potentially appropriate credentials (*cadre de direction, préfet*): given the gender balance within the party (about 15% of women) and the dearth of women with finance/economics credentials<sup>27</sup>, this suggests that the party did what it could. So far, the parties do not appear discriminatory.

However, the profile of the men novices begs a different question. Three of the 5 PS novices (a surgeon, a teacher and a lawyer) were not pre-ordained for Finance. The presence of non-specialists is of course both desirable and necessary, particularly in the light of interviewee N° 4's claim that the committee's function is more political than technical. The other two-thirds of commissioners (*journaliste, sociologue urbaniste, instituteur, ouvrier métallurgiste retraité ...*) undoubtedly have an important alternative contribution to make. But this sits uncomfortably with the justifications for the scarcity of women in Finance. "L'observateur qui s'étonne du

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<sup>27</sup> Only 3 other women in the whole cohort declared such professions. Taubira (*apparentée socialiste*, from Guyane) was an economist but her priorities were apparently international affairs and 'Outre-mer' (she sat in Foreign Affairs, and carried such issues as the recognition of slavery as a crime against humanity); Robin-Rodrigo (RCV) as *directeur départemental du crédit immobilier*, was a potential candidate for Finance, but sat in Social Affairs (where she was given the job of drafting the *rapport pour avis* on the Finance Bill, focussing on 'politique de la ville', in 2001 and 2002); Bredin (Socialist) as *Inspecteur des finances* and former Minister with 8 years in parliament was a strong candidate, but she sat in Constitutional Affairs.

caractère ultramasculin de ces aréopages [les Commissions des finances et de la Défense] ne reçoit que des réponses évasives: cela tiendrait à l'incompétence ou à l'inexpérience des élues, mais, assure-t-on, cette situation ne va pas durer."

(Abélès 2000: 52). If non-specialist men are eligible, why not non-specialist women? In setting a precedent, the parties probably wanted to nominate women who were beyond reproach, as they would inevitably be exposed to critical scrutiny. This could, however, signal a double standard: men *may* have alternative backgrounds, women *must* have solid credentials to be considered legitimate<sup>28</sup>.

The deployment of women in the Finance Committee therefore provides little evidence of direct discrimination by party managers who, on the whole, did what they could within the constraints of existing practices – when prompted. This is illustrated by the spontaneous remark of a Socialist veteran in the Finance Committee [N°3]: "Une femme qui veut aller à la Commission de la défense ou des finances, il faut vraiment qu'elle le veuille, qu'elle mette le paquet. Par contre il y aurait de la part des responsables de groupe - 'il n'y a pas de femmes, on va profiter de la première opportunité pour en mettre une'. Mais au départ, il n'y en avait pas [de femme], quand il y avait probablement des demandes." Nor can it be claimed that the women were tokens or benefitted from preferential treatment: the new women had strong profiles, and their subsequent contribution vindicated their presence. Availability of suitably qualified female candidates does pose a slight problem, however. Had more seats been available for incomers, the party managers would have had difficulty in finding women with appropriate experience. This results in part from the divergence of male and female career paths in society at large, but it may be exacerbated by political parties' recruitment practices<sup>29</sup>. Consequently the group presidents (who act as 'gatekeepers' within

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<sup>28</sup> Sineau (1988: 109) identifies the phenomenon of 'surcompensation' whereby women need to perform better and be better qualified in order to be considered equally legitimate. Her comparison of male and female Deputies in the 1997 Parliament showed that women had a higher level of educational achievement (Sineau 2001a: 208-212).

<sup>29</sup> Parties sometimes find it convenient to recruit women for their feminine virtues, and it has been argued that parity may accentuate this practice. Analysing recruitment in the 2001 municipal elections, Achin and Paoletti (2002: 35) find that: "Les têtes de liste ont investi la "contrainte"

the Assembly) are hostage to the *tri sélectif* operated by the local 'gatekeepers' controlling candidate selection.

However, these are not the real problems within the Assembly itself. The limited comparison of male and female qualifications suggests that the main barrier to women at present appears to be incumbency and seniority (although more systematic analysis of professional qualifications and Deputies' aspirations is required to test this argument). Whilst seats in Finance are used primarily as rewards for long and faithful service<sup>30</sup>, and whilst women Deputies are scarce and less likely to stay in politics, they will inevitably fail to penetrate this Committee in significant numbers. In other words so long as these seats are seen primarily as a source of symbolic prestige and not as a site for legislative work opportunities, the status quo will be maintained. An emerging double standard, though not as yet demonstrable because of the small numbers of women, could further inhibit women's access. If a male surgeon or parliamentary assistant can sit in the Finance Committee, why not a female vet or women's rights officer?

Although the two parties investigated behaved fairly, a truly innovative approach does not consist in granting seats to qualified and highly motivated individual women and letting them prove their worth. It would involve a collective approach that challenges the precedence of incumbency and seniority. In addition to procuring a more level playing ground for women, this would be fairer to male novices and could be beneficial to the quality of the committee's work (by improving attendance rates<sup>31</sup>). In the meantime, unless a radical change

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paritaire en valorisant fortement les qualités "féminines" en politique. La critique des professionnels de la politique et l'impératif contextuel imposant la "proximité" des candidat(e)s, ont ainsi conduit à une activation des différences homme-femme et des stéréotypes de genre."

<sup>30</sup> Approximately half of the *commissaires* at the end of the 1997 Parliament had completed 4 or more terms, some had as many as 9 terms behind them. (Based on committee lists, [www.assemblee-nationale.fr/11/tribun/](http://www.assemblee-nationale.fr/11/tribun/))

<sup>31</sup> A limited study of committee attendance revealed a poor average for Finance: the overall attendance rate was 23% (but 46% for women). This study – which is only indicative – covered committee meetings during one month of the autumn session (the busiest for the Finance Committee). The difference between male and female attendance is most certainly distorted by the prevalence of male veterans, and by the additional pressure on the women novices to prove

in practices occurs, it is difficult to share the Deputies' optimistic view about female participation in the Finance Committee.

### c. Women in Social and Cultural Affairs

The clustering of women in Social and Cultural Affairs came up frequently and spontaneously in interviews, as though women had to define themselves in relation to this committee. Almost twenty years ago (1985) Sineau reported that 10 of the 28 *députées* – more than a third – sat in Social Affairs (1988:118-9). She explained that “l’affectation ‘autoritaire’ des femmes dans le social se présente comme le résultat d’un rapport de forces qui leur est défavorable.” As we have seen, the rising tide of political parity had modified this balance of power in the 1997 Parliament to women’s advantage, yet by mid-term, almost 46% of the largest cohort of women ever elected were in this very committee. How can this rise be explained? Is it enforced specialisation or an empowered choice?

The comments of Hélène Missoffe in 1985 (op. cit: 119) provide an apposite starting point to explore women Deputies’ attitudes to the stereotypically female committee:

“Je dois dire très franchement que je me suis très bien contentée de la Commission des affaires culturelles, familiales et sociales. Que les sujets qu’on y débat me plaisent, et que je n’ai jamais demandé de changer de commission. .... Si vous voulez, j’aurais aimé ... faire un stage à la commission des Finances, parce qu’on y apprend beaucoup économiquement. Ayant commencé un peu tard, je me suis dit: il vaut mieux me spécialiser dans ce pour quoi je peux me spécialiser, car j’aurais fini ma vie politique avant d’avoir saisi absolument tous les mécanismes budgétaires, etc. Et en plus, il y a toujours 3 candidats pour une place. Je n’y tenais pas assez pour embêter les autres.”

The first point concerns the issue of specialisation. None of the 2001 interviewees expressed the slightest trace of the humility/self-deprecation implied

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themselves. However, it can be assumed to be at least partially valid, since the same pattern was observed in other more evenly balanced committees.

by Mme Missoffe's 'ce pour quoi je peux me spécialiser'. On the contrary, they gave the overall impression of feeling just as willing *and able* to tackle rural development, urban regeneration, budgetary issues, criminal justice, and the transposition of European directives – provided they considered it could serve some useful purpose. "Pourquoi que le social ?", asked interviewee N°8, "Une femme peut faire autre chose que le social". At the same time, they clearly felt that they could 'apporter un plus', 'une petite touche féminine' though this could – and often did – involve action in committees other than Social Affairs. For example, Interviewee N°11 specialised in a given area within Trade & Industry "parce qu'il y a une dimension sociale qui me plaît, et dans cette commission il n'y a pas beaucoup de femmes .... donc je voyais un intérêt particulier à y participer avec ma touche féminine et mon expérience des familles." Or the M.I.C. led by women from the Constitutional and Foreign Affairs Committees to investigate 'l'esclavage moderne'<sup>32</sup>. This marks an important difference in self-perception. Rather than feeling generally less competent than the male norm except in one circumscribed domain, the 1997 women conveyed an impression of being equal to the male norm in most things – and better in some. This confidence could result from their higher level of education (in relation to the 1997 men and to Mme Missoffe's generation) and also the diversity of their professional backgrounds. Although few women had 'hard-edged' business or financial backgrounds, there was not a profusion of social workers, primary teachers or others from the caring professions. Indeed, a comparison of the female cohort and the male sample compiled for this thesis showed that approximately one third of women *and* men declared medical, social or educational occupations. Although this can only be indicative and should be tested by a more systematic analysis, it nevertheless suggests that women were no more professionally pre-disposed to Social Affairs than men. So why were so many of them in Social Affairs?

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<sup>32</sup> This was chaired by Christine Lazerges and had 37% women members (Assembly Report N° 3459). See also *Le Monde*, 19/05/2001.

The interviews yielded no evidence of 'affectation autoritaire' by the party managers in the 1997 Parliament (interviewee N°12's account, in (c.1) above, dated back to 1986). However, Social and Cultural Affairs certainly represented the default value for women, particularly for novices without prior inside knowledge about how the Assembly worked and how to work the system, as exemplified by this account: "On m'avait proposé ça, et j'arrivais à l'Assemblée pour un premier mandat [très jeune], et [cette commission] regroupe des champs très divers. ... Je m'intéresse beaucoup à tout ce qui est droits de l'homme (sic), lutte contre les discriminations, intégration, donc ça recoupait ce champ-là. .... Cela me convenait aussi. Si on m'avait mis à la Défense, ça aurait moins coïncidé avec mes goûts, j'aurais peut-être eu la volonté de changer!" [N°5]. In some respects, this *députée* 's'est très bien contentée de cette commission' but unlike Mme Missoffe she asked for and obtained a seat in another committee (Constitutional Affairs) in order to pursue her interests. This issue of mobility (see (2d) above) tends to suggest that the parties, despite the reflex equation of women with social affairs, did not seek to confine women in this committee.

In the same way that the *députées*' self-perception has changed, the perception of Social Affairs has evolved, particularly under the *gauche plurielle* when *la fracture sociale* was also a presidential priority, and since it has assumed responsibility for the Social Security Budget. The Social and Cultural Affairs Committee assumed greater prominence, and was seen as 'le nerf de la guerre' almost on a par with Finance in terms of policy relevance (the main distinction being prestige and pressure on seats). These women may have chosen the Social Affairs Committee because they saw it as an attractive option (see section (1.a) above). The attitudes expressed were varied and ambivalent: a deliberate, positive choice for some, a *pis-aller* for others. Women had a love-hate relationship with Social Affairs best summed up by interviewee N°15 (who began her political career in the Finance Committee of the Regional Council, until she was relegated to Social Affairs): "C'est un mariage de convenance qui est devenu un mariage d'amour." They were not exactly apologetic about women's concentration in



Social Affairs, but they were defensive. They seemed to swither between rejection of an essentialist identification with care and welfare, and attraction, almost against their better judgement, to the subject matter that often seemed most relevant to their own policy priorities and to the needs of society. This is illustrated by women who move out of Social Affairs and then gravitate back reluctantly. Interviewee N°12 enjoyed her stint in Trade & Industry, but transferred back in order to handle a specific bill. "Si je suis réélue en 2002," she continued, "comme j'ai envie de m'intéresser aux lois sur la bioéthique, je pense, hélas, que je resterai dans cette commission alors que j'ai bien envie d'en changer." Interviewee N°8 suggested that it was difficult for women to have an objective attitude towards social affairs: "Moi je me dis, qu'on n'a pas envie forcément que la femme se retrouve que là-dedans, il y a une espèce d'autocensure vis-à-vis de soi-même." She added that this reticence was particularly pronounced on the left because "historiquement, tout ce qui était 'famille' en France était de droite, ... donc on est toujours un peu en réaction."

The final point of contrast with Mme Missoffe's attitude is that the women of 1997 were not so reluctant to 'embêter les autres' and they did move, relatively frequently and for their own strategic reasons. As demonstrated in section (1.b.iv), innumerable transfers between committees were granted and the rare cases of refusal involved access to the Finance Committee. In 1997, Mme Missoffe's daughter, Françoise de Panafieu, obtained a seat in Foreign Affairs.

Sineau, in connection with women politician's attitudes to social issues and welfare in general (but not committee membership in particular), observed: "il ne paraît pas que toutes *aient fait le forcing nécessaire* pour tenter de sortir des sentiers battus. Au nom, là encore, de *l'utilisation des compétences*, elles se sont laissées *durablement* affecter là où on leur a dit que leurs qualités de femme seraient les plus utiles." (1988: 119, my italics). Although some of the 1997 newcomers may have lacked the initial determination to invest other areas, this did not prevent them from subsequently asserting their demands. Moreover, their choice was less

determined by perceptions of 'what they do best' and more by the pertinence of issues handled by the Social Affairs Committee.

As with women's absence from the Finance Committee, arguments based on discrimination by party managers and on women's profile, although partially valid, do not fully explain the rise in women's concentration in Social Affairs. While implicit gender-based assumptions were prevalent and clearly affected the initial allocation of seats, interviewees gave no evidence of deliberate sex-segregation. On the contrary, party managers appeared generally receptive once explicit requests were made. Women do not appear to be professionally more predisposed to health, welfare and education, though these areas often represented their policy priorities and preferences.

The swing to the left may account in part for the high proportion of women in Social Affairs, as it amplified other structural factors affecting the allocation of committee seats. The Social Affairs Committee represents the obverse of the Finance Committee. Whereas the presence of senior or long-serving deputies in the latter chokes off access, their exodus from the *pouvelles* leaves space for the incomers. Many of the *élues* in 1997 won surprise victories: not only were they novices, they were not expected to win, nor prepared for entry to the Palais-Bourbon. They lacked the standing and the inside knowledge to negotiate in the 'bagarre pour les places en commission'. This is compounded by the opacity of the selection criteria for committee membership which appear to favour seniority and reputation and are based on gender with respect to the *commissions pouvelles*.

The second structural issue concerns the contours of the permanent committees rather than their size. Most of the *commissions nobles* – Constitutional Affairs is again the exception – are subject-specific, and as such they come over as 'expert' committees, which probably enhances their appeal in prestige terms. The *pouvelles*, given the diversity of their huge remits, are the antithesis of an expert committee. Not only do they offer 'something for everyone', they also offer the opportunity to 'join up' several threads. Interviewee N°8 argued that the present structure cannot cater for the complex interconnections between policy

fields. “Il y a une évolution dans la façon de penser. L’exclusion, le développement durable – il y a des thèmes comme ça qui sont transversaux – il faut voir dans les différents secteurs, alors que nous, on fonctionne comme à l’école. [Geste de la main pour désigner des casiers.] Et donc il n’y a pas d’échange !”. The Social Affairs Committee in addition offers a lot of task opportunities. It is often argued that women favour a more cross-sectoral, non-expert approach, that they are task-oriented problem-solvers. If this is the case, then Social Affairs seems a rational choice.

The present definition of committee remits underwrites a stereotypical division of policy areas. The very title ‘Affaires culturelles, sociales et familiales’ immediately flags this as ‘the women’s issues’ committee, which may, *a priori*, attract or repel women Deputies. A cross-sectoral subdivision of committee remits could make it easier for Deputies (particularly women) to make a freer choice. A smaller committee dedicated to employment and social security, by marrying economics and welfare (as is common elsewhere) would help neutralise the gender-identification associated with Social Affairs.

#### **d. Significance and Persistence of Gender Imbalance in Committee Representation**

Having analysed the distortions in permanent committee membership in the 1997 Parliament and advanced some possible explanations, two fundamental questions arise: Does it matter? And is it likely to ‘wither away’ over time?

The uneven distribution of women in permanent committees *does* matter, both in terms of individual self-fulfilment and in terms of the quality of legislative work. If the hypothesis concerning parallel paths of progression is founded, women will not be able to choose the course of their legislative work freely, given the demonstrable use of Social Affairs as the default value for women novices. In present circumstances, it steers them away from the most prestigious and ‘useful’ seats in Finance. Moreover women are obliged to define themselves in relation to Social Affairs. Whereas a man simply asks himself which committee he’d like (though he may not get it), women first of all have to decide whether to

resist or satisfy the expectation that they will go into Social Affairs. This can foster a dichotomous attitude towards this domain, whereby some women reject it, then regret their decision, while others embrace it, but then devalue their contribution. Men do not have to justify themselves in this way.

Beyond the justice arguments, this distortion has practical ramifications. Access to certain tasks is determined by committee membership and participation (prelegislative reports, seats in M.I.s, post of *Rapporteur général du budget*, and membership of the M.E.C.). Committee membership can therefore have a defining influence on the course of Deputies' legislative action. The flexibility of party managers in the 1997 Parliament meant that women were not penalised (except regarding Finance-related tasks), but in a more rigid context, women's scope for action could be much more restricted. Of course, Deputies do have other means of pursuing particular issues (amendments, private members' bills, working groups) and they are allowed to attend the meetings of any committee and even participate in the debate (but not the vote) on amendments or bills they have sponsored<sup>33</sup>. However, such activities are peripheral in comparison to work in a Deputy's home committee, which is the foundation on which a backbencher's parliamentary reputation or expertise is built.

The uneven distribution of women therefore reinforces gendered stereotypes about male and female expertise or incompetence. It can also be detrimental in terms of substantive representation. Women were at least present in all committees in the 1997 Parliament, but if they continue to be present in such small numbers, will they be able and/or willing to try to 'make a difference' or mobilise their male colleagues? Such pitiful under-representation of women in three legislative domains thwarts the averred objective (at domestic and international level) of mainstreaming gender equality (and underlines the need for the Women's Delegation, which can compensate for this failing).

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<sup>33</sup> The right to attend and participate in other permanent committee meetings (granted only in 1994) is now accepted practice, though little used. (See *Connaissances de l'Assemblée*, N°12: 50-51).

As regards the likelihood of progress, the prospects seem poor. Although women's self-perception seems to have evolved since Sineau's *état des lieux* in 1988, and party managers appeared well-disposed to the expansion of women's committee involvement in the 1997 Parliament, this has not broken the mould. Indeed, the situation has deteriorated since the change of government in 2002<sup>34</sup>. As women continue to move into non-traditional domains outside the Palais-Bourbon, there will probably be a peripheral redistribution of seats. However, if, as argued above, the issues of women's professional background and party discrimination are secondary to structural blockages, then improvement will be limited, unless more radical change occurs.

The root problem lies in the 1958 Constitution and *Règlement*, which, unlike the situation in most democracies, rigidly define the number, size and remit of the main legislative committees<sup>35</sup>. This system is increasingly attacked for its lack of flexibility and its anachronistic division of the functions of the state<sup>36</sup>. Interviewee N°9 considered the constitutional corset 'ridicule': "Dans des parlements plus ouverts, plus souples, plus modernes, il y a quand-même des sujets nouveaux - environnement, Europe, droits des femmes, immigrés, des tas de sujets - qui n'existaient pas il y a 200 ans. ... Il faudrait réformer la Constitution." Over the years it has ossified into a hierarchy that is neither meritocratic nor appropriate to the needs of modern government, as demonstrated by the unequal workload, and

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Interviewee N°7 reported attending the Finance Committee meetings to defend a fiscal amendment she had tabled (against party orders).

<sup>34</sup> The number of women in Social Affairs rose significantly (to 26% in June 2004 from 19% in June 1997) and almost three-quarters of the female cohort were in the *poubelles*. See Appendix D.1.

<sup>35</sup> Article 43 of the Constitution sets their number, whereas their size and remit are determined by the *Règlements* of the Senate and National Assembly.

<sup>36</sup> In his inaugural speech as President of the Assembly in 1997, Laurent Fabius stated that he would carry out "la refonte de nos commissions permanentes, dont ni le nombre, ni la répartition ne correspondent à la société de demain." Quoted in *Connaissances de l'Assemblée*, N°12: 49-56), which summarises the limits of reform of the permanent committees. In the discussion of an end-of-parliament report by the Social Affairs Committee President, on the activity of the Committee, several Deputies criticised the present committee structure. M. Edouard Landrain complained of "l'inévitable spécialisation à laquelle sont conduits ses membres en raison notamment du trop vaste champ couvert. Ainsi, le découpage de la commission existe dans les faits : il se matérialise dans le nombre et le rythme des absences aux réunions de celle-ci." Assembly Report N° 3625.

concentration of veterans in the two 'top' committees. So long as numbers are limited and the nominal content remains unchanged, the competition for seats will hinge on factors that are prejudicial to women (and to democracy): perceived expertise, seniority and length of service. A fluid categorisation of legislative work – varying with the relative importance of issues over time – could prevent the emergence of *voies royales*, and could better harness Deputies' potential. They would be more inclined to base their choice on content and policy priorities, rather than on perceived self-interest or importance. Instead of which, the permanent committees of the Fifth Republic seem – in large part – to be based on the colonisation of positions of prestige, which echoes the practice of *cumul* along the path that leads to the Palais-Bourbon. The fact that senior women were concentrated in Foreign Affairs could indicate that they are being integrated into the system. The increased concentration of women in Social Affairs, rather than being a purely negative sign of women's exclusion, could also be interpreted as a positive indication that women prefer 'useful' seats to prestigious seats. It is not possible, on the basis of data for one parliament to argue either way. But we can posit the idea that the permanent committees of the Fifth Republic, like so many other aspects of the Gaullist institutions (Sineau 2001a), have an adverse effect on women's political participation.

A cursory examination of committee deployment in the Fourth Republic (based on Pascal, 1990) tends to support this hypothesis. In 1946, the Constitution gave the Assembly complete freedom regarding its permanent committees and by 1958 they numbered 18. Although criticised on many counts, the 1946 committee system appears to have been less restrictive for women Deputies, who sat on a broader range of committees<sup>37</sup>. Many women did belong to 'Famille-Population-Santé' at some point in their parliamentary life, but they also made a collective

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<sup>37</sup> For example, Alice Sportisse from 1945-56, sat on 'les commissions de la Constitution, de la Famille, de la Population et de la Santé publique, de l'Intérieur, de l'Algérie et de l'administration générale, départementale et communale, de Grâce amnistiante en Algérie, du Suffrage universel, du Règlement et des Pétitions, des Affaires étrangères.'

contribution to the whole gamut of legislative work, often in such strategic domains as 'Ravitaillement', 'Affaires économiques', 'Reconstruction et dommages de guerre'. Moreover, the potent taboos of the Fifth Republic (the long exclusion of women from Finance and Defence) did not apply<sup>38</sup>. The aura of the *résistantes* and Communist policy partly account for this, but women of other political persuasions (particularly MRP) had equally broad horizons.

The present configuration of permanent committees is not *intrinsically* hostile to women and newcomers: it has become detrimental because the party managers and Deputies themselves have allowed the trend to develop unchecked (in the same way that *cumul* has prospered from favourable circumstances, without necessarily being an *inevitable* consequence of the 1958 Constitution). Without going to the extreme of a complete reorganisation of the permanent committees, much could be done to mitigate the gridlock effects of seniority and length of service. Party managers could, for example, provide information and guidance in advance to potential newcomers to enable them to take an informed decision, or make the criteria for committee deployment more explicit and transparent. They could develop rota systems to enable Deputies to sample committees and learn which suits them best - in view of the level of absenteeism this should not overload or unduly disrupt their operation. However, reversing the 'honours system' in the permanent committees would be as fraught as banning *bizutage* in the *grandes écoles*.

As regards the distribution of permanent committee seats, the problem appears to lie not with the women, but with the system as it has evolved under male dominion.

x      x      x      x      x

In the same way that women achieved greater access to certain key posts in the 1997 Parliament, they also made significant in-roads in the permanent

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<sup>38</sup> Two Communist women sat in the 'Commission des Finances et du contrôle budgétaire', there were two vice-présidentes (MRP) in the 'Commission de la comptabilité', and as early as 1946-51, a woman sat in 'Défense nationale'.

committees, by establishing themselves in the Finance and Defence Committees. Veterans also noted a change in the tide of mentalities, among colleagues and party officials. However, this analysis uncovers evidence that suggests more deeply rooted gender bias than the inveterate problem of women's under-representation in Finance and over-representation in Social Affairs. The data from 1997-2002 shows that there was not only a clear division between male and female committee membership but also a divergence in the paths of progression between committees. Women generally moved between Social, Constitutional and Foreign Affairs (or into Trade & Industry), while men followed the Trade & Industry, Defence, Finance axis. Given that Social Affairs is the preferred entry point for women (because of *députées'* priorities and party managers' stereotypical perception of women's aptitudes), this could perpetuate the sexual division of committee work – if the hypothesis about parallel progression is born out in subsequent parliaments. On the other hand, these boundaries may blur over time, now that certain taboos have been broken and as attitudes change. The interviews revealed that women Deputies were more confident and assertive, and that party leaders were more responsive during the 'Parity Parliament'. They also raised questions about the 'value' of committee seats, which can be ranked according to prestige or to their pertinence with regard to legislative outcomes. The Constitutional Affairs Committee emerged as a site that merits particular attention in the future: as well as offering a range of legislative opportunities and scope for 'revealing talent', it appeared to be remarkably gender neutral under the *gauche plurielle*. It remains to be seen whether women will comply with the existing hierarchy (as suggested by the prevalence of senior women in Foreign Affairs) or pursue an alternative scale of values, reflected in the proportion of women opting for 'useful' seats.

Beyond gender stereotypes, which undoubtedly play a role in permanent committee deployment but which may be declining, the uneven distribution of seats appears to be rooted in institutional factors. The rigid committee structure and remit definition distil potential women's interests into one committee rather



than refracting them throughout all six committees, thereby creating an artificial barrier that women have to negotiate. Together with the low renewal rate in the Assembly, this structural rigidity means that the allocation of committee seats is based on seniority and incumbency rather than merit. The Fifth Republic institutions have not only depressed the number of women entering national politics, they have discouraged women from staying. Consequently, the filter of seniority has been more detrimental to women, and will impede their penetration of the Finance Committee unless the present system is challenged.

This sheds a new light on women's support for term limits, an unexpected finding in Chapter 2. Capping consecutive terms could break the bottleneck on access to prestigious committees and reduce men's 'seniority bonus'. The incidence of seniority and incumbency makes retrospective sense of interviewees' comments on the 'verrouillage' of the permanent committees. Deputies spoke of 'chasse gardée', 'blocages', 'squatteurs', 'problèmes de territorialité' to describe access to and conditions within the permanent committees. Interviewee N°3, discussing reports, made an analogy with ice-skating, contrasting *figures imposées* (for example, annual budgetary reports) "où il y a effectivement un phénomène de chasse gardé" and *figures libres* (more topical reports arising from private members' bills) which are more open. This analogy provides a useful contrast between the permanent and temporary committees. We have established that the former can resemble *figures imposées*: we will now turn to the temporary committees to see if they represent *figures libres* offering more opportunities to women.

## Chapter 5

### Temporary Committees

In addition to analysing women's participation in the temporary committees, this chapter will assess women's access to parliamentary reports, before drawing general conclusions about women's contribution and attitudes towards committee work.

#### 1. Committees of Enquiry, Special Committees and *Missions d'information*

In analysing women's participation in the temporary committees, we will ask two questions. Firstly, is the same sexual division between social and financial/economic spheres observed? Secondly, does seniority impinge on access?

After summarising the function of the temporary committees and the degree of competition surrounding access, the gendered distribution of seats and key posts will be analysed. Deputies' views on the importance of committee work, backed up by evidence concerning male and female attendance rates, are then explored and compared with their attitudes to plenary debate. Finally, the findings of the two chapters on committee work are summarised.

##### a. Function of Committees and Competition for Seats

Competition for seats in the temporary committees could be expected to have a different dynamic from the permanent committees, because, by definition,

they have no pre-defined status or reputation. The problems of inheritance and incumbency do not apply, and as these committees are constituted progressively throughout the parliament, novices are not penalised by the inaugural scramble. On the demand-side, their appeal is much more issue-based and task-oriented: as such it should be more meritocratic, and could be particularly appealing to women, who reputedly favour this work-style<sup>1</sup>. Deputies can sit on as many as they want – subject to party approval and personal time constraints – or none at all. On the supply-side, seats are limited and the committees are relatively infrequent (see Table 5.1): they are allocated on a party-proportional basis, but only the *missions d'information* and the *mission d'évaluation et contrôle* are linked to permanent committee membership.

The three types of temporary committee that will be examined here – special committees, committees of enquiry and *missions d'information communes* (M.I.C.s) – have one thing in common that distinguishes them from the permanent committees: they are all designed to address one specific task. Beyond this, there are variations in their objectives and status which may affect access and desirability.

Competition is most intense for the 57-member **special committees**. They have a similar function to the permanent committees (examining prospective legislation), but they offer the opportunity to adopt a more proactive, cross-sectoral approach to *one* legislative issue. They work on their issue for longer and in greater depth: Bonnard (1981) shows that they held more hearings than the permanent committees, though she found that presiding Deputies tended to 'take over' from the committee members in the interests of efficiency, which multiplies their power. Special committees are initiated by the government, by group or

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<sup>1</sup> Rosenthal (1998: 183-187) demonstrates that women committee chairs in the US rate task orientation more highly than men and argues that task commitment offers "a strategy for overcoming the reality of women's relative numerical underrepresentation." (p. 176). She concludes that "the emphasis on 'getting things done' may, however, prevent or at least

committee presidents<sup>2</sup>, their chair sits in the *Conférence des présidents* and the *rapporteur* presents their conclusions in the *Hémicycle*. Consequently, special committees offer institutional rewards.<sup>3</sup> Their number has been steadily declining, which means that seats are all the more scarce.

**Committees of enquiry**, initiated by the Deputies themselves, are investigative tools to examine events or subjects of public concern (for example, the explosion of the AZF chemical plant in Toulouse or the BSE crisis) and the operation of publicly-owned or run bodies (for example, prisons, or police and security forces in Corsica). As such they are retroactive, and do not have a direct influence on legislation: their findings are published, but rarely debated in the *Hémicycle*<sup>4</sup>. Committee of enquiry seats (limited to 30) are however much sought-after parliamentary weapons because they represent the best opportunity of holding the government to account. Their high media impact can provide a vehicle for furthering Deputies' careers or their agenda priorities. The double-edged use of these committees was summed up by *interviewee N°3*, who decided against participating in the floods enquiry (though his constituency was affected) because: "Ça fait plus effet d'annonce. C'est ou un choix de travail, quand on est président ou rapporteur, ou simplement un affichage." This echoes Bonnard's findings on special committees, but the relatively high level of attendance in both types of committee – surely synonymous with 'un choix de travail' – tends to contradict this. (See (3.b) below on attendance).

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temporarily sidetrack women from moving up the political ladder." This is very pertinent in the context of the 'Revolving Door Syndrome' developed in the Conclusion.

<sup>2</sup> They can theoretically also be initiated by a group of 30 Deputies, but this is rare.

<sup>3</sup> Bonnard (1981) argued that the special committees were not likely to engender 'une nouvelle élite parlementaire' as "... près de la moitié des rapporteurs désignés en commissions spéciales occupaient déjà ce type de fonction dans leur commission d'origine, l'année de leur nomination. De même, près de la moitié des présidents désignés en leur sein étaient déjà titulaires de responsabilités, soit au sein de l'Assemblée, soit dans leur commission d'origine." This is partly confirmed in the 1997 Parliament by the overlap between previous or parallel bodies: for example the same names recurred in the 1994 and 2001 special committees and the M.I.C on 'bioéthique'.

<sup>4</sup> There has apparently been only one instance of a 'débat sans vote' on the findings of a committee of enquiry, in the 1993 Parliament. *Assemblée nationale* N°12: (2000: 78).

They can also provide an alternative path outside the permanent committees for establishing a reputation. According to interviewee N°2, “La commission d’enquête sur la sécurité alimentaire, ça durait 6 mois, avec des gros moyens – entendre des gens sous serment et tout ça. Celui qui était rapporteur, c’était un nouvel élu de ’97, qui n’avait pas beaucoup de responsabilités. C’est une façon de se faire connaître sur un sujet.”

Frears (1991: 35) argued that Fifth Republic committees of enquiry are “ineffective as instruments of parliamentary control”<sup>5</sup>. There are signs that this is changing, partly through institutional reform, and partly because of a new assertiveness amongst Deputies (Abélès 2000: 132-136). Less beholden to the executive and increasingly independent, they are consequently more open to opposition members and are a truly parliamentary tool. The parallel emergence of *missions d’information* extends parliamentary oversight.

The *missions d’information*<sup>6</sup> combine the best of both worlds. They can provide input to prospective legislation (as with *Prévention et lutte contre les exclusions*, which culminated in a major law passed by the *gauche plurielle*) and have considerable powers of investigation (without time limits) as illustrated by the *missions* on the Rwandan genocide or the *Tribunaux de commerce*. Although they afford no institutional advantages and are virtually unknown outside the Palais-Bourbon, they are highly valued by the Deputies themselves (“c’est à l’honneur du parlement de faire ce genre de travail,” according to one otherwise non-effusive interviewee [N°17]). Consequently, the main benefit Deputies can derive from M.I.s is job satisfaction and peer recognition. Only membership of

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<sup>5</sup> Frears gives four reasons: avoidance of potentially embarrassing subjects by blocking *propositions de résolution* to set up enquiries; a 6-month time limit; lack of co-operation from government agencies; media disinterest. Since the 1991 reform, proceedings are only exceptionally held in camera and the right of access to government sources has been reinforced. This has stimulated Deputies’ participation and media interest, thus giving the committees more bite.

<sup>6</sup> These were created in 1990, by a modification of the *Règlement de l’Assemblée nationale* N°12: (2000: 82-85).

missions involving more than one committee (*missions d'information commune*) is examined here, as most single-committee *missions* had only one member.

The *Mission d'Evaluation et de Contrôle (M.E.C.)*<sup>7</sup>, created in 1999 to enhance parliamentary scrutiny of the implementation of the budget, is a hybrid: it does not have permanent status, but is reconstituted annually to report on selected aspects of the budget. As such it is an example of a *figure imposée*. Unlike all other Assembly organs, it is not party-proportional, but Finance Committee membership is a prerequisite – which affects women's participation. This body, compared to the National Audit Office in Britain (*Connaissances de Assemblée* N°12: 87), is destined to become a major cog in Assembly workings.

#### **b. Gendered Distribution of Seats and Key Posts**

As demonstrated in Table 5.1 below, women have a slightly higher level of representation in **committees of enquiry** (11.9%) and **special committees** (18.9%) than in the Assembly. However, this does not equate with gender-neutral deployment on two counts. The uneven distribution of women largely confirms their specialisation in social affairs and their exclusion from financial, economic and technological spheres (although numbers are again so small that this is only indicative). The 40% female membership of the Children's Rights enquiry contrasts with the solitary women investigating the Superphenix reactor or the use of public money in Corsica. It comes as no surprise that the special committee on Bioethics had 8 times as many women as that on Reform of the Budgetary Debate. Some apparent anomalies result from coincidental factors: the under-representation of women in the investigation into severe flooding, with its toll of human consequences, was due to the absence of women Deputies from the affected regions, whereas female participation in the apparently technological issue of industrial safety was inflated by the presence of women Deputies in the

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<sup>7</sup> See *Assemblée nationale* N°12 (2000: 85-87), and Abélès (2000: 134) for further description of the creation and functions of the MEC.

Toulouse area. (This illustrates the risk of freak results when working with such a small sample.)

The second reservation concerns women's total absence from the key posts of president and *rapporteur*, who not only have more influence over the course of the enquiry, hearings and recommendations, but are the sole members to reap direct personal gains (in terms of reputation, media exposure, party recognition, or institutional status in the case of special committees). Could women's exclusion from such posts be a consequence of their novice status? This involves establishing the level of novice members and checking the seniority of office holders.

**Table 5.1 – Participation in Committees of Enquiry and Special Committees (1997 Parliament)**

	Pres.	Rapp.	Members		% ♀
<b>Committees of Enquiry</b>			♂	♀	
<i>Sûreté des installations industrielles</i>	♂	♂	24	6	<b>20.0%</b>
<i>Causes, conséquences et prévention des inondations</i>	♂	♂	25	2	7.4%
<i>ESB &amp; farines animales</i>	♂	♂	27	2	6.9%
<i>Sécurité du transport maritime des produits dangereux</i>	♂	♂	29	1	3.3%
<i>Prisons : Conditions de vie des détenus</i>	♂	♂	23	7	<b>23.3%</b>
<i>Transparence et sécurité de la filière alimentaire</i>	♂	♂	25	5	<b>16.7%</b>
<i>Corse : fonctionnement des forces de sécurité</i>	♂	♂	28	2	6.7%
<i>Régime étudiant de sécurité sociale</i>	♂	♂	29	1	3.3%
<i>Sectes : situation financière et fiscale</i>	♂	♂	11	4	<b>26.7%</b>
<i>Groupes industriels et multinationaux</i>	♂	♂	28	2	6.7%
<i>Corse : utilisation de fonds publics</i>	♂	♂	28	1	3.4%
<i>Tribunaux de commerce</i>	♂	♂	27	1	3.6%
<i>Superphénix</i>	♂	♂	29	1	3.3%
<i>Droits de l'enfant</i>	♂	♂	18	12	<b>40.0%</b>
<i>DPS : service d'ordre du Front national</i>	♂	♂	26	4	<b>13.3%</b>
<b>Overall Participation</b>	15 ♂/15	15 ♂/15	377	51	<b>11.9%</b>
<b>Special Committees</b>					
<i>Bioéthique</i>	♂	♂	39	16	<b>29%</b>
<i>Lutte contre les exclusions</i>	♂	♂	45	13	<b>22.4%</b>
<i>Réforme : Loi des finances</i>	♂	♂	55	2	3.6%
<b>Overall Participation</b>	3 ♂/3	3 ♂/3	139	31	<b>18.2%</b>

Compiled from the respective reports published by the National Assembly. The committees in which the proportion of women was higher than their level in the Assembly are in bold.

Office holders shaded in purple are veterans, those in green are novices.



Cross-referencing membership lists and Deputy records revealed that committees of enquiry had a slightly higher proportion of novices than the Assembly at large (43% of committee of enquiry seats were held by novices) while special committees had a lower novice rate (34%)<sup>8</sup>. This tends to confirm that the former appeal to ambitious, work-hungry backbenchers, while the latter command a higher prestige-rating. It also showed a striking contrast between the deployment of men and women novices, which can only be partly explained by the scarcity of women veterans: far more 'women's' seats were occupied by novices than was the case for male-held seats<sup>9</sup>. In addition, amongst the novices of the 1997 cohort, more women served on at least one of these committees than their male counterparts (roughly three-quarters of women novices and two-thirds of men had at least one seat). Without a systematic survey, it is impossible to establish the balance between various possible explanations – preferential treatment, eagerness of the women novices, or abnegation of the veteran women. Whatever the combination of reasons, women novices occupied more temporary committee seats: consequently the group of women committee members had a seniority deficit in comparison to the men, which could account for their absence from key posts.

As regards the seniority of office holders, it transpires that the presidents of all special committees and of 12/15 committees of enquiry were veterans (with up to 7 previous mandates, some former ministers). Given the primarily symbolic role of the president, this is unsurprising and consistent with the findings on permanent committee deployment. In contrast, half of the *rapporteurs* were novices, and the veteran *rapporteurs* had shorter records, so seniority was less of a

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<sup>8</sup> The novice rate for committees of enquiry varied from 27% (Sectes) to 57% (DPS), with the majority in the 40-50% range. For special committees there was minimal variation. There was no correlation with women's participation in either category. (The overall novice rate in the Assembly was 37.5%)

<sup>9</sup> 75% of seats occupied by women in the committees of enquiry went to novices, whereas only 39% of men's seats were occupied by novices. The figures for special committees were 48% and 30% respectively.

determinant than for the presidents. The enquiry reports drafted by novices emanated from committees with only one or two women, so it seems understandable that men obtained these posts<sup>10</sup>. However, lack of potential contenders cannot explain why even those committees with at least 20% of women – including veterans from the left – all had male *rapporteurs*. The same pattern emerges from the special committees: *Bioéthique*, with 29% of women including 9 veterans, and *Lutte contre les exclusions*, with 22% of women and 7 veterans, both had male novice *rapporteurs*. This cannot be taken as proof of discriminatory practices, because there are many plausible and legitimate explanations for each of these choices<sup>11</sup>.

Three conclusions about gendered deployment in the temporary committees can be drawn:

- Women were often isolated in committees handling technical/financial issues, and men were proportionately under-represented in social issues.
- Women – in particular novices – had an overall advantage regarding access to seats in these two types of committee.
- Their total absence from key posts cannot be explained solely by a seniority deficit as male novices did obtain such posts.

Who controls these appointments? Ordinary members are placed by the parliamentary groups, and office-holders are peer-elected during the inaugural meeting (although Deputies implied there was an informal whip on elections for committee Bureaux). The reaction of interviewee N°1 suggests that it was not just

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<sup>10</sup> The investigation into the *service d'ordre* of the *Front national*, with 4 women novices, is perhaps the exception that proves the rule.

<sup>11</sup> For example, a Deputy who instigated a committee of enquiry (by submitting a *proposition de résolution*), or who had sat on a previous committee with a similar remit could legitimately aspire to the post of *rapporteur*. (There were two instances of this.) Alternatively, particular expertise in a given domain can confer an advantage: Christian Bataille, *rapporteur* for the Superphenix enquiry, is regarded as an authority on nuclear power (though his independence is questioned by some of his peers). Conversely, it is surprising that Hélène Mignon, PS veteran, doctor and *toulousaine*, did not have a more prominent role in the AZF enquiry, which included 'la protection des personnes en cas d'accident industriel majeur'.

fortuitous: “Je suis très choquée, mais cela ne me surprend pas du tout. Je découvre ici, un monde d’un machisme que je n’imaginais pas.” And the fact that 9 reports were drafted by male novices undermines the explanation advanced by interviewee N°14: “Il y a beaucoup plus d’hommes que de femmes, et la grande majorité des femmes – qui sont de gauche – sont très nouvelles, donc elles n’ont pas l’expérience qu’il faut.” Women’s perceived lack of experience is a pernicious argument often used to justify their exclusion.

The situation is similar, though less acute, in the M.I.C.s (see Table 5.2). Five *rapporteurs* were novices, but the only woman *rapporteur* was an ex-minister with party responsibilities and long parliamentary experience (Neiertz). Despite this quibble, women fared better in the M.I.C.s –where they held 19% of seats overall – than in the committees of enquiry and special committees. Firstly, although the distinction between traditionally male and female domains persists, women had a slightly firmer footing in typically ‘male’ domains: the lowest level of women’s representation was still higher than the proportion of *députées* at the end of the Parliament and women were less often isolated. Secondly, there was a more equal split between women veterans and novices (45% of women members were veterans<sup>12</sup>) which could empower the women committee members by neutralising the ‘apprentice’ image. Thirdly, their numerical strength did at least translate into two key posts: the novice Christine Lazerges led the investigation into *Esclavage moderne*, and Véronique Neiertz co-authored the report on *Lutte contre les exclusions*. Thus although the same trends observed in the temporary committees – sexual division according to subject matter and exclusion from key posts - occur in the M.I.C.s, they are less pronounced.

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<sup>12</sup> The overall novice rate was 38.4% (in line with the novice rate in the Assembly), with 34.5% of male novices.

**Table 5.2 – Participation in Missions d'Information Communes and the Mission d'Evaluation et de Contrôle (1997 Parliament)**

	Pres.	Rapp.	Members		% ♀
<b>M.I.C.s (1997-2002)</b>			♂	♀	
<i>Situation et perspectives de l'industrie automobile</i>	♂	♂	39	5	11.4%
<i>Prévention et lutte contre les exclusions</i>	♂	♂♂ / ♀	42	13	23.6%
<i>Perspectives économiques et sociales de l'aménagement Rhin-Rhône</i>	♂	♂	36	4	10%
<i>Répression de la délinquance financière et du blanchiment des capitaux en Europe</i>	♂	♂	17	2	10.5%
<i>Projet de loi de révision des 'lois bioéthique' de 1994</i>	♂	♂	44	13	22.8%
<i>Evènements de Srebrenica</i>	♂	♂+♂	9	1	10%
<i>Diverses formes d'esclavage moderne</i>	♂	♂	19	11	36.7%
<b>Overall Participation</b>	6 ♂/7	9 ♂/10	206	49	19.2%
<b>M.E.C. (1999-2002)</b>	2 ♂/2	10 ♂/10	23	1	4%

Compiled from the respective reports published on the National Assembly website. Office holders shaded in purple are veterans, those in green are novices. The annual reports of M.E.C. activity, all drafted by the *Rapporteur général*, have not been included.

In contrast, the *mission d'évaluation et contrôle*, with its exclusively financial remit and high prestige<sup>13</sup>, is once again a virtual male monopoly. Only one of the 24 members was female in the three years following its creation, and all 10 audits (plus the annual reports of the *Rapporteur général*, Didier Migaud) were drafted by men<sup>14</sup>. This is a direct consequence of the scarcity of women in the Finance Committee, and highlights the knock-on effects of the skewed distribution of women throughout the permanent committees.

<sup>13</sup> The degree of prestige and /or expertise can be gauged by the prevalence of veterans amongst the members (75%) and the *rapporteurs* (8 out of 10).

<sup>14</sup> The issues chosen for audit ranged from 'recouvrement de l'impôt' and 'gestion des effectifs et des moyens de la police nationale' to 'logement social' and 'financement et gestion de l'eau'.

c. **Deputies' Explanations, and Perceptions of Temporary Committees and Missions d'information**

While most Deputies stressed that all types of temporary committee seats are prized, they generally agreed that they were allocated primarily on the basis of merit and commitment. According to interviewee N°5: "Au sein des groupes, il y a une sélection en fonction de ses centres d'intérêt et de ses affinités. Quand vous avez montré, en tant que législateur, que vous avez insisté sur tel ou tel thème et que vous postulez pour une mission qui recoupe les thèmes pour lesquels vous vous êtes investi, en général vous allez être privilégié par rapport à un autre député qui ne s'y est pas intéressé." (The two seats she obtained were linked to her record on human rights.) As we will see with parliamentary questions in the following chapter, most Deputies believed that seats were shared around: "Il y a toujours trop de candidats, mais je n'avais pas encore participé à beaucoup de commissions d'enquête ... donc j'ai eu celui-là," [N°2]. This does not rule out careerist attitudes, whereby Deputies claim seats without actually using them: a significant minority attended the first and last meetings to elect office-holders and vote on the final report (see (4) below on attendance). Although this behaviour was acknowledged and sharply criticised, only one interviewee [N°7] complained of having suffered as a result of cronyism. Her charge that "c'est toujours les mêmes" (speaking about the PS) seems partially founded, as some names did indeed recur in several temporary committees. However, the absence of other criticism and examples of outsiders and rebels nevertheless securing seats<sup>15</sup> suggest this results more from self-selection. The few interviewees with no temporary committee seats cited other priorities or other mandates as the main reason for their abstinence, not party obstruction. One Deputy from the right

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<sup>15</sup> One *apparentée socialiste* specified: "Je ne suis pas dans l'appareil et je refuse le fonctionnement de cet appareil," but still obtained 3 enquiry seats and 1 high-profile report; Arnaud Montebourg, young turk *par excellence*, held 4 seats and drafted 2 major reports.

emphasised the additional difficulty of being in opposition<sup>16</sup>. A precise measure of Deputies' satisfaction and party control could only be provided by a systematic written survey, but the interview evidence suggests that parties were not heavy-handed.

This is not to deny the pivotal role of parliamentary party managers. When asked whether temporary committees were more open than the permanent committees, *interviewee N°3* replied: "La liberté est très grande, mais il faut quand-même se faire désigner par son groupe. Donc cela suppose de trouver un compromis entre l'audace et le conformisme." In a similar vein, *interviewee N°4* claimed that access to *missions* was not necessarily easier for novices, "parce que les candidatures émanent des commissions permanentes, et il faut déjà exister à ce niveau-là, pour faire partie." So backbenchers have to prove their worth in the qualifying round of the *figures imposées* of the permanent committees before they can accede to the *figures libres* which may better reflect their priorities. Thus the temporary committees cannot provide an alternative to the permanent committees but rather a complementary path for making a difference.

Of the three types of committee, the M.I.C.s elicited most comment and enthusiasm from participants with very different profiles, who emphasised their potential as a learning process, as a means of cross-party co-operation and of opening up to the outside world. An opposition veteran [N°17] spoke in glowing terms of the "ambiance très bonne et très forte" of the M.I.C. he attended. He explained that: "un généraliste qu'est le député de base, il avait, par cette méthode-là, l'information pour arriver aux questions essentielles. C'était un bon moyen d'obtenir les informations et la compréhension nécessaire pour légiférer." He contrasted this with the frustration of 'légiférer à la va-vite' in the permanent committees. *Interviewee N°5* took this further: "Cela change un peu, parce que le travail législatif a tendance à être un peu fermé ..... parce qu'on auditionne des

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<sup>16</sup> Party-proportional allocation of seats ensures that it should be no more difficult to get a seat,

ministres avant tout, alors que dans les missions d'information et d'enquête, ce qui est un peu novateur, c'est qu'on s'ouvre. Les parlementaires s'ouvrent et ils auditionnent des professionnels, des acteurs de terrain, donc cela m'apporte beaucoup ... sur la réflexion." Her comments portrayed the *missions* almost as proactive think-tanks where 'réflexion sans a priori' took precedence over party political considerations, and where it was consequently less adversarial and easier to speak<sup>17</sup>. As regards outreach, it is interesting to note that *interviewee N°17* sat on one M.I.C. at the instigation of representatives of civil society with whom he had worked on related issues. Although any kind of lobbying is treated with deep suspicion by the French political class, this seems a healthy example of two-way contact between formal and informal politics.

Work in the temporary committees corresponds with a new style of 'modern' parliamentarian that is gaining currency in the Palais-Bourbon, according to Abélès (2001: 139). Alongside constituency representatives and lawmakers, he identifies a third type of Deputy, whose priorities are accountability and participation. Their aim is "*celle d'évaluer l'action du pouvoir et ses effets sociétaux, d'en dénoncer les dérives et les excès, et enfin de faire entendre dans leur pluralité les voix de la société française dans les grands débats auxquelles elle se trouve confrontée, sans verser dans une confrontation petitement politicienne,*" (my italics). This has broad appeal, but women in particular appear to channel energy into this kind of exploratory work *when it involves issues that concern them*: they not only seek seats in the temporary committees and *missions*, but they also participate more actively than their male counterparts, as we will see in the section on attendance.

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though key posts are generally less available to the opposition.

<sup>17</sup> Such was her enthusiasm that she argued in favour of voting certain bills in permanent committees in order to free up time in the Chamber to debate the findings of temporary committees, and M.I.C.s in particular.

In answer to the questions at the beginning of this section, we can now affirm that the sexual divide observed in the permanent committees persists in the temporary committees; the most glaring example of this is the contrast between the M.E.C. and the *mission* investigating *Esclavage moderne*. Seniority, however, poses less of a problem than in the permanent committees, at least as regards access to seats. This tends to confirm the hypothesis that flexible, short-term committees are more open to incomers, and less prone to 'colonisation'. On the other hand, seniority and gender do appear to influence access to key posts: women did not preside or report for any of the more established committees and had only a toehold in the M.I.C.s. In other words, the more prominent the position, the greater the likelihood of a male occupant. In this connection it is significant that women obtained more seats in the low-profile, undervalued M.I.C.s than in the committees of enquiry, and it will be interesting to see whether this level of access is maintained once these bodies become better known.

What are the reasons for this? The initiative in seeking a committee seat lies with the Deputies, though party managers have the final say - *les députés proposent et le parti dispose*. As interviewees claimed that seats were allocated according to merit and commitment, we could infer a female predilection for social affairs and an aversion to finance and technology. There is doubtless some truth in this, but it is equally plausible, given the evidence of the deployment of women (regarding parliamentary questions for example), that the parliamentary groups accentuated this factor. In the absence of data, it is not possible to pinpoint the reasons for women's exclusion from key posts. Do men lobby more successfully, are women less interested or do the parties discriminate unwittingly? This question remains open.

A closer look at a broad range of parliamentary reports may help to elucidate this issue.



## 2. Reports

“Se voir chargé d’un rapport est synonyme de reconnaissance. Bien sûr, tous les rapports ne s’équivalent pas. Nombre d’entre eux portent sur des questions si étroitement techniques qu’ils sont par définition voués à l’obscurité. Ils sont souvent confiés aux nouveaux députés. ... Les jeunes attendront avant d’obtenir un rapport à propos d’un grand texte législatif comme les trente-cinq heures, ou l’exclusion.” Abélès (2000: 107-110) gives an apposite description of the diversity of parliamentary reports and the stakes they involve: ‘choice’ reports are as attractive as they are elusive for newcomers. What is the situation for women?

After outlining Deputies’ perception of reports and the job of *rapporteur*, this section tries to determine whether women obtained a proportional share of reports (in quantitative and qualitative terms), and whether there was a link between gender and subject matter.

### a. Different Types of Report and the Task of *Rapporteur*

Beyond the superficial rewards of recognition, the job of *rapporteur* has much more fundamental value, as described in Chapter 3. Most Deputies agreed that permanent committee reports provide ‘un des meilleurs moyens de peser sur le processus législatif’, as the *rapporteur*, within the guidelines set by their group, decides whom to consult, which amendments or recommendations to support and pilots the bill in plenary debate. According to interviewee N°4, “Le rapporteur a un rôle essentiel. Sur un texte de loi, il a le rôle le plus important, parce qu’il est en relation permanente avec le gouvernement. Il a les services de l’Assemblée pour travailler avec lui. Il est également en relation avec son groupe politique, mais aussi avec les différents groupes politiques, donc il a vraiment un rôle majeur. Il a un pouvoir d’influence sur la présentation d’une loi qui est très important.” Interviewee N°2 was adamant that reporting is the best opportunity for influencing legislative outcomes: “C’est sûr. Un bon rapporteur c’est ça. Il y en a qui se laissent dicter par le gouvernement, mais c’est la définition même d’un mauvais rapporteur. ... Il y a une marge de manœuvre importante.” Interviewee

N°11 was more sceptical, but nevertheless felt: “ça permet au député de s’investir et d’apporter sa personnalité et ses propositions.” (Her judgement may be coloured by belonging to a minority party, whose few reporting opportunities do not enjoy majority backing.) The other dissenting view, from a former Minister in the Juppé government, was also coloured by personal experience: “Dans l’Opposition, ce sont généralement des hommes expérimentés dans le travail parlementaire [qui rapportent], moi-même je n’ai pas beaucoup cette expérience. Par contre, j’ai suffisamment d’expérience de l’exécutif pour savoir que ce n’est pas forcément très important.” Her implication – that the Assembly can make little difference to policy – illustrates the limits of any parliamentarian’s scope for action in the Fifth Republic.

The vast majority of reports are in the gift of committee presidents, who judge Deputies largely on their performance in committee, but also respond to the consensus in the parliamentary group. Attendance presumably plays an important part in getting noticed and nominated. Sponsoring a private member’s bill can provide a shortcut, *if* the issue is subsequently taken up and not subsumed into another report<sup>18</sup>. Interviewee N°7 obtained a report using this tactic, and her comments reveal the degree of competitiveness: “Quand j’ai eu cette idée-là, je n’ai rien dit pendant plusieurs semaines, parce que je ne voulais pas qu’on me pique l’idée!”

Stating that ‘les rapports ne s’équivalent pas’ is an understatement. Not only are there a multitude of different types but their value depends on their subject matter and to a certain extent their timing, as an apparently insignificant bill can be propelled into the limelight by fluke. Furthermore, the personal contribution of the nominal author is variable: while some reports are drafted with minimal assistance from Assembly staff, others are produced almost entirely in-

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<sup>18</sup> Two successful examples of this were Danielle Bousquet’s bill on Contraception for Teenagers and Catherine Génisson’s Equality at Work both in 2000. Preliminary evidence suggests that

house (because they are too technical or because the Deputy is not available). The huge diversity of reports and the scarcity of women Deputies (not to mention the form in which data is presented) makes it extremely difficult to produce a meaningful statistical analysis. Consequently, sub-groups of reports were selected to produce indicative results which could then be set against feedback from Deputies.

## **b. The Volume and Subject Matter of Men's and Women's Reports**

### **i) Pre-legislative Reports**

The first subset of reports consists of the *rapports au fond* (pre-legislative reports drafted by the permanent committee under whose remit the subject falls<sup>19</sup>) produced throughout the 1997 Parliament by the Social Affairs, Constitutional Affairs and Trade & Industry Committees<sup>20</sup>. These committees reflect different levels of female representation (see table below). The reports cover government and private members bills, the latter generally having less status than the former. *Propositions de résolution* (involving either the transposition of European directives or proposals for committees of enquiry) were eliminated, in an attempt to make the subset more homogenous<sup>21</sup>.

The raw data were supplied by the Assembly Information Service in the form of a printout, for each committee, listing every 'texte' for which a *rapporteur* was appointed. Analysis was complicated by the overlap between several 'textes'

women sponsored significantly fewer private members bills, so this strategy appears to be incidental and would, if anything, deflate female reporting.

<sup>19</sup> Other committees may draft 'rapports pour avis' to complement the primary report, but these are less current and generally have less influence on the legislative process and outcomes.

<sup>20</sup> The Defence and Finance Committees were excluded because women were too scarce for any results to be meaningful; Foreign Affairs, despite having a significant group of women, was rejected because many reports are produced by Assembly staff.

<sup>21</sup> This does not mean that the *propositions de résolutions* are less important – indeed, recommending to accept or reject a Committee of Enquiry is an intensely political decision. Creating a committee can open a Pandora's box that may rebound on its sponsors, rejecting a proposal blocks subsequent attempts at investigation for a certain time. Interviewee N°8 – who had underlined the difficulties of obtaining reports in general – was asked by the PS to draft 2

which were then bundled together into the same report: consequently the lists were revised to delete double entries. The President of the Social Affairs Committee published an end-of-parliament summary of the committee's activities<sup>22</sup>, which was invaluable (though not gendered). The numbers of women who drafted at least one report, and the volume of women-drafted reports are summarised in the Table 5.3. This allows us to seek an initial answer to the question: did women draft proportionally as many legislative reports as men?

**Table 5.3 - Proportion of Pre-legislative Reports Drafted by Women**

	<i>Rapporteurs</i>			<i>Rapports au fond</i>			Women Members
	Total	Women	Percent	Total	By Women	Percent	Average 1997-2002
Social Affairs	51	11	21.6%	69	11	15.9%	18%
Constitutional Affairs	57	10	17.5%	120	18	15.0%	10%
Trade & Industry	33	5	15.2%	40	7	17.5%	7%
Total	141	26	18.4%	229	36	15.7%	12%

Compiled from data supplied by the National Assembly Information Service.

This data suggests that women in fact drafted proportionally more reports than their male colleagues, in terms of the percentage of women appointed and the volume of reports produced. Although they constituted 12% of committee members in these three committees, they represented 18.4% of *rapporteurs*, and produced 15.7% of reports. It is surprising that women's lead appears to be indirectly proportional to their level of representation in the committee: they obtained proportionally more reports in Trade & Industry than in Social Affairs

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*propositions de résolution* linked to her environmental interests, and she specified spontaneously, "Il n'y pas eu de rapports de force là".

<sup>22</sup> Assembly Report N° 3625, Jean Le Garrec. <http://www.assemblee-nationale.fr/documents/archives-11leg.asp>, accessed March 2004.

(where their share of reports was actually lower than their 18% average representation)<sup>23</sup>.

This over-representation of women could derive from other factors, such as party affiliation and novice/veteran status: as indicated by Abélès, run-of-the-mill reports – i.e. the majority – are delegated to newcomers, and government bills are automatically handled by Deputies from the Majority. The performance of women in the mid-term cohort was therefore compared with the male sample. It transpired that more women drafted at least one bill (34 women, against 25 men). This is, of course, only very indicative, and does not factor out *cumul*, which could plausibly affect availability for time-consuming legislative tasks like reporting. (Even though Assembly staff may ‘tenir la plume du député’, they cannot replace him/her in plenary debate or in committee.) However, it suggests that gender does play a part in the propensity to report, independently of other factors.

The tentative conclusion that women draft more reports than men therefore still holds.

What about the quality of reports they handled? Did they inherit ‘obscure’ reports or major pieces of legislation? This involves a subjective assessment of content, and a more objective categorisation into government/private member’s bills, and those that succeeded/failed to become law. There was no significant gender-gap in success rates in any of the committees, and women handled almost as many government bills as private members bills<sup>24</sup>. The numbers are too small to constitute positive proof, but they do at least disprove gross discrimination.

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<sup>23</sup> It is premature to draw any conclusions from this discrepancy, though the relatively low level of participation in Social Affairs merits further investigation as it concurs with observations elsewhere (regarding attendance or the attribution of reports in M.I.s, for example). This ‘under-achievement’ may be evidence of disenchantment or complacency regarding traditionally female tasks or an indication of the pressure to over-perform in male domains.

<sup>24</sup> The numbers involved are very small so must be treated with circumspection: the number of government and private members bills handled by women and men are respectively 9/9 for Constitutional Affairs, 3/4 for Trade & Industry, and 4/7 for Social Affairs.

To take a subjective look at the flagship legislation passed by the *gauche plurielle*, men do appear to have obtained the lion's share: the 35-hour working week, CMU, APA, *modernisation sociale* in Social Affairs<sup>25</sup>; in Trade & Industry, the *projets de lois d'orientation* on forestry, sustainable development, fishing and agriculture, and *solidarité et renouvellement urbain*; in Constitutional Affairs, men handled the PACS, all the major electoral reforms, and even the Parity Law (though not the Constitutional Amendment, defended by Catherine Tasca). However, women were not totally absent from the limelight. Some laws which attracted a lot of media attention – for example, Equality at Work, Abortion and Contraception, or 'Présomption d'innocence' – were carried by women.

This brings us to the second question concerning reports: the link between gender and subject matter, which is almost impossible to measure objectively. However, given the broad remit of the comparatively gender-neutral Constitutional Affairs Committee, the distribution of reports along the affairs of state/social affairs axis could give some indication. Bills tabled by the Justice or Interior Ministries invariably concern *affaires régaliennes*, so these bills were processed separately: women handled none of the 24 bills from the Interior Ministry and 6 of the Justice Ministry's 23 bills<sup>26</sup>. This means that 12.7% of these bills (6 out of 47) were delegated to women<sup>27</sup>, whereas women did 16.5% of the remaining 73 bills. This is of course statistically insignificant, and can only have any relevance if it dovetails with diametrical evidence of social-issues bias (which

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<sup>25</sup> The last of these addressed redundancy and retraining, *Couverture Maladie Universelle* sought to extend health cover, and the *Allocation de Perte d'Autonomie* was designed to alleviate the dependence of the elderly on family and enable them to stay in their own homes.

<sup>26</sup> Here lies a tantalising coincidence: both occupants of the Place Beauvau were men (Chevènement and Vaillant), whereas Marylise Lebranchu succeeded Elisabeth Guigou as *Garde des Sceaux*.

<sup>27</sup> Bills handled by women involved 'la prévention et la répression des infractions sexuelles, ainsi que la protection des mineurs'; 'la réglementation des ventes volontaires de meubles aux enchères publiques'; 'la protection de la présomption d'innocence et les droits des victimes'; and three 'Projets de loi constitutionnelles' (concerning Nouvelle-Calédonie, Polynésie française and the Constitutional Amendment for parity), all handled by the President herself.

is likely to be similarly unreliable on its own)<sup>28</sup>. Looking at the bills with an overt family or women's dimension, men handled slightly more bills in absolute terms (covering issues like divorce, PACS, adoption, inheritance), but not in proportional terms: more than a third of women's reports in Constitutional Affairs and only a tenth of men's involved women's issues or family.

The Social Affairs Committee exhibits the same trend. Men produced the same *number* of reports on family/women's issues reports as women – although there were five times as many men in the Committee. Most telling is the attribution of financially related reports within the Social Affairs Committee. Of the 25 '*rapporteurs budgétaires pour avis*' (who make recommendations on specific aspects of the Budget) only 2 were women (8%); regarding the Social Security Budget, (subdivided into 'Recettes et équilibre général', 'Assurance maladie et accidents de travail', 'Assurance vieillesse' and 'Famille') women were assigned only to the last category. While this is clear evidence of gender-stereotyping, it should not be taken as proof of negative discrimination: both women were novices working alongside such experienced and senior figures as Claude Evin, so it is arguably a case of positive discrimination!

## ii) *Mission d'Information Reports*

The second subset of reports involves the consultative documents produced by the single-committee *missions d'information* (M.I.s). These serve a variety of different purposes: they can complement pre-legislative reports, or constitute preliminary investigations that may or may not form the basis for future bills. As such they are related to pre-legislative reports, without the status or visibility conferred by plenary access. Alternatively, they can monitor the application of specific measures or investigate crises or problem areas. Here they are more akin

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<sup>28</sup> A similar breakdown of socially-inspired government bills was not feasible, because nearly all legislation from the *Ministère de l'emploi et de la solidarité* was channelled to the Social Affairs Committee, and the amalgamation of health, welfare and employment made it impossible to differentiate between, for example, economic and family measures.

to discreet committees of enquiry. They are considered separately from both categories – and from the more visible joint-committee *missions d'information* (M.I.C.s) – because they have no extra-parliamentary profile and are often solo performances. There is virtually no glory to be had in these *missions* (apart from occasional foreign visits to flashpoints) and they have less palpable impact on legislative outcomes. The M.I.s within the Finance Committee were excluded, because male over-representation distorted overall figures.

Of the 113 M.I. *rapporteurs* appointed by the other 5 committees, 15 were women (13.3%). Only one came from the opposition (which was consistent with the situation for men) and two-thirds were novices (which suggests that they were not penalised for their novice status, as they were in the temporary committees). Thus women had far more access to the post of M.I. *rapporteur* than in high-prestige situations (committees of enquiry, special committees, M.I.C.s, with only 1 *rapporteuse* out of 28); however, they did fewer M.I. reports than pre-legislative reports (16%).

This suggests that while women did a lot of the behind-the-scenes reporting that is the staple of legislative work, they did not accede to the most politically rewarding posts. This reflects the cleavage between the posts of administrative and political management in the Bureau and *Conférence des présidents* observed in Chapter 3.

### c. Explanations for Women's Deployment as *Rapporteuses*

Most interviewees were only mildly surprised that women drafted more legislative reports. Interviewee N°4 'ne s'étonne pas': "Je crois qu'il y a eu une très grande motivation des femmes présentes dans cet Hémicycle à assumer leur fonction de législateur et à travailler." When asked whether women were seeking to affect legislative outcomes, she replied, "Est-ce pour faire une différence, ou est-ce intrinsèquement leur façon de travailler? ... Je crois les deux sont un peu vrai. C'est leur façon de travailler, et elles font ainsi la différence, peut-être!" A PS



colleague reiterated their will to work: "au début on a dit qu'on était peut-être là, mais qu'on voulait quand-même travailler," [N°7].

The belief in a strong work ethic transcended party lines. Interviewee N°18 argued the point forcefully: "Peut-être que nous sommes, en tant que femme, très perfectionnistes. Le message est important, mais le fond l'est aussi. ... C'est un travail en profondeur. Les rapports, ça exige une sorte d'immersion." This implication, that women not only work harder but also prioritise substance over political sheen, was made explicit by a parliamentary assistant (having worked with 3 different male Deputies): "C'est du travail véritablement technique et en profondeur. Sincèrement, ... je pense que les femmes sont plus portées vers ce qui est technique, en profondeur, et les hommes ont un rôle plus politique. Et comme ils sont là depuis plus longtemps, ils connaissent les arcanes politiques. .... Un rapport, c'est vraiment un travail de fond, donc les femmes qui sont neuves, et qui aiment bien travailler le sujet de fond en comble et pas seulement les petites magouilles politiques sur certains points - je pense que c'est ça la raison." At the other end of the spectrum, a Communist woman felt "on doit se préoccuper de choses plus fondamentales que les hommes, ... on se penche plus sur des questions de fond," [N°11].

Beyond work attitudes (which will be developed below), practical reasons could underlie women's participation. One PS novice identified *cumul* as another factor: this was confirmed by two senior Deputies who had opted out of reporting because of time constraints. Some Deputies added, almost as an afterthought, that a pro-parity disposition amongst the Socialists (who controlled most appointments) could have played a role. Interviewee N°4 (who was well placed in the parliamentary party) admitted that: "Le Groupe socialiste a eu la volonté effectivement de concrétiser la présence plus importante des femmes en son sein." She insisted, however, that the initiative came primarily from the *députées*, "qui ne se mettaient pas en avant, mais qui ont revendiqué de travailler". Another

claimed that the parliamentary group was amenable to women's aspirations because they were consonant with Jospin's parity message [N°7].

To recapitulate the findings on women and parliamentary reporting, we can affirm that:

- Interviewees expressed very positive attitudes to reporting which they believed was an effective way of influencing legislative outcomes.
- There was some evidence of sexual division linked to the subject matter of reports, though women are tackling issues across the whole range of legislation.
- Proportionally more women had the opportunity to report: they also produced a slightly greater volume of legislative reports than men.
- Women did not however obtain the most visible or politically valuable reports.

Deputies' interpretation of women's over-performance hinged on a belief in their propensity for thorough groundwork and a belief that party managers wished to put women upstage (which resurfaced in different contexts). The exclusion of women from the most rewarding reports in the temporary committees, however, indicates that party benevolence towards women had its limits.

### **3. Prioritisation and Perception of Committee Work**

To conclude this analysis of Committee work, we will look at Deputies' attitudes. Because it is often claimed that women prefer the consensual atmosphere of committees to an adversarial style of debate, all interviewees were asked what they themselves preferred.

#### **a. Cooperation, Consensus and Hard Work**

Apart from interviewee N°15, for whom "l'Hémicycle, c'est le temple de la démocratie - personne ne monte aux barricades pour siéger dans une commission!", and the parliamentary assistant of an opposition Deputy (basing her answer on his attendance), few Deputies were prepared to give a yes or no

answer. However, they all made a clear distinction between the *Hémicycle* as the arena where politics was conducted (for better or for worse) and the committees as the forum where work was done. They often insisted on the complementarity of both poles. Most positioned themselves closer to the work-end of the continuum, however. There was sharp criticism of the 'paraître', 'le théâtre', 'la politique politicienne' of plenary debate, where behaviour was polarised by the presence of the public and media.

Deputies apparently do not like television cameras. Interviewee N°8 linked media presence and the quality of debate: "En commission, il n'y a pas la télé, on peut discuter sur le fond; et je trouve que, députés de droite et de gauche, à des moments, c'est plutôt l'intelligence qui est première. En commission, il y a des débats intéressants, de fond. Dans l'Hémicycle, ce n'est plus le débat de fond, c'est presque le débat de forme. Comme tout est écrit [dans le Journal officiel, la presse], il y a plus un paraître." A veteran colleague [N°3] was more categorical: "Le rôle des commissions est essentiel, et il est tout à fait essentiel qu'il reste clos, sinon ce serait une répétition de la séance publique, ..... *il faudrait faire le travail important ailleurs*" (my italics)<sup>29</sup>. Deputies can fraternise, agree and disagree, "puis reprendre le théâtre officiel quand on est dans l'Hémicycle." Another veteran [N°17] delivered the same message: "Le travail parlementaire ne doit pas se faire toujours sous les projecteurs de la presse, parce que le paraître l'emporterait plus par rapport à l'être." He rejected pressure to make more committee meetings public on the same grounds, contrasting his experience of Foreign Affairs under Giscard and Lang. "L'interpellation n'a pas la même qualité, elle est plus convenue, on rentre plus dans les clivages ..... puis c'est toujours les vedettes qui vont s'exprimer..... Il y a une mise en scène qui ne favorise pas le député de

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<sup>29</sup> This offers a stark contrast with the situation in Scotland where public access to committee proceedings is considered to be one of the virtues of the new parliament!

base, alors que dans une audition sans la presse, le débat est plus direct et le député de base peut davantage s'exprimer."<sup>30</sup>

If committees are 'backbencher-friendly' sites where it is easier to bury party differences, can they also transcend gender? Contrary to expectations, and in contrast with the 'willy-jousting' that repelled so many Westminster women, *députées* did not feel oratorically-disadvantaged by their sex in the *Hémicycle*. Interviewee N°5 was more concerned about her youth than her gender: "Dieu sait qu'au départ, j'avais tendance à faire des complexes. ... Quand j'ai commencé à écouter mes collègues, je me suis dit, 'ça va, au minimum je serai dans la moyenne!'" She contrasted her town hall experience, where "vous êtes dans le débat direct, où il faut avoir le sens de la répartie," with the Assembly where "tout est très organisé: quand vous intervenez dans un débat général, vous l'avez préparé, votre texte, on vous appelle à l'heure annoncée. En général il n'y pas tant de députés que ça dans la Salle, il ne peut pas vous arriver grand'chose".

Even when pressed, this question drew a blank, or bemused denial. There are three possible explanations for this. At a practical level, proceedings in the *Hémicycle* are more scripted and stage-managed than in Westminster (even regarding parliamentary questions), so there is less scope for *dérapages* and less need for decibels. Secondly, many Deputies' comments indicate that women enjoyed a state of grace in the 1997 'Parity Parliament'. Some women veterans remarked on a moratorium on sexism<sup>31</sup>. Lastly, French women politicians are more imbued with universalism and more reticent towards feminism, and may therefore find it harder to make an open, gender-based challenge to the existing rules of the game. They are prepared to advance some essentialist differences

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<sup>30</sup> Arguably, media presence, by exacerbating the 'mise en scène', could benefit women Deputies in the short-term, so long as parity is politically fashionable. Even the *Front national* has discovered that women are just as useful for selling political parties as dishwashers.

<sup>31</sup> "C'est beaucoup plus discret! A mon avis c'est plus retenu, il y a des choses qui ne peuvent plus se dire." [N°18]. Abélès (2000: 49) reports a similar opinion from Yvette Roudy: "Il y a eu un phénomène d'accoutumance, avec la multiplication de femmes ministres."

(arguing, for example, that women do more thorough groundwork) and to criticise some aspects of parliamentary work (party-political posturing) but are not (yet) able or willing to collocate the two arguments. They are still too small a minority to break out of the '*sur-adhésion/surcompensation*' trap (Sineau 1988), and there is too little cohesion between women for them to formulate alternative 'rules of the game'. (In this respect the Women's Delegation is all the more exceptional, because it offers a vehicle for women to work together, and to work differently on equality issues that the Assembly has failed to adequately address.)

The most important feature of committees for the women (and men) interviewed was the opportunity for constructive cooperation. "La commission est un lieu de travail, physiquement, avec des tables où on peut mettre des dossiers, avec la possibilité d'entendre des personnes autres que des collègues, de faire des auditions - de hauts fonctionnaires, de représentants de tel ou tel syndicat, ou associations, ou organisations de la société civile - et donc on peut travailler. Un autre élément du travail c'est que la part du jeu politicien est un petit peu réduite par rapport à ce qui se passe dans l'Hémicycle [où] on est nécessairement dans une certaine incantation, un jeu de théâtre." This opposition party office-holder [N°14] is saying basically the same thing as a Socialist counterpart [N°4]: "C'est plus intéressant en commission que dans l'Hémicycle parce qu'on fait un travail plus approfondi, il y a moins ce souci de représentation politique. ... Les débats vont plus au fond, ils sont moins empreints d'attitudes politiciennes." The latter pointed out however: "L'intérêt dans l'Hémicycle, c'est qu'on discute avec le gouvernement, il y a quand-même un interlocuteur supplémentaire ... qui enrichit le débat." Whether this raises the level of debate is perhaps a moot point, but it is clear that executive presence determines the party-political nature of the debate just as much as media presence. Interviewee N°18 contrasted the satisfaction of reporting in the European Delegation and in the *Hémicycle*: "Les rapports dans la Délégation européenne sont souvent approuvés à l'unanimité donc c'est très valorisant. ... Quand vous défendez un texte à

l'Assemblée c'est plus difficile, parce qu'en général vous vous donnez un mal de chien, vous travaillez beaucoup, et puis vous avez tort, parce que vous êtes minoritaire." She evidently feels that she achieves more through consensus in the committees than confrontation in the *Hémicycle*.

Another opposition veteran [N°12] took a completely different tack: "Etant dans l'Opposition je ne vois pas l'intérêt de dévoiler mes batteries en Commission. Autant attendre l'Hémicycle pour sortir les quelques idées qui me tiennent à cœur, et qui, elles, seront inscrites au Journal officiel. .... Dans la majorité quand on veut faire sa mauvaise tête, eh bien, on essaie d'enfoncer le clou, on essaie en Commission. 'Je vais l'en mettre une couche en Commission, et si ça ne passe pas, on remet une autre couche dans l'Hémicycle.'" This illustrates that constructive cooperation has its limits, even for women.<sup>32</sup>

It appears therefore that in distinguishing between *Hémicycle* and Committees, the style of debate is less of an issue than the nature of the work involved. "Je crois que l'esprit féminin c'est un esprit travailleur, je le crois vraiment," [N°18]. "Il y a énormément de travail qui est fait, ... c'est toujours pareil, les femmes, ce sont des abeilles: ça bosse," [N°12]. The words changed, but the image recurred time and again: women, far from being Queen bees, are the worker bees that feed the hive. This conforms with previous findings. In the 1980s, Sineau quoted the Socialist, Marie-France Lecuir: "Je constate que la plupart des femmes politiques que je vois sont plus acharnées au travail et moins

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<sup>32</sup> The reference to the *Journal officiel* was not an isolated remark. The written record assumed greater significance for opposition members, who, because of the unfavourable balance of power, were more critical of the committees' lack of recognition (the fact that meetings and minutes are confidential, and that the government draft of any legislation takes precedence in debate). Not only is committee work relatively ineffective, it is also invisible. Hence interviewee N°12's praise for regular committee participants: "Je leur porte une grande estime, parce que je trouve que c'est un sacré dévouement, mais je ne suis pas emballée par le travail en commission," which shows that not all women are so keen on the committee work ethic. In the same vein, interviewee N°14 complained of committee status: "Je me réjouis beaucoup que pour un certains nombres de budgets il a été décidé qu'ils étaient votés en commission. Par contre il est tout à fait déplorable que selon le Règlement intérieur de l'Assemblée on continue à voter pas sur le texte adopté en

acharnées au pouvoir. Moins acharnées au discours. Combien de fois en séance nous étions, au sein du groupe socialiste, soit à égalité hommes/femmes, soit majoritairement femmes! Quand il y a 10 députés en séance, il n'est pas rare qu'il y ait 4 ou 5 femmes. Or, il y a 280 députés socialistes dont 16 femmes. *En commission, c'est frappant,*" (Sineau: 1988: 187, my italics). Speaking of the 1997 Parliament, Abélès (op. cit: 49) reports that 'chacun s'accorde à reconnaître que les femmes s'investissent souvent plus que les hommes dans le travail des commissions et dans l'Hémicycle.'<sup>33</sup> On the subject of French women in the European Parliament, Kauppi evokes their 'zeal and competence' (Kauppi 1999: 336). From her study of women committee chairs in U.S. State Legislatures, Cindy Rosenthal (Thomas and Wilcox 1998: 183) concludes that "women participating in the focus groups perceived themselves as working harder – perhaps more consistently and thoroughly or on tougher issues – than male committee chairs."

#### **b. Attendance**

In the French context, these hard-work claims remain impressionistic and are based on self-reporting, where opinions can so easily be influenced by an existing consensus. It was therefore important to back up these claims with alternative evidence, such as committee attendance. Although such behavioural measures are considered crude and subject to manipulation<sup>34</sup>, it was felt that this data was sufficiently uncorrupted (by party pressure, public interest) to serve as a countercheck. Basically, nobody cares whether a Deputy attends committee meetings: there is no party whip (because there are no votes), and attendance details, though publicly available, are not publicised. Consequently, Deputies

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commission, mais sur le texte du gouvernement comme si le travail de la commission n'avait servi à rien".

<sup>33</sup> He also quotes Martine David (PS veteran): "Les femmes sont très présentes, très assidues. Elles ne se laissent pas marcher sur les pieds."

<sup>34</sup> Lovenduski and Norris cite the use of voting records in Britain in 1997 to attack the supposed compliance of the new intake of women MPs.

have nothing to gain or to prove: attendance reflects the priority they accord to committee work at a given time<sup>35</sup>.

For the permanent committees, data was collated from the the printed version of the *Journal officiel* (2-26 of October 2000) which lists the members present at committee meetings, by name, on a daily basis. The Finance and Defence Committees were eliminated, because the small number of women committee members made the data too unreliable. As the Constitutional Affairs Committee held only 4 meetings during that month (compared with 10 or 12 for the other committees), a second data set was compiled for March 1999 (yielding 10 Constitutional Affairs meetings). To avoid distortion due to the unequal numbers of men and women, the attendance rate is calculated independently of the other sex. That is to say that the women's attendance rate is the total of women actually present at all meetings, as a percentage of the total potential attendance (i.e. the number of meetings multiplied by the number of women in the committee).

**Table 5.4 - Permanent Committee Attendance**

Committee	Attendance Rate			Women Members
	Men	Women	Gap	
Foreign Affairs	28%	40%	+ 12	16%
Constit. Affairs	19%	42%	+ 23	11%
Trade & Industry	22%	31%	+ 9	6%
Social & Cultural	22%	30%	+ 8	17%
Total	22%	34%	+12	12%

Source: *Journal officiel*, October 2000 and March 1999.

There is a marked and consistent difference between male and female attendance, of 8 to 23 percentage points. Other features of the female cohort apart from gender could partially account for women's better rate. It might be expected

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<sup>35</sup> This would not apply for the *Hémicycle*, for which, in any case, attendance data is not compiled.



that novices attend more regularly, for example, and the majority of women were newcomers. However, the Social Affairs Committee - which had the highest novice rate – had a low overall attendance rate and the lowest gender gap. *Cumul* – more current among men - could plausibly have a negative effect on attendance, and there are always 'députés du terrain' who rarely come to Paris. This 'dead wood', which could artificially depress male attendance, cannot be easily factored out. However, if women's attendance is calculated as a percentage of actual attendance (i.e. the percentage of attenders who were women, which excludes inveterate non-attenders), women still had a higher performance relative to men. In the four committees, they accounted for 17% of actual attendance, when they constituted only 12% of members.

For temporary committees (Table 5.5), data was collated for four committees of enquiry with above average female participation<sup>36</sup>; attendance was checked for 7 consecutive meetings of the special committee on Bioéthique (19 December-16 January 2002).

**Table 5.5 - Temporary Committee Attendance**

Committee	Attendance Rate			Women Members
	Men	Women	Gap	
<i>Prisons</i>	55%	68%	+ 13	23%
<i>Droits de l'enfant</i>	39%	58%	+ 19	40%
<i>Sûreté des installations industrielles</i>	40%	46%	+ 6	20%
<i>Sécurité alimentaire</i>	36%	48%	+ 12	17%
<i>Bioéthique (CS)</i>	26%	36%	+ 10	29%

Data compiled from *Journal officiel*, January 1998 to January 2002.

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<sup>36</sup> The information was not publicly available for the 'DPS' and 'Sectes' enquiries as proceedings were secret.

Hereagain, women's attendance was consistently and considerably higher than men's. Since these seats are hotly contested, it can be assumed that there is less 'dead-wood', so these figures should reflect Deputies' degree of motivation fairly accurately. Moreover, there was no direct correlation between the gender gap and the novice rate for each committee, so it would seem that women's diligence derives more from their gender than other incidental characteristics.

Although the analysis of attendance needs to be extended and refined, this preliminary result confirms that there is a substantial gender difference, and supports women's claims of being hard-workers. It also lends credence to interviewee N°9's barbed comment: "C'est scandaleux - certains se sont battus pour être dans cette Commission, ils étaient prêts à tuer père et mère, et on ne les voit jamais."

Furthermore, it is not only the volume of attendance but the pattern of participation that underlines women's commitment to committee work. Women were more often regular participants, while men were more erratic. A quarter of the regular participants named in the Social Affairs Committee end-of-parliament report were women<sup>37</sup>. The pattern of attendance in the temporary committees confirmed women's regularity and substantiated the claim that some men came to the first and last meetings. Initial investigation of the Women's Delegation revealed an isolated surge in male attendance (which oscillated between 1 and 0 for the hearings on abortion and contraception) coinciding with the hearing of three (women) Ministers, when 7 men were present. In other words, men appear to have opted in to committee meetings when they involved power stakes (electing office-holders, meeting ministers, voting on the final document), which does not denote issue-based commitment. Of course, simply being there does not necessarily mean getting the job done, but not being there does mean not doing the job. Attendance is not an ideal yardstick for performance, but in a microcosm

like the Palais-Bourbon, where time is a scarce commodity, how and where it is spent can speak volumes about individuals' priorities. If confirmed by longer-term, more comprehensive data, this could make a useful contribution to the debate about gendered differences in working styles.

To conclude this section, it may be appropriate to ask whether the female penchant for thoroughness and hard work is indeed such a virtue<sup>37</sup>. Is intensive investment in this type of activity the most effective way to further a given agenda – or is it the easiest way to convince yourself? Does committee work procure the recognition that could enable women to promote women's issues at a higher level in the policy chain? Or does working hard at the grindstone divert energy from more ambitious projects? Does it result in the burn-out which may be an element of the revolving door syndrome?

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This overview of the deployment of women in different types of committee in the 1997 Parliament shows that the gender bias observed in the management structure of the Assembly is indeed replicated in the 'middle management' tier of parliamentary activity. During the 1997-2002 period there were promising signs of improvement: women made in-roads into the most prestigious committees, and navigated between committees to advance certain issues and invest other parliamentary organs (committees of enquiry and *missions*). These premises are, however, fragile if not consolidated, because they result largely from a uniquely favourable conjuncture. Consolidation would entail continuing goodwill within the parliamentary groups, and greater cohesion between women Deputies, who need to find collective methods of furthering their cause.

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<sup>37</sup> Assembly Report N° 3625. Regular attenders were those having attended 100-200 meetings of the 382 meetings.

<sup>38</sup> In a similar vein, Cindy Rosenthal (in Thomas & Wilcox 1998: 186) asks whether task commitment (which is connected to the issue of hard work) is a 'key to success or potential barrier'. She concludes her chapter, *Getting Things Done: Women Committee Chairpersons in State Legislatures*, by wondering whether "The emphasis on "getting the job done" may, however, prevent or at least sidetrack women from moving up the political ladder."

The distribution of seats and key posts shows that women are largely excluded from the most political positions, particularly as regards financial matters. "Les chasses gardées au Palais-Bourbon, c'est tout ce qui est finances. Tout ce qui est relations avec les ministres qui comptent dans le gouvernement." Interviewee N°1's affirmation was substantiated by low female penetration of the Finance Committee and of key posts in the committees of enquiry/special committees. It is argued that women's exclusion from the Finance Committee is rooted in the rigid committee system of the Fifth Republic and reinforced by women's shorter parliamentary careers: their access is therefore unlikely to improve significantly without institutional reform (reorganisation of the permanent committees, introduction of term limits) or changes in political recruitment. Despite considerable determination on the part of some women and evidence of goodwill from the parties (in particular from the *gauche plurielle*), women's involvement in economic/financial affairs remained limited.

Women were not hemmed in to traditionally 'female' domains, demonstrating their ability and will to tackle a wide range of technical subjects; however, they undeniably made a greater contribution to social and family issues than men. Conversely, it was claimed that the new generation of men were more willing to get involved in these areas, although evidence of this is less obvious (as we shall see when looking at men's involvement in the Women's Delegation). This implies that the sexual division, which is at present still very marked, could blur in the medium-term if the corset of the committee structure is loosened and if the parties comply. Although this sexual division of committee activity derives largely from Deputies' choice, it is likely that the tacit assumptions underlying parties' candidate selection procedures and 'personnel management' within the Assembly reinforce the trend by playing on perceived female virtues.

Regarding legislative input, women had a perceptible lead over men in reporting. While acknowledging that their parties found it politically expedient to bring them to the fore, women stressed that they earned their reports through

hard work and not preferential treatment. Their pattern of participation (regular attendance and dedication to reporting) suggests that influencing legislative outcomes was a priority. However, attending and working hard does not necessarily equate with achieving substantive results. The question of women's effectiveness will be explored more fully in the study of the Women's Delegation (Part III).

The next aspect of parliamentary work to be investigated is parliamentary questions.

## Chapter 6

### Parliamentary Questions

In contrast with committee work, the three different types of parliamentary question have no direct legislative input. They serve as a double interface: between Deputies and government Ministries, and between the parliamentary and constituency aspects of Deputies' work. The characteristics of *questions écrites* (QE), *questions au gouvernement* (QG) and *questions orales* (QO) are detailed in a comparative table in Appendix E.1. The most salient differences involve visibility, limits on volume and the degree of party control. The humble QE's (almost a private affair between constituents and their Deputy) are not restricted in number or content, and are therefore equally accessible to all Deputies (although there is evidence that certain categories of Deputy use them more<sup>1</sup>). Their purpose being to resolve local problems, they can be electorally useful, but rarely have political substance. The 'public' questions (QG and QO), aired in the *Hémicycle*, are tightly controlled by the parliamentary groups, each having a weekly entitlement that they share among their members. The QO's, despite their higher public profile, are akin to the QE's as they seek to resolve local issues with

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<sup>1</sup> Charles Henry (1993) found that novices and *non-cumuleurs* were more likely to produce above-average numbers of *questions écrites*, which are favoured more by members of the opposition than by government parties.

national ramifications. The QG's are primarily political and strategic tools for control of the executive: they are subject to the keenest competition.

This chapter asks whether women use parliamentary questions differently from men. After analysing the volume of questions tabled by men and women, it looks at possible links between subject matter and gender. On the basis of interview material, it then seeks explanations for the differences observed, and definitions of the purposes for which questions are used.

### 1. Volume of Questions Tabled by Men and Women

In the light of the differences between the three question types and the gender-related differences charted in this thesis and elsewhere, an initial hypothesis about the pattern of question use can be formulated. The women in the 1997 Parliament were more often novices and *non-cumuleures* (two factors which indicate higher usage of QE's), and, as demonstrated in the previous chapter, were more disposed to 'spadework'. Women are generally believed to favour problem-solving and to devote more attention to details of daily life. As such, women could be expected to favour *questions écrites*, or *questions orales*. Conversely, the previous chapter has shown that the parliamentary parties, while generally amenable to women's participation, were more reluctant to share power with women when the political stakes were high. Moreover, the deficit in seniority and electoral capital (lack of local mandates) could disadvantage women in negotiations with party managers. Consequently, access to the more strategic public questions could be expected to be restricted. This should be particularly acute regarding *questions au gouvernement* which are televised and rely on the quip and counter-quip that purportedly alienate many women.

#### a. Methodology and Material

The *Divison des questions* at the National Assembly processes all questions, before transmitting them to the appropriate ministry or contacting the Ministers required to answer the questions scheduled for a given day. They also organise the publication of answers in the *Journal officiel*, and issue reminders to recalcitrant

ministers for unanswered QE's<sup>2</sup>. They compile a wealth of statistics and administer an on-line database<sup>3</sup>. The corpus of questions is therefore a rich source of easily accessible information, with an extensive range of search criteria: type and status (unanswered, *signalée*), date of submission/response, author (selected by named Deputies, by *département* or by parliamentary group), target Ministry and, of course, subject matter.

The content is classified by Assembly staff, using three tiers of keywords defined in the '*thesaurus*', comprising over 200 '*rubriques*', subdivided into '*têtes d'analyse*' and '*analyses*'<sup>4</sup>. This rigorous and objective classification appeared to lend itself to statistical analysis of the link between gender and subject matter, without having to delve into the text of questions. However, it rapidly became apparent that the *thesaurus* was not suitable for this task: the choice of keywords sometimes magnified one easily-definable aspect of a question and expunged more hazy but fundamental elements of the issue. The administrative perspective of Assembly staff did not always reflect the preoccupations or objectives of the citizens or Deputies submitting the question<sup>5</sup>. The keywords were only reliable for questions with blatant gender implications (e.g. prostitution, contraception, maternity leave). Consequently the scope of the gender-subject link study was limited.

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<sup>2</sup> Ministries should answer within 2 months: if they fail to do this, a certain number can be *signalées* each week by the parliamentary groups, which means that an answer must be produced within a week.

<sup>3</sup> This has archives of the full text of questions and replies, from the 10th Legislature onwards: [www.questions.assemblee-nationale.fr](http://www.questions.assemblee-nationale.fr)

<sup>4</sup> This document was not available on-line at the time of this study, but a printed copy was procured in April 2001. Only the '*rubriques*' are available as on-line search criteria, though the printed '*Tables analytiques*' do list the sub-categories.

<sup>5</sup> For example, one Deputy spoke of using a *question au gouvernement* to close down a nursery school which could have presented a health hazard, because it was on a former industrial site. It was classified under '*déchets nucléaires*', however, which negated the social and family element of the issue. In the same vein, a *question écrite* concerning childcare provision in rural areas drafted for my local Deputy which addressed a primarily social problem took a decidedly financial twist when processed by the *Division des questions*. This raises interesting questions about how



The second problem involves the design of the database, which – despite the directive on gendered statistics – did not allow for author's gender as a search criterion. Even if it were possible to run a gendered search on all men's and women's questions, there is the perennial problem of comparability (because of the other distinctive features of the female cohort). Consequently, after preliminary calculations of the overall volume of questions submitted by women and men, all other comparisons were based on the female cohort and male sample (section (4) in Chapter 3): the data was 'hand-picked', by running separate searches for each of the 120 named Deputies (in July 2001).

In the first instance, data were collected for the 1999-2000 parliamentary session (1 October 1999 - 30 September 2000, subsequently referred to as year 3): this period fell at mid-term, and did not coincide with any intermediate elections which can, according to Henry (1993: 639-40), affect the volume of questions. As this yielded interesting results, it was extended to the previous session (year 2, 1 October 1998 - 30 September 1999), during which the only elections were European (with minimal domestic impact). Year 1, was not studied separately, because it covered departmental and regional elections and because new Deputies would still be learning the ropes; year 4 was also discounted because of predicted interference from the departmental and municipal elections and the application of the Parity Law. All data in the following tables is compiled from the National Assembly database ([www.questions.assemblee-nationale.fr](http://www.questions.assemblee-nationale.fr)) accessed in July 2001.

## **b. Gendered Breakdown of Questions**

### **i) Overall Volume**

Table 6.1 shows the total volume of each type of question for years 2 and 3, and the proportion submitted by women. At mid-term, women constituted 10.4% of Deputies, so this data shows the opposite of the expected pattern: women

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apparently insignificant definitions developed in a male-dominated environment can insidiously shape parliamentary activity. The *thesaurus* itself would be a worthwhile field of study.

tabled slightly fewer QE's (9.6% and 8.8%) than their level of representation would warrant (all things being equal), and proportionately more public questions. Furthermore their lead was greatest for the *questions au gouvernement* with the most political clout (13.1% and 15%)!

**Table 6.1 - Women's Share of the Total Volume of Questions  
(577 Deputies)**

	QE		QG		QO	
	Total (N)	Women's Share (%)	Total (N)	Women's Share (%)	Total (N)	Women's Share (%)
Year 2	15521	9.6%	719	13.1%	450	12.7%
Year 3	16058	8.8%	762	15%	254	11.8%

These results were refined by calculating the proportion of questions tabled by women out of the combined volume of questions for the female cohort and male sample (Table 6.2). Thus, when groups with similar profiles regarding party affiliation and seniority were compared, the use of *questions orales* appeared to be gender-neutral, but there was a significant gender gap for the other questions. Women used fewer *questions écrites* (only 44% of the total) and considerably more *questions au gouvernement* (24-point gap between men and women). This confirms the initial observation. With respect to access to the limited number of public questions<sup>6</sup>, it is also significant that more women had the opportunity to handle a question in the *Hémicycle*: all but 6 women submitted a QG in the 2 years, while 18 men from the sample did not get the chance; only 5 women but 11 men had neither a QG or a QO.

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<sup>6</sup> In the 1997 Parliament the annual average of QO's was around 450 with 700-800 QG's, so there were - in theory - enough for almost 2 questions each.

**Table 6.2 – Question Use by Female Cohort and Male Sample  
(116 Matched Deputies)<sup>7</sup>**

Women's Share of Cohort + Sample Questions (%)	QE	QG	QO
Year 2	45%	62%	54%
Year 3	44%	62%	47%
Years 2 & 3	44%	62%	51%

This suggests that the hard-working, problem-solving approach observed among women in committee work does not apply to their use of questions. Likewise, their exclusion from the most strategic and politically useful positions in committees is reversed. Closer attention was paid to the impact of novice/veteran status and party affiliation to seek clues as to the reasons for this.

#### **ii) Impact of Novice/Veteran Status**

Table 6.3 presents the distribution of questions as the average number tabled by each category (male/female, novice/veterans). It therefore illustrates the gender and seniority gap (in year 2, a hypothetical female novice produced 30 QE's whereas a veteran theoretically got half a QO), as well as the different volumes of questions (the average Deputy will pen about 20 QE's and one QO at best).

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<sup>7</sup> Four Deputies with excessive numbers of QE's that distorted the overall image were excluded from this calculation. See below section on party affiliation for full explanation.

**Table 6.3 - Average Number of Questions by Gender and Seniority**

Average Number of Questions per Deputy		QE		QG		QO	
		Female	Male	Female	Male	Female	Male
		Cohort	Sample	Cohort	Sample	Cohort	Sample
Year 2	Veterans	14.0	21.4	1.7	1.0	0.6	0.6
	Novices	30.5	23.5	1.5	1.0	1.1	0.9
	All	24.7	22.7	1.6	1.0	1.0	0.8
Year 3	Veterans	18.2	26.2	1.9	1.0	0.2	0.3
	Novices	26.4	27.2	1.9	1.3	0.6	0.6
	All	23.5	26.0	1.9	1.1	0.5	0.5

Novices predictably do more QE's and QO's than old-hands, and the gap is greater amongst women: in year 2, the 'average' female novice produced twice as many QE's and QO's as a veteran sister (30 against 14 QE's and 0.6 against 1.1 QO's). As regards *questions au gouvernement*, the results were inconclusive: female veterans in year 2 and male novices in year 3 had a very slight advantage, so it does not help explain why women handled more QG's. However, it does tend to contradict the notion (widely held by the Deputies themselves) that QG's were relatively inaccessible to newcomers.

Novice status appears to be more significant for women than for men, and to affect *questions écrites* and *orales*, but not *questions au gouvernement*. However, because the volume of QE's is very variable (with one woman novice logging 338 in one year), the rates were recalculated, excluding the upper and lower quartiles<sup>a</sup>. The range was also extended to cover years 1 and 4 (up to 13/07/2001) as a

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<sup>a</sup> It was not appropriate to recalculate QG's and QO's on the same basis, because there is less variation in numbers.

counter-check. Even when the data was moderated, the initial results were confirmed (see Table 6.4): the gap between newcomers and more experienced women persists (although it is reduced considerably) and seems to constitute a rejection of the *question écrite* by the latter, specifically by women on the left. (Most of the 5 lowest rates were for Socialist women, whereas all 5 highest scores were for opposition women.) Conversely, male veterans (from left and right) seem keener to use them. The divergence of male/female veterans' behaviour could account for a fraction of women's QE deficit, and raises questions about why women's initial enthusiasm (which waned between years 2 and 3) goes into reverse.

**Table 6.4 - Moderated Breakdown of *Questions écrites***

		Female Cohort	Vet/Nov Gap	Male Sample	Vet/Nov Gap
Year 2	Veterans	11.3	5.9	14.5	1.1
	Novices	17.2		15.6	
	All	15		15.2	
Year 3	Veterans	11	3.6	17.5	-2.1
	Novices	14.6		15.4	
	All	13.3		16.2	
Years 1-4	Veterans	47.8	20.2	75.8	-10.1
	Novices	68		65.7	
	All	60.9		69.4	

### iii) Impact of Political Affiliation

Given that the quota of QG's and QO's is based on the numerical strength of the parties, the *gauche plurielle* had a larger number to distribute; since the vast majority of women came from the left, it is therefore logical that women scored higher overall (Table 6.1). Does their advantage derive solely from membership of government parties, or does gender also make a difference? As we saw in Table

6.2 (comparing the female cohort and male sample), there is a divergence between the two question types: while women's slight lead in QO's disappears when compared with a group having the same political composition, their advantage regarding QG's is confirmed.

The data on questions was therefore broken down by parliamentary group to attempt to compare the performance of men and women within each party. However, numbers were too small to be meaningful for all but the Socialists, so the comparison was limited to political 'families': *gauche plurielle* and opposition. For QE's, the two highest scores for women and men (one from the left and one from the right) were excluded to limit distortion. (One RPR woman nearly doubled the total submitted by opposition women single-handedly.) Table 6.5 is a simplified summary of the full data set in Appendix E.2: The Percentage of Questions Tabled by Women, for Opposition and Government Parties.

**Table 6.5 - Proportion of Questions by Gender and Party Affiliation**

Percentage of Cohort + Sample Questions Tabled by Women		QE	QG	QO
Year 2	<i>Gauche plurielle</i>	43%	65%	56%
	Opposition	50%	51%	46%
	Total	45%	62%	54%
Year 3	<i>Gauche plurielle</i>	42%	60%	52%
	Opposition	48%	75%	29%
	Total	44%	62%	47%
Years 2 and 3	<i>Gauche plurielle</i>	42%	62%	55%
	Opposition	49%	62%	40%
	Total	44%	62%	51%

The figures are stable for QE's and for the *gauche plurielle*, but are subject to fluctuations for opposition use of QG's and QO's, because of the small numbers involved. This table nevertheless demonstrates that women from both sides

enjoyed a clear advantage regarding access to the highly-prized QG's: the surge in opposition women's use of televised QG's in year 3 – when media interest in parity peaked – could tentatively suggest deliberate exposure, particularly as it corresponds with a drop in their use of QO's. Were women re-deployed from the unseen Tuesday sessions to prime-time Wednesday sessions to gild the image of the right? And was the more consistent performance of women from the left linked to their parties' parity commitment? This could of course be a simple statistical quirk – unless confirmed by the Deputies in interview.

As regards QO's, women from the *gauche plurielle* out-performed their male colleagues very slightly, but interestingly, they under-perform in QE's, with respect to men of their own persuasion and to opposition women.

On the basis of this statistical analysis, we can draw a number of tentative conclusions, which require to be tested over a longer period of time, and by direct questioning:

- Overall, women use *questions écrites* less than their male counterparts. This derives from the low rates of QE's for women of the *gauche plurielle*, and specifically women veterans. Opposition women, on the other hand use QE's as much as their male colleagues.  
Since these are entirely at the Deputies' discretion, we can assume that this reflects individual preference.
- There seems to be a slight bias towards women for *questions orales*, although this becomes less significant when novice status and political affiliation are factored out.
- Women had a clear advantage regarding *questions au gouvernement* - particularly novices from the left.

Given the degree of party control and of competition, this strongly suggests a deliberate strategy to put women forward.

- Where there is a veteran/novice gap, it is more pronounced for women than for men.

This could be linked to women's minority status: novices may express their greater need to prove themselves by *surcompensation*, and veterans may deprioritise questions because of *sursollicitation*.

This is the inverse of the original hypothesis!

## 2. Gender and Subject Matter

The observations concerning committee deployment of women lead us to ask whether the content of questions reflects a similar sexual division. This study aims only to check whether or not there is a link between gender and subject matter: it does not aim to quantify any such link. This would require more time and resources than were available, because of various constraints (see 'Methodology and Materials'). Moreover, it was largely confined to *questions orales* and *au gouvernement*, because the *questions écrites* were found to be unreliable as indicators of Deputies' policy priorities<sup>9</sup>. The fact that QO's and QG's are limited means that Deputies choose carefully the issues they raise: these questions are therefore more indicative of their priorities.

### a. Overview of Public Questions in 1999-2000

The first stage involved a search on all the QO's and QG's submitted by the female cohort and male sample for year 3, broken down by target Ministry. A preponderance of questions from women to *Emploi et solidarité* and a dearth of questions to Bercy would give an initial indication of gender-related bias. Since the numbers of questions were small and women tabled more QG's than men, it was deemed useful to group the ministries into three categories to look at the overall distribution of questions. These were: finance/trade; institutional/state affairs; social/cultural affairs. (The data sets and categories are shown in Appendix E.3.)

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<sup>9</sup> Preliminary contact with parliamentary assistants and a trawl through the Assembly database revealed that subject matter largely reflected constituency preoccupations (often of an individual nature) or the objectives of organised lobbies. Moreover, given that these questions are anchored



There was indeed a clear preponderance of woman-authored questions to ministries/departments with a 'typically female' remit: for *Emploi et solidarité* there were 35 public questions from women and 12 from men; for *Santé et handicapés*, the figures were 11 and 8; for *Famille et enfance*, 5 and 0; for the three departments covering education, the figures were 14 and 10. However, there was no corresponding preponderance of questions from men in supposedly male-dominated fields: *Défense* was targetted by 2 men and 3 women; *Industrie* by 8 men and 5 women; *Budget* by 2 men and 3 women; and *Economie* by 7 men and 10 women. Indeed, the last two Ministries were targetted more by women! There were also a few surprising results: women authored twice as many QG's on Foreign Affairs, which raises queries about possible links with permanent committee membership.

A comparison of the percentage of public questions tabled by women for each category of target ministries/departments gives a clearer overview. Table 6.6 shows that although women made a much more significant contribution to social and cultural affairs, they nevertheless accounted for a significant proportion of questions in all categories: there were none of the *chasses gardées* observed in the committees. For QG's, for example, women targeted finance- and trade-related Ministries at least as often as men (54% of questions came from women) but had a marked lead in social and cultural affairs (67%). Hence, they had a net surplus on the social side without having a corresponding loss on the financial/commercial side. As regards QO's women did not achieve parity in all categories, and there was a see-saw effect, whereby more social questions were offset by a dip in the other categories. But women were again represented across the full spectrum.

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in the constituency, they are often delegated to assistants. (Interviewee N°2, surprised when I cited the volume of her questions, candidly exclaimed: "mais ça, c'est mes assistants!")

**Table 6.6 - Women's Share of QG's and QO's Within Target Categories**

Percentage of Questions Tabled by Women in each Category	QG	QO
Finance and Trade	54%	42%
Institutional and State Affairs	61%	32%
Social and Cultural Affairs	67%	60%
Overall	62%	47%

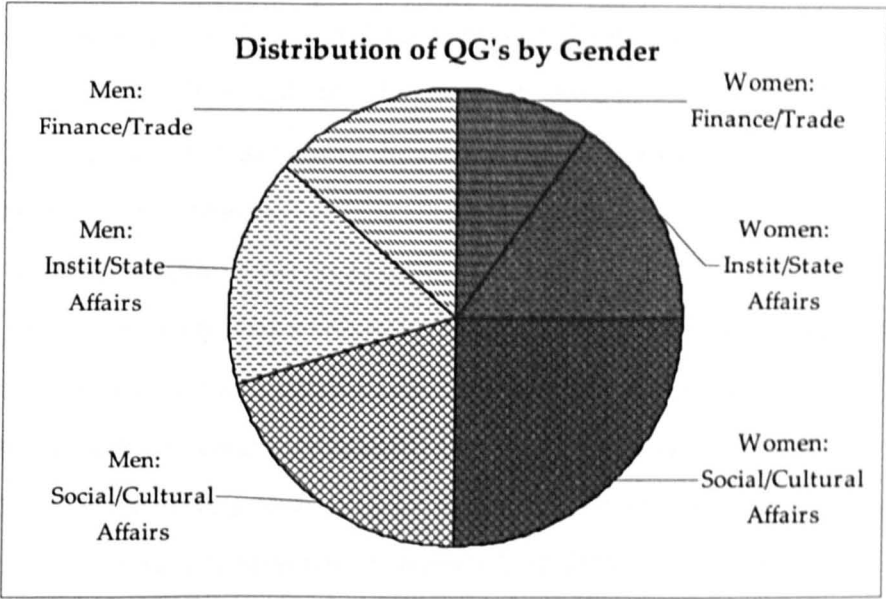
Source: [www.questions.assemblee-nationale.fr](http://www.questions.assemblee-nationale.fr) and *Tables des questions* (Tome II), 1 October 1999-30 September 2000<sup>10</sup>.

The difference in patterns of female deployment in QG's and QO's is more apparent if we look at the distribution of public questions across the three categories of target ministry. The proportion of questions submitted by women to Ministries in each category is depicted on the right-hand side of the pie-charts below (shaded grey), with men's share on the left. (Note that women tabled 114 questions and men only 69, so although women's proportion of financial questions looks smaller than men's it was numerically almost the same.)

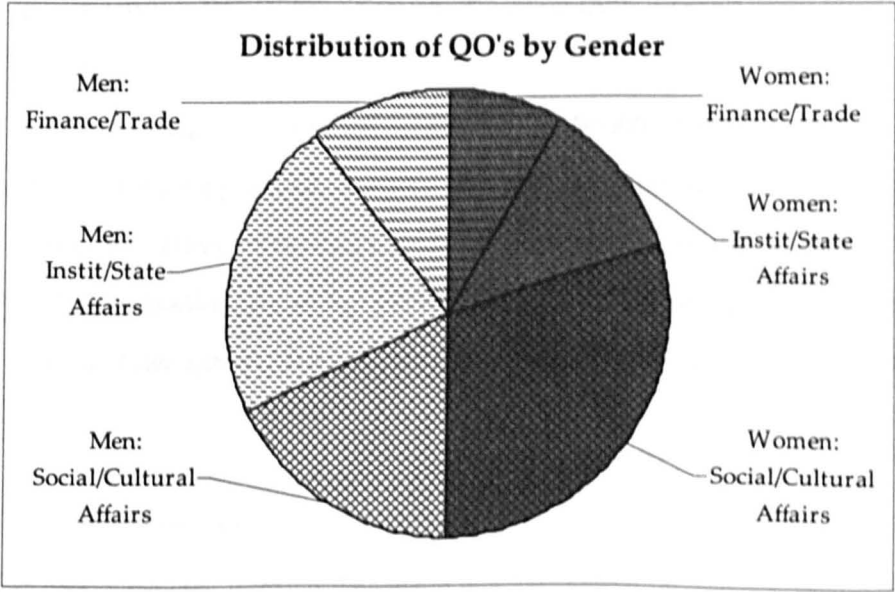
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<sup>10</sup> This is based on data for the male sample and female cohort in year 3 only.

Figure 6.1 - Public Questions Submitted to Each Category, by Gender



While men's *questions au gouvernement* are distributed fairly evenly over the three categories, half of all the questions submitted by women involved the social/cultural domain. The imbalance is even more flagrant for *questions orales*, where 60% of women's questions were directed at socially-related ministries.



Thus there is clearly a gender-based difference in the subject matter of parliamentary questions. However, it is not a stark binary division based on absence/presence (as observed in the committees of enquiry, for example): women are involved across the board, and the preponderance of social/cultural questions represents a bonus over and above the rest, rather than disinvolvement in traditionally 'male' spheres.

#### **b. Samples of Questions on Specific Issues**

The second stage was a subjective appraisal of sets of questions on overtly gendered issues ('crèches', 'prostitution', 'droits des femmes') and financial domains, to seek an overall impression of Deputies' contributions<sup>11</sup>. Where appropriate, the resulting observations, summarised below, were incorporated into the questionnaire to stimulate responses from Deputies at interview.

- For overtly women's issues, women were more likely to ask public questions than *questions écrites*. A search on 'crèches et garderies' yielded 55 questions, including 3 QG's: women authored only 6 questions overall, but were responsible for all 3 QG's. Women authored two-thirds of QG's under the heading 'femmes' but less than a tenth of the QE's. Regarding 'prostitution', 16% of the 82 questions came from women, who tabled 4 of the 6 QG's.
- There were signs of 'planted' questions on the left, which provide opportunities for ministerial announcements rather than control of the executive. Three of the QG's under 'Economie', ostensibly about the WTO and globalisation, provided platforms to make positive pre- and post-Seattle statements<sup>12</sup>. Two of the 'crèche' questions apparently fulfilled the

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<sup>11</sup> Searches were run on the Assembly database in July 2001, with additional information from the *Tables des questions*.

<sup>12</sup> Béatrice Marre, QG N°s 1683 & 1735 and Bruno Le Roux, QG N° 1717, November and December 1999.

same function for the 3<sup>rd</sup> *Conférence de la famille*, in June 2000<sup>13</sup> (although their authors may have been genuinely aiming for additional information).

- The existence of organised lobbies distorts the overall image. A third of questions under the heading ‘femmes’, with almost identical wording, sought to clarify whether French maternity leave would be maintained or reduced to the base level set by the ILO. (A planted question by a Socialist woman was used by Ségolène Royal to resolve the issue, and to publicise Martine Aubry’s other achievements at the ILO negotiations.<sup>14</sup>)
- Evidence of links with permanent committee membership was mixed: on the one hand, women from all committees authored economic and budgetary questions, but Béatrice Marre and Anne-Marie Idrac (new Finance nominees) submitted 3 each out of a total of 12 women-authored QG’s. The women’s questions on Defence did not all emanate from Martine Lignières-Cassou (the sole female member at the time of the study). Only one of the women having handled a *question au gouvernement* on Foreign Affairs sat in that committee – but she tabled three of the 8 questions.

These samples point in the same direction as (2a) above: that women have used parliamentary questions across all domains, with a particular emphasis on social and women’s issues. It becomes increasingly probable that this orientation results at least in part from the political will of the parliamentary groups.

### 3. Perceptions and Explanations of Question Use

Having formed a general impression of question use, the interviews<sup>15</sup> were used to probe Deputies’ attitudes to the different types of question as well as the mechanisms governing question allocation to try to resolve the apparent contradiction between the findings on committee work and the pattern of question use. Why do women use *questions écrites* less when their working habits would

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<sup>13</sup> Marie-Françoise Clergeau, QG N° 2167 and Hélène Mignon QG N° 2219, June 2000.

<sup>14</sup> Danielle Bousquet, QG N° 2187.

<sup>15</sup> See Section E of the Questionnaire in Appendix G.

suggest a predisposition to this kind of activity? How do they gain access to the strategic *questions au gouvernement* when they have been side-tracked from the most politically significant posts elsewhere? What governs their choice of subject: constituency concerns, their own priorities or party considerations? Does permanent committee membership – which is not gender-neutral – have a domino effect on question use?

#### a. The Utility of Questions and Deputies' Preferences

"Les plus efficaces en termes de notoriété, ce sont les questions d'actualité [QG]. Cela ne fait rien avancer du tout, ce n'est pas fait pour ça. Les questions écrites sont un bon moyen d'avoir des réponses quand on a un ministre honnête ... on a des réponses précises qui peuvent faire avancer des questions. ... [Pour les questions orales] à une question précise, on a une réponse précise." Interviewee N°1 encapsulated the consensus regarding the three question types.

##### i) *Questions au gouvernement*

Despite being the 'outil de base pour contrôler le gouvernement', and being (almost) universally coveted, the *questions au gouvernement* did not attract unmitigated enthusiasm. Deputies seemed ill at ease, realising that they rarely achieved concrete results apart from media interest - with the electoral benefits that can entail at constituency level<sup>16</sup>. They were exasperated by the negative image the televised sessions project, and by constituents' reactions. According to interviewee N°4, "Le jugement des gens, vous savez, n'est pas du tout en fonction du travail que vous faites en profondeur. C'est voir votre tronche dans le quotidien régional, vous voir à la télévision." Interviewee N°17 deplored the *m'as-tu-vu* behaviour of certain colleagues who stake their space in the viewfinder by congregating around the speaker: "Je ne suis pas un député itinérant, il y a quelques spécialistes dans la matière." None of them gave the impression of

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<sup>16</sup> Interviewee N°8 was the only proponent of QG's, as she felt that the publicity they afford can be used to good effect. She quoted the immediate closure of a nursery school following a QG, after several years of unsuccessful campaigning.

engaging in a noble democratic exercise, but nor did the women express any of the disdain or trepidation that could have been expected on entering the 'gladiator's pit'.

Unlike Prime Minister's questions in Westminster, the French sessions are noisy but tame affairs, according to interviewee N°5. "Je suis assez sceptique sur les questions au gouvernement, parce que quand vous siégez dans la majorité (selon moi) c'est du pipeau. Parce que les questions sont préparées à l'avance, pour dire claire, et que quand vous décidez de poser une question qui gênera le ministre on ne vous autorisera jamais à la poser – moi, ça m'est arrivée. Portant des questions sur les droits de l'homme je peux dire que cela m'est arrivée souvent.<sup>17</sup> ... A l'inverse, une fois, il y a un ministère qui m'a appelée pour poser une question, mais qui était téléguidée. C'est-à-dire par rapport à une annonce qui avait été faite la veille par le ministre: il fallait que je pose une question pour valoriser ce qu'il avait annoncé. Et là je ne vois pas l'intérêt. Je ne suis pas là pour ça. J'ai posé peu de questions parce que je trouve que le jeu est biaisé. Après, quand vous êtes dans l'Opposition, vous êtes un peu dans la caricature de l'opposition." There is no spontaneous clash of armour in this description which confirms the suspicion of planted questions.

Women are therefore not deterred from this kind of exposure because of the male aggressiveness criticised in other contexts, though the futility of the exercise could be discouraging (for both sexes). They appear to be resigned to this being part of the game, so they may as well be seen to participate. QG's are "un outil de communication, pour exister" [N°4]: women's relative over-representation was explained by interviewee N°8 in similar terms: "Parce qu'elles ont envie d'exister aussi, et c'est peut-être là qu'on existe le plus, au niveau de l'Hémicycle, par rapport aux médias." Thus, *questions au gouvernement* serve primarily to project Deputies' image (vis-à-vis the public) and occupy space (within their party). This

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<sup>17</sup> She quoted the example of a question on Tibet, on the anniversary of massacres in Lhasa.

is difficult to admit (hence the paradox between their avowed distaste and demonstrable use of QG's) and all the more essential for women. As an insecure minority (rarely holding safe seats, with a deficit of party authority) women may need this visibility more; furthermore, it is argued that women are uncomfortable with self-promotion (Sineau 1988: 103-4), so a compensatory mechanism like QG's can act as a shortcut.

## ii) *Questions écrites*

The majority of Deputies considered *questions écrites* most useful from the electors' point of view: they do not require a great effort, and the replies are binding, if and when they arrive. "Cette technique est intéressante, quand les délais sont respectés. Ça se prépare vite, et ça prouve aux personnes que vous avez rencontrées que vous avez entendu et que vous avez agi. Il y a ce *sentiment d'efficacité*," [N°5, my italics]. So why do women apparently use them less?

According to interviewee N°15, "C'est comme l'amour: on s'enlace et on s'en lasse." In the course of interviews, this quip appeared to be the most apposite explanation for the low rate of QE's by women, and the discrepancy between novices and veterans. One prolific novice [N°14] was thoroughly disillusioned by 2001: "Au début on est tout feu, tout flamme, on pense que cela sert à quelque chose, et ensuite on comprend que cela ne sert à rien." Several complained about the time factor, others complained of answers (sometimes deliberately) missing the point. Conversely, one novice felt that it was the *questions écrites* that missed the mark: "Moi, j'ai fait le bilan, que ça n'apportaient pas grand chose. Comme c'est *les services techniques des ministres qui répondent*, il y a pas de réponses du pouvoir, et c'est des réponses bateau. Donc ça m'intéresse plus" [N°8, my italics]. She claimed to resolve most problems that would typically generate QE's more effectively at local level with the appropriate state agencies. (This touches on the dynamic between constituents and their Deputy as a legislator/local mediator: constituents may - or may not - raise different issues with women, and *députées* may - or may not - take these to Paris. Resolving them at local level is fine, but it



prevents the personal from becoming political, thereby short-circuiting a redefinition of what 'Politics' is about.) This was echoed by a parliamentary assistant's interpretation of the decline in women's use of QE's: "Elles sont définitivement plus pratiques et concrètes, et ces questions, elles sont intéressantes, mais on obtient des réponses au bout de 4, 5 mois en moyenne". She suggested that women were apt to write directly to the Minister to resolve the matter more rapidly. (One Deputy specified that she often wrote to the Minister simultaneously.) This implies that the *question écrite* is not such an effective problem-solving tool as it appears.

Indeed, many comments implied that QE's were more about appearance than substance. The 'sentiment d'efficacité' underlay other comments: "Je pose des questions en liaison avec mes concitoyens, .....on peut ainsi *témoigner* d'une réponse," [N°11, my italics]. "Cela valorise la personne qui a posé le problème et ça valorise le député qui a fait quelque chose," [N°12]. The real function of QE's is not so much problem-solving, as making constituents feel they have been heard: it is a transaction between *élu* and *électeur*, which is part of "cet ensemble de pratiques dont le ressort est le système de croyances relatif à la représentation politique et nécessaire à son fonctionnement." (Schumpeter, quoted by Henry, 1991: 653). If this is the case, the relative under-use of *questions écrites* by women is not in contradiction with their apparent diligence, as observed in committees. Their interest may dwindle precisely because they are frustrated that the QE's do not fulfil their expected problem-solving function.

### iii) Questions Orales

The *questions orales sans débat* or QOSD, "qui, contrairement à leur nom, sont posées de façon écrite et dans lesquelles on peut débattre" [N°2] were perceived as a hybrid: a more effective variant of QE, offering the solemnity of the *Hémicycle* and ministerial presence, without the polemics of a QG. "Ce sont aussi des choses locales. Le but du jeu est de dire 'j'ai interrogé le gouvernement, en urgence (car là, c'est en direct), j'ai eu telle réponse,'" [N°3]. This symbolic use of the question

was succinctly expressed by [N°14]: “Je n’ai posé des questions que sur des sujets où il était important pour moi de montrer à ma population locale que j’avais interrogé le gouvernement.”

The question is submitted a week in advance to facilitate a reasoned response delivered directly by the minister who can be challenged and pressed<sup>16</sup>. This is hardly a parliamentary question in the British sense, but a handful of Deputies felt that QO’s were therefore more consensual and effective as a means of working for their constituents. One opposition veteran [N°12] described them thus: “Ça se fait dans l’Hémicycle, on a théoriquement le ministre qu’on veut pour le regarder dans les yeux, et on a droit de réponse. Ça permet de discuter de manière très précise, sur un sujet qui nous tient à cœur. On a une réponse ou on n’en a pas, mais les questions vont le plus possible ‘coincer’ le ministre, qu’on soit dans l’opposition ou la majorité. Coincer - lui faire sortir une réponse. On n’y arrive pas toujours!” She went on to claim that it was harder to obtain QO’s than QG’s: “Au niveau des questions au gouvernement, j’y arrive, pour les questions orales sans débat, c’est un travail de haute lutte.” This was corroborated by a parliamentary assistant from her party who spoke of a 4-5 month waiting list; interviewee N°2 regretted not using QO’s more, because “il faut y penser longtemps à l’avance, puis s’inscrire.”

*Questions orales*, which seemed peripheral at first because of their low volume and prestige, take on a slightly different significance. If this is the real problem-solving tool then it could partly explain why women use them more than QE’s - unless access is determined by other factors.

#### **b. Access to Public Questions and Differential Deployment of Women**

What are the parameters for the attribution of questions in the *Hémicycle*?

Despite intense competition, Deputies were philosophical about their share of questions, accepting the informal rota systems. “On a le souci de faire parler

tout le monde. Il faut qu'on soit respectueux, et on l'est." [N°11] Acknowledging that half of his requests were not satisfied, and that colleagues sometimes took precedence, *interviewee N°3* added: "Quand c'était refusé, c'était au nom d'une logique que je comprenais." However, all stressed the pivotal role of the parliamentary group managers. "Le choix des questions est délibéré par chaque groupe politique, le choix de la personne aussi. Il y a le souci d'une certaine rotation, là (ça joue un rôle aussi) par rapport aux électeurs de la circonscription." *Interviewee N°3* is referring to the inevitable proliferation of requests focussing on a narrow range of headline issues, and indicates that **electoral considerations at very local level** play a part in deciding who gets the question. A colleague was more explicit [N°2]: "Pour des questions concernant tout le département, on se chamaille un peu pour les poser. Ils tiennent une espèce de comptabilité." This confirms that **image projection** can count as much as executive control in *questions au gouvernement*. "On a envie d'en poser pour toutes sortes de raisons, y compris la télévision ..." [N°3]

**Party responsibility and *copinage*** did not appear significant factors. Three office-holders from the right specified that their position procured no advantage, although two Socialists thought it may have helped. Conversely, reliability and obedience to the party line were important, more so for parties of government. In addition to the example cited above (refusal of human rights questions), one Socialist outsider [N°8] claimed she had been punished for insubordination: "J'ai eu plein de questions bloquées quand-même, ... [au moins six] qui ont été censurées. Parce que j'ai signé la résolution Montebourg, on m'a fait payer ça. Ou parce que mes questions étaient un peu ... j'attaquais un peu le gouvernement." An analysis of unmet requests could be very illuminating, but neither the parties nor the individual Deputies kept records. Moreover, other, less outspoken Deputies also claimed that about half of their requests were rejected.

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<sup>16</sup> In contrast with *questions au gouvernement* where the Deputy has no right of reply, and where

Connections were less important than **recognised expertise** or an established sphere of interest which was naturally an advantage, particularly when the group 'planted' a question. Deputies were more or less forthcoming about the issue of 'plants', but nobody denied it, even if they were coy about their own involvement. According to an RPR veteran [N°17]: "Les questions d'actualité, ce sont des questions purement politiques. Ou vous avez votre propre question que vous essayez de faire passer, pour qu'elle soit prise en compte par le groupe. Ou le groupe a considéré qu'il y a une actualité brûlante sur tel sujet, et il vous sollicite pour poser telle question, ce qui m'est arrivé plusieurs fois. ... Le groupe utilise ses députés en fonction des sujets sur lesquels ils sont déjà intervenus." The same notion was expressed by members of all groups. "Quand c'est des questions - je dirais - à la demande du gouvernement, souvent il y a une espèce de choix du parlementaire qui pose la question." (This Socialist veteran [N°3] cited a 'question téléphonique' which enabled him to air one of his parliamentary interests, while satisfying the Minister's desire to publicise new measures.) This practice was not necessarily considered illegitimate: harnessing current affairs can open windows of opportunity for policy priorities. The extent to which it prevails cannot be assessed, because planted questions are obviously not identified. However, it seems that Deputies are just as likely to be vehicles for party questions as questions being vehicles for deputies' concerns. This affects the range of questions asked and the Deputies deployed. Public questions cannot be used as an indicator of individual policy priorities.

Party selection is undoubtedly the key to the issue of **female over-exposure in QG sessions**. Reacting to the preliminary findings that women tabled proportionally more QG's, Deputies from across the spectrum believed that parties had more or less consciously put women upfront because of gender parity and the positive image of women in politics. "C'est le faire valoir des groupes ....

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there is consequently no debate as such.

Ça fait bien, c'est quand-même la montée de la parité. Les groupes sont contents de montrer leurs femmes, comme d'autres montrent leurs ours dans les foires," exclaimed one opposition veteran [N°12]. She continued: "Chez les socialistes, j'en suis persuadée, mais nous aussi, ça fait bien, régulièrement, de laisser ses femmes monter au créneau. Donc on a une position plutôt privilégiée." A novice with party responsibilities in the same party, was more cautious [N°14]: "Il n'est pas impossible dans les arbitrages finaux, entre deux actifs, toniques, que les présidents de groupe disent 'on va prendre une femme'. Mais dans mon groupe ça ne joue pas." According to a Communist veteran [N°11]: "Les questions au gouvernement sont importantes, en général c'est chacun notre tour, mais, quand-même, le Groupe favorise un peu l'expression des femmes, puisqu'on n'est que trois." A Socialist novice [Reynaud] thought that, "c'est une décision du groupe, que les femmes apparaissent." A veteran colleague [N°3] was not surprised, "parce qu'il y a une volonté des groupes politiques de valoriser les élues femmes en général."

This judgement, though widespread, was not unanimous. Some were at a loss for an explanation, others mentioned women's overall participation and work habits, or made the link with *cumul*: "les femmes sont moins bardées de fonction, donc plus présentes," [N°15]. The majority verdict was, however, clearly in favour of differential deployment of women by the parliamentary groups.

### c. Factors Influencing Content

The overwhelming majority of respondents rejected the idea of a causal link between the subjects they raised and permanent committee membership. When confronted with the fact that a substantial number of their questions involved issues falling within the remit of their home committee, they invariably argued that these were parallel branches stemming from the same root. A Trade & Industry commissioner claimed she had submitted more questions on industry because she had chosen her committee seat on the basis of her economic interests.

Interviewee N°14 admitted to a link between her home committee and her QG's "mais parce que je suis dans la commission de mon choix."

Many stressed that constituency was the key determinant for QO's and QE's. Interviewee N°17 was categorical: "Tout ce qui est régional, quel que soit le sujet, je prends en compte, parce que j'estime que je suis député de [cette région]." The majority denied filtering subjects for *questions écrites*. On the other hand, several were interested in the question on whether *constituents* censored subject matter according to the sex of their Deputy. Few could answer, because they had not considered the issue. Interviewee N°2 did venture: "C'est sûrement vrai sur des sujets de société. Par exemple, sur le divorce ... . J'ai quand-même l'impression qu'il y a une liberté de communication avec moi que les gens n'auraient peut-être pas eu." However, she felt that her age might have been equally important.

It is impossible to assess the gender-link for planted QG's, but anecdotal evidence suggests gender was a significant parameter for the party managers. One opposition woman refused a party-initiated question on prostitution, preferring to keep her 'turn' for a question of her own choosing. (Another woman subsequently handled the question.) Interviewee N°1 contrasted a 'question sonnée' that she'd accepted and her attempts to place one of her own questions: "Oui, c'était sur des choses très traditionnelles concernant les femmes. Parce que là, j'essaie de poser une question sur le sous-développement et le rôle que le gouvernement joue dans les processus internationaux ... , et elle ne passera pas. Ça fait quinze jours que je l'ai posée ...." Beyond the overt delegation of certain subjects to women by the groups, it is also likely that male Deputies deferred gender-specific issues to female colleagues. Interviewee N°11 reported: "Il y a des hommes qui n'aiment pas parler de la parité ou de l'égalité, ou de l'IVG .....il y a tout un tas de sujets qui sont du domaine de femmes. A tort d'ailleurs, parce que cela devrait être des hommes et des femmes. ... Les suggestions de ces

interventions viennent souvent de femmes. Ils ne refusent pas d'intervenir, mais c'est plus naturel que ce soit une femme."

Overall, the reactions of Deputies of both sexes suggest that public questions are controlled primarily by the party managers, and that backbenchers have little scope for independent action or the promotion of specific agendas. It also transpires that questions of all three types have a marked public-relations function: they are as much about 'doing' as about 'being seen to do'. These two features – party control and image projection – undoubtedly combined, in the pro-parity context of the 1997 Parliament, to favour the deployment of women in the most visible positions. This was not a one-way process, however, as women appear to have willingly stepped into the breach. "C'est la rencontre d'une demande et d'une volonté des groupes," according to *interviewee N°3*, who elegantly conveyed the complementarity of women's 'désir d'exister' and party considerations.

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There were distinct differences in gendered question use during the 1997 Parliament: some are, in all likelihood, perennial, while other are probably specific to the pro-parity climate, and may not be replicated in other periods.

Contrary to expectations, it was found that women asked fewer *questions écrites*. The deficit of QE's seems to arise from their disillusionment with what should be a practical problem-solving mechanism that is in fact not so effective. *Questions écrites* give the impression of representing constituents' interests, but do not always procure satisfactory results. Women were still prepared to go through the motions, but some preferred to turn to alternative methods that they judged more efficient (*questions orales*, local agencies, direct correspondence with the Minister).

Another difference, that is predictable and undoubtedly perennial, concerned the subject matter of women's questions. While men's public questions were fairly evenly distributed over the full range of target ministries, women were more likely to question Ministers with a social or cultural remit. However, this did not appear to be a direct consequence of women's concentration in the Social Affairs Committee: nor did it prevent them from handling a respectable volume of questions across the board. The social bias probably arose from Deputies' own preferences and interest, but was exaggerated by parliamentary party managers who deployed Deputies along gendered lines to capitalise on pro-parity feelings.

This strategy of bringing women to the fore accounts in large part for the over-representation of women in public questions. The Deputies themselves inclined towards this explanation: the fact that women's 'over-exposure' was more pronounced for televised QG's than for discreet QO's confirms this view. As such, it is probable that this advantage will vary over time. Moreover, since it is argued that women may have willingly complied with this party strategy in order to compensate for the lack of visibility and authority that derives from their minority status, participation in public questions may become less attractive as women Deputies become more established as a group.

## **Conclusions Part II**

This investigation of the National Assembly reveals that it is indeed a gendered institution and that the allocation of positions and tasks is not gender neutral.

Regarding key posts within the Assembly, women have until recently been limited to a token presence in the Bureau, although they have made rapid progress since the late 1980s, obtaining a third of seats in the 1997 Parliament. However, political management posts continue to be a virtual male monopoly, despite the optimistic views of the 1997 intake. This gendered division of labour is replicated in the committees, where women do more than their share of task-oriented work,



but obtain few high-profile political opportunities (as President or *rapporteuse* in visible committees). The rigid and restricted committee system militates against the inclusion of women, because it creates a hierarchy in which seats are allocated on the basis of credentials that women are less likely to have – most particularly long parliamentary careers. This creates a two-track committee system, with men following finance/economics, and women progressing from social to constitutional and foreign affairs: party managers' unconscious stereotyping reinforced this trend, as did women's prioritisation of social issues.

A similar prevalence of social affairs was observed in women's use of parliamentary questions. However, in contrast to women's exclusion from prominent committee posts, they obtained *more* publically visible and politically useful opportunities to ask questions in the *Hémicycle*. Women Deputies explained findings on committees and questions by their hard-work ethos and availability, which was tentatively confirmed by attendance. They also agreed that party managers were influenced by the prominence of the parity debate, which made the 1997 'Parity Parliament' particularly amenable to women.

It transpires from these observations that *le fait majoritaire* – one of the key features of parliament under the Fifth Republic – underpins the gendered nature of the Assembly: it reinforces the control of political parties (which have so far hindered women's election); it is contrary to the notion of consensus-building; it militates against the type of continuous action that is needed to work towards a women's agenda (because of the 'stop-go' effects of *alternance*). It would be difficult to 'degender' the National Assembly, without tackling its Gaullist roots.

## Part III

### The Women's Delegation

The analysis in Part II of parliamentary practices and positions of power demonstrates that the National Assembly, as an institution, is not gender-neutral. It also reveals that the 1997 intake of women Deputies worked differently from their male counterparts. Part III will look at one of the institutional innovations of the *gauche plurielle* – the Women's Delegation – to assess its function, and its potential as a 'safe space' where women can develop different ways of approaching substantive representation.

## Chapter 7

### A New Parliamentary Tool

As we have seen in Parts I and II, the 1997 Parliament offered unprecedented opportunities for women Deputies. On the one hand, the number of women in the National Assembly doubled overnight (as was the case in Westminster the same year), and these women were able to make their mark and occupy space within parliament. On the other hand (and partly as a consequence of their presence), the package of legislation designed to enhance women's representation throughout the political system laid the foundations for future growth.

However, women remained a small minority with a deficit of experience and political clout, and the poor implementation of parity revealed deep-seated resistance from the political elite. Although the climate had never been so clement, the women were nevertheless operating in an alien environment, where there were nine men for every woman. Several interviewees pointed out that it was still not unusual to be the only woman in meetings or parliamentary bodies. 10.9% may represent a quantum leap in a historical perspective, but it is still far from the 30% generally held to constitute a 'critical mass', beyond which women can escape from being the odd-one-out and make a difference.

The notion of **critical mass**, applied by Rosabeth Moss Kanter to the effects of gender imbalance in corporate organisations and transferred to political

workplaces by Drude Dahlerup, suggests that there are qualitative changes in group behaviour as women evolve from a 'small to a large minority'. Moss Kanter identified four stages in this progression:

- The *uniform* group, with only one significant social group whose culture is dominant.
- The *skewed* group, with a minority of less than 15%, where the women are isolated as tokens, and are consequently unable to form alliances.
- The *tilted* group, between the 15-40% mark, where individuals are numerous enough to shed their token status and coalesce into a true minority, with the ability to influence group culture.
- The *balanced* group, with a ratio of 50/50 to 60/40, where gender becomes insignificant.

Dahlerup proposes that it is more appropriate in relation to human beings to speak of **critical acts**, which will "...change the position of the minority considerably and lead to further changes." (Dahlerup 1988: 296).

Implicit in these notions, is the idea that women politicians are indeed different from men: if women did parliamentary business the same way as men and shared the same policy priorities, then the gender balance would have no effect on the political culture and agenda of a parliament. However, it is widely believed that women, because of their different life experiences and general position in society, will formulate different values, attitudes and policy priorities once they have the opportunity. As argued by Lovenduski and Norris (2003: 87), until very recently this question of **substantive representation**, although posited in theory, could not be explored in practice because there were so few women in public office. The pressure on these individuals to conform was such that they could not be expected to inflect the dominant culture. Research from North America and Scandinavia (where more women have been in office for longer) tends to confirm this belief. For example, Schroedel and Mazumdar (in Thomas and Wilcox 1998: 209) conclude that "... women and men apparently come to office with certain distinctive policy and attitudinal differences, but the validating

presence of other women legislators is an important precondition for women to act on parts of their agenda that differ from those of their male colleagues.”

However, results are still tentative. Some scholars contend that in present circumstances it is preferable to use attitudinal measures to assess women’s *potential* to bring about substantive change (Lovenduski and Norris 2003: p 86).

How do these notions of critical mass, critical acts and substantive representation apply in the context of the National Assembly?

As regards the Moss Kanter model, from 1958-1978, the handful of *députées* had to contend with a uniform group (less than 2% of women). They then hovered on the cusp of the uniform and skewed groups (4-6%) until the arrival of the *gauche plurielle*, when they moved squarely into the skewed group with 10.9%. The 2002 elections confirmed their position below the 15% threshold, despite the Parity Law. The analysis of women’s participation in the Assembly Bureau shows that their token status in management posts began to evolve only during the 1986-88 Parliament, but by 2001 they held a third of Bureau positions. After an initial time-lag, the proportion of key women overtook the proportion of ordinary Deputies, attaining critical mass. On the other hand, women were still virtually absent from other types of more political leadership positions (in parliamentary groups and committees).

In terms of substantive representation, Sineau’s study of the 1997 cohort (2001a: 231-255) finds a similar potential for women to influence the substantive policy agenda to that observed in Britain: the British Representation Surveys (Norris and Lovenduski 1997, 2001) show a significant gender gap on gender-related and equality issues<sup>1</sup>, and three-quarters of *députées* felt a special duty to represent women as a group (with only a slight variation between left and right). Likewise, women were much more critical than men from the same political

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<sup>1</sup> See Norris and Lovenduski (2003: 92-96) for most recent findings.

family of gender imbalance within the National Assembly<sup>2</sup>. Conversely, beyond the left/right split on the issue of legislating on political parity, women were more favourable than men in their own parties<sup>3</sup>. Furthermore, Part II of this thesis reveals discernible differences in the behaviour and priorities of men and women Deputies.

Two major critical acts occurred during the period under investigation. The first involved symbolic representation: the parity package reframed the theoretical debate about gender and citizenship and provided the practical tools for change. The second critical act, operating at the substantive level, was the creation of the parliamentary Women's Delegations which, I argue, provided an opportunity to magnify the potential of the 1997 cohort in the Assembly to *act together* (therefore partly compensating for the handicap of remaining a *skewed* minority) and to *act for* women (by securing direct input into drafting legislation). Moreover, these two critical acts could be mutually reinforcing. If the Delegations continue to propagate the notion of parity in the legislative domain they could help increase the number of women in Parliament; a larger pool of *députées* and *sénatrices* should reinforce the effectiveness of the Delegations as a vehicle for substantive representation.

To sum up, the extreme fragility of the group of women - mostly novices - constituted a major handicap, which could in part be offset by other positive factors. Many of the women had a feminist or at least pro-women perspective, there were more women in certain key positions, and the media attention and fulsome rhetoric of the parties stimulated by the parity debate had created a climate of gender interest and expectation. In these circumstances, could the Women's Delegation help tip the balance? Could it be the *'deuxième jambe de la*

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<sup>2</sup> In reaction to the statement: "Il est grave pour la démocratie que 90% des députés soient des hommes", 96% of women from the left agreed (86% of men), as did 79% of women from the right (61% of men). Furthermore women more often expressed strong agreement than the men.

<sup>3</sup> In response to the question "L'égalité femmes/hommes en politique doit-elle être déterminée par la loi?", 87% of women from the left agreed (73% of men), as did 43% of women from the right

*parité*<sup>4</sup>, which could transfer the dividends of political parity (sometimes perceived as elitist) to the lives of ordinary women (and men)?

To assess the role of the Women's Delegation, a series of questions will be addressed:

1. Has the Assembly Delegation made a discernible impact on legislative outcomes regarding women's interests?
2. Has it helped to mainstream gender concerns throughout the legislative process?
3. To what extent has it reinforced 'the validating presence of other women legislators' (Schroedel and Mazumdar 1998: 209) required for a women's agenda?
4. Has it enabled Deputies to build alliances, be they cross-party or cross-gender?
5. Does it, or could it function as a bridge between formal and informal politics to make women's voices heard?
6. How is it perceived, and what are the prospects for the future?

This assessment is based solely on primary sources, as no secondary material is as yet available. I have used parliamentary documentation (*comptes rendus* of debates, bills, the Women's Delegation's recommendations and reports), the *Journal officiel* (for attendance figures) and direct contacts with Deputies and Assembly staff. I also carried out a postal survey of all Deputies in December 2001 (detailed below) and undertook a case study of its input to one major law.

First of all though, it is necessary to describe what it is, and who the Delegates were.

### 1. Creation of the Women's Delegations

"Au printemps '98, nous avons un débat sur ... la loi de lutte contre l'exclusion, et j'avais organisé, ... dans ma circonscription, un débat public en

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(15% of men). (It must however be born in mind that there were very few women from the right.)

<sup>4</sup> Several interviewees approved this description of the Delegation (e.g. N°9).

amont des textes, avec des professionnels, des citoyens. Et à la fin de la réunion ... des femmes chefs de famille sont venues me voir et m'ont dit: "On est où dans ce texte?". En remontant ici, en rencontrant mes collègues – c'était beaucoup des femmes qui étaient rapporteuses des différentes sections du projet de loi - je leur ai dit: "On est en train de passer à côté d'une partie de notre mandat". Il se trouvait que le texte arrivait un mois après au Sénat, donc nous sommes rentrées en relation avec des sénatrices socialistes ... on a fait 4 ou 5 amendements ... et on s'est dit: "On ne peut pas continuer comme ça. On ne va pas courir après les textes, on n'a pas les moyens de travailler, qui nous permettent d'anticiper, d'avoir ce regard plus particulièrement féministe ou envers les femmes." Donc une de nos collègues sénatrices, Danièle Pourtaud, avait fait l'année précédente une mission pour le Sénat où elle avait regardé comment dans les autres pays ... cette question était prise en compte. Et dans tous les pays, sauf la Grèce et la France, il y avait un organe ... spécifiquement dédié à la question des femmes. En regardant ce que notre constitution nous autorisait .....on se cale sur la Délégation pour l'Union européenne, et on a fait cette proposition-là."

This is how one of the instigators described the genesis of the Women's Delegations in 1999. Private member's bills<sup>5</sup> were submitted to the Assembly and Senate Bureaux on 14 December 1998 – the day before the first debate on the Constitutional Amendment for parity. The law was passed on 29 June, the day after the Congress at Versailles. Although this is claimed to be a fortunate coincidence, the way it was handled suggests that the parliamentary majority attached considerable importance to what was a minor bill with no public profile. In the Assembly, it was sponsored by Laurent Fabius (then Assembly President) and 150-odd signatories from the Socialist group. It drew on previous work in the

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<sup>5</sup> *Proposition de loi N° 1261 tendant à la création de délégations parlementaires aux droits des femmes et à l'égalité des chances entre les hommes et les femmes. Proposition de loi sénatoriale N° 119.*



Senate<sup>6</sup>, which may have contributed to the relative consensus between the two chambers and the brief *navette*. Finally, the decision by the Socialist Group in the Assembly to accept the Senate's modifications (described below) rather than prolong the *navette* beyond the summer recess, indicates a desire to 'get the show on the road' (as confirmed in interview by Mme Lignières-Cassou, co-sponsor of the bill and first Delegation President in the Assembly).

#### a. Objectives

The records of the debates<sup>7</sup> and prelegislative reports<sup>8</sup> provide some insight into the underlying motivations and expectations of the members of parliament. These are worth exploring since the Delegations are a parliamentarian's tool created by themselves, for themselves. In order to (provisionally) assess the success of the Delegation in the Assembly, we need to know what they said they hoped to achieve. There are several recurring themes, summarised below.

#### Mea culpa

All contributions summarised the failings of previous legislation on women's issues supported by an impressive array of statistics on inequality at work, at home and in public life. Top of the list were the issues of equal pay and opportunities, female unemployment and access to professional training. Women's representation (in politics, unions, top civil service jobs) was often mentioned, but briefly. Problems linked to contraception and abortion, and sexual violence were common. Although some Deputies and Senators talked of women's difficulties in combining work and family life, scarce mention was made of childcare<sup>9</sup>. Implicitly this litany acknowledges a failure to adequately represent

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<sup>6</sup> A Communist Private Member's Bill (N° 39, October 1987) and the findings of a *Mission d'information commune* on 'Les Femmes et la vie politique' (Rapport N° 384, July 1997).

<sup>7</sup> National Assembly: *Compte rendu intégral*, 11/02/ 1999; *compte rendu intégral* 29/06/1999. Senate: *Compte rendu intégral*, 20/05/1999.

<sup>8</sup> Assembly report N°1363. Senate Report N°. 354.

<sup>9</sup> Martine Lignières-Cassou and Danièle Pourtaud did, however, mention childcare provision.

women's substantive needs, and to ensure implementation of existing legislation<sup>10</sup>. It foreshadows the work undertaken by the Delegation, as we will see in the following chapter.

### *L'Exception française*

As in the parity debate, unfavourable comparisons with European partners served to prick the collective conscience. Members of both Chambers believed France was the only European country apart from Greece not to have included women's issues in the parliamentary organigram (though they may have overestimated the effectiveness of other bodies supposedly responsible for the women's agenda elsewhere). This self-criticism was linked to democracy arguments: the creation of the Delegations was not just a gesture towards women, but also a way of deepening and enhancing democracy – and keeping up with the neighbours. The repeated parallels drawn with the Constitutional Amendment confirm that the Delegations are part and parcel of the parity movement; several speakers made explicit links between political parity and gender equality in its broader sense.

### *'Concret, pratique, utile'*

The reiteration of such adjectives, linked with references to quangos<sup>11</sup> and criticism of the age-old problem of laws floundering for lack of *décrets d'application*, flagged a desire for action. Concrete results need resources, and the most ardent arguments on this subject came, surprisingly, from M. Goasguen (DL), during the second reading in the Assembly: "On sait, en effet, que délégation sans moyens ne fait qu'entretenir les illusions, son rôle se limitant alors le plus souvent à celui

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<sup>10</sup> The *rapporteur* for the Constitutional Affairs Committee summed this up: "... le principe d'universalité justifie que la démarche législative soit indifférenciée. Mais lorsque la loi est la même pour tous, la spécificité des droits des femmes et l'inégalité de leur situation risquent d'être perdues de vue. Plusieurs projets de loi adoptés depuis le début de la législature ont clairement illustré l'inadaptation des procédures pour prendre en compte la situation particulière des femmes, qu'il s'agisse des lois sur la réduction du temps de travail, l'entrée et le séjour des étrangers et, surtout, la lutte contre l'exclusion." Assembly Report N° 1363: 9.

<sup>11</sup> For example, the *Comité interministériel chargé des droits des femmes* (1982), the *Conseil supérieur de l'égalité professionnelle* (1983) and the *Conseil supérieur de l'information sexuelle* (1973) which all had limited impact and scope.

d'une chambre d'études." Speakers also wanted the Delegations to '*intervenir en amont*'. Being proactive not only requires additional resources but also earlier access in the decision-making process: "Nous ne saurions assez insister sur la nécessité de permettre à ces délégations d'effectuer un travail bien en amont de celui des commissions. Il reviendra alors au Gouvernement de faire en sorte que ces organismes soient informés suffisamment tôt des textes qui viendront ensuite en discussion au Parlement."<sup>12</sup>

### *Une Affaire d'hommes?*

"L'égalité entre les sexes n'est pas seulement un objectif pour les femmes, mais un défi à relever par les hommes et les femmes". This quote from Jospin's Women's Day<sup>13</sup> speech is typical of the declarations about male/female partnership and complementarity. Parliamentarians of both sexes and all orientations were adamant that the Delegations should not be women-only groups. Hence the cumbersome title – *Délégations aux droits des femmes et à l'égalité des chances entre les hommes et les femmes* - which implies that men can contribute to and also benefit from equality. This undoubtedly stems from a realistic view of the numbers game and refers to the universalist arguments still raging around the parity debate. It touches on an undercurrent of fears surrounding the 'ghetto-isation' of women's interests on the one hand, or the creation of a women's power-zone on the other (explored in Chapter 10.)

In this connection, it is relevant to add that although women were the motive force behind the bills and occupied centre stage during the debates, men were present and supportive (more so in the Assembly than in the Senate).

#### **b. Institutional Status**

Numerous speakers outlined the existing state agencies, all under executive control, to highlight the absence of parallel bodies in the legislative domain. The main justification for an extra layer was that it would enhance parliamentary

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<sup>12</sup> Mme Brisepierre, Senate debate, 20/05/1999.

<sup>13</sup> Cited by Danièle Pourtaud in the Senate and Martine Lignières-Cassou in the second reading in the Assembly.

independence and efficiency in two ways: by delivering better advice and information to Parliament *before* legislation reaches debate, and providing greater opportunities to hold the government to account<sup>14</sup>. The Delegations would complement the existing women's agencies, according to all groups except for the RPR (see section (3.c) in Chapter 1).

A second issue was the status of the Delegations within Parliament. The parliamentarians recognised the need for an intermediate body that could combine a specialised focus (like the time-limited, single-issue Committees of Enquiry or *missions d'information*) with a constant, supervisory role (like the permanent committees). "Les commissions et les délégations parlementaires traitent toutes de la question de l'égalité entre les hommes et les femmes, tant cette question est transversale. Mais la fragmentation qui en résulte peut entraîner une absence de vision globale et un manque de suivi. Les assemblées disposent bien sûr de la possibilité de constituer des commissions d'enquête ou des missions d'information. Mais ces missions sont ponctuelles, alors que l'importance de la question requiert sans doute un suivi continu, une *veille parlementaire permanente*." (Sénatrice Derycke (PS), 20/05/1999, my italics.)

The Delegations should refract their expertise throughout the Parliament, as argued by Sénatrice Pourtaud (PS): "On l'a vu, tous les domaines sont concernés par le droit des femmes et l'égalité entre les sexes : droit du travail, droit de la famille, droit social, droit de la santé. ...C'est pourquoi la cause des femmes doit être non plus seulement un secteur, mais bien une dimension de l'action politique. ... Alors que les commissions permanentes sont organisées par secteur, et ont donc une approche fragmentaire de la cause des femmes, le propre des délégations que nous voulons créer est d'être transversales et d'avoir une vision globale de ces questions."

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<sup>14</sup> "Tout en rendant hommage au travail qu'ils ont accompli [les organes émanant de l'exécutif] il y va de l'indépendance du Parlement d'avoir ses propres instances pour mieux contrôler l'action du Gouvernement", in the words of Muguette Jacquaint (PCF), *compte rendu intégral* 29/06/1999.

In mainstreaming equality throughout the legislative machinery, the Delegations must not, however, trespass on the prerogatives of the Permanent committees. The tensions surrounding this issue (the main bone of contention between the two Chambers) were aptly expressed by *Sénatrice* Brisepierre (RPR): "Ainsi, pour que la création de ces délégations ne constitue pas une fausse bonne idée, il fallait au législateur louvoyer entre deux écueils : d'une part, la création d'organismes sans portée pratique, d'autre part, l'instauration de super-délégations pourvues de pouvoirs étendus regroupant ceux de délégations classiques, ceux d'offices avec le rôle d'évaluation qui leur reviennent et même, partiellement, ceux des commissions avec la possibilité de se saisir elles-mêmes, en somme la création d'inconstitutionnelles et septièmes commissions dans chacune des assemblées." Such deference is curious, as the Permanent committees are increasingly criticised for their rigidity and unwieldiness, and were tacitly accused of failing to incorporate the women's agenda. This could be simply institutional conservatism, or may have been a tactic to avoid the rejection of the bill on procedural grounds by the opposition or the Constitutional Council. Whatever the reason, the consequence of these two contradictory aspirations – for greater parliamentary independence and efficiency while maintaining Committee supremacy – was a clear limitation of the Delegations' power (as argued in (3), Chapter 10).

## 2. Remit

The law<sup>15</sup> is almost perfectly tailored to the parliamentarians' wishes, and as such enjoyed a remarkable degree of consensus. The Delegations have three functions:

- Vetting bills for differential impact and ensuring that the specific needs or circumstances of either sex be taken into account.
- Monitoring the implementation of the laws.

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<sup>15</sup> Loi N° 99-585 du 12 juillet 1999.

- Publishing an annual report, including “propositions d’amélioration de la législation et de la réglementation dans leurs domaines de compétence.”

This sounds ineffectual, but the obligation to publish separate reports and recommendations (rather than less formal input to the Permanent committees) gives the Delegations a more autonomous and visible role. The Delegation *rapporteur(e)* is allocated speaking time in the Chamber after the main committee *rapporteur*, and although the Delegations are clearly subordinate to the permanent committees (they must act “sans préjudice des compétences des commissions permanentes ou spéciales ni de celles des délégations pour l’Union européenne”), producing their own independent reports ensures that their views are not stifled in case of disagreement with the Permanent Committee reports. The importance of formal written input was underlined by the CCEC comparative study of parliamentary agencies in the EU<sup>16</sup>. The annual reports are an attempt to satisfy concerns about concrete, practical measures, and tackle the loophole of *décrets d’application*. The remit seeks to strike the balance between giving the Delegations teeth, without enabling them to bite into the permanent committees’ jurisdiction.

While the Delegations can request the same information and co-operation from the government and civil service as the permanent committees, their powers are limited in several ways. They can formulate *recommendations* but not *amendments*: Delegation recommendations may be incorporated into amendments by the Permanent Committee, or by individual Deputies. (The implications of this are discussed in (3.d), Chapter 10.) Likewise, the Delegations must be invited to examine proposed legislation by the Bureau, a parliamentary group president or a Committee president: the Delegation president can ask to be asked, but does not have the *droit d’autosaisine*. (The original bill provided for this, but the Senate rejected this option, q.v. Mme Brisepierre’s comments, above.) Thus the Delegation is totally dependent on the goodwill of certain key players and the skill

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<sup>16</sup> CCEC (1997b: 35). The CCEC (initiated by the *Comité d’avis pour l’égalité des chances entre femmes et hommes* of the Belgian Senate in 1997) is a network of equal opportunities agencies in national parliaments, with annual conferences devoted to specific issues.

and determination of its own office holders. Moreover, it is ill-equipped to '*intervenir en amont*' (in line with parliamentarians' expectations): the only measure which would have remedied this – the inclusion of its President as a full member of the *Conférence des présidents* – was not mooted.

In these circumstances, the third function of the Delegation – drafting an annual report and proposing improvements – is little more than wishful thinking. '*Propositions d'amélioration de la législation*' could enable them to be proactive by making suggestions on the content of future legislation, and the extension to *règlementation* is an important victory. However, since the status and fate of this document is undefined, its impact is likely to be low.

x    x    x    x    x

The parliamentarians set themselves ambitious objectives without giving themselves the institutional means to achieve them. They recognised that there was a substantive and institutional gap in the parliamentary organigram, but internal institutional coherence (conforming to the hierarchy of committee prerogatives) seems to have outweighed considerations of task-effectiveness. The institutional framework of the Women's Delegation has strengths and weaknesses (further discussed at the end of Part III). Being a distinct group, rather than a sub-committee, and having their own voice – in debate and through independent reports – ensures that they have a means of making themselves heard even when dissident (although making use of this right depends on the courage of the individuals involved and the receptiveness of the Assembly at large). They cannot impose, they can only persuade and inform. The idea of a Women's Delegation is a radical departure from previous ways of working<sup>17</sup>, but the framework remains conservative and relatively weak. The concluding remarks of Marie-Thérèse Boisseau (who became one of the most active opposition Delegates) are

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<sup>17</sup> In the words of M. Goasguen during the second Assembly reading: "Il impose une rupture dans la manière dont sont abordés le droit des femmes et l'égalité des chances. Il est impératif de rompre avec une approche théorique sinon contemplative."

remarkably perceptive<sup>18</sup> (my italics): “Les délégations de l'Assemblée et du Sénat devront *inventer leur propre façon de travailler*, et *s'imposer par la qualité de leur réflexion* ainsi que par leur capacité à anticiper l'application des textes, mais leurs recommandations n'auront d'autre force que *celle qu'on voudra bien leur donner*.”

This begs the question of how the Delegation would be received by its peers and the Assembly powerbrokers (this will be analysed in Chapter 10). It also underlines the importance of the individuals who chose or were chosen to bring it to life.

### 3. Membership

“Les membres des délégations sont *désignés en leur sein par chacune des deux assemblées de manière à assurer une représentation proportionnelle des groupes parlementaires et équilibrée des hommes et des femmes ainsi que des commissions permanentes*.” (my italics).

#### a. Numerical Balance

The 36 seats are allocated proportionately to the parliamentary groups who then nominate a balanced number of women and men from all of the permanent committees. The Communists argued for 45 members<sup>19</sup> in order to guarantee representation for all political groups, but this found no support with the other groups, although it could have enhanced the effectiveness of the Assembly Delegation (see (3.b), Chapter 10). With 20 members from the *gauche plurielle* and 16 from the opposition, places were fairly distributed.

The Assembly *rapporteur* suggested the term ‘*paritaire*’ for gender balance on the grounds that ‘*équilibrée*’ could be interpreted as proportional (at the time, that would have yielded 4 women in the Assembly Delegation and 2 in the Senate)<sup>20</sup>. He further argued that ‘*paritaire*’ could be “*protecteur de la participation*

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<sup>18</sup> *Compte rendu intégral*, 29/06/1999.

<sup>19</sup> See Hélène Luc's bill in the Senate, and Jacqueline Fraysse's intervention in the Assembly debate.

<sup>20</sup> Assembly Report, N° 1363.



masculine”<sup>21</sup>, but this was rejected because a 50/50 obligation could interfere with the political equilibrium (which was paramount). In the Assembly, the Delegation originally had 19 women to 17 men, with all office holders being women except one male secretary (see lists of members in Appendix F.1)<sup>22</sup>. The gender balance differed between left and right: the *gauche plurielle* put forward 13/20 women, whereas the opposition had a majority of men (10/16). This was probably more a consequence of the unavailability of RPR women than a deliberate ploy. The Women’s Delegation is thus the only parliamentary body where women are in the majority.

Despite the emphasis on mainstreaming gender equality<sup>23</sup>, less attention was paid to balance between the permanent committees which should ideally have returned 6 members each. The Finance, Defence, Trade & Industry and Foreign Affairs Committees had only 3 or 4 members each, while the Constitutional Affairs Committee had 8, and Social Affairs predictably led with 14 members<sup>24</sup>. Most Delegation members (60%) were therefore concentrated in two committees, which, as we will see in the following chapter, were the Delegation’s main legislative partners. The implications of this imbalance for effective mainstreaming will be explored in Chapter 9. The under-representation of Finance and Defence commissioners in the Delegation could be partly explained by the scarcity of women, though this does not apply for Foreign Affairs and Trade & Industry. It may have been assumed that Social Affairs commissioners take precedence: interviewee N°11 was interested in the Delegation, but her party’s seats were automatically given to Social Affairs members. It is also plausible that

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<sup>21</sup> This argument was vindicated by the drop in male participation after the 2002 elections. Only 10/36 Delegates were men (27.8%). After 2002, the gender balance on the right was reversed: there were twice as many UMP women as men (16/8).

<sup>22</sup> The Senate Delegation after the 2001 elections had 18 men and women.

<sup>23</sup> Significantly Catherine Tasca, as President of the Constitutional Affairs Committee, attached particular importance to this bridging rôle, and highlighted the need to coordinate Committee and Delegation work schedules in order to maximise cross-fertilisation.

the personal preferences and motivation of individual Deputies took precedence over theoretical considerations about committee input.

### b. Qualitative Criteria

Given that the Delegation is only a drop in the parliamentary ocean, such qualitative, personal criteria are potentially more significant than the numerical balance. The authority and experience of the individuals and their personal access to key decision-makers (particularly since the President does not sit in the *Conférence des Présidents*) could be decisive in empowering the Delegation. It is very difficult to assess such intangibles, but the proportion of novices and veterans is a convenient indicator of experience, as is the number of members with name recognition. In the first Delegation, fractionally more than half the members were novices, against 37.5% of all Deputies. Given that novices were over-represented in the Social Affairs Committee (47%) and in the non-permanent committees from 1997-2002 (43% in Committees of Enquiry)<sup>24</sup>, a higher than average rate of novices could be expected. However, the gap is particularly wide, which suggests a certain **experience deficit**.

As regards the participation of high-profile politicians, there were predictably more women than men, and more opposition than government representatives. There were six ex-ministers – Nicole Ameline (DL), Nicole Catala (RPR), M. Claude Goasguen (DL), Anne-Marie Idrac (UDF), Yvette Roudy and Kofi Yamgnane (Socialists) – and three future ministers – Roselyne Bachelot-Narquin, Marie-Thérèse Boisseau and Jacques Floch (plus Ameline, *Ministre de la parité* from 2002). Several members held key posts in the Assembly (Catala, Roudy and Boisseau sat in the Bureau, Bernard Roman became President of the Constitutional Affairs Committee), or in the parliamentary groups (for example, Idrac and Pierre Albertini were UDF vice-presidents, Roman was Socialist vice-

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<sup>24</sup> This trend became more pronounced after 2002 when 17 members came from Social Affairs. The other committees returned: Foreign Affairs, 4; Defence, 2; Finance, 2; Constitutional Affairs, 6, Trade and Industry, 5. Based on the National Assembly website, accessed 04/07/2002.

president, Goasguen was the DL spokesperson). The Delegation was therefore well-connected on paper.

### c. Motivation and Attendance

However, from comments during interview, it appears that there were party-political motivations for nominating some of these ‘heavyweights’ whose contribution was primarily symbolic. Lending their name and stature to the Delegation constituted passive support for the Delegation and/or gave a positive image of their party. Interviewee N°18 admitted: “Moi, c’est vrai qu’on m’y a installée un peu de force, et je n’y ai pas été très souvent, mais c’est important que j’y sois en nom, en me disant – et ce n’est pas négatif – c’est l’idée de dire ‘je soutiens, je suis là.’” Another ‘heavyweight’ [N°15], who expressed firm support and approval of the Delegation, nevertheless insisted that her party had nominated her “à [son] corps défendant”. She explained her absence from Delegation meetings thus: “J’ai envie que ça brasse dans le sens où j’ai envie d’aller, et je n’ai pas envie de jouer les utilités. .... d’être un second rôle.”

At the other end of the scale, interviewee N°14 stated that she had volunteered in order to give ‘une image de modernité’ to her party in the parity debate: “J’y vais très peu, mais cela n’a aucune importance parce qu’elle ne sert à rien, cette Délégation – elle n’a le mérite que d’exister. Mais je pense que c’est important que des gens comme moi y sont.” According to my analysis of the attendance at Delegation meetings, these prominent figures rarely or never attended, although this does not rule out behind-the-scenes support, of course.

In contrast, the other high-profile women were among the most frequent attenders, although party politics also influenced their nomination. Interviewee N°16 did not put herself forward, but her regular attendance was potentially very valuable, because her other parliamentary responsibilities meant that she was well-placed to serve as a bridge between Assembly decision-makers and the Delegation (though as an opposition member she would have had less access to

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<sup>25</sup> Based on list of first-time Deputies provided by the Assembly Information Service, and

privileged information - on future policy agenda - than a similarly connected Deputy from the left). Interviewee N°12 who was particularly frustrated by the straitjacket of opposition in the Assembly – she referred to her rôle as a ‘*vox clamans in deserto*’ – nevertheless fought to make her dissenting voice heard in the Delegation and to stake her party’s claim. She described her appointment to the Delegation Bureau thus: “*La Délégation est évidemment archi-verrouillée par le parti socialiste. ... Mais il faut des apparences de démocratie, et donc on donne un poste de secrétaire qui ne veut absolument rien dire. .... Comme il y avait un certain nombre de postes, je me suis battue pour que [mon parti] en ait un. Mais c’est honorifique*”.

Yvette Roudy’s nomination was self-evident and her support was active and sustained. It is perhaps more surprising that she played a relatively low-key role in the early stages<sup>26</sup>. This was apparently of her own volition, as she wanted to pass the baton to the next generation. The parliamentary group apparently agreed that the Delegation and parity debate should not be spearheaded by the ‘old guard’.

In debate, Mme Roudy stressed the importance of the support of the parliamentary groups and their role in agenda-setting. Beyond financial resources, the Delegation needed “... des moyens en termes de soutien, d’assistance et [il faut] qu’elle soit animée d’une véritable volonté politique.”<sup>27</sup>

Amongst the influential figures in the Delegation, the women more often had ex-ministerial or Assembly profiles, while men had the party credentials. The participation of male heavyweights was therefore doubly significant. Their commitment can only be based on speculation because none of them were available for interview, and with the exception of Bernard Roman (whose

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Committee membership lists from the *Journal officiel*, 01/10/1999.

<sup>26</sup> She made only one official intervention in the plenary debate. Although she was vice-president and a regular attender, she did not pilot any of the Delegation’s projects until the Bioethics Bill in 2001.

<sup>27</sup> *Compte rendu intégral*, 11/02/1999.

contribution to the Parity Laws will be analysed below) their attendance was at best episodic.

The most diligent members were typically backbenchers, more often women from the left, and novices. (Attendance will be analysed in (2.a), Chapter 9.) The handful of members who became the motive force of the Delegation were already identified with women's interests, or soon showed such commitment. For example, Danielle Bousquet (PS) had set up a working group on women's rights in 1998; Marie-Jo Zimmerman (RPR) was very active in the parity debates (submitting amendments in her own name). Amongst the men, Bernard Roman, as Socialist regional secretary in the *Nord*, had introduced a rule whereby local mandates falling vacant after 1997 because of cumul restrictions were to be reserved for women candidates<sup>28</sup>. Another was spokesperson on the family for the RPR. This is logical, but the other side of the coin is that the non-attending members with no previous record did not prioritise Delegation work (time-tabled to minimise clashes with other parliamentary meetings) nor use their Delegation seat to become better informed and equipped to serve their constituents. This confirms the view recurring in interviews that a number of candidates were more concerned about projecting a modern, dynamic image. It also suggests that the parliamentary groups did not vet candidacies adequately (if we assume that demand was greater than supply which is invariably the case) nor expect feedback.

Finally, some comments from non-members shed light on the selection process. One respondent in the Delegation survey spontaneously declared that he had wanted to sit in the Delegation: since he had influence in his party and in the Assembly hierarchy, we can deduce that competition was high. Self-censorship also played a part, as exemplified by interviewee N°11 deferring to her colleagues in Social Affairs. Interviewee N°8 chose not to participate despite keen interest because she would not be able to devote enough time to it given her other

responsibilities. This links with the recurring theme of taking on fewer tasks in order to do them justice (q.v. committee work) and underlines the irresponsibility of the non-attenders.

x      x      x      x      x

Although there was competition for Delegation seats (as for all internal posts), it seems that they were not optimally allocated by the parliamentary groups. There were a number of men and women with experience and seniority, but their contribution was in many cases largely symbolic. The over-representation of novices – not all of whom had a genuine interest in the issues – could weaken the Delegation, and the unequal representation of the permanent committees could distort its work. These negative factors were in part offset by a nucleus of high-motivated backbenchers, who were to shoulder a heavy burden. The parallels between the Delegations and the parity legislation formed a leitmotiv throughout the debates on their creation and remit, best summed up by Claude Goasguen in the second reading in the Assembly: “La présente proposition de loi ... apparaît donc comme la manifestation d’une prise de conscience de la nécessité absolue d’affirmer une égalité des chances effective dans tous les domaines, et pas uniquement dans le domaine politique.” While politicians from all benches mobilised in the limelight of the parity debate, only a handful were to take on the behind-the-scenes job of working for equality ‘dans tous les domaines’.

In this chapter, we have analysed the Delegations’ theoretical responsibilities and the membership of the Assembly Delegation. The following chapters will look at the legislative work of the Women’s Delegation in the National Assembly during the 1997 Parliament.

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<sup>28</sup> Roman (2000: 65). Consequently two seats on the *Conseil général* were won by women. It is significant that Roman subsequently became *rapporteur* for the laws on *cumul* and parity.

## Chapter 8

### Different Outcomes

Of the three parts of the Delegation's remit, only the first - immediate policy input via pre-legislative reports - can be provisionally assessed at this point in time. After only 2 and a half years, it is premature to assess the Delegation's retrospective responsibilities (monitoring implementation) or its proactivity (targeting future policy improvements), although these two aspects were not neglected<sup>1</sup>.

A comprehensive analysis of Delegation input is beyond the scope of this thesis, which proposes an overview of all bills officially submitted to the Delegation from its first meeting in November 1999 until the end of Assembly business in February 2002<sup>2</sup>. This provides insight into the issues prioritised by the

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<sup>1</sup> As early as June 2001, the Delegation started investigating the implementation of the Abortion and Contraception Law and lobbied Ministers on the difficulties identified (see Assembly reports N°3663); in addition to their annual conferences (on Abortion and Contraception, 2000, and Bioethics, 2001), they held exploratory meetings on violence against women, sexism in advertising, and the position of Afghan women. They also nurtured international links, participating in the UN 'Beijing+5' meeting (June 2000), in successive meetings of the NCEO (the European umbrella organisation for parliamentary equality agencies), chairing an OSCE meeting on women in politics and Equal opportunities, and joining the Inter-European Parliamentary Forum on Population and Development (IEPPFD).

<sup>2</sup> The Women's Delegation also held consultations on 'le statut des conjoints artisans et commerçants' and 'égalité des chances dans le cadre des interventions structurelles communautaires'.

Delegation and the principles underlying their recommendations. A case study of the Parity Law gives a more precise measure of the Delegation's capacity to enhance policy, and illustrates the mechanisms used to effect these improvements. Thus we will be able to form an initial opinion of the Delegation's contribution to substantive representation.

### 1. Overview of Legislative Input

It is difficult to measure the *volume* of the Delegation's legislative work in the broader context of the Assembly, because there are no suitable comparators<sup>3</sup>, but it was clearly prolific. The Delegation officially handled 14 bills in total (summarised in Appendix F.2), publishing substantial reports with numerous detailed recommendations, based on hearings with a wide range of experts (see section (3), Chapter 9 for outreach work and hearings). They rapidly established and maintained an ambitious and efficient routine, as demonstrated by comparing its workload with that of the more powerful and established EU Delegation and the Environmental Delegation<sup>4</sup>. This overall impression of dynamism and diligence was confirmed by the interviews and the survey results<sup>5</sup>.

The *subject matter* of these bills followed three main axes: equal opportunities (work equality, political representation), reproductive rights (abortion, contraception, bioethics) family law (divorce, inheritance, children). Two remaining bills – Voluntary Civilian Service and Sports Provision – fell outwith this classification, and are prime examples of how mainstreaming can reveal hidden gender implications. The subject matter was dictated largely by the

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<sup>3</sup> The EU Delegation and the OPECST produced more reports, but have larger remits, are longer-standing and better resourced; the Environmental Delegation and the *Office parlementaire d'évaluation de la législation* (with more comparable status and resources, but fewer members) produced respectively 5 and 2 reports. In total the Assembly passed 245 laws in the same period, but the overwhelming majority were diplomatic or technical.

<sup>4</sup> In the first year, the EU Delegation met for 65 hours, held 12 hearings and published 29 reports, whereas the Women's Delegation met for 43 hours, held 24 hearings and published 6 reports. The Environmental Delegation, established at the same time, produced 1 report after 19 hours of meetings and 10 hearings.

<sup>5</sup> 72% of respondents had a favourable opinion of Delegation input to legislation, 65% for their influence over legislative outcomes.



executive agenda: half of the bills were government-sponsored, and the raft of private member's bills concerning family law fitted government priorities (piloted by Ségolène Royal, in charge of *Famille et petite enfance*, and Marilyse Lebranchu, *Garde des Sceaux*). Only one private member's bill was tabled by a Delegation member (Contraception for Teenagers, described below): this was a promising example of how the Delegation could have agenda-setting potential.<sup>6</sup>

The subject matter determined which Committees the Delegation worked with. Apart from the 'Volontariats civils' (Defence Committee) and 'Bioéthique' (referred by a Special Committee) all the others fell under the jurisdiction of the Social Affairs or Constitutional Affairs Committees (in which most Delegation members were concentrated). Regarding referral, although the initiative nearly always came from the Delegation, the Committee presidents were consistently supportive'. The Committee benefited from the groundwork done by the Delegation, whose recommendations and findings were in turn reinforced if taken up by the Committee (which was selective in this respect). The reports were drafted independently and concurrently, but references to Delegation findings in some Committee reports confirm that information flowed largely from the Delegation to the Committees<sup>7</sup>. This maximises impact by providing double input into the plenary debate. The independence of Committee and Delegation work is underlined by the fact that Committee *rapporteurs* were rarely Delegation members, although this was the case for three particularly significant bills. (In addition to Bernard Roman's role in the Parity Laws, Hélène Mignon and Martine Lignières-Cassou were Committee *rapporteuses* for the contraception and abortion

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<sup>6</sup> This was an isolated example in the 1997 Parliament. Only about a third of Delegation members tabled private member's bills, few of them related to gender/equality. The future use of private member's bills is interesting not only in terms of agenda-setting but also for career-building: the Delegation may provide opportunities for individual *députées*, as sponsoring a bill, and becoming *rapporteur* can lead to future responsibilities. The Delegation could launch individuals as well as issues (although this notion was totally absent from interviews).

<sup>7</sup> Interviews with Delegation *rapporteuses*/Bureau members. See also Assembly reports N°2800: 5 and 3663: 5.

bills.) The Delegation deployed full force when necessary, without monopolising pre-legislative tasks. These observations suggest that the Delegation was complementary but independent – it was not just a sub-committee of the Permanent Committee, nor was it the tail that wagged the dog. This conforms to expectations at its inception.

The chronological list of bills examined by the Delegation (below) aims to highlight the way the Delegation attempted to influence legislation. Although it sketches the content of the bills and Delegation input, it is not a comprehensive account, because the range is too vast and varied. It is based on parliamentary documentation (*dossiers législatifs*, pre-legislative reports, minutes of Assembly and Senate debates) and the Delegation's own assessment in its annual reports<sup>8</sup>, supplemented by *Le Monde* and *Libération*. Since it is not always clear whether women-friendly amendments derived solely from the Delegation, or whether they were co-sponsored by the Committee, it is difficult to apportion credit.

### Voluntary Civilian Service

Designed to replace compulsory (male) military service, there was no reference to 'femme', 'sexe' or 'maternité' in the initial Senate report. The Delegation made 4 recommendations seeking to include women in what amounts to a new range of job opportunities: targeting young women as potential recruits; vetting job criteria for indirect sex discrimination; maternity rights; the obligation for each ministry engaging volunteers to aim at gender balance and provide gendered statistics.

All these recommendations were tabled jointly as amendments by the Delegation *rapporteure* and president. Two amendments were adopted by the Defence Committee, and all 4 were ultimately adopted by Parliament. (See (2.a) below for a discussion of the use of recommendations and amendments).

### Sports Provision

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<sup>8</sup> Gérard Gouzes acknowledged in the deliberations of the Constitutional Affairs Committee that he had drawn extensively on Yvette Roudy's work on Transmission of Surnames.

Marie-George Buffet (*Jeunesse et sport*) sought to democratise local sport provision and enhance community involvement<sup>9</sup>. Under article 5, sports clubs' statutes would have to provide for parity in their management structure to obtain accreditation. The Delegation's recommendations went far beyond this, identifying the need to set time limits for existing clubs to comply, to include gendered statistics in the relevant part of the budgetary debate, to make funding partly conditional on women's participation, and to impose parity in the new *Conseil national des activités physiques et sportives*. Apparently these recommendations were not taken up, although article 5 survived intact.

Reactions to the Delegation's role in this bill were revealing. By highlighting an area of inequality and proposing corrective measures, it was doing exactly what it had been asked to do. Yet criticism and disapproval crystallised around this issue, and it was accused (in informal conversations) of defeating the purpose of equality by 'going too far'. The difficulties in finding women to participate in the management of boxing clubs loomed larger than the general inadequacy of sports provision for women and girls. Moreover, this obligation did not originate from the Delegation, and yet they drew the fire.

### Clean Break Settlements

This lump sum alternative to maintenance payments after divorce, designed in 1975 to sever financial links definitively, was considered punitive and unfair to men, and less necessary for women given their increased financial and professional autonomy. Moreover, conversion of the lump sum into monthly payments when the ex-spouse was unable to pay had become the rule instead of the exception. The Delegation therefore sought equity rather than defending women's rights, arguing that "*une injustice faite aux hommes ne rend pas justice*

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<sup>9</sup> Assembly Reports N°s 2800 and 3663.

<sup>10</sup> The Ministry had organised an unprecedented consultation exercise with top sportswomen on 8 March 1999, which revealed '*un univers s'apparentant au monde politique*'. As a result, Buffet appointed an adviser on women's participation, created a separate budget and held '*Assises nationales Femmes et sport*' in May 1999. See *Le Monde*, 24/06/1999, *Le sport ne fait pas mieux que la politique*.

aux femmes”<sup>11</sup>. The Delegation was thus living up to its title with two-way equality, and was consistent with attempts of the *gauche plurielle* to create a new equilibrium in the family (e.g. the bill on Shared Parental Care and two weeks’ paternity leave.)

### Equality at Work

This major piece of legislation was intended to reinforce the *loi Roudy* which had not achieved its objectives over 17 years. The Delegation submitted two separate reports, because of changes introduced after the first reading by the government (night work for women and men) and the Senate (introduction of parity in elections for *conseils de prud’hommes*, works councils and staff representatives). It is interesting to note that the Assembly Delegation rejected parity in favour of ‘balanced representation’, considered more realistic. Regarding night work, they sought to extend protection for women workers to men rather than lifting the restrictions.

The Delegation judged that its recommendations were ‘très largement satisfaites’, no doubt because there was considerable convergence between the government, the Social Affairs Committee and themselves. Two important areas flagged by the Delegation but not incorporated into the law were childcare and transport problems encountered by women night workers. These are examples of maximalist, ‘wishful thinking’ recommendations, where the Delegation used the platform of current legislation to fulfil its proactive responsibilities. Transport and childcare were outwith the scope of the law, so these recommendations could not become amendments: however, by signposting such practical difficulties, the Delegation aimed to stimulate gender sensitivity in the political class and in public opinion, via the media. (Such ‘wishful thinking’ has implications for assessing Delegation performance because it inflates the number of ‘failed’ recommendations.)

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<sup>11</sup> Nicole Bricq speaking for the Delegation in plenary session, 23/02/2000. [www.assemblee-nationale/cr1/leg11/html/20000210.asp](http://www.assemblee-nationale/cr1/leg11/html/20000210.asp), accessed 01/07/2003.

### Abortion and Contraception (two bills)

To combat the rise in abortion figures amongst teenagers a public information campaign on contraception was launched in January 2000, and the distribution of a morning-after pill (Norlévo) by college nurses was authorised. Despite a long consultation exercise, pro-life and family groups appealed to the *Conseil d'état*, which revoked the measure on technical grounds at the end of June. In parallel, the Delegation had taken up abortion and contraception as its first annual theme, organising a conference in May and a series of hearings. This preparatory work enabled them to react swiftly. They continued hearings (of health and education professionals, student and parents' organisations, as well as four ministers and Lucien Neuwirth handling the issue in the Senate) so as to table a private member's bill on Contraception for Teenagers in September. The government – already drafting a more general bill - rapidly made space in the parliamentary timetable, and declared emergency proceedings to expedite the issue. The law was promulgated by mid-December<sup>12</sup>.

Before the first reading, the Delegation organised a well-attended private showing in the Palais-Bourbon of a documentary on the day-to-day operation of a family planning clinic. This relatively unusual event coincided with the launch of the wider government bill – Abortion and Contraception - , known to be more controversial. Although most Deputies and journalists were obsessed with the extension of the legal limit from 10 to 12 weeks of pregnancy, the real innovations lay elsewhere. Henceforth girls under 18 would no longer need parental consent, provided that they were accompanied by another adult (relative or counsellor); while maintaining medical staff's right to conscientious objection (which blocked availability of abortion in certain areas), hospital consultants must make provision for abortions to be performed on their wards; sterilisation (which existed in a twilight zone) was to be recognised as a lawful method of contraception; and a

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<sup>12</sup> *Loi N° 2000-1209 du 13 décembre 2000 relative à la contraception d'urgence*. The speed of delivery is partly due to the fact that the *Conseil d'état's* objections arose from technicalities of the 1967 loi Neuwirth, rather than fundamental or ethical considerations

new 'délit d'entrave à l'IVG' was to be included in the penal code to counteract anti-abortion commandos. The law survived the full *navette* and the Constitutional Council virtually intact and was promulgated in July 2001. Several of the new measures (in particular sterilisation and 'délit d'entrave') arose from Delegation recommendations or Delegates' amendments, and their contribution was universally acknowledged. *Libération*, after the first reading, even went so far as to claim: "Ce débat fera date dans l'histoire parlementaire: ce sont les députées de la délégation aux droits des femmes qui ont porté cette réforme gouvernementale a minima ... et l'ont transformée en une réforme emblématique."<sup>13</sup>

The keys to this success were undoubtedly early involvement and co-operation with the government majority, not to mention the determination of a few individuals. The preparatory work already underway when the crisis arose equipped them for the lunge-and-parry tactics that followed and lent them considerable authority<sup>14</sup>. It also enabled them to position their members as key players. Hélène Mignon was appointed *rapporteure* by the Social Affairs Committee for the first bill, sponsored by Danielle Bousquet. The Delegation President, Martine Lignières-Cassou, was Committee *rapporteure* for the second government bill. This would not have been possible without the complicity of the Socialist Group, who organised the temporary transfer of both Deputies into the Social Affairs Committee, or policy alignment with the executive. The task was facilitated by cross-party support from some *députées*. Although (male) criticism was verbal in the Chamber, key women on the right (Bachelot, Catala, Ameline) were not opposed in principle. There was some conflict within the Delegation, mainly from Marie-Thérèse Boisseau, UDF spokesperson, but paradoxically its

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<sup>13</sup> *Libération* 01/12/2000 and 27/11/2000; *Le Monde*, 17/11/2000.

<sup>14</sup> Forty expert witnesses were heard in 14 hearings and 9 work groups; the President of the Social Affairs Committee acknowledged the debt owing to this advance work.

task may have been facilitated by absenteeism<sup>15</sup>. Most of the hearings – except when three women ministers presented the government bill – were attended only by core members: it may have been easier to produce coherent, far-reaching recommendations *en petit comité*.

In 2001, the Delegation ran its first follow-up campaign, on abortion and contraception, only 8 months after promulgation. Apart from identifying problems to be resolved by regulatory channels and maintaining pressure for decrees to be issued, it also revealed some *effets pervers*: for example, instead of women travelling abroad to obtain abortion after 10 weeks, they were often forced to seek treatment elsewhere in France, because of local difficulties. This not only increased stress at the personal level, but also put pressure on establishments trying to implement the law. There was some criticism of this follow-up work judged to be premature and inappropriate<sup>16</sup>, but it complies with the Delegation's remit, and the express instructions of the President of the Social Affairs Committee. Whether or not it was ill-timed, it at least sent a clear message that the Delegation meant business.

On the issue of contraception and abortion, the Delegation fulfilled all three strands of its remit, by organising advance consultation, bringing maximum pressure to bear in policy formulation, and maintaining pressure during the implementation phase. Members see this as one of their greatest achievements, which also demonstrated the Delegation's networking potential: they worked collaboratively not only with the government, but also with the Senate (via Neuwirth and the Senate Delegation), and acted as a bridge between formal and informal politics.

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<sup>15</sup> M. Delnatte and Mme Catala attended quite regularly with occasional appearances by Mmes Bachelot and Zimmermann. The ministerial hearing attracted a record 6 opposition members, and 5 men. *Journal officiel*, March–November 2000.

<sup>16</sup> From Interviewee N°17, for example.

### Validation of Work Experience

The Delegation took up this issue, which extends Equality at Work, because women have fewer job training opportunities. Beyond emphasising the inclusion of part-time workers and the recognition of voluntary sector experience, the only explicitly gendered recommendation was to include more women in the adjudication panels.

### Transmission of Surnames

The original bill simply sought to legalise the practice of adding the mother's name to the father's, but it was substantially reinforced by the Delegation<sup>17</sup>. Parents were to have a free choice of their children's name(s). However, the Senate re-established the primacy of the father's name when parents disagreed (the Assembly reluctantly accepted this to get the law into statute before the end of the Parliament)<sup>18</sup>. The anti-patriarchal thrust of this bill was underlined by a change in its title, introduced by the Senate Women's Delegation, substituting 'nom de famille' for 'nom patronymique'.

### Inheritance Rights of the Surviving Spouse

In the absence of a will, French inheritance law (since Napoleon) favoured blood relatives over spouses, often leaving the surviving partner vulnerable to claims from their own children, or from the deceased partner's parents, grandparents, siblings, or nephews. The law has strengthened the position of the surviving spouse with regard to blood relatives, and their rights over the matrimonial home and effects. (It also recognised the rights of illegitimate children.) Beyond these practical improvements, it shifts the basis of inheritance from patriarchal blood links to a consensual partnership between equals. The

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<sup>17</sup> *Le Monde*, 10/02/2001 credited the Delegation explicitly. Gérard Gouzes, the sponsor and committee *rapporteur*, explicitly acknowledged his indebtedness to the Delegation (Assembly Report N°3663: 21).

<sup>18</sup> The government was equally unhappy: Marylise Lebranchu, *garde des Sceaux*, described it as 'symboliquement régressive'.



Delegation suggested only minor improvements, probably because the original bill and Committee report were exhaustive<sup>19</sup>.

### Disclosure of Ascendants' Identity

This law tackled the legal void surrounding the issue of *accouchement sous X*, by establishing a *Conseil national pour l'accès aux origines personnelles* to mediate between adults wishing to discover their parentage, and mothers who give birth anonymously. The Delegation sought to preserve the mother's right to anonymity while making it possible to reverse this decision (as did the government sponsor, Ségolène Royal), but only if *both* parties so wish. (The *Conseil national* would disclose information if it received separate requests from the parent and child within a given timeframe.) Most of the Delegation's recommendations were satisfied, except for this key issue of concomitant requests: the *Conseil national* can contact the natural parents unilaterally on behalf of the child. Additional measures to protect parents' privacy were nevertheless written into the final law to meet Delegation concerns.

This bill exemplifies the tension between feminist demands (for maximum protection of the mother's anonymity) and general rights of the individual (to know their roots). In its hearings, the Delegation achieved balance between proponents of both sides<sup>20</sup>.

### Shared Parental Care

Two points of interest regarding the Delegation are raised by this wide-ranging law devised to redefine the bonds between mothers, fathers and children in the context of changing family structure, by extending the options available on separation, offering greater respect of children's interests and reinforcing mediation<sup>21</sup>.

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<sup>19</sup> The work of Alain Vidalies, the Committee *rapporteur* and non-Delegate, is an example of men Deputies taking women's rights issues on board.

<sup>20</sup> Ranging from the *Coordination des Actions pour le Droit à la Connaissance des Origines* to the *Coordination nationale pour le droit à l'avortement et la contraception*. See Assembly report N° 3087.

<sup>21</sup> It applies to all couples, married or not, and all children irrespective of their 'legitimacy'.

Like the 'Prestation compensatoire', the law ostensibly tackles an injustice for men (rarely granted custody or satisfactory access), although it also benefits women by shifting the onus of childcare and challenging assumptions about carers and providers. This underscores the message in the Delegation's title: that rights for women and for men are not necessarily mutually exclusive.

The second issue concerns violence within the family, which was absent from the original bill and the Delegation recommendations. Amendments submitted by the government and Martine Lignières-Cassou during the first Assembly reading established that mediation could be judged inappropriate in cases of family violence, but these were thrown out by the Senate. The rejection of such a timid proposal highlights a fundamental failure to integrate the reality of violence and abuse into the law – despite the much-publicised government report on violence against women which Nicole Péry (*Service aux droits des femmes*) had presented to the Delegation only a few months previously<sup>22</sup>.

This case illustrates an additional research difficulty in assessing the Delegation's work so long as it cannot table its own amendments. On the basis of publicly available documentation it was difficult to establish whether Mme Lignières-Cassou acted in a personal capacity or as President of the Delegation, although it is clear that the Delegation supported the initiative after the fact. It cannot be assumed that amendments tabled by Delegation members on referred bills represent the consensus, as an individual member may choose this option to express dissent: Mme Boisseau, for example, used this tactic for 'IVG et contraception'.

### **Divorce**

The Delegation redeemed their oversight regarding violence when divorce came under discussion after the summer. In addition to the full hearings of legal experts, the *rapporteure* met representatives of 6 (mostly feminist) women's groups: consequently the report underlined the issue, formulated in 6 of the 12

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<sup>22</sup> *Enquête nationale sur les violences envers les femmes en France*, Jaspard (2001).

recommendations. They proposed that the violent partner, and not the victim, be excluded from the family home, and sought to maintain the notion of guilt by allowing the judge to record evidence of physical or mental abuse (the bill would have abolished 'divorce pour faute'). Women's groups argued it was important for victims of violence that blame be apportioned to the aggressor, but the media criticised the Delegation's stance, considered reactionary and contentious.

Although their views diverged on some issues, the cooperation between the Delegation and the Constitutional Affairs Committee was exemplary and was indicative of new working practices developed in 2001, whereby the *rapporteurs* were encouraged to attend each other's hearings and work sessions (see (1.a), Chapter 9).

### Bioethics

The Delegation voluntarily restricted its involvement in this vast bill (updating the 1994 Law) to women-centred aspects of artificial insemination (improving counselling and information, broadening access, implications of egg donation and ovarian stimulation) and drew on the findings of the *Mission d'information commune*, the Special Committee and its 2<sup>nd</sup> annual conference, organised in April 2001<sup>23</sup>. In parallel, Yvette Roudy, as *rapporteuse*, proposed that the regulatory body created be composed of equal numbers of men and women, with a balance between scientists/practitioners and non-experts from civil society. Having only completed one reading before the end of the parliament, this bill was abandoned, so the impact of the Delegation cannot be assessed. However, Mme Roudy deplored the failure of her male colleagues (apart from those intimately involved in drafting the bill and report) to take up her findings.

### Omissions?

To judge the range of the Delegation's work, it is useful to look at the bills with apparent gender implications that were *not* handled. Scanning the list of

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<sup>23</sup> DIAN, Actes du colloque *Femmes et bioéthiques: l'assistance médicale à la procréation*, N° 22/2001, and DIAN Réviser les lois bioéthiques: quel encadrement pour une recherche et des pratiques médicales maîtrisées ?, N° 30/2001.

laws passed in the three parliamentary sessions since 1999<sup>24</sup> shows up few major omissions, the most notable being the 2<sup>nd</sup> law on the 35-hour week, the creation of a new 'Allocation personnalisée d'autonomie' for the elderly, the anti-discrimination law and the law on 'Démocratie de proximité' (though many others undoubtedly had hidden gender implications). Criticisms of the Delegation's failure to protect women better in the transition to the 35-hour week<sup>25</sup> seem harsh, as the second bill was at an advanced stage when the Delegation became operational. Regarding 'Démocratie de proximité' (which included measures on the *statut de l'élu*), the Delegation did have informal input via consultation and members' amendments<sup>26</sup>, though the Bureau decided against seeking official referral because of the timing (the second reading came in the log-jam at the end of the parliament, when the Delegation had six other bills pending)<sup>27</sup>.

### In Summary

Despite a few omissions and setbacks, the Delegation covered a lot of ground in a little time and demonstrated its capacity to find its place within the Assembly and make its mark on legislation. The Deputies' own appreciation of the Delegation's influence on legislation was very positive (see (1), Chapter 10). In the patchwork of bills it handled, there were three underlying principles: inclusion of women in decision-making bodies (e.g. Sports Provision, Bioethics, Equality at Work, Validation of Work Experience), attempts at dismantling patriarchal vestiges in law<sup>28</sup> (Transmission of Surnames, Inheritance Rights of Surviving

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<sup>24</sup> *Bulletin de l'Assemblée nationale - Statistiques, 1999-2001*, Appendix VI; and [www.assemblee-nationale.fr](http://www.assemblee-nationale.fr), accessed 23/06/03. See also *Libération*, 28/05/2002.

<sup>25</sup> Interviewees N°7 and N°14, for example.

<sup>26</sup> Danielle Bousquet's amendment provided for parity in the designation of 'conseillers de quartier' while Bernard Roman sought to introduce direct universal suffrage for *intercommunalités*.

<sup>27</sup> Furthermore, the Communists who had pushed the issue of the *statut de l'élu*, were sensitive to the parity aspects of the law.

<sup>28</sup> Assembly Report N°1363: "toutes [les commissions] ont eu à corriger de vieux textes législatifs leur permettant d'effacer la vieille injustice voulue et décidée par Napoléon et à peine corrigée par la République," according to the rapporteur, Jacques Floch. Mme Zimmermann (RPR) echoed this during the debates: "La délégation ne doit pas se cantonner à des prises de position de principe, mais inscrire son action dans le long terme, en essayant de recenser et de contribuer

Spouse, Shared Parental Care) and recognition of the need for gendered statistics to identify better areas of inequality and measure progress. In addition to their immediate substantive impact, such measures pave the way for future change and bear out the notion that the Delegation constitutes a critical act.

If we refer back to the parliamentarians' expectations, we can safely say that the Delegation fulfilled its contract. Its work style and its precise and practical recommendations demonstrated that it was not just a think-tank but a dynamic body committed to concrete action. The range of its recommendations showed the dual nature of its objectives: the 'here-and-now' measures addressing the issue under debate were generally accompanied by 'wishful thinking' recommendations identifying areas for future consideration. This strategy enabled the Delegation to use pre-legislative reports as a platform for forward-thinking. The subject matter of its work also corresponded with the expectations most frequently cited when it was set up. The Delegation steered a delicate course between rights for women and for men, seeking to avoid being branded as a women's lobby, though it was impossible to escape accusations of feminism completely (see section (2.b), Chapter 10).

This overview does not measure the difference that the Delegation made to outcomes, but it does show that most laws had moved further towards equality by the time they were passed, under the combined effect of Delegation and Committee work. The difference was small in some cases – Validation of Work Experience – but extensive in others, the abortion and contraception laws being text-book examples. The little extra that the Delegation could bring to a bill depended not only on the quality of its own work, but also on the quality of the Committee report. For example, the Delegation did not make a huge difference to Equality at Work because the feminist sponsor and *rapporteure*, Catherine

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à faire disparaître les derniers éléments fossiles de notre législation, qui maintiennent une discrimination juridique au détriment des femmes." *Compte rendu intégral*, 29/06/1999.

Génisson, had already done a thorough job. Conversely, their contribution to Voluntary Civilian Service was considerable, because equality had not been addressed at all. This implies that if the Permanent Committees did their job properly, there would be no need for the Delegations, and by extension, that if the Delegation succeeds in disseminating the 'equal rights reflex' then it could become redundant (as hoped by several Deputies in interview and debate).

The articulation between the Delegation and Committees therefore appears crucial for the success of mainstreaming gender equality. The following section looks in detail at one example of the collaboration between the Delegation and the Constitutional Affairs Committee, to determine their respective input and analyse their interaction.

## 2. Case Study - the Parity Law

The Parity Law was chosen for the case study for two main reasons: unlike other major bills handled by the Delegation which revisited existing legislation (Equality at Work, Bioethics), it broke new ground; the issue was emblematic and had a direct bearing on the subject of this thesis. The study looks at the Delegation's qualitative input to content, as well as its working methods.

It is based on three primary sources: the *Projet de loi ordinaire n° 2012 tendant à favoriser l'égal accès des femmes et des hommes aux mandats électoraux et fonctions électives*, presented by the Interior Minister, Jean-Pierre Chevènement (8 December 1999); Delegation Report N° 2074, drafted by Odette Casanova (12 January 2000); and Report N° 2103 submitted to the Constitutional Affairs Committee by Bernard Roman (20 January 1999). It therefore concerns the initial input to the first reading in the Assembly, and does not explore subsequent intervention throughout the extensive *navette*, although it does specify the final outcome for each clause. It must be born in mind that the Socialists, and by extension the Delegation, consented to Jospin's commitment to preserve the existing electoral architecture. This inevitably circumscribed the Delegation's scope.

### a. Working Methods

Differences between the approach of the Delegation and the Constitutional Affairs Committee became apparent *before* the bill was officially submitted to Parliament. The Delegation, after its inaugural meeting to elect the Bureau in November, got straight down to business: from 23 November to the 14 December it devoted 4 hearings to parity, before a final meeting to finalise the report and recommendations on 11 January. Consequently, they were able to appoint their *rapporteure* and begin exploratory work before the Committee, which could not officially start until the referral of the bill: the Committee's single hearing took place on 15 December, and its report was approved in Committee on 20 January, only days before the first reading. This head start made a qualitative difference to the Delegation's contribution: whereas the Committee only heard the Ministers responsible for the bill (Chevènement and Nicole Péry, in charge of *Droits des femmes*), the Delegation devoted 7 hours to evidence from a broad range of specialists, including academics, constitutional experts, politicians and the *Observatoire de la parité* (which was involved in consultation with various women's and political organisations)<sup>29</sup>. This was obviously beneficial to the Delegation *rapporteure*, Odette Casanova, but also to her Committee counterpart and Delegation colleague, Bernard Roman, who attended 4 of the Delegation meetings. Similarly, key Delegation members attended the Committee's ministerial hearing and deliberations to defend amendments. Of course, the later official intervention of the Committee *rapporteur* did not preclude personal initiatives and preparation, but the tighter timeframe restricted Committee latitude, which was further constrained by the very function of the Committee – *la mise en mots* (Abélès 2000: 105).

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<sup>29</sup> The following gave evidence to the Delegation: Mariette Sineau & Janine Mossuz-Lavau (CEVIPOF); Geneviève Fraisse (Euro-deputy and former *Délégue interministérielle aux droits des femmes*), Danielle de Valence (ADF-AMF), Catherine Guy-Quint (Euro-deputy), Jaques Pélissard (Deputy); Guy Carcassonne, Marie-Cécile Moreau, Laure Ortiz (constitutional & legal experts); and Catherine Génisson, *Rapporteure générale* of the *Observatoire de la parité*. See the *Observatoire* report "La parité en politique" (January 2000) for details of further hearings.

These constraints could be read from the content and format of the respective reports. The Committee Report had a fairly long and oratorical introduction setting the historical, statistical and international context, then described the content and implications of the bill before taking it apart, line by line, to approve or amend each article. The Delegation report was less verbose, less fastidious, more reflective and more practical, as evinced by the titles of the two main sections: 'les correctifs à apporter' and 'les prolongements de la réforme'. Its recommendations encapsulated this approach.

In parallel with the official report (published a week in advance of Committee deliberations), Delegation members tabled amendments for Committee consideration<sup>30</sup>. A comparison of the recommendations and amendments revealed the difference in function between the two, indicating the underlying differences between the Delegation and Committees. Whereas recommendations can formulate ideals which may go beyond the parameters of the legislation in hand, amendments are simply adaptations of the text of the bill. For example, the first recommendation, asserting that parity should involve 'égalité d'élus' and not just 'égalité de candidatures' directly challenges the philosophy of the government bill which aimed at 'égal accès aux mandats électoraux'. This could not give rise to an amendment. Some recommendations were more practical and consistent with the bill, and could therefore be formulated as amendments (for example, recommendation n° 10, that sex must be specified on election forms). This provides dual input: the recommendations act as 'moral guidelines' while amendments provide concrete suggestions.

The distinction between the respective roles of the Delegation and Committees mirrors this. The Committee report acknowledged the parameters of the bill – the sub-head of the appropriate section was 'un équilibre réussi entre la réalisation d'un objectif essentiel à la rénovation de la vie politique et les

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<sup>30</sup> It should be borne in mind that the Delegation *per se* cannot table amendments, so in practice, it is the individual members who take up issues. See (3.d), Chapter 10 for a further discussion of the relative merits of amendments and recommendations.



contraintes du cadre juridique existant’ – whereas many of the Delegation recommendations overstepped the boundaries of the electoral framework.

Beyond the *mise en mots de la loi*, amendments fulfil a second function, also illustrated by the case of the Parity Law: they enable Delegates to express dissent. In addition to the series of ‘official’ amendments submitted by Mme Casanova, there were several opposition amendments which did not necessarily conform to the general consensus<sup>31</sup>. (See (2.a), Chapter 9 for further discussion of inter-party relations.)

The Delegation’s handling of the Parity Bill demonstrates that it was proactive and thorough, that it complemented Committee work and that it opened up parliamentary deliberation to a wider range of commentators. It also illustrates the potential benefits of dual Committee/Delegation membership (see also (3.c), Chapter 10): the Delegation hearings provided an invaluable resource for Bernard Roman, and joint participation in the ministerial hearing rationalised time-use. Most importantly, the thrust of its work shows healthy independence vis-à-vis the executive. Mme Casanova nailed her colours to the mast in the introduction to her report (N°2074: 5): “Après avoir dressé un rapide état des lieux, il convient d’examiner ces projets de manière critique: car certaines dispositions, qui y figurent, devraient être renforcées tandis que d’autres, que l’on aurait aimé voir y figurer, en sont absentes et devraient donc y être insérées.” The following section will identify which measures were successfully strengthened or included.

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<sup>31</sup> For example, amendments N° 26 & 27 (Mme Boisseau) proposed a moratorium for the 2001 municipal elections and a lower limit of 40% of candidates of either sex instead of 50/50 parity. Amendment N° 14 (Mme Zimmermann) sought to lower the threshold for the application of parity in municipal elections to 2,500 inhabitants: the Committee reporter opted for an even lower threshold, making this redundant.

## b. Results

Table 8.1 summarises the measures included in the government bill and the improvements proposed for the first reading by the Delegation and the Constitutional Affairs Committee. Clauses which became law are underlined and Committee proposals coinciding with Mme Casanova's amendments are shaded grey. Each issue is briefly described, before an overall assessment is made of the Delegation's input. (See (3), Chapter 2 for more details of the Parity Law.)

- For municipal elections, the existing **threshold of 3,500 inhabitants** (below which specific electoral systems – primarily 'panachage' - precluded the use of zipped lists) was considered unnecessarily restrictive: it covered only 7% of communes, with a total population, according to Roman, of 20 million inhabitants. The Delegation argued for a threshold of 2,500, which would include another 1,000 communes (increasing their number by half) with 3 million more inhabitants. The Committee succeeded in getting the 2,000-inhabitant threshold voted, which Roman claimed would cover 13% of communes and two-thirds of the population<sup>32</sup>. (The Senate re-established the original level with Chevènement's complicity). The haggling over numbers of communes and population seems to miss the point of 'égal accès aux mandats électoraux'. In terms of political recruitment, it is perhaps more appropriate to look at the **proportion of seats** involved. Unfortunately, publicly available data are insufficient to calculate the difference the thresholds would make in terms of seats. However, on the basis of the gendered results for the 2001 municipal elections, I calculated that only 17.5% of Metropolitan seats were subject to gender regulation<sup>33</sup>. Wherever the curser was set, the vast majority of councils and seats would be outwith the scope of parity.

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<sup>32</sup> Assembly Report N°2103: 24-28.

<sup>33</sup> In March 2001, of the 474,020 *conseillers municipaux*, 83,158 were elected in 3,500+ communes: there were 2587 such communes out of 36,558. Génisson Report (2002: 21) and Zimmermann Report (March 2003: 38).

- Regarding **ranking**, it is astonishing that the initial text gave the parties a free hand – which would have meant that “mis à part le sens du ridicule, rien n'empêche les partis politiques de présenter une liste comportant 50% de femmes placées en dernier rang” (Janine Mossuz-Lavau in her evidence to the Delegation). Indeed, an Interior Ministry simulation included a worst case scenario of 26% of *conseillères municipales* if no ranking criteria were imposed<sup>34</sup>. The Delegation report followed a maximalist tack – recommending alternate zipping (*chabada* lists) – for all PR elections, except for the 2001 municipal elections, where they envisaged the temporary use of cluster-zipping (see (3.b.i), Chapter 2). However, Mme Casanova submitted weaker amendments to the Committee (cluster-zipping for all two-round ballots) which were identical to those of Cécile Helle, the Socialist spokesperson on the law: this suggests a tactical alliance to strengthen chances of shifting the government bill from its minimalist stance. They succeeded on this count, which is the most significant parliamentary improvement to the legislation.
- The Delegation could not reconcile itself to the **financial penalty for legislative elections** for two reasons: it would not obtain the desired results since it would apply only to the proportion of female *candidates* (whom the parties were free to deploy in no-hope constituencies); and it put a price-tag on women. They did implicitly accept the notion, however, by making recommendations on the **redeployment of public funding**. Their counter-proposal (cannily resurrecting a bill sponsored by Chevènement in 1994) involved imposing candidate parity within each department: this could have prevented parties on the right from dumping their female candidates in Socialist heartlands, and *vice versa*. However, this proposal was not transposed into an amendment.
- Regarding *intercommunalités*, although Bernard Roman identified the problems in the body of his report, he did not introduce any specific measures, judging them premature (the new legal framework for EPCI's, indirectly elected

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<sup>34</sup> Assembly Report N°2074: 16.

from the constituent *conseils municipaux*, dated only from July 1999). The Delegation did tentatively recommend the introduction of direct election with a suitable parity mechanism at some unspecified time “après les prochaines élections municipales”, but again, this was not transposed into an amendment. Nor was the creative recommendation regarding **majoritarian Senate elections** officially submitted to the Committee. It involved indirect action to dilute the masculinity of the electoral college, which favours the ‘Old Boys’ reflex: the PR lists for election of *délégués des conseils municipaux* in the larger communes were to be *chabada*. This recommendation was an example of the way in which the Delegation, when faced with an immovable obstacle, applied lateral-thinking to at least ‘chip away’ at the base of the problem.

- The last two recommendations made by the Delegation were submitted as amendments and taken up by the Committee. Although the initial government bill made **specification of sex compulsory on candidate lists** (to enable the *préfectures* to check legal conformity), there was no such obligation for candidates in first-past-the-post contests. Campaign groups had sensitised the Delegation to the difficulty of monitoring elections without this information (because of unisex first names like Claude and Dominique), which would be essential for the follow-up reports. Lastly, the Delegation insisted that **progress reports** should cover trends in women’s representation in exempted elections, as well as monitoring the application of the law (again, under pressure from campaign groups).
- The Interior Minister and the Constitutional Affairs *rapporteur* had widely diverging views on the issue of the **cultural exception in Mayotte** (where women’s activities are apparently circumscribed by traditional Islam). The Delegation appeared to be satisfied with transitional measures in 2001 and convergence with standard legislation by 2007.

**Table 8.1 – Government, Delegation and Committee Input to the First Reading of the Parity Law**

Issue	Government Bill, N° 2012	Delegation Report, N° 2074	Committee Report, N° 2103
1. Threshold for municipal elections	<u>3,500 inhabitants</u>	2,500 inhabitants	2,000 inhabitants
2. Ranking of candidates for PR lists	No stipulations beyond equal numbers of both sexes	<u>Alternate zipped lists</u> for all PR elections: temporary exception for 2001 municipal elections when cluster-zipping would apply	<u>Cluster-zipping for municipal, regional and Corsican Assembly elections; alternate zipping for European and Senate PR elections</u>
3. Legislative elections	<u>Financial penalty on first tranche of political parties' public funding</u>	Candidate parity within each Department	<u>Financial penalty on first tranche of political parties' public funding</u>
4. Financial penalty	<u>Public funding cut in line with the shortfall of candidates of either sex (with 2% tolerance)</u>	Reluctantly accepted but considered inadequate (applies only to candidacies, not results)	<u>Public funding cut in line with the shortfall of candidates of either sex (with 2% tolerance)</u>
5. Redeployment of clawed-back funding	<u>For unspecified purposes</u>	To fund political parity projects, with annual report of use	<u>To fund political parity projects, with annual report of use</u>
6. Timeframe for application	Immediate except Mayotte: 2001 municipal elections	<u>Immediate</u> , except municipals in 2001 (see above)	<u>Immediate application</u>
7. <i>Intercommunalité</i>	<u>No provision</u>	Direct election with parity provisions	<u>No provision</u> , but problem flagged
8. Senate majoritarian elections	<u>No provision</u>	Gender balance for <i>délégués municipaux</i> in electoral college	<u>No provision</u> , but extension of PR expected
9. Specification of sex on candidate forms	<u>Party lists must specify sex of all candidates</u>	<u>Sex also specified for FPTP candidates and suppléants</u>	<u>Sex also specified for FPTP candidates and suppléants</u>
10. Follow-up of implementation	No provision	<u>Triennial progress reports, including areas currently exempt from law</u>	<u>Triennial progress reports, including areas currently exempt from law</u>
11. Exceptions in DOM-TOM	Mayotte municipal elections in 2001: 66% max. for candidates. Tolerance of 2% (leg. elections) modified for statistical reasons.	No specification	<u>No exceptions</u>

Compiled from *Projet de loi* N°2012 and *Loi 2000-493* (modified by the Constitutional Council) and Reports N° 2074 & 2103. See (3), Chapter 2 for definitions and further explanation.

Several observations can be drawn from the comparison in Table 8.1, in which measures adopted are underlined, and the Delegation *rapporteure's* amendments are shaded. Firstly, the government bill goes no further than the bare minimum, despite the rhetoric surrounding the Constitutional Amendment and the input provided by the *Observatoire de la parité* (whose reports were commissioned by and submitted to the Prime Minister). The most glaring omission was the absence of ranking criteria for PR lists in municipal, regional and European elections; and the relaxation of the financial penalty was to have dire consequences in the 2002 legislative elections<sup>35</sup>. Furthermore, the bill made no provision for Senate and Departmental elections, and ignored two other issues signposted by the Gillot Report: council executive posts (even though its title included 'fonctions électorales') and *intercommunalité* (which had been totally revamped by Chevènement the previous July). In short, the government bill would have made virtually no difference to electoral results, as it took the bite out of the Gillot proposals.

Secondly, the Delegation recommendations were far more comprehensive and radical than the initial text – they put the teeth back into the parity measures, specifically regarding alternate zipped lists. They reinforced the Gillot proposals (making concrete suggestions for *intercommunalité*, inclusion of sex in candidate data), and filled significant gaps (extending ranking criteria to Senate PR lists, imposing follow-up of implementation). Drawing on their hearings (and to a lesser extent, the ongoing work of the *Observatoire* under a new *Rapporteure générale*), they also innovated, as for example with candidate parity at

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<sup>35</sup> The Gillot Report (1999: 22-23) advised alternate lists for European and regional lists with immediate effect, and for municipal elections from 2007 (a 40% quota without ranking criteria was preferred for 2001, because of time constraints). Regarding legislative elections (pp.23-30), Gillot rejected the options advocated by her predecessor in the Halimi Report (based on qualitative candidate selection methods – 'élections binominales', parity for safe seats, 'ticket homme-femme') in favour of the financial penalty. However, she clearly identified the risk of obtaining parity in selection without parity in election results, and adapted her proposals accordingly. Chevènement's mechanism, behind the façade of strict numerical parity (it applied from 49% of candidates of either sex), had no qualitative controls, with the results we have seen in Part I.

departmental level or gender adjustment of the Senate electoral college. The Delegation therefore did an exemplary job, building on existing foundations and harvesting wide-ranging opinions in order to produce far-reaching and feasible solutions.

The third observation concerns the impact of this work. If we look at the underlinings in Table 8.1, we see that relatively few of the Delegation recommendations were directly incorporated into the subsequent law, though weaker versions were taken up by the Constitutional Affairs Committee, generally via the *rapporteure's* amendments. For example, alternate zipping was imposed for European and Senate lists, but supplanted by cluster-zipping for other PR elections. Why was the Delegation so selective in transposing recommendations into amendments?

Looking at the content of recommendations, it would seem that only relatively uncontroversial issues were tabled as amendments. Thus candidate parity within each *département* and alternate zipping in two-round ballots may have been dropped because they would be unpopular with political parties (they would severely disrupt *la cuisine électorale* surrounding local selection procedures). The prospect of Senate hostility to the mechanism for gender balance in the Electoral College may have outweighed its indirect and hypothetical benefits. In contrast, the amendments on the redeployment of public funds, specification of sex and progress reports had high intrinsic value and a low irritant factor. This cautious approach appears to be vindicated by the fact that none of Mme Casanova's amendments were rejected, in contrast with some more radical amendments<sup>36</sup>. Does this bespeak subordination to the party line, or realism?

In the context of the 1999-2000 parliamentary session, both factors probably applied. Although parity is now taken for granted, in the aftermath of the Constitutional Amendment, at a time when the Anti-Cumul Law and Senate

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<sup>36</sup>For example amendments tabled by Guy Hascoët (Verts) and Lionnel Luca (non-inscrit) aiming at alternate zipping across the board were rejected.

Reform were being fought tooth-and-nail, it was expected to have a rough passage (and indeed there was stiff opposition, with a full *navette* and referral to the Constitutional Council). Time was short: municipal elections were due in March 2001, so the *trêve républicaine* dictated rapid action<sup>37</sup>. The Delegation was new and untried, and behind the implausible consensus surrounding its creation, its members were strongly aware of the pitfalls of feminist identification (see (2.b), Chapter 10). Realistically, more could probably be achieved by alliance with the favourably disposed elements of the parliamentary majority than by sticking to the upper limits. Recommendations allowed the Delegation to keep its principles intact and to publicise them, while amendments brought concrete, if slightly weaker results. And in practice, did their climb-down really matter? Cluster-zipping was still projected to return at least 44% of women<sup>38</sup>, so the risk of stalemate or rejection may have outweighed the minimal gains in the percentage of extra women. Failure to press for candidate parity within each *département* in parallel with the financial penalty for legislative elections was a more serious omission, however, as it enabled the bigger parties (UMP and PS) to 'buy' the right to flout the law in 2002.

Before concluding this case study of the Delegation's input to the Parity Law, one last intangible and unquantifiable element remains: the human interactions between the Delegation and the Committee. Bernard Roman was known to be an institutional reformer, committed to increasing women's representation, and was therefore expected to do a thorough job as *rapporteur* on parity. However, the Delegation hearings undoubtedly enriched his report, and

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<sup>37</sup> All involved in the Parity Law were acutely aware that the government bill offered a now-or-never window of opportunity, q.v. Geneviève Fraisse's comment in her evidence to the Delegation (Report N°2074): "En réalité, le projet du Gouvernement ne nous satisfait pas, non seulement parce qu'il est vague et abstrait mais aussi parce que l'action en faveur de la parité semble devoir se faire maintenant ou jamais. Nous ne repoussons pas l'idée d'étaler les mesures - et notamment les pourcentages- dans le temps. Mais en tout état de cause, il convient d'agir maintenant sinon nous risquons de ne rien obtenir par la suite."

<sup>38</sup> See simulations produced by Marie-Françoise Clergeau (Delegation Member) and the Interior Ministry, Génisson Report (2000 :appendix).



Delegation support plausibly strengthened his hand and afforded moral authority during Committee deliberations. He repaid this debt by systematically adopting Mme Casanova's amendments in preference to similar variations tabled by backbenchers, which in turn lent more credibility and authority to the Delegation as an emerging parliamentary partner. Furthermore, it illustrates how the Delegation can potentially provide and procure support from 'male allies': this symbiosis (developed further in (2.b), Chapter 9) could be fundamental to the success of mainstreaming and substantive representation in a context of continuing, extreme under-representation of women.

To assess the overall impact of the Delegation in this key legislation, it is useful to adapt the model developed by the Research Network of Gender, Politics and the State<sup>39</sup>, which Amy Mazur and Claudie Baudino (RNGS 2000) have applied to a range of previous policy debates in France (including women's political representation)<sup>40</sup>. It involves two distinct typologies: the first seeks to assess women's policy agencies' activities in addressing a given policy debate, while the second looks at their impact on state responses.

The first typology is based on two questions: did agency staff gender the debate and did they adopt or share the same goals as women's movements? In the present case of the Delegation's role in the parity debate, the second answer is definitely 'yes', whereas the first answer is 'yes' by default (as the issue was already intrinsically gendered). The RNGS uses the term 'insider' for this highest rating for women's policy agency activities.

The second typology, concerning impact on state responses, also asks two questions, on the substantive response (whether policy content reflects women's

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<sup>39</sup> RNGS seeks to establish a comparative framework for assessing state feminism, and is based on Stetson and Mazur's *Comparative State Feminism* (1995). It looks at the interaction between women's movements and women's policy agencies and how they influence public policy. See Stetson (2003) for an outline of the project.

<sup>40</sup> The *Service des Droits des femmes* commissioned a report from the RNGS team which covers the period up to the first reading of the parity bill. Although it gives extensive coverage of the *Observatoire* it does not include the Women's Delegation.

movements' demands) and on 'procedural acceptance' (whether representatives of the women's movement were involved in the process). Here again, the latter warrants a firm 'yes', whereas the former gets a slightly shakier affirmative, not because the Delegation failed to take up women's demands but because they did not get *all* demands included in the *final* state response. Moreover, they did not challenge the parameters set by the executive, which insisted on working within the existing electoral architecture. This would place the Delegation in the highest classification, 'dual response' but on the borderline with 'co-optation'.

On the RNGS scale, the Delegation classification ('insider'/'dual response') is therefore very positive, and is similar to the assessment of the *Observatoire*, which Mazur and Baudino rated 'insider'/'co-optation' in early 2000<sup>41</sup>. It is interesting to compare the two bodies, because their action highlights their complementarity. The case study of the first reading of the parity law shows that the Ministry of the Interior in effect **degendered** a debate that had been previously gendered by a women's policy agency emanating from the *executive* (the *Observatoire*). The Delegation (a *legislative* women's policy agency) **regendered** the debate by reinstating the policy content provided by the *Observatoire* and the women's movements. The *Observatoire* and Delegations are not redundant (even though they do share the same objectives): they are equally necessary because they have different entry points in policy formulation. This underlines an additional dimension in the assessment of state feminism – iteration of feminist input at successive levels of the decision-making process. This may seem to state the obvious, but analysis of the chronological stages of legislation shows that it is significant, and refutes the suggestion that these two bodies simply duplicate their input.

Stetson (2003: 4) argues: "The key to assessing state feminism is the extent to which women's policy agencies are sufficient and necessary allies with

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<sup>41</sup> Op. cit: 65-75.

women's movements in gaining successful responses from the state on a policy debate." This case study demonstrates that the Delegation was a necessary part of the process (reintroducing lost policy content) but it was not sufficient (Committee support required).

x      x      x      x      x

This overview of the bills handled by the Delegation and the detailed analysis of input to the Parity Law, shows that it clearly made a substantive difference to legislative outcomes in the 1997 Parliament. Moreover, in addition to changing (relatively) superficial details, Delegates aimed at more fundamental issues, as evinced by the underlying emphasis on empowering women (improved access to decision-making bodies), on expunging patriarchal traces from the law and on improving gendered statistics. They also used legislative debate to draw attention to parallel issues (e.g. violence against women, transport and childcare issues for night workers). Although not relevant to substantive impact in the short-term, this should not be discounted as it could contribute to a longer-term redefinition of the scope of legislation. Most significantly, the Delegation was instrumental in improving the legislation to ensure greater political representation for women. Considering that "the most important critical acts are those that mobilise governing institutions to improve things for the minority group" (Lovenduski 2001: 757), the Delegation hit the target.

It could be argued that the Delegation lacked independence vis-à-vis the executive, as the subject matter of legislation was aligned on government policy. However, they had little choice, as the institutional design of the Delegation does not allow for initiating legislation. Furthermore, like all feminist agencies entering into partnership with the state, they are faced with the dilemma of complying with executive priorities at the risk of cooptation, or asserting different priorities at the risk of failing to achieve agenda status. Within existing constraints, the Delegation did succeed in expanding the scope of executive policies and exploiting potential openings. This is best exemplified by their action on contraception and abortion,

the subject of their first annual conference. Contraception for Teenagers – where a Delegate used a private member's bill linked with up-coming government legislation to address an unmet need - is a template for independent agenda-setting potential. Likewise, Delegates' amendments to the second Abortion and Contraception Bill went so much further than original government intentions that they were arguably tantamount to agenda-setting.

This issue of the pressure to conform to the majority and the executive leads on to the question of 'safe space' – whether the Delegation can provide an alternative forum outwith the usual force-fields of politics.

## Chapter 9

### Different Ways of Working

At the beginning of Part III, it was posited that the Delegation could provide opportunities for women (and perhaps men) to **act together**, in order to **act for women**. It is often argued that numerical inferiority hampers the emergence of a distinctive women's voice or alternative agenda, that women are under pressure to conform to party discipline and to male norms within institutions, and that they suffer from male competition.

The Delegation is a new body, a blank page with no inherited practices; its remit is centred on gender and difference, which had previously been off-side and vaguely anti-republican; it is the only official forum in the Assembly with equal numbers of seats for women and men. Could it therefore provide a 'safe space' where women could escape some of the constraints inherent in their minority status and in the gendered institution in which they operate? Free of precedent, could it allow new practices to evolve and make more task opportunities available on a more neutral basis? Could it also benefit men, who may be able to learn from women's experience, or support agendas they could otherwise overlook? In addition to the overt objective of mainstreaming gender equality across the committees, could the Delegation facilitate cross-party and cross-gender

cooperation? Or offer a platform on which to build agendas collaboratively? Or windows through which previously unvoiced ideas and demands might be heard?

Such speculative questions cannot as yet be answered: the Delegation had been operational for only two years by the end parliamentary business. Despite a robust legislative record, it is premature to judge its working methods, which need time to stabilise, and which, in any case, represent one particular constellation of individuals. However, the Delegation is such a radical departure from previous practice, offering such great expectations, that some interim analysis could be attempted.

Its potential on paper to transform the way in which equality issues are handled was reinforced by some Deputies' comments at interview. "Quand la Délégation prend un sujet en compte, elle y va à fond, il y a une grande liberté de pensée, de réflexion, d'expression, et je pense que ça permet d'améliorer la prise en compte des droits des femmes, dans tous les problèmes qui les concernent directement, ou qui nécessitent leur présence dans l'évolution de la société." The full significance of this statement lies in the profile of the speaker [N°17]: he was a regular participant from the right, instinctively wary of feminism, very cautious and measured in tone, and not of the 'new-man' generation which is more permeable to women's rights rhetoric. Other comments from more predictable quarters sharpened interest in the Delegation's working methods. According to a PS feminist: "Nous avons un travail réellement collectif, réellement d'écoute des uns - des unes, des autres (parce que c'est majoritairement des femmes)<sup>1</sup>, et nous sommes, dans le groupe socialiste, pratiquement interchangeables. Quand la Délégation demande un rendez-vous ... si la présidente ne veut pas y aller, c'est n'importe laquelle de nous qui la remplace. Et je pense que c'est le seul groupe

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<sup>1</sup> This type of *lapsus révélateur* was common in interviews. Because male participation was so low, Delegates tended to use the feminine plural. Consequently feminine agreements will be used in quotes, where appropriate.

qui fonctionne comme ça. Il n'y a pas d'appropriation du pouvoir, par les unes ou par les autres," [N°1].<sup>2</sup>

The opinions expressed by interviewees (including 9 Delegation members) were supplemented by a written survey sent to all other Deputies (see Appendix F.3). This was designed to gauge their perception of and support for the Delegation: it will be fully reported in Chapter 10. Where possible, links were made with the study of the Delegation's legislative work, or with more objective sources (for example lists of hearings in pre-legislative reports, *Journal officiel*). This exploration of working methods follows three lines of enquiry:

- Mainstreaming: did the Delegation stimulate sensitivity to equality issues in the permanent committees? How did it articulate with these committees?
- Alliance building: did it facilitate cross-party *and* cross-gender cooperation?
- Consultation: did it open up the parliamentary process to include a broader range of women's voices?

## 1. Mainstreaming across the Permanent Committees

Of the three domains, mainstreaming has the greatest concrete and immediate significance from the Deputies' point of view, as it was one of the explicit objectives they set themselves. How this *transversalité* was to be materialised remained implicit, and, as we shall see, was governed by the institutional framework chosen. The impact of the Delegation on committee work has two dimensions: it could be direct (via the parallel scrutiny of bills, and committee members' dual membership) or more pervasive (a more subtle change in the *air du temps*).

### a. The Articulation of Delegation and Committee Work

"Le travail qui est fait en Délégation a des incidences dans les différentes commissions puisque ... les textes dont nous nous saisissons, nous sommes

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<sup>2</sup> Another Delegation office holder made the same point: "Le fonctionnement qu'on a voulu c'est un mode de fonctionnement collectif." She found it difficult to define this, but illustrated it by pointing out: "je ne me suis saisie d'aucun rapport – sauf [un]. ... j'essaie de faire travailler mes collègues. Donc derrière, il y a un travail d'équipe, notamment au sein du groupe des députées socialistes - ou gauche plurielle."

amenées à les porter dans les autres commissions,” [N°1]. This comment encapsulates the notion that Delegation members physically incarnate the link with the permanent committees. ‘Porter’ has several tiers of meaning. At the highest level, it means that a Delegation member gets herself appointed *rapporteure* in the permanent committee, and then works closely with the Delegation *rapporteure*. This was the case for two major bills – the Parity Law, piloted through Constitutional Affairs by Bernard Roman, and the Contraception for Teenagers Bill, handled by Hélène Mignon in Social Affairs. In some instances, this involved strategic transfers: Mmes Lignières-Cassou and Bousquet moved into Social Affairs for the duration of the contraception and abortion debates. Clearly the most effective in terms of legislative outcomes, this links up with the statutory obligation for all permanent committees to be represented in the Delegation.

Coming down the scale, ‘porter’ can involve Deputies submitting amendments (based on Delegation recommendations) in their own name and lobbying the appropriate committee to take them up (thereby increasing the chances of adoption). This is not restricted to bills referred to the Delegation: there were examples of Delegates tabling amendments on other bills “pour qu’on pose le débat et qu’on ne l’évacue pas,” [N°6]<sup>3</sup>. The study of the Delegation’s legislative work yielded numerous examples<sup>4</sup> as seen in the case study of the Parity Law, which demonstrates that this method can be effective although it is more hit-and-miss.

Another method simply entails attending other committee meetings and actively encouraging key committee members to participate in Delegation proceedings. The importance of personal interaction was rapidly recognised and

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<sup>3</sup> This interviewee cited the example in December 2001 of an amendment on pensions for farmers’ wives.

<sup>4</sup> The legalisation of vasectomy and sterilisation as a method of contraception is one example of amendments being used to influence committee work. Likewise, Delegates’ amendments to the bill on ‘Démocratie de proximité’ were incorporated into the Constitutional Affairs Committee’s work.



formalised. In the introduction to the 2<sup>nd</sup> Annual Report<sup>5</sup>, the Delegation President welcomed the closer cooperation achieved in 2001, “puisque les rapporteurs des commissions permanentes ont pu participer aux auditions préparatoires organisées par la Délégation et ont accepté de faire participer les rapporteurs de la Délégation à leurs propres travaux préparatoires.”<sup>6</sup> This is not simply a courteous gesture: in view of the scarcity of resources and the short time-frame for most legislation, it is a pragmatic way to enhance the quality and scope of pre-legislative scrutiny. Evidence of this pooling of resources has already been seen with the Parity Law, and several committee reports showed that their authors had drawn on Delegation work.<sup>7</sup>

At base line, ‘porter’ entailed speaking up in home committee meetings (which cannot be assessed as minutes are not publicly available) or bringing a committee perspective to the Delegation. A very pertinent example of this was the intervention of Nicole Bricq (from Finance) in the Delegation’s discussions on the Abortion and Contraception Report: she pointed out that the budgetary implications of wider access should be explicitly addressed<sup>8</sup>. Conversely, ‘ordinary’ committee members can attend Delegation meetings if they wish to be better informed of gendered aspects of legislation in hand<sup>9</sup>. This is the very essence of mainstreaming, where each Deputy assumes their 1/577<sup>th</sup> share of

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<sup>5</sup> Assembly Report N°3663: 5.

<sup>6</sup> A prime example of this was the cooperation with François Colcombet over his private member’s bill on divorce, as exemplified by Mme Lignières-Cassou’s opening remarks in the Delegation meeting: “Les auditions de juristes, de professionnels du droit, de sociologues, d’associations, qui ont eu lieu en commun, ont permis d’approfondir la réflexion.” Assembly Report N°3294: 21.

<sup>7</sup> The President of the Social Affairs Committee opened the discussion on the Abortion and Contraception Bill with a reminder that the committee had relied on “les travaux préparatoires de grande qualité menés par la Délégation aux droits des femmes de l’Assemblée nationale, qui [avait] notamment établi une série de recommandations tout à fait précieuses.” Assembly Report N° 2726. Likewise, the *rapporteur* and sponsor of the Transmission of Surname Bill, acknowledged during the *Discussion générale*, that “il s’était inspiré du travail de Mme Roudy [rapporteure de la Délégation] pour ses nouvelles propositions”. Assembly Report N°3663: 21.

<sup>8</sup> Assembly Report N°2702: 46.

<sup>9</sup> There were a few instances of this – for example Michèle Rivasi attended some meetings of Equality at Work – but they were infrequent.

responsibility in gender awareness, but it brings us back to the problem of isolation.

The *commissaire-délégué* as a human link can be effective. However, this dependence on dual membership can be risky (especially with such a small complement of Delegation members), as it hinges on the receptiveness of the hosts and the reliability of the Delegates<sup>10</sup>. It was unanimously agreed that committee presidents were sympathetic under the *gauche plurielle*, so all of the Delegation's overtures were well-received<sup>11</sup>. But the Delegation's partnerships were not evenly weighted for several reasons:

- Most bills handled by the Delegation fell within the remit of the Constitutional and Social Affairs Committees, with minimal overlap with the others.
- Most Delegates sat in these two same committees (22/36, see Appendix F.1); there were only 4 Delegates in the 145-member Trade & Industry Committee.
- Poor attendance at Delegation meetings precluded the possibility of 'cross-pollination': only a third of members attended relatively regularly, and the overall attendance rate was hardly 21%. Absenteeism was particularly problematic in Finance and Trade & Industry.

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<sup>10</sup> In contrast with the positive examples given in Chapter 8, the case of a Communist private member's bill on the creation of an 'Allocation d'autonomie pour les jeunes de 16-25 ans', designed to tackle the growing dependency of young adults caused by job insecurity, is edifying. The Social Affairs Committee Report (N°2784) was drafted by a Delegation member: the word 'femme' occurred only in gendered INSEE statistics which showed the clear differential impact of gender regarding 'précarité d'emploi' and 'temps partiel subi'. Despite the evident knock-on effects of job insecurity on maternity rights, for example, there was no discussion whatsoever of the gendered implications of the issues. In this instance, the *commissaire-délégué* failed to bring a women's rights perspective to his home committee, or alert the Delegation, for the simple reason that he did not attend Delegation meetings.

<sup>11</sup> In the yearly Delegation reports, Mme Lignières-Cassou emphasised that Committee presidents had met all requests for referral. However, it should be born in mind that the Delegation worked predominantly with Jean Le Garrec in Social Affairs, and, for Constitutional Affairs, with Catherine Tasca and Bernard Roman, both Delegation members with key roles in passing parity legislation. There is little evidence to judge the other presidents' attitudes.

Thus the nature of the Delegation's bills pushed them into the arms of the Social and Constitutional Affairs Committees, the skewed distribution of Delegation members strengthened this embrace, and the invisibility of certain 'membres virtuels' did nothing to encourage diversification! The parallel with the fault-line already observed in committee work is striking, and leads to the second, subjective dimension of the Delegation's contribution to mainstreaming.

#### **b. Raising Gender Sensitivity – the Osmosis of Ideas**

One veteran from the right pointed out: "Il faut changer les textes, mais il faut changer les têtes aussi, et quand je dis les têtes, c'est les esprits," [N°18]. Did the existence and activities of the Delegation help raise awareness and change mentalities? In interview, Deputies were pleased to discuss the Delegation but hard put to comment specifically on the committee link, for practical reasons (absence of Delegates in their home committee), and often felt it was too early to say. Other risks in subjective assessment lay in ideological interference, or *mauvaise foi*. One non-participating Delegate denied that it had changed Deputies' perception of the gendered-ness of legislation: "On n'aurait pas fait cette loi sur les 35-heures si on avait eu un regard sur la vie des femmes," [N°14]. This is a valid point, but subsequent checks showed that the Delegation was not operational at that time and that she herself failed to attend the Delegation (or her home committee during the spot-check periods). At the other end of the spectrum, a favourably pre-disposed veteran from the left [N°9] was more measured in tone. Disagreeing that the Delegation had changed mentalities, she nevertheless admitted: "Elle a quand même modifié un peu – sûrement - certaines orientations des textes." She went on to cite therapeutic cloning, when her colleagues had overlooked the essentially gendered question of procuring egg cells. She felt this showed that the general mindset had not changed, but since Delegation members tabled amendments, they did pinpoint the omission and prepare the ground for the future. Records of the debate and this Deputy's regular attendance in both the Delegation and Committee meetings, lend greater authority to this view.

The second opinion was more representative: indeed [N°14] was isolated in her negative judgement. On the right, interviewee N°17 felt that "... la sensibilisation des problèmes sur le droit des femmes - tous les problèmes qui permettent la parité, l'équité, je dirai les droits des femmes - a certainement été mieux prise en compte grâce au travail fait par ces Délégations [au Sénat et à l'Assemblée]." Interviewee N°18 clearly believed in its positive influence on mentalities: "Cette Délégation fait un bon travail, et en tout cas fait avancer les esprits." She later stressed the Delegation's role as "un emblème à l'Assemblée nationale pour montrer que c'est quand-même un sujet [l'égalité] qui n'est pas du tout réglé, qui appelle d'autres réformes. Je dirais même plus que des réformes, une sorte de *comportement différent au quotidien*." (my italics) On the left, a Communist interviewee [N°11] felt: "Je pense que, au début, elle a amené un réel travail d'impulsion, et de réflexion sur les questions des droits des femmes, et de la parité. Elle a beaucoup fait évoluer les lois."

These individual comments were validated by the survey. Two statements targeted the issue of mainstreaming, and both returned generally positive reactions. Three-quarters of all respondents, and 90% of women, agreed that the Delegation 'a contribué à une prise de conscience parmi les députés de l'impact des lois sur l'un ou l'autre sexe.' This went up to 87.9% when the *avis neutres* were discounted, but there was a divergence of nearly 30 percentage points between left and right (see Appendix F.4). On the more specific question of whether 'les membres de la Délégation siégeant dans votre commission permanente y apportent une vision *droits des femmes/égalité*', the result was more equivocal – 48% of respondents agreed. The different levels of Delegation interaction with the committees may account for this lower score, as suggested by the relatively high level of don't-knows (38%): of the Deputies expressing a firm opinion, only 17.4% disagreed. Again, women were more inclined to agree, while the opposition was less convinced (over half took refuge in *avis neutre*). However, of those opposition members giving a decisive answer, two-thirds nevertheless supported both of

these statements. The general consensus is therefore that the Delegation has made a positive difference.

The assessment of the Delegation's legislative work showed that it was peppered with subtle but significant changes in thinking, that could contribute to longer-term reconceptualisation of policy. These were sometimes symbolic: for example, in the bills on Transmission of Surname and Inheritance Rights of the Surviving Spouse, the emphasis shifted from blood links (dating from the *Code Napoléon* and earlier) to the bonds of consent and affection; likewise, a seemingly minor social security amendment sent out a clear message that pregnancy is not an illness. These changes in thinking could also be pragmatic, signposting areas for future intervention. During debates on equality at work and night-shifts, the Delegation identified the need to adapt childcare provision to irregular hours and work flexibility, which became all the more pertinent with the 35-hour week.

This evidence of the Delegation's role in changing thought processes and policy formulation within the Assembly, taken with the positive ratings for its legislative impact, suggests that the Delegation had fulfilled its contract on mainstreaming, and that most Deputies were aware of and approved this contribution. On a different tack, Delegates' success in establishing this kind of cooperation helped stitch the Delegation into the fabric of the Assembly: this could help prevent it from becoming a ghetto (as feared by some Deputies) and could consolidate its position and continued existence.

## 2. Alliance-Building

The second line of enquiry looks at whether the Delegation provides safe space for women Deputies to 'be themselves' or 'be different' by developing alternative ways of relating. Although the Delegation is not in fact a women-only zone (see Chapter 7), it is *paritaire* on paper, and in practice, there were often no men present<sup>12</sup>.

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<sup>12</sup> No men attended 24 out of 55 meetings checked 1999-2002; 18 other meetings were attended by only one man. See Appendix F.1.

There are two strands in this notion of safe space<sup>13</sup>. It can benefit the Deputies individually by offering alternative legislative opportunities in a more supportive environment, where they are not isolated, with less pressure to outperform and compete with the dominant majority. It can also benefit the Deputies collectively by providing a neutral forum outside the force-fields of gender and party allegiance prevailing in the Assembly and in society, thereby facilitating the emergence of a different voice or agenda. This section focuses on the second aspect which has more bearing on the substantive representation of women: this was the Delegation's *raison d'être*, and was apparently the main concern of its members. In the course of interviews, nobody broached the subjective benefits of Delegation membership: the comments from active participants bespoke a task-force, rather than a support-group ethos. The aim was to federate disparate forces and ideas, in order to represent better the two halves of *la nation souveraine* so recently endowed with constitutional respectability. This tacitly acknowledges that individual Deputies are relatively powerless to act for change in the Assembly context described in this thesis. It also recognises the multiplicity of women's issues to be represented and the variety of answers they may elicit. Women are not an undifferentiated herd sharing the same needs and aspirations, so a woman cannot represent all women. Childs (2003: 5, quoting Weldon), argues that women's perspectives do not arise from individual women, but from the interactions between women. The Delegation is potentially a site for such interaction, but was this potential realised in the 1997 Parliament? This section looks at how, and whether, members built consensus and alliances to push forward equality issues.

After analysing evidence of cross-party co-operation, it turns to cross-gender collaboration. In connection with alliance-building, it is worth mentioning cross-chamber links with the Senate Women's Delegation. Beyond close co-ordination at the time of the Delegations' creation, Deputies frequently

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<sup>13</sup> This is further developed in Green (2004) 'Safe space' et représentation substantive : le cas des

referred to the Senate Delegation. Although the two bodies are independent, Delegation office holders from the Senate and Assembly pointed out that they deliberately chose different areas of interest for their annual in-depth study so as to complement each other and broaden the range of issues addressed<sup>14</sup>. There were references to informal contacts – generally from women on the left – over the content of bills (though the reporting was rigorously independent) and Senator Neuwirth was invited to give evidence to the Assembly Delegation on abortion and contraception. More predictably, Delegates from both chambers attended international women's events together (for example the annual meetings of the NCEO Network and the Beijing Conference). These bridges between the Palais-Bourbon and Palais du Luxembourg give an unusual indication of women's determination to join forces to further their agenda.

#### a. Cross-party Co-operation

Cross-party co-operation is as difficult to define as it is to achieve. Research repeatedly shows that party affiliation can overshadow (but rarely negates) gender as a determinant of legislative activity, so women must be expected to disagree, sometimes radically. Focussing on consensus – agreement – is likely to give an unjustified impression of failure. Consequently, this section looks at whether dissent exists (its absence could suggest that the Delegation was considered too weak to be worth opposing) and how it is expressed: does it involve constructive criticism, disengagement or blockage? After summarising Deputies' opinions (based on interview and survey material), the first objective measure of cross-party involvement is attendance: did opposition members feel the Delegation was sufficiently worth their while to give it time? Deputies' comments and suggestions during the work-sessions devoted to the recommendations for a selection of bills were then analysed. Finally, the verbatim

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Délégations aux droits des femmes et à l'égalité des chances. *Raisons politiques*, N°15 (in press).

<sup>14</sup> The Assembly Delegation held conferences on Abortion and Contraception (2000) and Bioethics (2001), while the Senate investigated Prostitution, the '*programme Trace*' (a youth unemployment scheme created by the 1998 *Loi sur la lutte contre les exclusions*) and equal pay from 2000-2002.

reports of certain plenary debates were scanned for opposition reaction to Delegation input<sup>15</sup>.

### i) Deputies' Opinions

Delegation members were realistic about party cleavages, and there was a predictable divergence between left and right. Opinions from the *gauche plurielle* were quite relaxed and optimistic: "Nous avons, avec les femmes de droite, de bonnes relations personnelles, même si nous sommes sur des points de vue largement opposés parfois. Disons que ça se gère assez bien. Il n'y a pas de conflit majeur, en tout cas, pas dans le cadre de la Délégation: après, ça s'exprime à l'extérieur différemment. Notamment dans l'Hémicycle," [N°1]. This tacitly confirms that the Delegation offered time-out from adversarial tactics, as conflict apparently flared up on the outside.

Acknowledging left-right divisions over abortion, interviewee N°6 concluded: "On a finalement bien travaillé avec elle [une députée de droite], malgré les différences idéologiques et philosophiques". The Deputy in question did not share this optimism: "Il y avait une méchante ambiance, et il fallait savoir que j'étais *la seule de l'opposition*, et autrement, qu'il n'y avait que des femmes. (Se reprend - il y avait parfois un homme de droite) ... C'est ce que j'appelle de l'intégrisme," [N°12, my italics]. The male opposition member [N°17], speaking in general, was more conciliatory. After insisting that he had always been treated respectfully and that the President chaired 'avec tact', he conceded that: "On retrouve forcément les idées de la majorité .....Et j'ajoute à cela le côté féministe, qui est un côté militant, qui dépasse le côté militant politique. C'est une couche supplémentaire de militantisme, et ça, bon, je veux bien. Mais j'ai d'abord toujours été opposé à la lutte des classes, je serai toujours opposé à la lutte des sexes."

This touches on two underlying problems: the pro- and anti-feminist cleavage<sup>16</sup> and intra-party alliance-building. Women on the left were undoubtedly

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<sup>15</sup> The Delegation has a statutory right to present its findings on any bill handled, usually



more relaxed because they were in the majority (13 *gauche plurielle* and 6 opposition women) and also because they formed a core support-group, as evinced by references to collective work-styles. Furthermore, at 17%, Socialist women had moved from a skewed to a tilted group. When asked whether the Delegation constituted a 'forum unificateur', one office holder specified: "Ce travail de groupe, il est surtout le fait des députées socialistes. ... On n'a pas les mêmes liens avec les députées-femmes RPR et UDF," [N°6]. In her view, the Delegation fulfilled its function regarding substantive representation, but did not foster 'symbiosis' amongst members outwith the *gauche plurielle*: "On fait le poids [pour peser sur la législation], mais il n'y a pas la fusion." Women on the right apparently did not establish comparable links: there were, in any case, only 6 opposition women in the Delegation; they rarely gave positive reasons for joining<sup>17</sup>; only 2 attended regularly; interviews yielded no trace of cooperation with other opposition women, and little liaison with their parliamentary group<sup>18</sup>. This suggests that the few opposition participants, though no longer in a gender minority within the Delegation, were still trapped in an acute minority situation, which may have impeded their ability – or will – to act differently. Beyond the numbers disadvantage, it is possible that the philosophy of the right – based more on individual than collective effort – deters them from structures like the Delegation. We must bear in mind that the strong criticism came from only one person.

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immediately after the slot allocated to the appropriate permanent committee.

<sup>16</sup> This does not coincide with the party division: some women on the right – for example Roselyne Bachelot and Nicole Ameline (who became Parity Minister in 2002) – do not shy away from feminism, while other women from the left reject the label. The debate on abortion provided examples of women on the right holding out against the male majority in their parties: see *Libération*, 30/11/2000.

<sup>17</sup> Women from the right were ambivalent in their reasons for joining, e.g. interviewee N°12: "Je suis entrée dans ce truc-là parce qu'il existait. Je ne sais pas si j'aurais pensé à le faire, parce que Délégation aux droits des femmes, et après on pourrait faire une Délégation des enfants, de ceux qui ont les yeux bleus..... Ça c'est sévère ... D'un autre côté, je reconnais que la Délégation est un lobby qui fait quand-même avancer le droit." See the section on membership for further examples.

Taking a broader view, the survey<sup>19</sup> showed that Deputies at large did not consider the Delegation was too party-political or radical in its demands. Only 11% of respondents agreed that '*elle est trop partisane*', with an insignificant gap between majority and opposition members (11% and 12%). The left-right gap became apparent in the negative answers, however: slightly over half of the *gauche plurielle* respondents rejected the charge of party political excess, against only 30% of opposition respondents. A similar trend emerged for the statement '*Les membres sont trop revendicateurs*': only 10% agreed (11% on the left, 8.5% on the right), but Deputies on the left were more likely to refute the charge than their colleagues on the right (47.5% against 28.6%). None of the women respondents felt that the Delegation was '*trop partisane*'. There was a significant gender gap on the issue of radical demands, however. Nearly two-thirds of women denied this categorically, against only 39% of men.

## ii) Attendance and Reports

Although Delegation meetings were scheduled to avoid clashes with core parliamentary business, Deputies are confronted with a plethora of other obligations or options in the three days per week they should spend in Paris during sessions. Choosing where to go is a fairly good indication of Deputies' priorities. And in this case, we must conclude that the Delegation was not a priority for the opposition in the 1997 Parliament. While the overall attendance rate<sup>20</sup> for the *gauche plurielle* was 29.6%, opposition members only managed 10%, with a sharp fall towards the end of the Parliament. Opposition members were therefore thinly spread, often limited to 1 or 2 deputies (from different parties), and totally absent from a quarter of the meetings checked.

All of the Delegation's reports were drafted by the left, usually by Socialist women (one *rapporteur* was male, another was an RCV member). This is

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<sup>18</sup> Four opposition women Delegates were interviewed, and one RPR Delegate supplied a written answer to the interview questionnaire.

<sup>19</sup> See Appendix F.4 for a breakdown of results.

<sup>20</sup> See Appendix F.1 for attendance data and the method of calculation.

unsurprising, given the low level of opposition participation<sup>21</sup>, and such reports are generally entrusted to Deputies from the governing parties in any case. However, failure to break with committee tradition may indicate ideological differences or that not enough trust had been developed.

### iii) Opposition Attitudes to Recommendations

Delegation recommendations are the product of their hearings and consultations and also the lever they can use to shift legislation: they are therefore pivotal to the Delegation's pre-legislative function. The *rapporteure* presents her preliminary recommendations in a scheduled meeting for approval or modification, before publishing the final version. Each report includes non-verbatim minutes of these discussions, which give insight into the degree of divergence/convergence (though the mellowing influence of the Assembly staff may smooth the edges of the debate.) Nine of these discussions (concerning reproductive rights, family law and equality at work) were analysed to form an overview of how dissent was incorporated<sup>22</sup>.

The first observation concerns speaking time. In meetings where only one opposition member was present, they spoke little or not at all: in the three instances where two or more Delegates from the right attended, they accounted for half the interventions recorded, despite being outnumbered by *gauche plurielle* members<sup>23</sup>. On the one hand, this backs up interview comments about 'liberté de parole'<sup>24</sup>, but also suggests that Delegates required the 'validating presence of other women' of their own kind to engage actively in the proceedings, which implies the need for 'safety in numbers' within safe space.

<sup>21</sup> When asked how *rapporteures* were chosen, one office holder simply replied: "Celle qui est disponible!" which automatically ruled out non-attenders.

<sup>22</sup> Assembly Reports N° 2132, 2593, 2604, 2702, 2901, 3087, 3111, 3294, 3525.

<sup>23</sup> These meetings concerned Disclosure of Ascendants' Identity (3/7 opposition members), Shared Parental Care (2/5) and Bioethics (2/7).

<sup>24</sup> An office holder contrasted the Delegation policy of 'la parole à qui la demande' with colleagues' reports from other committees, with more formal mechanisms. She cited the example of the M.I.C. on 'Esclavage moderne', which was more tightly structured, apparently on similar lines to plenary debate.

The tenor of debate varied. Deliberations on Disclosure of Ascendants' Identity were a paragon of harmony, with an opposition Delegate remarking "que le texte des recommandations lui semblait bien traduire les débats qui avaient eu lieu au sein de la Délégation et qu'il lui paraissait équilibré," before the unanimous approval of the recommendations<sup>25</sup>. There were no examples of openly adversarial debates, though the report on the Transmission of Surnames was terse. Opposition members did not use their speaking time to express only - or even primarily - disagreement, despite the contentious nature of most of the areas examined. Indeed, many comments were constructive, and there were instances of women from left and right arguing the same point. In the discussion on Shared Parental Care, for example, the opposition women shared the same stance as a Socialist Delegate over two separate recommendations, which were subsequently modified or deleted. When constructive modifications were put forward they were accepted<sup>26</sup>. Dissent was nonetheless expressed frequently, and apparently calmly: opposition members were far more likely to **abstain** than to **vote against** specific recommendations (which they could not have blocked because of numerical inferiority). In meetings where opposition members were not alone, there was a healthy degree of disagreement and 'crossing-over' party lines, culminating in apparent consensus.

However, there are two signs which could indicate undercurrents of *malaise*. Certain opposition Deputies attended hearings and preparatory meetings for the reports on abortion & contraception and divorce (two divisive issues), but then failed to come to the concluding meeting when the recommendations were approved. This could result simply from incidental circumstances: but could it not also be a refusal to validate the proceedings? Secondly, there was sometimes a curious hiatus between generally constructive and conciliatory behaviour in the course of discussions, culminating in the abstention of the right. This is best

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<sup>25</sup> Report N° 3087: 25.

<sup>26</sup> See Reports N°3111: 20 and 21, N°3087: 27 for examples.

illustrated in Shared Parental Care: after a consensual exchange during which two opposition proposals were accepted, Mme Boisseau declined to vote, and Mme Zimmermann, “tout en étant globalement favorable aux recommandations, n’a pas pris part au vote, souhaitant se laisser un temps de réflexion.”<sup>27</sup> Beyond the possibility that administrators may have instinctively glossed over conflict, two interpretations spring to mind: the Deputies may have been keeping their powder dry for the next stage of public debate, or they may have been reluctant to formally recognise their collaboration with ‘the other side’. This is purely speculative but it is consistent with other impressions, and with the view of one Socialist stalwart (who was open towards the opposition): “La manière dont on fonctionne fait que nous arrivons relativement à des conclusions équivalentes, c’est l’utilisation qui en est faite ensuite qui diverge, bien évidemment, compte tenu des partis politiques,” [N°1]. The vote on recommendations marks the boundary between *in camera* Delegation proceedings and public ‘ownership’ of its findings. Does the public party-political persona take over at this juncture, in response to real or anticipated pressure from peers on the outside?<sup>28</sup>

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Taking the subjective and more objective evidence together, it seems that there are signs of cross-party co-operation, but that it is weak, and not fully reciprocal. The *gauche plurielle* was in a position of strength and the opposition undermined its own status by not engaging with the new body, so a partnership of equals could not emerge. For its part, the majority sought to give a fair hearing to opposition members and their proposals without compromising their own policy goals. It is difficult to generalise about the reaction of opposition participants, because they were so few: however, it is clear that they were able express dissent and formulate alternatives, which were taken into account. The failure to establish cross-party links seems to lie with a low level of real

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<sup>27</sup> Report N° 3111: 23.

<sup>28</sup> Even when there were more than one opposition Deputies present, they often came from different parties so were in an exposed position with no potential ally.

commitment to the Delegation as a policy-formulation agency on the part of the opposition, exemplified by poor attendance and the absence of intra-party co-ordination. Beyond the individual responsibility of non-attenders, this may derive from ideological characteristics of right-wing parties, and the very weak status of the parliamentary opposition in the Fifth Republic<sup>29</sup>. Whatever the reason, the problem of absenteeism vindicates Communist proposals (discussed in (3.a), Chapter 7) for a larger number of Delegates, which would not only have ensured better representation of minority partners on both sides, but would also have increased the chances of having internal critical mass, which is perhaps necessary to defuse traditional left-right confrontation<sup>30</sup>. (This is further discussed in (3.b), Chapter 10.)

We will now look at how the women and men in the Delegation related to each other, and whether the ideals expressed at its inception became reality.

#### **b. Cross-gender Co-operation**

Amongst the changes Dahlerup hypothesised as resulting from increased numbers, was a shift in political discourse (1988: 292), which she illustrated by quoting an Oslo City Councillor: "I am convinced that the peaceful revolution ... (of a female majority on the council) has formed the basis of a continuous cooperation between women and men. ... In the present period, we have achieved what we wanted, namely that the men have started taking an interest in matters that only women considered before."

This hope underlay the unchallenged belief that the newly-created Delegation must be mixed: men and women were to work together to resolve problems of inequality, as argued by Claude Goasguen: "Ce n'est pas non plus un combat hommes-femmes. C'est presque une perversion que de dire qu'il ne s'agit

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<sup>29</sup> Several opposition Deputies spoke of the futility of most parliamentary activities in view of *le fait majoritaire*: some claimed that participating in Permanent Committees was pointless, so the same could well apply to the Delegation. One RPR Delegate explained her non-attendance very candidly: "On me demande d'être un second rôle dans cette Délégation, ça me tente pas," [N°15].

là que du combat des femmes pour les femmes, alors qu'il s'agit aussi du combat des hommes, à côté des femmes, pour instaurer une démocratie moderne."<sup>31</sup> The survey results two years later showed that this convergence of views was virtually unchanged. Only 3 individuals felt that the Delegation should be women-only<sup>32</sup>, and 88% of all respondents rejected a single-sex Delegation categorically (with no gender or party gap). Positive support for active male participation was also strong, as 80% of respondents agreed that 'il est important que les hommes s'investissent dans les travaux de la Délégation.' On this question, however, there were divergences: women unanimously supported this view, whereas Deputies from the right were less adamant than the *gauche plurielle* (70% against 88%). Beyond these minor variations, there was unequivocal commitment to the principle of male-female cooperation: but could it be put into practice?

Younger women were particularly optimistic about men's sensitivity to equality issues. "Ça paraît plus facile à ma génération qu'à celle d'Yvette Roudy, celle qui s'est vraiment battue pour ça dans les années 60-70. Elles ont toujours l'impression que c'est réversible, où que le combat, si on lève le pied, va s'écrouler, mais moi.....Je vois mon mari, je vois les gens autour de moi, - les mentalités ont évolué," [N°2]. Interviewee N°5 took up the same refrain: "Aujourd'hui, le combat pour l'égalité homme/femme, il est gagné. En tout cas la reconnaissance. Il est obtenu, *y compris de la part des hommes* dans notre société. Par contre ce qu'il faut obtenir, c'est leur *mobilisation* sur ces sujets-là. Et on n'obtiendra pas leur mobilisation en restant sur un combat qui est d'arrière-garde puisqu'il a été gagné de toutes façons." (my italics).

This section asks whether the Delegation helped men to express their interest, and whether it could be the vector for male mobilisation. After describing

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<sup>30</sup> The Communists, RCV and DL had a precarious foothold in the Delegation (with 2 or 3 members each): the failure of half their members to attend any meetings at all seriously compromised any continuous collaboration.

<sup>31</sup> *Compte-rendu intégral*, 11/02/1999.

<sup>32</sup> Two men and one woman; one from the left and two from the right.

Delegation members' views of men's involvement, patterns of male attendance are assessed, before explanations are sought.

### **i) Deputies' Opinions**

The women of the Delegation were all, without exception, strongly in favour of male participation: one even went as far as saying, "le regard et l'implication d'hommes motivés me paraît presque plus importante que des femmes," [N°18]. On the left, a feminist Delegate [N°1] explained: "Je pense que sur toutes les questions de société, la réflexion doit être mixte. Parce qu'on a des approches qui peuvent être identiques, ou ne pas être identiques. ... Je ne suis pas du tout sur une vision communautariste hommes/femmes. Notre société, étant une société mixte, il faut qu'on approche, et qu'on rapproche, et qu'on discute, et qu'on confronte les points de vue. Et pour moi, c'est un manque qu'il n'y ait pas d'hommes."

They were equally unanimous in deploring the shortage of male interlocutors. One Socialist [N°6] stated diplomatically: "On a le soutien d'un certain nombre d'hommes parlementaires. Ce n'est pas une majorité." Interviewee N° 12 feigned to have misheard: "Pardon? ... c'est quoi: 'un homme'?" She was particularly lyrical about this issue of 'apparitions masculines ...[qui] sont passés, sans laisser de traces', considering it detrimental to the nature and content of proceedings. "C'est infiniment dommage. Sur tous les problèmes spécifiquement féminins, ce serait tellement plus intéressant s'il y avait des hommes à s'investir, et à témoigner." She went on to point out that: "C'est aussi frustrant de se retrouver qu'entre femmes, que de se trouver seule femme dans une assemblée d'hommes. ... C'est un club de bonnes femmes, et ça, c'est étouffant."

### **ii) Patterns of Male Attendance**

The recurrence of references to male absenteeism was the main reason for embarking on the systematic analysis of attendance that had not originally been



envisaged<sup>33</sup>. Interviewee N°1's assessment of the situation foreshadowed several of the observations which emerged: "Ils n'y viennent pas, *plus du tout*. ... Beaucoup d'hommes ont été *candidats* à la Délégation, beaucoup d'hommes ne sont *jamais venus*. ... Quelques-uns sont venus sur les *sujets qui les intéressaient*, et les sujets actuels ... ils n'ont pas envie de les aborder. Là, nous travaillons, par exemple sur les publicités sexistes ... et je n'ai vu aucun homme se pencher là-dessus." (my italics). The attendance survey showed that:

- After initial enthusiasm in autumn 1999 (which came to an abrupt end after the adoption of the report on parity), male participation tailed off dramatically, particularly on the left. The average male attendance rate for the 3 years monitored was 7% (compared with 33% for women). During the 2001-02 session, no man from the *gauche plurielle* attended at all. Men from left and right had the same overall average, but the latter had a more stable performance, albeit consistently low.
- Although candidacies cannot be checked (because they were not recorded), different sources confirmed that there had been stiff competition<sup>34</sup>. However, a third of the original male Delegates did not attend any of the monitored meetings.
- In 24 out of 55 meetings monitored, there were no men present; 18 other meetings were attended by only one man.
- Male participation was often governed by having a personal stake in the issues under examination. Bernard Roman and André Vallini (*rapporteurs* for parity and Equality at Work) accounted for three-quarters of male *gauche plurielle* presence up to February 2000: once their reports were delivered, they no longer attended.

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<sup>33</sup> Attendance for 55 of the 57 Delegation meetings held between 09/11/1999 and 08/01/2002 was collated from the *Journal officiel (Informations parlementaires)*. See Appendix F.1 for full details.

<sup>34</sup> As exemplified by the self-reported case of a survey respondent (a senior male from the left occupying an influential post in the Assembly) who had unsuccessfully applied for a seat. One woman member said men wanted to join because "ça faisait un peu moderne - c'est une question d'image." [N°1]

- The only other peak in male attendance after 1999 coincided with a joint hearing of three ministers. In other words most men did not come without specific self-interest.

Conversely, there were instances of male non-members attending. This involved occasional 'drop-in' attendance, or, in the case of François Colcombet (the sponsor and *rapporteur* of the Divorce Bill) regular issue-linked participation.

### i) Explanations of Absence

How did the Deputies interpret this? Three types of explanation were put forward by the Deputies interviewed (who were mostly women).

**Lack of interest** was the most common theme, with variations on the root of this problem. "Cela ne les intéresse pas. ... La question des femmes, c'est l'angle mort de la politique. Ils ne la voient pas. Ça les embarrasse, ça leur complique la vie, ils sont habitués à travailler d'une certaine façon, et on vient les déranger," according to interviewee N°9. Another Socialist felt that: "C'est le reflet de la société française. ... Ou que ça ne les intéresse pas!" [N°6]. Deputies from the right were less inclined to this view. One claimed: "Ce n'est pas de la désertification volontaire ... [cite les conflits de temps, et le taux de participation dans les commissions permanentes] ... Ce n'est pas un signe qu'ils ne s'y intéressent pas, mais ça ne veut pas dire qu'il faille, nous, considérer que l'affaire soit gagnée," [N°18]. To temper her previous sarcasm, interviewee N°12 added: "C'est pas qu'ils sont totalement désintéressés, mais ils sont très embarrassés."

**Embarrassment** loomed large in many comments. Interviewee N°12 conceded: "Ils sont un peu patauds, ils tournent autour du sujet, ils ne savent vraiment pas par quel bout le prendre, et ils foutent le camp. En gros c'est ça." She illustrated this with a highly stereotypical analogy: "C'est comme un homme à la cuisine, qui tourne autour de la casserole et qui ne sait pas quoi mettre dedans." This was confirmed by interviewee N°17, who related it in particular to issues surrounding reproductive rights and women's health. "Ça, c'est des moments où

je suis très embarrassé, et .....c'est tous les problèmes qui concerne la femme en propre ... [il en bégaye devant moi] tout ce qui relève de, de, de son côté personnel, médical, tout ce côté corporel, ça peut gêner effectivement. Tous les sujets sur l'IVG, ce sont des sujets .....qui touchent très fortement la femme elle-même, dans son existence et dans son intégrité physique, et forcément on est un peu gêné."

However, rather than not attending, for him this implied participating differently: "On apprend beaucoup de choses, je ne vais pas rentrer dans un débat là-dessus. *J'écoute*, mais je n'entre pas dans ce débat, parce que je considère que je n'ai pas à intervenir dans cet aspect plus personnel." (my italics).

Embarrassment could shade into **feeling threatened or intimidated**. "Les hommes sont remis en cause par les interrogations de la société, donc ils préfèrent de loin travailler sur l'armée ..... ça remet pas en cause la personne," [N°1].

The simple fact of being outnumbered could have been unsettling for men. While reiterating that meetings were always chaired fairly, *interviewee N°17* was at times uncomfortable: "je me suis senti parfois mal à l'aise, parce que je me suis demandé 'qu'est-ce que je fais ici ? C'est un cercle de femmes!' De temps en temps je me sentais pas tout à fait à l'aise, mais elles m'ont toujours respecté!" He went on to say that: "elles appréciaient qu'il y ait une mixité qui existe." This tends to confirm the sincerity of women's desire for closer collaboration.

*Interviewee N°17* – a regular male attender – felt that the subject matter may have acted as a deterrent for other men who could also have been put off by 'la connotation féministe' (which he developed at some length, as we will see in the discussion on feminism in (2.b), Chapter 10). He insisted (without prompting) that this had never posed a problem for him. "Très sincèrement, je suis peut-être un libéral, il n'y a jamais eu d'opposition frontale entre hommes et femmes. Avec un peu d'humour on peut essayer de calmer ça." Sampling the verbatim reports of hearings yielded no evidence of this kind of antagonism.

While there is certainly some truth in all of these explanations, they cannot fully account for men's absence. Women's health may be alienating, but only a handful of reports focussed on such issues, so there were ample opportunities for men to get involved. Fears about feminist militancy undoubtedly existed, but records of proceedings and the survey results showed these were unfounded and marginal. Moreover, such reservations did not discourage men from braving the 'harpies'<sup>35</sup> when it suited their purposes.

All in all, it seems men did not engage in Delegation work because, for them, it was not a priority task, which they were happy to 'delegate' to their female colleagues. Speaking about the UDF attitude to her Deputy's contribution to the Delegation, one parliamentary assistant said: "Apparemment ils ont un bon relais, ils ont compris comment ça fonctionnait, que vous étiez assidue et que ..... pour les questions de société [vous étiez] là. Donc il y a toujours une réponse. ... Les dossiers de groupe sont alimentés par les interventions des parlementaires: je pense que beaucoup pourraient sécher sur l'accouchement sous X, l'autorité parentale, la contraception d'urgence, l'IVG, l'égalité professionnelle, la parité si Mme ... n'avait pas posé des amendements." The desertion of Socialist men could be interpreted in similar terms of delegating responsibility: they did not need to bother because they knew that the women were doing a good job.

As with cross-party co-operation, it seems that the failure of one of the partners to participate adequately prevented the Delegation from fulfilling its potential as a catalyst for male-female collaboration. In the same way that the *gauche plurielle* tried to accommodate the opposition, the women were receptive to the few men who manifested interest, but the rapid disengagement of men from spring 2000 precluded the growth of a balanced partnership. This is not to say that such cooperation did not happen elsewhere within the Assembly at an individual level, and there were isolated cases of exemplary cooperation.

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<sup>35</sup> Abélès (2000: 52) reports overhearing "Tiens, voilà les harpies!", as several Delegation members went into a meeting.

However, the opportunity of creating an institutional core or a model for future work fell through<sup>36</sup>.

This does not necessarily negate the belief in men's greater openness to equality and women's interests, which was substantiated by Sineau's attitudinal survey in 1999.<sup>37</sup> As argued by Childs (2003: 10), however, men can have feminist attitudes without adopting feminist behaviour. This appears to fit the men of the 1997 Parliament. They adopted the rhetoric, but they were not sufficiently motivated to transform words into deeds.

### 3. Consultation and Communication

In the debate on the creation of the Women's Delegations, the Socialist Jacqueline Lazard argued that they should "*faire entrer au sein du législatif la voix des femmes.*"<sup>38</sup> This follows on directly from the logic of the situation that triggered the private member's bill (quoted in (1), Chapter 7): namely the realisation that laws often fail to incorporate women's needs expressed at grassroots level, but not heard at parliamentary level. In other words, there is a missing link between formal and informal politics. Ruth Lister (1997: 163) argues that: "The final element of the equation of a more women-friendly construction of political citizenship is therefore to reconstruct the relationship between formal and informal political institutions and processes so that the former can be better grounded in and more accountable to the latter."

Recently it has also been argued that better descriptive representation (increasing numbers of women in formal politics to 'mirror' society) does not

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<sup>36</sup> Male participation is apparently the Achilles' heel of other parliamentary equal opportunities agencies. According to the CCEC (1997: 35), "*les élus masculins s'intéressent dans une moindre mesure à ce domaine d'action. Pourtant, il est très important que la moitié masculine de la population participe au thème de l'égalité des chances, car dans une société où les hommes et femmes vivent ensemble, il faut qu'ils se mettent d'accord sur certains sujets.*" This echoes the principles expressed by men and women during the debates on the creation of the Delegations.

<sup>37</sup> "*S'il fallait ne retenir qu'un seul enseignement de l'enquête, ce pourrait être d'avoir révélé à quel point aujourd'hui, à gauche, le féminisme implique les hommes. Nombreux sont les députés de la gauche plurielle ... à approuver une politique d'égalité entre les sexes et à postuler un renouveau politique par les femmes. ... Un des grands mérites du mouvement pour la parité est d'avoir réussi à donner mauvaise conscience aux hommes de gauche.*" Sineau (2001: 254).

suffice in itself to automatically improve the substantive representation of women. The handful of elite women, predominantly white and with a higher than average socio-educational profile, are in many respects no more in tune with women at large than their male colleagues. In order to represent women constituents in their diversity, women representatives should not seek to **speak for them** but should act as a **listening ear/loudspeaker** to transmit women's voices". In this context, the Delegation's remit entailed an additional bridging task, beyond the alliance-building it sought to achieve within parliament: it should also improve the link with women's agencies on the outside.

Although there was no indication that the key women in the Delegation had consciously theorised this notion, they appear to have intuitively reached for a practical solution to the problem: the use of hearings. In interviews, they spontaneously cited this as one of the bonuses of the Delegation's work, which they felt was an example of good parliamentary practice. It is difficult to substantiate these self-reported claims for two reasons. Firstly, although the Delegation reports always published hearings, the better-resourced Committees had a variable policy (generally appending lists of names, often limited to government witnesses, but never with transcripts).<sup>38</sup> Secondly, there are no adequate comparators: the Permanent Committees have a different, arguably narrower function (see (3), Chapter 10) and the other Delegations and Offices had very different levels of activity and/or material support. However, the case study on the Parity Law and comments from certain key Committee members (see

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<sup>38</sup> *Compte rendu intégral*, 11/02/1999.

<sup>39</sup> Childs (2003: 7) quotes a British MP who aptly summarises women's responsibility as listeners: "We are not homogeneous ... but I think there are common themes which touch upon the lives of many, if not most women ... they have different levels of experience, so can I represent them? I cannot represent them as well as they represent themselves, can I try to engage in their experiences? Yes I can, but to do that I have to recognise that I am always going to [be] one step away from their own experiences, so I have to listen to them."

<sup>40</sup> Committee reports gave no indication of Deputies' prior work on the subject. Catherine Génisson's report on Equality at Work, for instance, only mentioned ministerial hearings, but the *rapporteure* had submitted a report to the Prime Minister in 1999, with a 4-page list of hearings (many held in 6 different regions) and including significant numbers of women.

below) tend to corroborate these claims. Furthermore, the simple fact of systematically appending transcripts of hearings to their reports sends a clear message that these 'outside voices' were fundamental to the Delegation's conception of legislative input.

#### a. Hearings

So what did the Deputies say? Asked whether Delegation work differed from other types of parliamentary activity, a Socialist novice [N°5] immediately identified hearings as the key difference. "On retrouve un peu l'ambiance des missions d'information, parce qu'il y a beaucoup d'auditions. J'aime bien entendre les idées des chercheurs, des syndicalistes, des acteurs de terrain, parce qu'ils ont un autre vécu, et nous, en tant que législateurs, on a besoin de ce vécu-là pour enrichir notre réflexion." She made a direct link between this work-style and the quality of Delegation input: "Les enrichissements qui sont apportés par la Délégation aux droits des femmes, résultent des discussions à travers ces auditions." A veteran from the right was more emphatic: "La Délégation ne ferait *jamais* une recommandation sans avoir eu des auditions. Ce ne serait pas du tout, à mon avis, dans son fonctionnement, et ça, c'est une bonne chose. Alors qu'une commission peut faire un rapport sans avoir auditionné d'experts: elle aura auditionné des ministres, mais c'est le rapporteur qui fait son travail personnel, et qui, après, le dépose sur le Bureau de la Commission," [N°17]. On the subject of hearings 'opening up' Delegation work, this Deputy revealingly spoke not about access for outside agencies, but for parliamentary colleagues. He claimed that it was not unusual for committee *rapporteurs* to conduct hearings alone, whereas the Delegation always invited all members to hearings (even though time constraints meant that some hearings were conducted solo).

In addition to the number of hearings (it took evidence from 90 groups or experts in 2 years), their diversity was compared favourably with practices in other committees, and in previous years. "Jusqu'à maintenant l'Assemblée fonctionnait en vase clos," according interviewee N°5. Another complained, "c'est

toujours les mêmes qui sont auditionnés,” [N°7]<sup>41</sup>. Veteran women from left and right praised the Delegation’s programme of hearings. “Il y a un très bon rythme des auditions, Martine travaille très bien. Elle a ouvert très largement aux associations. Il y a eu de très intéressantes auditions: on a vu à peu près toutes les associations et aussi des personnalités, des chercheurs,” [N°9]. Another Socialist [N°1] described hearings as ‘un vecteur d’ouverture’: “Je pense en particulier aux mouvements féministes, que nous auditionnons - je pense au Planning familial en particulier - sur beaucoup de questions, et qui n’étaient jamais auditionnés [auparavant]. Parce qu’ils représentent la voix des *femmes*. Avant, on auditionnait ... la voix des familles, des enfants, et gna-gna-gna, mais les femmes en tant que telles, non. Ou alors c’était des femmes veuves, ou c’était des femmes ... et ce n’était jamais les femmes en tant qu’individus complets.”<sup>42</sup>

When asked if there was a deliberate strategy to listen to women’s voices, an office holder replied: “Il y a une volonté de faire entendre des voix *différentes*. Et souvent, c’est des voix de femmes!” She went on to justify the choice of witnesses, saying: “Sur un certain nombre de textes, on a une approche qui est plus sociologique, ou plus philosophique .... Il y a la volonté de prendre du recul et avoir une réflexion plus fondamentale. ... On veille à avoir les deux niveaux [les associations et spécialistes], parce que pour moi, le travail parlementaire est bien à la croisée des besoins de la société civile ou associative, et d’un travail qui est plus en réflexion. Pour moi, c’est un peu le croisement des deux approches.” For

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<sup>41</sup> She pointed out that the predominance of men heading national organisations in Paris sometimes made it difficult to target women for hearings. “C’est vrai qu’à l’Assemblée on n’auditionne que les représentants au niveau national, alors que moi, je rencontre plein de gens très intéressants au niveau départemental, mais elles n’ont pas accès à des auditions de l’Assemblée nationale.” In this connection, the example of Chantal Robin-Rodrigo who supplemented Delegation hearings in Paris with personal meetings in her constituency when drafting the report on Shared Parental Care is of particular relevance. It is also interesting to note that more than a third of the hearings in the report on equality at work commissioned by the Prime Minister in 1999 were held in 6 different regions. The author, Catherine Génisson, was at the time in charge of the *Observatoire de la parité*, and subsequently joined the Delegation.

<sup>42</sup> Feminist associations included the MFPPF, CADAC, *les Chiennes de garde*, *La Meute*, and NEGAR (a support group for Afghan women). Feminist academics such as Françoise Héritier, Geneviève



Committee hearings, although the *rapporteur* chooses the witnesses, Assembly staff frequently make suggestions (hence the tendency to re-use the same contacts). The Delegation members, who often had prior campaigning and voluntary sector experience, more often used their own networks. In this respect, the Delegation could be considered to be a parliamentary hub, which links up the outside networks of its women members. As such, it has great potential for providing the 'missing link' between formal and informal politics, "so that those who opt for the latter can nevertheless influence the former and those who choose the former are not cut off from the concerns and demands articulated in the latter," (Lister 1997: 166)<sup>43</sup>.

Overall, Delegation members derived a lot of satisfaction from these hearings, which appear to be the motor of their activity. The fact that the Social Affairs Committee acknowledged drawing heavily on the groundwork of Delegation hearings for certain bills was taken as a sign of recognition. It would be edifying to know whether this satisfaction was shared by witnesses, and specifically whether the women's agencies who participated felt that their voice had been heard and fairly represented. Feedback was obtained via informal contacts with a CADAC representative, who was very positive about links with the Delegation, which she judged far more effective than other state feminist bodies in existence at the time.

The survey results suggest that the average backbencher did not fully appreciate or at least apprehend the Delegation's outreach work. Less than half of the respondents believed that '*elle contribue à l'ouverture de l'Assemblée sur le monde associatif et la société civile*', with women having a more positive view

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Fraisse, Mariette Sineau, Janine Mossuz-Lavau, Françoise Gaspard, Marie-Victoire Louis were also invited – though not Sylviane Agacinski.

<sup>43</sup> The recent DEMOS report "Girlfriends in High Places" underlined the importance of networks as a means for women to overcome minority status in the workplace to 'get on' or 'get things done'. "Networks can connect women quickly and effectively from across different parts of organisations, industries or sectors, thus enabling cross-silo communication, learning and mobility. In so doing, they can create a 'critical mass' of visibility and voice for women within organisations and industries," (McCarthy 2004: 10).

(63% against 47% for men). The results were depressed to a certain extent by the number of *avis neutre* (which was a recurring problem in processing the survey): when these were eliminated – therefore taking only the opinions of Deputies who felt sufficiently informed to judge – the positive score went up to 82%. There was a marked party gap whether or not the *avis neutre* were included: 87.5% of Deputies from the left with a decisive opinion agreed, against only 70% on the right. This underestimation of their outreach work is consistent with the Delegation's self-criticism regarding their failure to adequately publicise their work.

In connection with outreach, it is interesting to note the reactions of several interviewees when asked how their constituents perceived their Delegation work. Interviewee N°12, for example, simply sighed, "le terrain est loin, loin, loin." Interviewee N°1 was more expansive: "Ils sont peu au courant. C'est très interne à l'Assemblée, comme ça n'a pas été valorisé d'un point de vue médiatique. ... Mais ceux qui sont au courant pense que je m'investis trop pour les femmes et pas assez pour le reste. 'Tu as déjà une image féministe, ce n'est pas la peine d'en rajouter'". *Députées'* work in the Delegation brings no benefit in constituency/electoral terms, and can entail risk.

### **b. Communication and Image Projection**

Key women in the Delegation all diagnosed the same weakness in their *modus operandi* in the 1997 Parliament: they did not foster their image. Interviewee N°1 did not mince her words when asked to sum up the Delegation's achievements: "En termes de travail, nous avons é-nor-mé-ment travaillé, et en termes de communication nous sommes *nulles*. C'est-à-dire que nous sommes incapables de valoriser dans l'opinion public - et dans la presse en particulier - ce que nous faisons. Ce qui fait que la Délégation n'a aucun bilan médiatique à proposer. Et lorsqu'il y a des débats qui portent sur n'importe quel sujet de société on voit inviter des députés de droite, on ne voit jamais inviter la présidente de la Délégation. Donc c'est un constat d'échec." Interviewee N°9 gave a concrete example of media oversight, pointing out that a lengthy article in the 'Hebdo des socialistes' focussed on the *rapporteur* of the Special Committee on Bioethics

without mentioning the contribution of the Delegation *rapporteuse*. This invisibility was confirmed by the President, who admitted: "C'est vrai qu'on n'est pas dans les médias - et à mon avis pas assez, parce qu'on a quand même des choses à dire - mais ça, on n'arrive pas. On est plus dans le travail en profondeur sur les textes, qu'à occuper le terrain médiatique." Nobody would deny that this is a worthy sentiment, and that they would have exposed themselves to a potential backlash had the opposite applied, but they were sufficiently realistic to see the pitfalls of under-selling themselves.

Mme Lignière-Cassou's work as president attracted praise and approval from all quarters, but media liaison was her Achilles heel: "Nous avons une présidente qui est une femme remarquable – je le dis sans flagornerie – elle a toutes les qualités. Mais, elle pense que le travail passe avant tout le reste. Nous n'avons pas collectivement, parce que ce n'était pas notre préoccupation, fait passer la communication et l'image d'abord et nous en souffrons terriblement maintenant," [N°1].

It was clear that this communication deficit applied to image projection and not to the dissemination of information. Deputies' interviews were littered with incidental comments confirming that they were kept meticulously informed of Delegation activities (pre-empting any attempts to pin poor attendance on clique-ish behaviour). This lack of profile was repeatedly confirmed: a web search in autumn 2001 (after 2 years of existence) yielded only 3 references; a journalist with a particular interest in parity felt the Delegation was 'la bête de Matignon' (despite the independence and radicality of their recommendations); and many Deputies took refuge in *avis neutre* when responding to the survey. Two male interviewees [N°s 3 and 10] openly admitted to being 'très ignorant de ce qui s'y passe'.

There are two halves of communication - speaking and hearing. It is clear that the women of the Delegation did not transmit their message and ideas adequately, but the two-way process of communication was not established because their partners also failed to receive the signals. A concrete example,

reported by interviewee N°9, was the absence of Deputies from the Delegation conference on Bioethics: this was an ideal learning and listening opportunity, on a complex policy area with evident gender implications, held at the time of the first reading. She also maintained that none of the men involved in the Assembly debate had read either the Delegation report or the published conference papers, as they had not 'heard' the very pertinent arguments about the different implications of sperm and egg donation<sup>44</sup>. In parallel with this very visible omission, male absence from the Delegation's humdrum work meetings assumes much greater significance. Not attending hearings means not listening to the women's voices that all had agreed – in setting up the Delegation – were missing from legislative work. The lack of interest of parliamentary group managers in the mechanics of Delegation work, reported by members from across the political spectrum, is a further indication of male deafness<sup>45</sup>.

The Delegation's communication deficit is therefore not a superficial flaw, but serious weakness. It cannot 'changer les têtes' if most backbenchers are not inclined to listen or even aware of its existence. Moreover, not getting credit and recognition for its achievements undermines its future role. There is a double risk: disillusionment of its members could gradually erode commitment, and the perception of inefficiency or redundancy could ultimately threaten its existence. In politics, visibility and status are important for survival, and therefore for the ability to carry forward an agenda. Women are beginning to learn this, but it is perhaps more difficult for the Delegation, as a feminist agency, to put it into practice because mainstream politics and the media are rarely on the same wavelength as feminism. (The impact of feminism on perceptions of the Delegation will be explored in (2.b), Chapter 10).

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<sup>44</sup> Ovarian stimulation is more time-consuming, requires medical intervention and long-term supervision, and is associated with potential health risks; each donor produces small numbers of eggs. In comparison, sperm donation is quick, painless, very productive, and has no known side-effects. This has implications for cost (health insurance and loss of earnings) and anonymity (need for medical follow-up).

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This exploration of the Delegation's working methods produced very mixed observations.

As regards mainstreaming, the Delegates have developed a range of mechanisms to bring weight to bear on a variety of bills. Their coordinated action has been effective in those areas where it was applied: however, the Delegation did not succeed in promoting gender awareness throughout all six permanent committees. By the end of the parliament, the Delegation had earned the respect of those key players (committee presidents and *rapporteurs*) with whom it had worked, by dint of its thorough and conscientious reports and hearings. This thoroughness and attention to detail is consistent with the findings on women's hardwork ethos, particularly regarding committee work.

Evidence of the Delegation providing 'safe space' where new alliances and workstyles could evolve was variable. The nucleus of Socialist women who constituted its motive force forged different working practices: they worked collectively, oriented their action towards a listening approach and sought to include different voices<sup>45</sup>. Although their intra-party cooperation existed before – Socialist women had crossed the border between skewed and tilted groups in 1997 –, it was the creation of the Delegation which provided the vehicle to formalise their commitment to a women's agenda and the authority/status to drive it forward. They made remarkable in-roads in a very short space of time.

However, on the negative side, the Delegation did not fulfil its potential as a site for cross-party and cross-gender collaboration, largely because of the

<sup>45</sup> Three interviewees (from left and right) answered queries about their parliamentary group's attitude to their Delegation work: "ils s'en foutent."

<sup>46</sup> The working style elaborated by the Delegation President corresponds with the "Consensus/Process Leadership" style defined by Whicker & Jewel (1998: 169-174). This 9-cell typology rates leadership style as 'command', 'coordinating' or 'consensus', and classes leadership goals as 'power', 'policy' and 'process', and was used to study male and female differences amongst legislative leaders in state assemblies. The "Consensus/Process Leadership" style was one of the 3 categories that was predominantly female, but which attracted growing numbers of men. According to the authors, interviewees judged this 'feminization' of leadership (i.e. a shift towards consensus and negotiation of outcomes) to be a necessary trend.

absence of sufficient opposition women, or men of any persuasion. Two questions arise from these observations: is it necessary within 'safe spaces' to have a critical mass of minority groups for them to be able to enter into partnership? And do enough French male politicians have sufficient commitment to parity and equality to put their shoulder to the wheel? There were examples of individual cooperation (often allied to self-interest), but very few instances of a generalised commitment to improving gender awareness. The most constant male participant, despite all the differences that separated him from the Delegation majority, maintained that he had '*compris certaines choses*', largely from *listening*. The overwhelming majority of men missed the opportunities to listen and learn that the Delegation offered them. This contrasts with what was perhaps the Delegation's most significant achievement: its capacity to listen to new ideas and voices. Its weakness lay in its ability to make itself heard.

In the debates on the creation of the Delegations, Pierre-Christophe Baguet (UDF) forecast: "*Ces délégations devront trouver leur mode de fonctionnement et s'imposer par leur compétence et leur réelle capacité à traiter la transversalité des problèmes qui leur seront posées. ... Elles devront, par une large publicité de leurs débats, être les moteurs que l'égalité des chances entre les femmes et les hommes attend. C'est à ces conditions qu'elles trouveront leur raison d'être.*"<sup>47</sup> The Delegation satisfied the first conditions, but failed regarding 'publicité'.

The Delegation was publicly acclaimed in 1999, then privately ignored by all but a nucleus of committed Deputies without whom it would never have taken off. It is in some respects surprising that the advent of a feminist group within the Assembly did not provoke hostility: the following chapter seeks to establish what lies beneath the silence, by looking at Deputies' perceptions of the Delegation, which may determine its prospects in the future.

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<sup>47</sup> *Compte rendu intégral*, 11/02/1999. He continued: "*Rappelons que les délégations parlementaires pour l'Union européenne ont mis plus de dix ans et deux réformes avant de s'imposer. Souhaitons de tout coeur que les femmes de notre pays n'attendent pas à leur tour dix années de plus.*"

## Chapter 10

### Perceptions and Prospects

We have already seen that the ethos of the institution in which women operate circumscribes their contribution, irrespective of their personal beliefs, actions and commitment. Although the Delegation is a 'blank page' where members are (relatively) free to invent their own practices, it does not exist in a vacuum. Its institutional articulation with committees has been defined: this chapter will explore the position it occupies in Deputies' minds. The Delegation lacked active support, as demonstrated by attendance rates, but did it inspire passive support? Indifference? Or latent hostility? This is not just of academic interest, but may have implications for its continued success, as the narrow base of active supporters combined with certain institutional weaknesses make it vulnerable.

The anonymous survey, described in detail in Appendix F.3, was designed to test ideas emerging from the theoretical analysis of the Delegation and from Deputies' comments on its praxis. It consisted of four parts covering the respondent's personal profile, their general perception, assessment of legislative contribution, and appraisal of the institutional framework. The response rate was

adequate to give a broad reflection of Deputies' views<sup>1</sup>. However, three features of the results should be borne in mind:

- There were only 11 female respondents, all Socialists except one RPR member. Consequently, figures on women's attitudes cannot be refined, and are subject to apparent variations (one woman = 9%). A further consequence is that the categories '*gauche plurielle*' and 'opposition' refer essentially to men on the left and right.
- Fewer opposition members replied (30% of responses), so the overall image is more representative of the *gauche plurielle* and in particular the Socialists, who accounted for slightly more than half the total responses and three-quarters of responses from the left.
- There was a marked – and expected – prevalence of *avis neutres*, particularly on the right. *Avis neutre* could mean 'don't know', as the Delegation was new and had not promoted its work, or it might signify 'don't dare' if Deputies were influenced by their perception of the party line. Consequently, the results will sometimes be expressed as a proportion of 'total answers' or of 'decisive answers'.

A full breakdown of the results is presented in Appendix F.4. Comparing these results with interview comments and claims made in the debates surrounding the Delegation's creation enables us to build up an image of Deputies' perceptions of the Delegation's work and style.

This chapter will conclude by looking at the interaction between Deputies' perceptions and the Delegation set-up to define its institutional strengths and weaknesses, with a view to assessing the likelihood of the Delegation 'taking root' and continuing to 'make a difference'.

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<sup>1</sup> 118 responses for 528 sent (22.4%). The response rate was undoubtedly depressed by Deputies' lack of awareness of Delegation activity, and by the timing. The survey was sent on 10 December 2001: this coincided with a lull in legislative activity before the concluding months of the 1997 Parliament, but was nevertheless a very busy time for Deputies.



### 1. Deputies' Assessment of Legislative Contribution

The actual impact of the Delegation on legislation has already been discussed, but it is not clear whether this was visible, or perceived to satisfy the expectations formulated in 1999.

A distinction was drawn between the Delegation's contribution to the process of formulating laws (meaning the quality of their deliberations, input to committees and plenary debate) and to legislative outcomes.

- On both counts, the overall appreciation is positive, as shown by the peak to the left of centre in Figures 10.1 and 10.2, corresponding with *plutôt positif*. Regarding legislative input, 72% of respondents gave a positive assessment, with 65% of positive answers for legislative outcomes.
- Women were slightly more positive than men, particularly in their appreciation of outcomes, while the opposition was more guarded. 60% of opposition men reserved judgement on the question of the Delegation's contribution to legislative outcomes; less than half the opposition responses were positive for input, and less than a third judging outcomes to be positive.
- The point of consensus was the absence of overt criticism: only 3 opposition men judged the Delegation's contribution *plutôt négatif*.

This last point is the most noteworthy, as the subject matter of bills handled by the Delegation lent itself to ideologically motivated criticism: for example, the extension of legal limits for abortion and the distribution of the morning-after pill to under-age girls at school could have provoked a negative assessment from the right, while other recommendations (for example, their defence of restrictions of night-work for women, earning the epithet of 'archéoféministes') could have alienated liberal Deputies.

Figure 10.1 - Deputies' Opinions of Delegation Work: Legislative Input

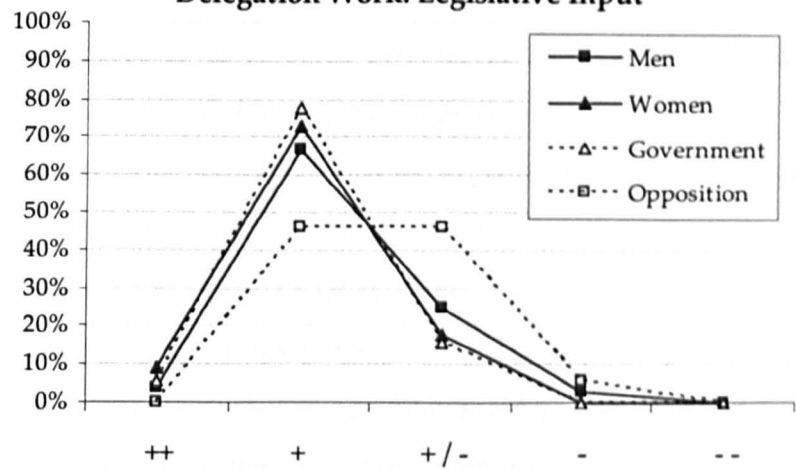
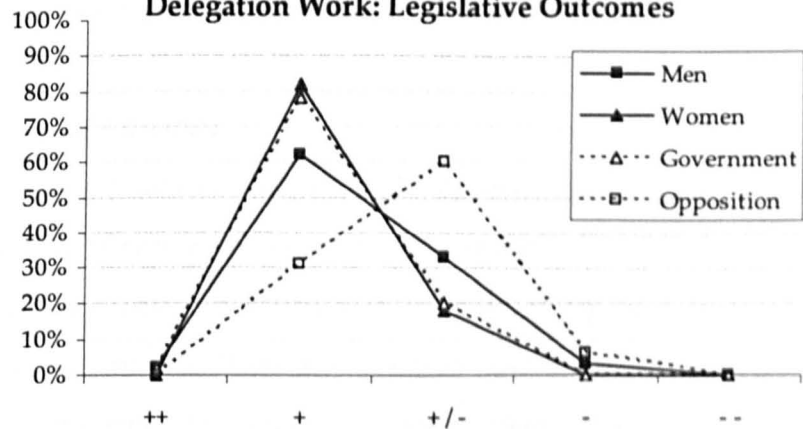


Figure 10.2 - Deputies' Opinions of Delegation Work: Legislative Outcomes



Deputies had a higher opinion of the Delegation’s input than their effect on outcomes. The difference was slight on the left, involving only the *très positif* answers. On the right, approval of outcomes was 15 percentage points lower than for input, which may have resulted partly from Deputies’ disapproval of the results obtained rather than a denial of the Delegation’s impact.

This ideologically-based ambivalence was exemplified by the grudging approval expressed by an active Delegation member [N°12], who, after criticising the principle of a separate instance for women’s rights, went on: “D’un autre côté je reconnais que la Délégation est un lobby qui fait quand-même avancer le droit

... (je n'aime pas le terme droits des femmes). La parité est loin d'être réalisée en France, cela fait au moins avancer les choses." This was echoed by a male Delegate who couched his generally positive comments about Delegation work in party-based anti-feminist discourse (see (2.b) below).

To sum up, the Delegation satisfied expectations regarding legislative work on the left, and the right could not really find fault.

## 2. Perceptions of the Women's Delegation

The section on Deputies' perceptions comprised four positive statements (involving gender awareness, the Assembly's image, external contacts/outreach, and influence throughout the permanent committees); two negative statements (asking whether members were too party-political or radical in their demands); and one on men's participation. Some of the results have already been developed in the previous chapter<sup>2</sup>, so this section will sketch the broad contours of Deputies' mindset.

### a. Positive Attitudes

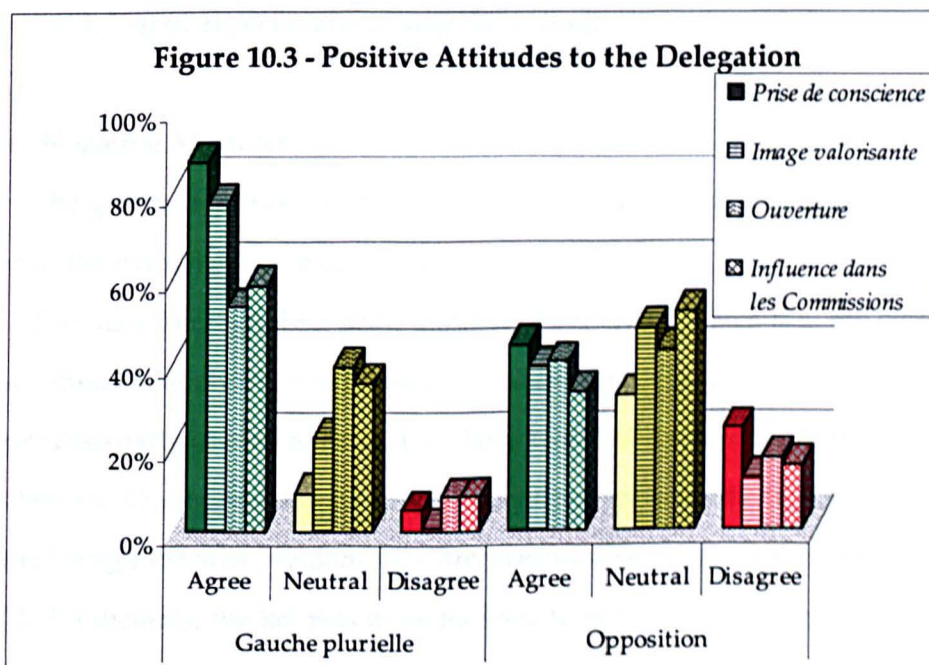
Figure 10.3 shows clearly the high approval of the *gauche plurielle*, with only a handful of critical responses to any statement. The left apparently believed in the 'osmosis of ideas', but there was a significant gap between agreement with the general statement on 'Prise de conscience' and the related but more specific question of 'Influence dans les commissions'. There are several possible explanations for this: it may simply suggest that greater sensitivity has not yet found concrete expression in the committees, or it could derive from the Delegation's disparate links with different committees and the absenteeism of certain Delegates. (A Deputy in Finance or Trade & Industry would have fewer opportunities to notice Delegation influence.) Alternatively the core members of the Delegation being Socialists, they may have been in a better position to make their collective voice heard in parliamentary group meetings than in their home

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<sup>2</sup> See (1) for mainstreaming and committee influence, (2.b) for attitudes to male participation, and (3.a) for outreach work to civil society and the voluntary sector.

committee, where they may not have had the 'validating presence of other women legislators' (Schroedel and Mazumdar 1998: 209).

Agreement that the Delegation projects an 'Image valorisante et moderne' was undoubtedly heavily influenced by the official party line on parity, and is consistent with the explanations given by some active Delegation members for the absenteeism of male colleagues, who had initially competed for seats. Interviewee N°1, for example, felt "ça faisait un peu moderne - c'est une question d'image." Regarding 'Ouverture sur l'extérieur', only half of the Deputies on the left agreed, which is a surprising contrast with views expressed by Delegates, whose approval of hearings and outreach work had been so unanimous. This could be due to a lack of real knowledge about Delegation activity. If this is the case, the overall positive attitude suggests that the majority on the left liked the idea of the Delegation, without being personally involved.



The most striking feature of **opposition attitudes** is their indecisiveness, which outweighed firm reactions for all but one statement ('Prise de conscience')! They did agree that the Delegation raised gender awareness within the Assembly, but were nevertheless half as enthusiastic as their colleagues on the left (44% compared with 86%). Indeed, almost a quarter categorically rejected this notion.

They appeared more sceptical about the Delegation's capacity to introduce a gender perspective into the permanent committees: this should not be overstated, because with only 35 opposition respondents, their perception of Delegation influence could be skewed by respondents' committee membership<sup>3</sup>. The lower level of support for the question of image reflects the weaker commitment to and identification with parity on the right.

Though women formed too small a sample to make extensive comparisons, it is safe to say that they were consistently more supportive of the Delegation: there was only one negative response for each statement except for committee impact (2 negative reactions). As regards the impact of age, numbers were sometimes too small to be reliable, but there was minimal variation in levels of support, with only a slight dip in the 40-49 age bracket - which could have been expected to be *more* favourably disposed than the 70+ group. This low score could derive from higher expectations among the younger Deputies. (See Appendix F.4.c.)

#### **b. Negative Attitudes**

The general rejection of negative statements illustrated in Figure 10.4 confirms the overall positive appreciation.

The question regarding **party-political behaviour**, which is at the core of parliamentary operations, was included to assess the Delegation's potential as a site for cross-party co-operation and to check whether it might explain opposition absenteeism. One opposition participant had been particularly critical, claiming that the Delegation was "*évidemment archiverrouillée par le parti socialiste*," [N°12]. Predictably, the left was more inclined to reject the charge actively, and the opposition once again took refuge in *avis neutres*, but the greatest surprise was the uniform rejection of the statement that the Delegation was '*trop partisane*'. No women accepted this, and only 11% -12% of Deputies from left and right agreed. Even when *avis neutres* were eliminated, the discrepancy between left and right

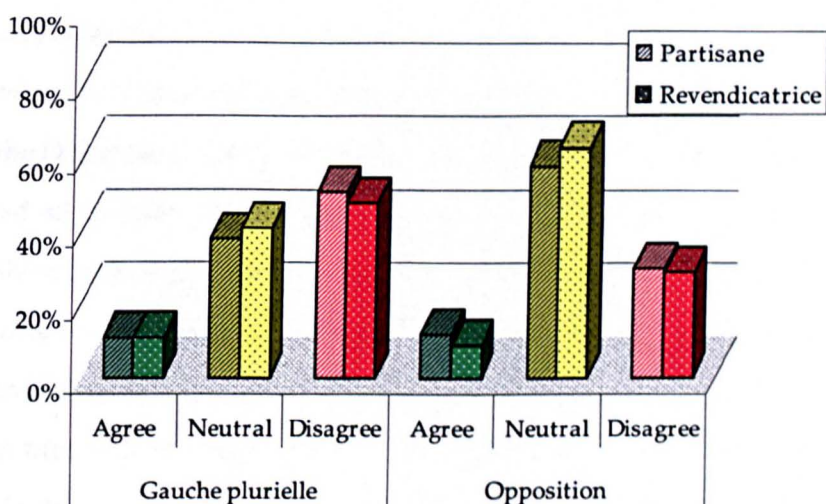
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<sup>3</sup> Respondents were not asked to specify their home committee as this would have compromised the anonymity of members of small groups.



was smaller than for most positive statements (only 10 percentage points). This may simply result from a feeling that party politics are expected, therefore not reproved. If these results fairly represent the sentiment in the Assembly, however, we can conclude that the Delegation was not excessively ideological in conventional left/right terms, and therefore discount party-politicking as an excuse for poor attendance.

Figure 10.4 - Negative Attitudes to the Delegation



The statement 'les membres sont trop revendicateurs' was an attempt to gauge Deputies reactions to the **feminist profile** of the Delegation without using the f-word. The survey results mirror almost perfectly the responses on party-political behaviour. In other words, although the right was less inclined to reject the notion, they were just as unlikely as their colleagues on the left to 'accuse' the Delegation of excessive demands. The only comment-worthy result was that two women upheld this criticism!

This degree of benevolence was surprising: core Delegation members had been unequivocal about their feminist orientation, which could have been expected to trigger a reflex reaction. At my prompt on how the Delegation was perceived (with no mention of the word 'feminist'), one office-holder gave a

measured reply: “La perception est différente selon les commissions, mais pour les députés de base, je ne suis pas sûre que la perception soit toujours positive,” [N°6]. A colleague who represented the ‘younger generation’ with a very conciliatory attitude towards men [N°5] nevertheless felt that the Delegation was: “quelque chose qui est encore peu connu, mal connu en plus. Car j’ai l’impression que de l’extérieur c’est perçu comme, oui, les femmes députées - pas qui nous embêtent, mais bon - c’est des empecheuses de tourner en rond, c’est clair.” A colleague was less diplomatic: “A l’Assemblée, nous apparaissions comme des féministes hystériques. ... On est féministe, donc hystérique. Ça, c’est clair dans notre groupe, socialiste, ... on devrait se taire davantage,” [N°1].

*Interviewee N°17* had spoken repeatedly and at great length of the feminist identity of the Delegation, which he felt conditioned the RPR’s attitude and could have deterred other male participants (although he was adamant that in his experience these latter fears were unfounded). “J’ai l’impression que son caractère – comment dire ? – féministe est vraiment ... je ne veux pas dire excessif, mais c’est vraiment un caractéristique essentiel de la Délégation. Est-ce que ça fait partie de son titre et de sa composition, ou est-ce que c’est parce que les membres de cette Délégation ont, sur le plan de leur histoire, leur idéologie, défendent un certain nombre de positions, je dirais, plus féministes? J’opterais davantage pour cette optique-là.”<sup>4</sup> This Deputy was a committed, sincere and consensual participant in the Delegation, yet he seemed as painfully aware (*mutatis mutandis*) of the risks of feminism, as the feminists themselves!

Implicit in *interviewee N°17’s* explanations, were a confusion over what feminism entails (sex war rather than the quest for equality) and a certain distance, even tension, between his personal standpoint and the party stance. It was revealing that he spoke of the RPR in the third person (whereas most other

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<sup>4</sup> The fact that he prefaced these comments with, “Je parle librement, hein?” is indicative of the intimidation he apparently felt around this issue. He chose to talk extensively about the relationship between his party, feminism and himself: could this mean that, having become a member at his party’s behest, he nevertheless felt he had to justify his diligent co-operation with a feminist agency.

Deputies, even when critical, preferred 'nous' or 'le groupe'): "Le RPR, parce qu'il se *méfie* de toutes les positions féministes *outrancières*, peut ... ne pas vouloir entrer dans un jeu féministe à outrance. ... mais moi, j'y vais, parce que les sujets m'importent (je suis chargé par mon groupe de m'occuper de tous les problèmes de la famille)." (my italics). He subsequently returned to the same theme: "Le RPR a des réticences non pas sur cette institution elle-même, mais sur l'animation de cette institution, pour pas la faire *dériver* vers des positions féministes *excessives*. A ce moment-là je n'ai plus ma place, vous voyez ce que je veux dire? Je ne suis pas là pour m'opposer, pour faire homme/femme, c'est pas mon problème, ça. Mon problème, c'est les problèmes sociaux et aussi bien pour les femmes que pour les hommes et les enfants etc. Je ne veux pas rentrer dans un jeu *d'opposition hommes/femmes*." On the one hand, he insists on some Delegates' militant past, on the other, his continuing attendance (apparently without much friction) denotes absence of 'opposition hommes/femmes': this tacitly acknowledges that his party and his colleagues were trading on preconceived ideas and hypothetical risks. When asked to react to negative adjectives used in connection with the Delegation, he dismissed the accusations as "des images un peu stéréotypées", and later, explaining poor attendance, he implied that the feminist image seemed to exist more in Deputies' heads than in fact: "... il y a une connotation féministe, - je ne sais pas si c'est présupposée ou réelle - je ne porte pas de jugement! - mais c'est l'image qui est donnée par les animateurs, les animatrices de cette Délégation, qui fait qu'il y a peut-être une attitude de repli ou de réserve."

There was a gulf between Delegates' own negative appraisal of their colleagues' views and the non-critical attitudes of survey respondents. Only 12 Deputies out of 118 agreed that Delegation members were too 'revendicateurs': a third of opposition respondents denied this charge. Why? On the one hand, Delegates may have been over-sensitive to criticism, or anticipated negative reactions. On the other hand, the survey results may have been 'softened' by self-elimination (unsympathetic Deputies may not have replied) and self-censorship amongst respondents (it was not politically-correct to criticise anything related to



parity, least of all to an outside observer), in addition to the perennial problem of indecision (47% of respondents abstained). Deputies would be more honest and spontaneous in their daily intercourse than in premeditated written answers (albeit anonymous). A handful of incidents reported by third parties reveal primitive sexist remarks: in addition to the 'harpie' comment overheard by Marc Abélès (2000: 52), *Libération* reported an anonymous opposition Deputy shouting "Quelle intolérance, bande de chiennes!" during the abortion debate<sup>5</sup>. All things considered, negative attitudes throughout the Assembly were probably stronger than suggested by the survey: the results nevertheless demonstrate that the Delegation enjoyed a baseline of unassailable legitimacy.

Childs (2001: 181) bases her argument for women's need for 'safe spaces' on a "shared awareness amongst new Labour women MPs of the way in which feminism and feminists are stereotyped and misrepresented in society". The interview comments demonstrate the existence of similar pressures in the National Assembly, but the survey results could support the contention that the Delegation provides such 'safe space', not only in practical terms, but also at a subconscious level. It is tempting to suggest that the existence of a formal 'place' within the Assembly for equality implants a nucleus of legitimation in Deputies' minds.

The image of Deputies' attitudes was, on the whole, positive. Women and the *gauche plurielle* had a higher opinion of the Delegation than their colleagues on the right, who adopted a wait-and-see stance that is difficult to decode. Even when given the opportunity to be critical, most opposition respondents remained non-committal. This contrasts with their attitudes in the following section, which shows that they were reluctant to support any initiative that might strengthen the position of the Delegation.

Having established how Deputies felt about the operation of the Delegation up to 2002, we will now assess how their attitudes to its institutional format may affect its prospects for the future.

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<sup>5</sup> *Libération*, 30/11/2000.

### 3. Institutional Weaknesses and Strengths

#### a. Dependence on Goodwill

As argued in Chapter 7, the Delegation is heavily dependent on the goodwill of party managers (committee and group presidents, Bureau members) who decide on bill referral. The Senate's removal of the *autosaisine* (accepted by the Assembly majority for the sake of expediency) could have untold consequences on the future role of the Delegation, which were apparently underestimated by the Delegates themselves. This flaw is not only symbolic – undermining the autonomy and power-profile of the Delegation – but also practical, because without referral, the Delegation has no way of engaging directly with the legislative process, and would therefore be condemned to that same 'contemplative' role that Deputies had scorned. Under the *gauche plurielle*, this goodwill was forthcoming: the committee presidents referred bills whenever their permission was sought.

Delegates had not realised the implications of the Senate's action. One *rapporteuse* only became aware of the need for committee backing when she received the official letter of referral [N°9]. Another prominent member dismissed *autosaisine* as a mere formality, until the potential consequences were spelt out, when she agreed: "Il y a un réel danger politique. A l'heure actuelle, on ne le voit pas, mais ça pourrait exister. C'est vrai, que l'absence d'*autosaisine* est un vrai problème," [N°1]. An office-holder acknowledged, "sur le fond ça pose problème", although it was not detrimental in practice at that time: she felt that lack of resources was a more pressing problem than the issue of referral.

The latency of the problem may explain why so few Deputies argued for *autosaisine* in interviews. Survey results were equally tepid, with a tie between positive and neutral responses. Most women supported the idea (8/11), as did a slender majority of *gauche plurielle* respondents (42%). The majority of respondents from the right, however, despite a substantial number of *avis neutres*, came out against *autosaisine* (39%). In view of the change of government in 2002, it is therefore unlikely that the situation will evolve in the short-term – though it is

precisely in the context of an unfavourable majority that self-referral could be most needed.

If, for example, a committee president refused to refer a bill, the Delegation would have to enlist the support of a group president or the Assembly Bureau. Given that group presidents or Bureau members belonging to the majority are unlikely to over-ride their Committee president's decision, the only recourse would be an opposition president. *Le fait majoritaire* leaves little space for opposition initiatives, competition for windows of opportunity is high – and women's rights are generally low in party priorities. There is, of course, no reason why a Committee president should refuse Delegation co-operation: Committee prerogatives remain intact so there is no risk of encroachment, and the Committee can benefit from the Delegation's work. However, if Delegation recommendations became too independent or controversial, and therefore conflicted with official policy or irritated backbenchers, withdrawal of goodwill could be a sanction, or a means of control.

In addition to self-referral, another means to ensure Delegation independence and efficiency would be the inclusion of the President in the *Conférence des présidents*. This possibility was not raised in 1999, but it would be the best way of empowering the Delegation and enabling it to satisfy the expectations of the Deputies who voted its creation<sup>6</sup>. It would not be illogical, given that the Committee and European Delegation Presidents already have seats in order to better organise the parliamentary agenda: improved access to prospective information and other deciders could help the Delegation to develop longer-term proactive strategies.

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<sup>6</sup> M. Baguet (UDF) had insisted that : "Il faudra que la délégation parlementaire ait le temps nécessaire pour étudier au plus profond ces textes et leurs répercussions et donc que le Gouvernement joue le jeu. Il faudra que la délégation soit saisie ... très largement en amont des textes, les conséquences insidieuses de certaines dispositions n'étant pas toujours évidentes a priori." *Compte-rendu intégral*, 11/02/1999.

### b. Constraints on Membership

The second latent weakness of the Delegation is its lack of wo/man-power. The Delegation derived its energy and productivity from a narrow base of committed and industrious Deputies, without whom it would probably have slipped into non-existence<sup>7</sup>. Even the full complement of 36 members represents a scant 6% of Assembly membership, but this was further eroded by endemic absenteeism. (See Appendix F.1 on attendance) Apart from the fact that responsibility for a potentially huge legislative workload has been delegated to a handful of people, the combined effects of restricted membership and poor attendance compromised the Delegation's ability to promote cross-gender and cross-party collaboration and to mainstream gender equality. Mainstreaming, the key concept of the Delegation, was seriously compromised by inadequate participation of commissioners from some permanent committees.

The *rapporteur* of the Delegation bill, had flagged the problem in 1999: "Il faut que ses membres soient actifs dans leur commission, car on ne comprendrait pas qu'ils n'y viennent pas faire part des travaux de la délégation pour permettre des avancées fortes dans nos textes législatifs."<sup>8</sup> (He neglected to extend his realistic appraisal of committee diligence to Delegation members.) Interviewee N°17 argued for an increase in numbers: "C'est le temps qu'il faut pour y participer aussi, parce qu'une Délégation qui fait bien son travail - et je pense qu'en matière d'information et d'auditions elle fait bien son travail - ça représente pas mal d'heures d'auditions. Donc qu'il y ait plus de membres pour favoriser davantage de participation ... pourquoi pas ? Une commission, la plus petite, elle fait déjà 70 membres, évidemment il ne faut pas faire une commission permanente non plus, mais s'il y avait un peu plus de participation ce ne serait pas plus mal. Parce qu'à

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<sup>7</sup> As was the case for the short-lived 'Office parlementaire d'évaluation des politiques publiques', 1996-1999, or the twin 'Office parlementaire d'évaluation de la législation' which has produced two reports to date. *Connaissances de l'Assemblée* N°12: 92-93.

<sup>8</sup> Jacques Floch, *Compte-rendu intégrale*, 11/02/1999. This takes up similar exhortations on the part of Catherine Tasca, at the time President of the Constitutional Affairs Committee.

beaucoup d'auditions on se retrouve, en dehors de la Présidente, à 2/3 membres, [dont] un membre de l'opposition: on n'est pas beaucoup."

It is debatable whether increasing the numbers of Delegates would in fact boost participation, or whether a more genuine and active interest from the parliamentary groups would be a greater stimulant. If parliamentary group leaders took more interest in Delegation proceedings, expected feedback, replaced non-attenders with more motivated candidates – in other words, sent out a message that Delegation work is an important and intrinsic part of policy formulation – there would be greater incentive to attend. It seems that this was not the case. When asked about their group's perception of their Delegation work, there was little variation on the theme of 'ils s'en foutent' (in the words of 2 Socialist women): "Les membres RPR de la Délégation ne participent pas non plus ... ou ils y vont en fonction de leur centre d'intérêt"; "Mon groupe [UDF]? Il est, en gros, aux abonnés absents". Apart from the esteem of a small number of partners, and the relief of some backbenchers at having a resource person to consult on women's questions, the Delegation members were laconic about positive feedback and support from their parliamentary groups.

The Communists, moving an amendment for 45 members, had argued in 1999 that more seats were necessary to ensure fair representation of all political tendencies in both chambers, thereby putting their finger on the qualitative constraints on membership. With party-proportional allocation of seats, each parliamentary group 'wins' one seat for every 16 Deputies, which reduces small parties to fig-leaf representation. For the Communists and the *Verts*, with 2 seats each, such a marginal role must be particularly galling when a party like the RPR is entitled to 9 seats by dint of electoral success. Although party-proportionality is the norm in the Fifth Republic, in the case of the Delegation, it is inimical to the development of new, co-operative working practices. If seat attribution were competitive (dynamic) instead of being based on the balance of power between parties (static), individuals and their groups would have to *earn* their seats rather than occupying them as of right. If, for example, right and left had 15 seats each

(without internal quotas) with the 6 remaining seats allocated to the parties of government to procure a working majority, the need to justify membership could incite groups to deploy Deputies with proven experience or interest, and monitor their work. Ideally, seats would be **used** rather than simply **occupied**<sup>9</sup>. This could of course have negative effects: it could trigger point-scoring; and breaking policy alignment between the Delegation and government (which existed up until 2002) could weaken potential advances under a progressive government as well as guarding against stalemate in reactionary contexts.

Deviating from party-proportionality is unthinkable in terms of the 1958 Constitution, but it is not illogical from a feminist point of view: although there is more affinity between feminism and the left, women's interests and women's perspectives<sup>10</sup> do not always cleave along party lines. Consequently, party affiliation should not necessarily take precedence over other criteria for membership, particularly as party-proportionality precludes the internal critical mass which may be required for cooperative bonds (as argued in Chapter 9). A competitive dynamic could also stimulate more men to participate actively: failing that, it could ultimately challenge the principle of balanced representation of both sexes<sup>11</sup>.

Such scenarios were not submitted to the Deputies, but their views were taken on increasing membership. Only a quarter of all respondents of either sex were in favour, and the right came out firmly against enlarged membership (62% of decisive answers).<sup>12</sup>

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<sup>9</sup> This echoes the argument (in Chapter 4) in favour of rotation of Finance Committee members to break the monopoly of long-serving but non-participating Deputies.

<sup>10</sup> Lovenduski (2001: 745) makes the useful distinction between women's issues – subjects that primarily concern women for biological or social reasons – and women's perspectives, which are "women's views on all political matters".

<sup>11</sup> Interviewee N°6, a Delegation office holder, stated that some women candidates had been turned down in favour of men (who subsequently did not attend). The gender balance slipped after the 2002 elections.

<sup>12</sup> Even in those parliamentary groups who stood to gain most from increased numbers support was variable: only 2/8 Communist respondents approved of increasing numbers as did 4/15 UDF respondents; in contrast 5/5 RCV and 3/6 DL respondents favoured an increase.

### c. Parallel Partnership with the Permanent Committees

There was also a clear consensus against converting the Delegation into a Permanent Committee: half the respondents rejected the idea outright, and all categories – men, women, left and right - returned a clear negative majority, with minimal variation<sup>13</sup>. This bespeaks general approval of the present situation, where the Delegation works in parallel with the committees. Interviewee N°5's assessment was fairly typical: "Le travail tel qu'il est conçu aujourd'hui me semble intéressant. L'idée de systématiquement, dès qu'il y a un projet de loi où la question 'femmes' est susceptible d'être posée, de la poser et de faire des propositions, cela me semble intéressant." One survey respondent (a senior RPR male) in a detailed covering letter, summed up the advantages of the present situation: "Il me semble que la transformation de la délégation en commission restreindrait son champ de compétence et d'influence. Sa composition actuelle, comprenant des membres de toutes les commissions lui permet une plus large diffusion dans le travail législatif et parlementaire." In other words, the present situation enables the Delegation to have a finger in every pie, whereas committee status would unduly limit their scope for action. Moreover, despite the problems caused by poor attendance, dual membership - seen as the key to *transversalité* – is incompatible with the Delegation acquiring committee status. Interview comments generally validated the arguments advanced in 1999: a separate women's committee (or 6 sub-committees) risked being side-lined, whereas a cross-sectoral approach would not only enhance efficiency, but would also anchor the Delegation in the mainstream.

A separate but symbiotic existence alongside the committees, as opposed to the creation of dedicated units within each committee, is a guarantee of minimum independence. In its present form, the Delegation has an independent voice (via its reports and recommendations) and statutory speaking time in the *Hémicycle*, whereas sub-committees could be stifled by the parent committee. As illustrated

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<sup>13</sup> It should be remembered that currently it is not possible to create a permanent committee without revising the Constitution.

by the cases of the twin 'Offices' created in 1996 (see (3.c), Chapter 3), new stand-alone parliamentary agencies risk stagnation if they cannot mobilise resources and participation. However, incorporation within a larger, more powerful entity does not guarantee better access to resources – which may be redeployed – and can threaten autonomy.

The President conceded that resources were problematic, and that members sometimes lacked the energy to press for more. One opposition member [N°15] did not mince her words: "Il faudrait qu'elle [la Délégation] ait plus de moyens d'investigation. ... Et là évidemment il n'y a pas les moyens matériels – et humains. ... Quand on voit le personnel qui est gaspillé ici, et que sur un sujet pareil, on n'a pas de moyens. Une fois de plus, ça marche avec trois pattes." A non-Delegate [N°11], speaking about future prospects, emphasised the need for material support: "Il y a un problème de moyens, pour impulser et réfléchir, qui n'est pas donné puisque la direction de cette cellule n'a que très peu de moyens. Ils n'ont que deux assistants, et c'est très compliqué." In the light of such informed comments, it is surprising that Deputies were not more forceful in their support for increased resources. The overall majority were in favour (56%), but there was a 21-point gap between left and right, with most opposition members reserving judgement (49% *avis neutres*). Could the *gauche plurielle* have assumed, in view of the Delegation's output, that it was adequately provided for? And did opposition illiberality betoken an undercurrent of rejection?

#### d. Recommendations versus Amendments

One disadvantage of not being a committee is that the Delegation cannot table amendments, which, like *autosaisine*, would confer more status and enhance autonomy. As argued in Chapter 9, the Delegation is dependent on the competent Committee or on individual members to translate its indicative recommendations into concrete amendments. This was not seen as a barrier, as exemplified by interviewee N°1's dismissal of the issue: "Il y a aussi le fait que – mais aucune délégation ne le fait – c'est que nous n'avons pas non plus la possibilité d'amendement. Mais ce n'est pas très grave, parce que les individus après les



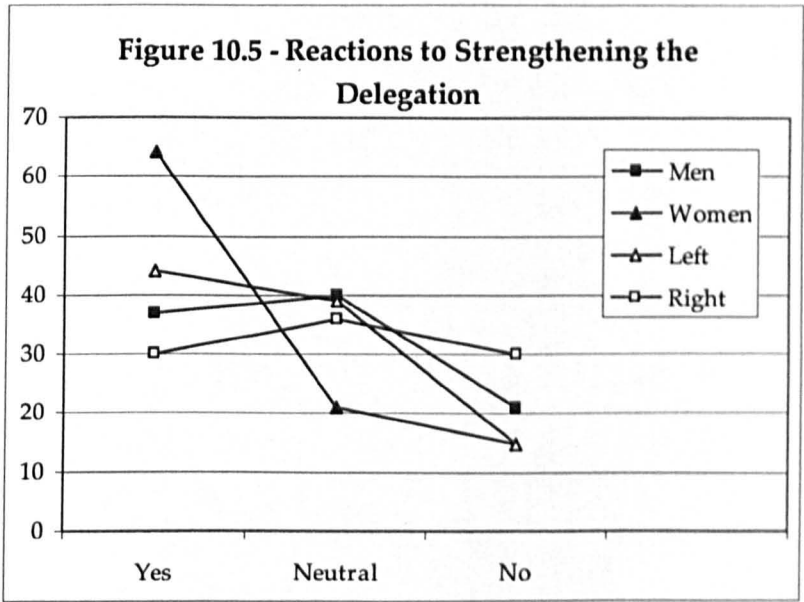
présentent, les amendements, puis on les signe en commun.” Although this did indeed get the job done in the short-term, it renders the Delegation contribution less visible, which could have negative fallout in the longer-term: the Delegation does not reap recognition which could consolidate and justify its future standing.

Interviewee N°17 argued in favour of recommendations, which in his view fulfil a different but equally valuable function. Responding to the observation that Delegation recommendations were often more radical than committee amendments, he explained: “Cette Délégation a la possibilité - peut-être même plus qu’une commission - elle a un rôle d’information très important qui peut déboucher sur des propositions, qui sont des *vœux* ... parce que la Délégation ne dépose pas de *textes*, de textes d’amendement. Elle émet des recommandations qui sont pris en compte – ou pas – par la commission compétente et ensuite par l’Assemblée.” (my italics) He suggested that, unlike amendments which have to be legalistic ‘*rédactions de texte*’, recommendations can be more ambitious and idealistic. If this is the case, recommendations provide the vision, which amendments then sculpt into reality. Such complementarity sounds appealing, but it does not satisfactorily explain why Delegations should not have the power of amendment as well: committee reports also signpost issues for future of further attention without necessarily turning them into amendments.

In practice during the 1997 Parliament, recommendations were an adequate means to get demands made into law, because there was sufficient goodwill for the alternative courses of action to work. However, faced with an unsupportive committee, reliance on backbenchers’ amendments, with a much lower success rate, could reduce the Delegation to virtual impotence. Not having the right of amendment underscores the Delegation’s subordination to the Permanent Committees – which may well be the real reason for this option having been withheld.

This discussion of Deputies’ attitudes to institutional improvements confirms the divergence between left and right. While the *gauche plurielle* continued to express positive, if mitigated, support, the right shifted from neutral

to negative answers. This indicates that their relatively benign general responses camouflaged strong resistance to any extension of Delegation power or prerogatives. Figure 10.5, which aggregates positive answers to the statements on more resources, *autosaisine* and increased membership, shows this clearly. While women have a high level of approval and a low rate of rejection for these measures to enhance the Delegation’s power, the curve for the right shows a lower level of approval and a higher level of rejection than the other categories.



The RPR’s attitude seemed particularly tense. The RPR response rate was low (see Appendix F.3), and amongst the returned surveys with additional comments, 2 of the 3 hostile reactions came from RPR men in the 50-59 category (the third classed himself as ‘opposition’). One dashed off *avis neutre* for every question (including the questions on institutional issues which did not require knowledge of the Delegation’s present activities), then added: “L’action de la Délégation aux droits des femmes et à l’égalité des chances est tellement ... confidentielle!”<sup>14</sup> This conforms to the RPR line when the Delegations were created. In her concluding remarks, Mme Zimmerman (who became the new

<sup>14</sup> The other vented his spleen over parity in an A4 page using very emotive language.

President in 2002) was cool and condescending: "Le groupe RPR ne s'opposera certes pas au vote de ce texte. Toutefois, mon intervention se limitera à ces quelques remarques, dont la brièveté n'est que le reflet de l'intérêt concret que mérite la proposition du groupe socialiste."<sup>15</sup>

#### 4. Prospects?

In its first two years of existence, the Delegation appears to have had a remarkably untroubled relationship with the members of the Assembly at large, provoking little conflict, overt rejection or aggression. In view of the nature of its task and some of the contentious issues handled, this is an achievement in itself. Delegation discretion coupled with the pro-parity climate undoubtedly prolonged a state of grace during which they built up a solid track record.

Absence of criticism does not necessarily equate with support, however. While the anonymous survey results were generally positive, subjective opinions pointed towards passivity and indifference. Commenting on the consensus during the debates on setting up the Delegations, a Socialist woman chuckled: "c'est du fatalisme!" Discussing future prospects, an *interviewee* N°17 said: "Il faut que cette Délégation puisse continuer, qu'elle soit peut-être mieux prise en compte par l'ensemble des groupes politiques," thereby confirming ambient lack of interest. He went on to insist: "... il faut qu'elle se dégage d'une image qui est peut-être trop féministe. ... c'est une dérive qui risquerait de nuire au bon fonctionnement parce qu'elle n'est pas faite pour .....elle est faite pour s'assurer le respect des droits des femmes, et tous les problèmes liés à la vie sociale, et professionnelle et familiale des femmes." In combination with the prevalence of non-committal answers on the perception of the Delegation from the right, their lower response rate and their marked resistance to any institutional changes, this indicates that the Delegation would have much less latitude under a right-wing majority.

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<sup>15</sup> *Compte rendu intégral*, 11/02/1999.

Without a minimum of moral support, the Delegation can easily be reduced to total impotence, because it does not have autonomous means of fulfilling its remit. Its design means that it slots nicely into the parliamentary architecture of the Fifth Republic: its powers were defined in relation to existing structures, so as not to challenge the existing line of command, or the balance of power. However, this design does not make it the most effective way of furthering equality in policy formulation – although the Delegation proved that it could be effective in propitious circumstances. Without shared control of the mechanisms for access to the legislative process – referral and amendment – the Delegation can only have an ancillary function. Its potential as a ‘blank page’ is therefore circumscribed by the logic of the framework set by the founding fathers in 1958.

Deputies, while acknowledging the weakness inherent in this dependence on goodwill, were realistic but not defeatist. They believed that the Delegation could not be simply dissolved – “Il y a une loi qui l’a créée,” as one Assembly staffer pointed out. Interviewee N°6 agreed but added: “Ça dépendra beaucoup de la volonté politique, ça reste encore fragile. Ça dépend de la personne qui la préside, et du Président de l’Assemblée, et de la bienveillance des groupes. ... La supprimer, non. La laisser vivoter, oui.” On the other hand, a young Socialist colleague [N°5]: “Moi, je ne crois pas à la remise en cause politique. Je crois que personne n’oserait faire ça. ... Même s’il y a un changement de majorité, je crois qu’il se trouvera à droite des femmes qui sont aussi clavoyantes que celles qui sont aujourd’hui à gauche et qui portent aujourd’hui sur leurs épaules la Délégation. ... Je crois en l’intelligence des hommes et des femmes.”

Only time will tell, but the diametrically opposed conditions in the 11<sup>th</sup> and 12<sup>th</sup> Legislatures could provide a useful contrast for exploring the institutional capabilities and limitations of the Delegation.

### Conclusions Part III

Referring back to the questions at the beginning of this investigation of the Women's Delegation, we can now attempt some answers. As regards its substantive input (in the first two questions), the Delegation clearly made a difference to the outcome of bills referred to it. Moreover, its position *within* Parliament and the *timing* of its intervention are particularly important: coming late in the policy chain, the Delegation is in a position to reintroduce lost feminist content, as well as providing its own input. It also has the potential to mainstream equality issues throughout the Assembly, although this was undermined by institutional weaknesses and lack of support. It could perhaps seek greater influence over agenda-setting in the future, but this was neither feasible nor necessary in the 1997 Parliament.

Regarding 'safe space' (questions 3 and 4), the Delegation does indeed have great potential for providing an alternative forum, but only the Socialist women availed themselves of this option. Too few men and opposition women attended regularly to realise the potential for cross-gender and cross-party consensus-building: this raises the question of whether 'internal critical mass' within such parliamentary organs is a precondition for 'fusion' to occur. However, the core Socialist members did benefit from the 'validating presence of other women' which enabled them to consolidate their new 'tilted group' status, and develop different ways of working.

The most original and highly valued of these working methods involved hearings and outreach. Unlike mainstreaming, engendering legislation, male-female partnership – identified as explicit objectives by all orators when the Delegation was created – the use of networking and hearings evolved *sur le tas*, out of the praxis of women Delegates. Although this was not theorised beforehand, it makes perfect sense as a link between formal and informal politics. It responds to a two-way need: "For feminists who enter the formal political arena, continued links with the wider women's movement outside help them to remain in touch with their feminist roots. Such links are important both in

counteracting the pressures to conform with the institutions they set out to challenge and in promoting the influence of the wider women's movement on the formal political process. ... At the same time better links between formal and informal political institutions might encourage more women to make the transition from one to the other," (Lister 1997: 164). If this is the case, hearings not only benefit outside women's agencies, but also consolidate the Delegation by providing legitimacy, moral support and the beginnings of a public profile (thereby guarding against hostile parliamentary majorities in the future).

The final question on the Delegation's future role depends entirely on the goodwill of the women and – especially – the men elected to the National Assembly. To paraphrase Mme Boisseau's concluding remarks in the debate (see (2), Chapter 7), the Delegations *did* invent their own way of working, they *did* earn respect by the quality of their deliberations, but they will only have the power 'qu'on voudra bien leur donner'. The contrast between the positive opinions expressed in the survey and the indifference expressed by male non-attendance is reminiscent of Mazur and Appleton's 'Rhetoric and Reality of Gender and Party Politics' (1993). *Plus ça change ...*

The Delegation President, prefacing the 2001 Annual Report, stated that "L'avenir est à l'intégration de l'égalité entre les hommes et les femmes dans toutes les politiques, à tous les niveaux de décision, par les femmes, *mais aussi par les hommes*." The following quotes (from one of the older men and a young woman, both *gauche plurielle*) illustrate what she means:

"On sait comment c'est - s'il n'y a pas la petite bête qui rappelle, qui vient taper à la porte et qui dit: 'au fait, là-dessus vous n'avez pas pris en considération les problèmes spécifiques qui peuvent se poser aux femmes'. On sait que ce ne sera pas pensé naturellement."

"Il faut travailler avec d'autres qui sont différents, qui seront plus jeunes ... Ils ont une approche différente, c'est emmerdant des fois - ou *elles sont emmerdantes*, parce qu'elles posent des questions qui ne nous venaient pas à l'esprit, qui gâchent un peu, quoi. *C'est bien*."

## Conclusions

This thesis set out to look at institutional change and substantive representation in the 1997 Parliament. It finds that the *gauche plurielle* achieved two critical acts: the parity legislation tackled institutional reform, and the creation of the Women's Delegations addressed substantive issues. The Constitutional Amendment redefined the terms of political citizenship, and the Parity Law partly rewrote the electoral rules. However, political citizenship "is not just about the advance of a minority of women into the political elites dominated by men but about the genuine empowerment of a much wider group of female citizens," (Lister 1997: 166). The Women's Delegation in the Assembly demonstrated its ability to empower a wider group of female citizens *outwith* formal politics and express women's issues: it also has the potential to empower women *within* the Assembly itself.

The thesis contends that the National Assembly is a gendered institution: this does not mean that women are subject to negative discrimination, but that the power and opportunity structure is in some respects determined by gender. This gender-bias derives partly from superficial practices (subconscious stereotyping on the part of Assembly deciders) but also from more fundamental design aspects of Fifth Republic institutions. For example, the constitutional constraints on the committee system create an internal hierarchy, and replicate the *'emprise des*

notables' that keeps women out of the Assembly in the first place. Moreover, *le fait majoritaire*, by definition, militates against the emergence of women Deputies' 'minority' voice: the Fifth Republic was not intended to foster compromise or negotiate difference, but to impose clear, unified leadership. An unintended, but crippling consequence is that it silences the handful of women who have made it to the Palais-Bourbon despite the electoral barriers. Consequently, the Women's Delegation – which made an important contribution to the representation of women's issues – could provide a much-needed matrix in which women, and like-minded men, could develop different agendas and different ways of working. The 1997 Parliament provided some limited evidence of this, but the wariness of some opposition women and the indifference of most men undermined its potential as a site for cohesion and consensus.

Although 'parity' is undoubtedly a milestone on the path towards political equality, it is only the tip of the iceberg, the symptom of an underlying problem. The quick-fix of electoral reform is a welcome and necessary cure, but it is not an adequate remedy. The success of quotas (and parity is arguably an optimised quota) is context-dependent (Krook 2003), and the true significance of the 1997–2002 period is that the *gauche plurielle*, and specifically Lionel Jospin, did attempt to modify some of the contextual factors that condition women's political participation (*cumul*, Senate, *statut de l'élu*). Furthermore, women's *visibility* was enhanced in 'up-front' ways (promotion to government, access to certain parliamentary posts) and also 'down-beat' ways (gendered statistics, feminisation of job titles and ministerial functions, reports and audits on equality or women's issues). Visibility seems like a vainglorious objective, but it is essential: the first recommendation of the Cotta Report in 2000 was: "Valoriser l'image des femmes pour faire évoluer les mentalités". *Députées* used 'exister' as a synonym for 'being seen' in the parliamentary context, because they instinctively recognise the need for role models and defence against forgetfulness. Problems have been *seen*, and are starting to be *counted* – though they are not necessarily *heard*.



Despite the progress made in the 1997 Parliament, the issue of women's representation is still not adequately contextualised by the State and political parties (though women's agencies have transmitted their broader understanding). Parties are currently locked into the logic of seeking 'un vivier de femmes' and fail to consider the web of relations that define political recruitment as a whole – what I call the Revolving Door Syndrome. This is represented schematically overleaf.

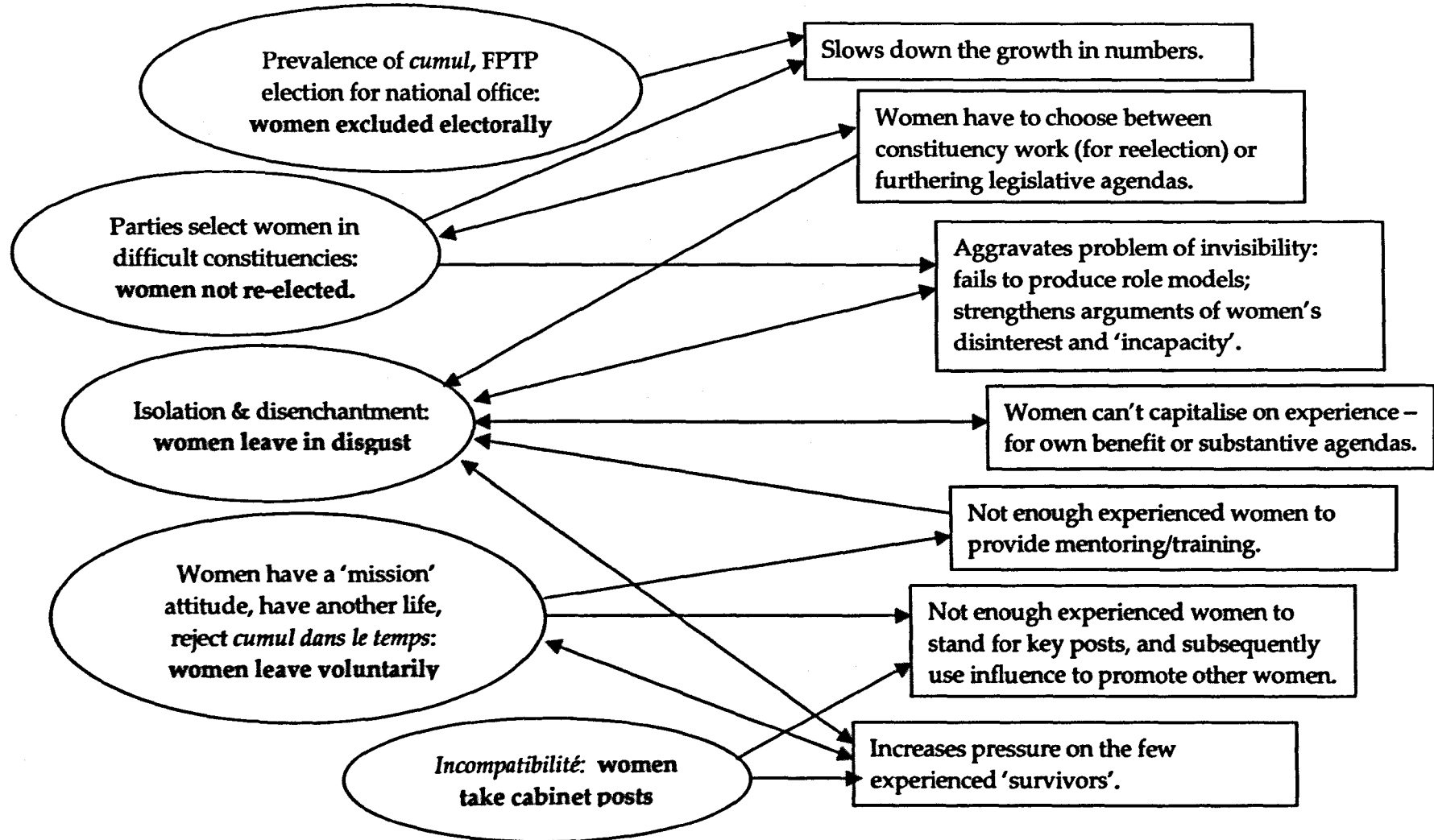
Most of these factors cannot be legislated out of or into existence: they depend on the 'culture paritaire' invoked regularly by the *Observatoire*, and depend more on party initiative or example. The principal 'hard-edged' solution for levelling out the playing field suggested by interviewees was the introduction of term-limits, but most of all, progress on women's representation requires a reappraisal of selection criteria and the conduct of politics. The parity measures address women's access to politics, but not their retention. Interviews suggest that some form of proportional representation may help loosen the shackles inherent in constituency-based representation, and have benefits in terms of *députées'* capacity to represent women substantively.

In addition to its measurable benefits, the parity debate has had a more diffuse but perhaps ephemeral impact on mentalities. "Il y a un effet 'parité' dans la société civile et culturelle. Un effet de mode, parce que cela plaît plus que de 'l'égalité' qui est beaucoup plus usée, alors qu'il est plus précis. On ne l'entendait plus," mused interviewee N°9. Parity in effect rebranded equality, and enabled women's campaigners to put the message over – *à qui veut, ou peut l'entendre* – that improving women's political participation is not just about numbers. There was, and is, a risk that the relative success of 'first-wave parity' could sweep the more fundamental aspects under the carpet: even Jospin initially thought he had dealt with the problem by appointing *femmes-ministres* and pressing for electoral parity. This brings us back to the first argument of this conclusion: that the 1997 Parliament witnessed two major developments in women's representation of equal importance. The Women's Delegation could indeed be the 'deuxième jambe de la parité'.

## Revolving Door Syndrome

### Causes

### Consequences



## Appendices

- A.1 Distribution of Women Deputies per Party, 1997 Election
- A.2 *Missions au gouvernement, 1997-2002*
- A.3 *Cumul*
- B.1 Women Candidates for the National Assembly Presidency, 1944-2002
- B.2 Women in the National Assembly Bureau, 1997-2002
- B.3 Length of Service of Women in the Assembly Bureau, 1978-2002
- C.1 Cohort of Women Deputies
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## Appendix A.1 - Distribution of Women Deputies per Party, 1997 Election

Party	Women elected	Men elected	Total	Percentage of women <u>within</u> each party	Percentage of women <u>from</u> each party
PCF	5	32	37	13.5%	7.9%
PS	42	204	246	17.0%	66.7%
PRS	0	13	13	0.0%	0.0%
Divers gauche	1	8	9	11.1%	1.6%
Ecologistes	3	5	8	37.5%	4.8%
MDC	0	7	7	0.0%	0.0%
UDF	7	102	109	6.8%	11.1%
RPR	5	134	139	3.6%	7.9%
Divers droite	0	7	7	0.0%	0.0%
LDI-MPF	0	1	1	0.0%	0.0%
FN <sup>1</sup>	0	1	1	0.0%	0.0%
Total	63	514	577	10.9%	100%

Compiled from Bataille and Gaspard (1999), based on Interior Ministry figures and party classification.

<sup>1</sup> The sole FN Deputy (J-M Chevalier in Toulon) was disqualified: the subsequent by-election was won by Odette Casanova (PS).

## Appendix A.2 – Missions au gouvernement, 1997-2002

Name	Title of Mission	Ministry	Dates	Comments
Nicole Péry	<i>Langues et cultures régionales</i>	<i>Premier Ministre</i>	29/10/1997 -	<i>Secrétaire d'état, formation professionnelle, March 1998, in charge of Service des Droits des femmes, Nov. 1998-2002</i>
Christine Lazerges	<i>Délinquance des mineurs</i>	<i>Premier Ministre</i>	01/12/1997 - 17/04/1998	1 <sup>re</sup> Vice-President of the National Assembly, 2000-02
Dominique Gillot	<i>Condition des sourds et des malentendants</i>	<i>Emploi et solidarité</i>	26/12/1997 - 26/06/1998	<i>Rapporteure, financement de la sécurité sociale (Famille), 1998/1999. Rapporteure, Observatoire de la parité, Jan.-Oct. 1999. Secrétaire d'état (santé, personnes handicapées, personnes âgées) July 1999-March 2001.</i>
Odette Grzegorzulka	<i>Veille et sécurité sanitaires en matière d'environnement</i>	<i>Aménagement du territoire et environnement, Emploi et solidarité</i>	18/05/1998 - 18/11/1998	
Catherine Génisson	<i>Egalité professionnelle hommes-femmes</i>	<i>Emploi et solidarité</i>	21/12/1998 - 21/06/1999	Published official report, July 1999. Sponsored successful private member's bill in 2000. <i>Rapporteure, Observatoire de la parité, October 1999-2002.</i>
Paulette Guinchard-Kunstler	<i>Personnes âgées et dépendance</i>	<i>Emploi et solidarité</i>	18/01/1999 - 18/07/1999	<i>Secrétaire d'état aux personnes âgées, March 2001-2002</i>
Chantal Robin-Rodrigo (RCV)	<i>Emploi et développement économique de la politique de la ville</i>	<i>Emploi et solidarité</i>	05/03/1999 - 22/06/1999	<i>Rapporteure budgétaire pour avis, Emploi et solidarité: ville, 2001 &amp; 2002</i>
Nicole Bricq	<i>Transposition directive "gaz" dans le droit français</i>	<i>Economie, finances et industrie</i>	09/07/1999 - 09/01/2000	Published the official report. Subsequently sat on three temporary committees. Finance Committee from May 1999.
Béatrice Marre	<i>Fiscalité agricole</i>	<i>Agriculture et pêche</i>	28/09/1999 - 28/03/2000	Member of the Finance Committee from October 1998, and the <i>Commission spéciale chargée d'examiner la proposition de loi organique relative aux lois de finances, 2000-02.</i>
Geneviève Perrin-Gaillard	<i>Zonages dans le domaine de l'environnement</i>	<i>Aménagement du territoire/environnement</i>	06/03/2000 - 06/09/2000	<i>Rapporteure, financement de la sécurité sociale (Education nationale: enseignement supérieur), 1998-2000</i>
Christiane Taubira-Delannon (app. PS)	<i>Exploitation aurifère en Guyane</i>	<i>Intérieur</i>	13/03/2000 - 13/09/2000	
Marie-Françoise Pérol-Dumont	<i>Internat scolaire public</i>	<i>Education nationale</i>	15/05/2001 - 15/11/2001	Secretary of the National Assembly, 1997-02

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**Appendix A.3 – Cumul**  
**a. Cumul Levels in Parliament, 1998**

	Deputies		Senators	
Total	575 *	100%	319 *	100%
<i>Conseiller municipal</i>	474	82%	217	68%
<i>Maire</i>	318	55%	149	47%
<i>Conseiller général</i>	205	36%	139	44%
<i>Conseiller régional</i>	63	11%	23	7%
<i>Député européen</i>	2	-	0	-

\* 2 seats were vacant in each house.

Source: Assembly Report N° 909: 6. <http://www.assemblee-nationale.fr/rapports/r0909.asp>

**b. Patterns of Cumul in the 1997 Parliament, March 2001 Elections**

	Deputy-Mayors				Deputy-Dept. Councillor				Deputy-Reg. Councillor			
	Before		After		Before		After		Before		After	
	N	%	N	%	N	%	N	%	N	%	N	%
Total all Deputies (574)	296	51,6	236	41,1	218	38,0	157	27,4	57	9,9	52	9,1
Men Deputies (520)	290	55,8	228	43,8	203	39,0	148	28,5	48	9,2	44	8,5
Women Deputies (54)	6	11,1	8	14,8	15	27,8	9	16,7	9	16,7	8	14,8

Source: [www.assemblee-nationale.fr](http://www.assemblee-nationale.fr), accessed March 15<sup>th</sup> & July 5<sup>th</sup> 2001<sup>2</sup>

**c. Cumul Rates: Female Cohort and Male Sample, after the March 2001 Elections**

	Deputy-Mayors			
	Whole Assembly (520+54)		Sample (54+54)	
	N	%	N	%
Both sexes	236	41.1%	27	25.0%
Men Deputies	228	43.8%	19	35.2%
Women Deputies	8	14.8%	8	14.8%

<sup>2</sup> After discussions with Assembly staff in charge of the database, these were considered to be the most reliable points of comparison.

## Appendix B.1 - Women Candidates for the National Assembly Presidency, 1997-2002

Year	Candidate, Party (President elected)	Results (votes in 1 <sup>st</sup> /2 <sup>nd</sup> rounds)
1969	Marie-Claude Vaillant-Couturier, PCF (Achille Peretti)	34/-
1986	Yann Piat, FN (Jacques Chaban-Delmas)	36/34
1988	Yann Piat, FN (Laurent Fabius)	4 /-
1992	Huguette Bouchardeau, PS (Henri Emmanuelli)	44 /32
1997	Nicole Catala, RPR (Laurent Fabius)	137 /223
2002	Paulette Guinchard-Kunstler, PS Muguette Jacquaint, Com (Jean-Louis Debré)	140/142 21/21

As a percentage of the number of deputies in the Assembly (487 in 1969, 577 thereafter), no woman candidate attracted more than 8% of the vote until the 1997 Parliament. Nicole Catala and Paulette Guinchard-Kunstler obtained 38.6% and 24.6% respectively. Since Deputies generally vote as instructed by their group, and all the women candidates stood for the opposition, there has never been a real possibility of a female president.

## Appendix B.2 - Women in the National Assembly Bureau, 1997-2002

Name (Group)	Dates	Post	No. mandates (inc. 1997-2002)
Nicole Feidt (Soc)	1997-2002	Sec.	1
M-F Pérol-Dumont (Soc)	1997-2002	Sec.	1
Yvette Roudy (Soc)	1997-2002	Sec.	3
Nicole Catala (RPR)	1998-2002	VP	3*
Bernadette Isaac-Sibille (UDF)	1998-1999	Sec.	3
Christine Lazerges (Soc)	2000-2002	VP	1
Marie-Thérèse Boisseau (UDF)	2000-2002	Sec.	3
Marie-Hélène Aubert (RCV - Verts)	2001-2002	VP	1

\* Note that Mme Catala was also Vice-President from 1993-1997, in her second parliamentary term.

Source: adapted from National Assembly Information Service.

### Appendix B.3 - Length of Service of Women in the Assembly Bureau, 1978-2002

Name (group)	Post	Terms/Bureau (+ terms in previous parliaments)	Terms/Assembly (including current mandate)
	<b>1978-81</b>		
M-T. Goutmann (PC)	VP	1	1
C. Privat (PC)	VP	1	2
J. Porte (PC)	Sec.	1	1
P. Fost (PC)	Sec.	1	1
C. Leblanc (PC)	Sec.	1	1
	<b>1981-86</b>		
M. Jacq (PS)	VP	1	2
L. Moreau (UDF)	VP	1	2
A. Chépy-Léger (PS)	Sec.	1	1
R. Soum (PS)	Sec.	1	1
P. Nevoux (PS)	Sec.	1	1
C. Chaigneau (PS)	Sec.	1	1
	<b>1986-88</b>		
M-F. Lecuir (PS)	Sec.	2	2
C. Papon (RPR)	Sec.	1	1
M. Papon (UDF)	Sec.	2	1
O. Sicard (PS)	Sec.	1	2
	<b>1988-93</b>		
M-F. Lecuir (PS)	Sec.	5+2	3
C. Papon (RPR)	Sec.	5+1	2
M-J. Sublet (PS)	Sec.	3	3
	<b>1993-97</b>		
N. Catala (RPR)	VP	4	2
M. Jacquaint (PC)	VP	2	4
M. Papon (UDF)	Sec.	4+2	3
	<b>1997-2002</b>		
M-H. Aubert (PS)	VP	1	1
N. Catala (RPR)	VP	4+4	3
C. Lazerges (PS)	VP	2	1
M-T. Boisseau (UDF)	Sec.	2	3
N. Feidt (PS)	Sec.	5	1
B. Isaac-Sibille (UDF)	Sec.	1	3
M-F. Pérol-Dumont (PS)	Sec.	5	1
Y. Roudy (PS)	Sec.	5	3

Source: adapted from Pascal (1990) and National Assembly Information Service.



# Appendix C.1

## Cohort of Women Deputies in the National Assembly, December 1999

	Name	Political Group	Novice or Veteran	Parl. experience	Age yrs/mths	Government posts/suppléance Reasons for incomplete term of office.
1	Alliot-Marie, Michèle	RPR	V	88-93, 95-97 7 yrs	50/9	Secrétaire d'Etat, enseignement (Education nationale), 86-88 Ministre de la jeunesse et des sports, 93-95 Ministre de la Défense et anciens combattants, May 2002 Re-elected 95 after resignation of her suppléant.
2	Ameline, Nicole	DL	V	91-93, 95-97 6yrs	44/11	Secrétaire d'Etat, décentralisation (Réforme de l'Etat et de la citoyenneté), 95-95 Secrétaire d'Etat à la mer (Equipeement, transports et tourisme) May 2002 Ministre déléguée à la parité et à la formation professionnelle (Affaires sociales) June 2002 Replaced deceased deputy (D'Ornano) Re-elected 95 after resignation of her suppléant
3	Andrieux-Bacquet,	SOC	N		35/6	
4	Aubert, Marie-Hélène	RCV	N		41/7	
5	Aurillac, Martine	RPR	V	93-97 4 yrs	58/2	Replaced a member of government (Roussin, 93)
6	Bachelot, Roselyne	RPR	V	88-93 93-97 9yrs	50/6	Ministre pour l'Ecologie et le développement durable, May 2002
7	Bassot, Sylvia	DL	V	96-97 1 yr	56/6	
8	Bello, Huguette	RCV	N		46/10	
9	Benayoun-Nakache, Yvette	SOC	N		50/6	
10	Boisseau, Marie-Thérèse	UDF	V	86-88 93-97 6yrs	56/10	
11	Bousquet, Danielle	SOC	N		52/1	
12	Boutin, Christine	App UDF	V	86-88 88-93 93-97 11yrs	53/4	
13	* Bredin, Frédérique	SOC	V	88-91 95-97 5yrs	40/7	Ministre de la jeunesse et des sports, 91-93 Resigned September 2000
14	Bricq, Nicole	SOC	N		50/0	

	Name	Political Group	Novice or Veteran	Parl. experience	Age yrs/mths	Government posts/suppléance Reasons for incomplete term of office.
15	*Casanova, Odette	SOC	N		61/1	By-election May 98 (FN Deputy, J-M Le Chevalier, ousted for electoral fraud)
16	Catala, Nicole	RPR	V	88-93 93-97 9yrs	61/4	Secrétaire d'Etat, formation professionnelle (Education nationale), 86-88
17	Clergeau, Marie-	SOC	N		49/1	
18	Collanges, Monique	SOC	N		50/6	
19	David, Martine	SOC	V	88-93 93-97 9yrs	44/6	Replaced a member of government (Poperen, 88)
20	Denise, Monique	SOC	N		56/1	
21	Douay, Brigitte	SOC	N		50/4	
22	Dumont, Laurence	SOC	N		39/0	
23	Feidt, Nicole	SOC	N		61/4	
24	Fraysse, Jacqueline	CO M	V	78-81 81-86 8yrs	50/4	Senator, 86-97
25	Génisson, Catherine	SOC	N		48/2	
26	Grzegorzulka, Odette	SOC	N		50/3	
27	*Guinchard-Kunstler, Paulette	SOC	N		47/8	Secrétaire d'Etat, personnes âgées (Emploi et solidarité), 2001-02
28	Helle, Cécile	SOC	N		28/1	Replaced a member of government (Guigou, 97)
29	Idrac, Anne-Marie	UDF	N		45/11	Secrétaire d'Etat, transport (Aménagement du territoire), 95-97
30	Imbert, Françoise	SOC	N		49/9	
31	Isaac-Sibille, Bernadette	UDF	V	88-93 93-97 9yrs	67/3	
32	Jacquaint, Muguette	CO M	V	81-86 86-88 88-93 93-97 16yrs	55/1	Replaced a member of government (Ralite, 81)
33	Jambu, Janine	CO M	V	93-97 4yrs	54/7	
34	Lacuey, Conchita	SOC	N		53/9	
35	Lazard, Jacqueline	SOC	N		48/9	
36	Lazerges, Christine	SOC	N		53/7	
37	Ledoux, Claudine	SOC	N		38/5	
38	*Le Texier, Raymonde	SOC	N		57/8	Replaced a member of government (Strauss-Kahn, 97) Resigned Feb 2001 to allow reelection of Strauss-Kahn.
39	Lignières-Cassou,	SOC	N		45/4	

	Name	Political Group	Novice or Veteran	Parl. experience	Age yrs/mths	Government posts/suppléance Reasons for incomplete term of office.
40	*Marin-Moskovitz, Gilberte	RCV	V	88-91 3yrs	60/0	Replaced a member of government (Chevènement, 88 & 97) Resigned 91 & 2000 to allow reelection of Chevènement.
41	Marre, Béatrice	SOC	N		45/2	
42	*Mathieu-Obadia, Jacqueline	RPR	N		62/5	By-election in Nov 98, after election of M.Peyrat to the Senate.
43	Mignon, Hélène	SOC	V	88-93 5yrs	63/0	
44	*Moreau, Louise	UDF	V	78-97 19yrs	76/5	Died in office, Feb 2001
45	Neiertz, Véronique	SOC	V	81-88 93-97 11yrs	54/7	Secrétaire d'Etat, consommation (Economie), 88-91 Secrétaire d'Etat, droits des femmes & consommation (Travail, then Economie), 91-93
46	de Panafieu, Françoise	RPR	V	86-88 88-93 93-95 9yrs	48/6	Ministre du tourisme, 95-95
47	Pérol-Dumont, Marie-France	SOC	N		45/1	
48	Perrin-Gaillard,	SOC	N		50/1	
49	Peulvast-Bergeal,	SOC	N		50/10	
50	Picard, Catherine	SOC	N		44/10	
51	Reynaud, Marie-Line	SOC	N		42/11	
52	Rivasi, Michèle	App. Soc	N		44/4	
53	*Robin-Rodrigo, Chantal	RCV	N		48/10	Replaced a member of government (Glavany, Nov, 98)
54	Roudy, Yvette	SOC	V	86-88 88-93 7yrs	68/2	Ministre des droits de la femme, 81-86
55	Saugues, Odile	SOC	N		54/5	
56	*Tasca, Catherine	SOC	N		55/6	Ministre déléguée, communication (culture), 88-91 Ministre déléguée (ensuite Sec. d'Etat), francophonie (Affaires étrangères), 91-93 Ministre, culture et communication, 2000-02
57	Taubira-Delannon, Christiane	App. Soc	V	93-97 4yrs	45/4	
58	Touraine, Marisol	SOC	N		38/3	
59	Trupin, Odette	SOC	N		62/4	
60	*Zimmermann, Marie-Jo	RPR	N		46/2	By-election February 1998.

See overleaf for additional notes

\* Indicates that the deputy did not complete the full five-year term.

Group affiliation at mid-term.

Previous parliamentary mandates and gov. posts etc. based on National Assembly CVs.

Age as of June 1997 to the nearest month.

Titles of government posts taken from National Assembly website (main ministry in brackets).

This list does not include women deputies appointed to government office before mid-term:

Martine Aubry	June 97, Ministre de l'emploi de la solidarité
Marie-Georges Buffet	June 97, Ministre de la jeunesse et des sports
Elisabeth Guigou	June 97, Garde des Sceaux, Ministre de la justice
Marylise Lebranchu	June 97, Secrétaire d'Etat aux PME, au commerce et à l'artisanat
Ségolène Royal	June 97, Ministre déléguée chargée de l'enseignement scolaire
Catherine Trautmann	June 97, Ministre de la culture et de la communication, Porte-parole
Dominique Voynet	June 97, Ministre de l'aménagement du territoire & environnement
Nicole Pery	March 98, Secrétaire d'Etat à la formation professionnelle
Dominique Gillot	July 99, Secrétaire d'Etat à la santé et à l'action sociale

Also excluded are those *députées* who resigned before Dec 1999, or took up seats later:

V. Carrion-Bastok	Resigned October 99
Marcelle Ramonet	Replaced deceased deputy, Nov 2001

## Appendix C.2

### Sample of Men Deputies Matched with Female Cohort, December 1999

	Name	Political Group	Novice or Veteran	Parl. experience	Age yrs/mths	Government posts/suppléance Reasons for incomplete term of office.
1	André, René	RPR	V	83-97 14 yrs	54/ 11	Replaced deceased deputy (Bizet).
2	d'Aubert, François	DL	V	78-95 17 yrs	53/8	<i>Secrétaire d'Etat, budget (Economie et finances)</i> , 95 <i>Secrétaire d'Etat, recherche (Education nationale)</i> , 95-97
3	Aubron, Jean-Marie	SOC	N		59/6	
4	*Cochet, Yves	RCV	N		51/4	<i>Ministre de l'aménagement du territoire et de l'environnement</i> , 2001-02
5	Balladur, Edouard	RPR	V	88-93 95-97 7 yrs	68/1	<i>Ministre de l'économie</i> , 86-88 <i>Premier ministre</i> , 93-95 Re-elected in 95 after resignation of suppléant.
6	Bardet, Jean	RPR	V	86-88 93-97 6 yrs	50/6	
7	*Blanc, Jacques	DL	V	73-77 78-97 24 yrs	57/8	<i>Secrétaire d'Etat, agriculture (Agriculture)</i> , 77-78 Senator, elected 2001
8	Hoarau, Claude	RCV	V	87-88 96-97 1yr	55/2	
9	Bertholet, Henri	SOC	N		51/5	
10	Bosson, Bernard	UDF	V	88-93 95-97 7 yrs	49/4	<i>Secrétaire d'Etat, collectivités locales (Intérieur)</i> , 86 <i>Ministre délégué, Europe (Affaires étrangères)</i> , 86-88 <i>Ministre de l'équipement &amp; du transport</i> 93-95 Re-elected in 95 after resignation of suppléant.
11	Brottes, François	SOC	N		41/3	
12	Bouvard, Loïc	App UDF	V	73-97 24 yrs	68/5	
13	Bret, Jean-Paul	SOC	V	88-93 5 yrs	50/1 1	Replaced deceased deputy (Hernu)
14	*Burroni, Vincent	SOC	N		49/8	Replaced deputy with prolonged cabinet mission (d'Attilio, August 98)
15	Cazeneuve, Bernard	SOC	N		34/0	
16	Cavaillé, Jean-Charles	RPR	V	78-97 19 yrs	66/6	
17	Codognès, Jean	SOC	N		43/9	

	Name	Political Group	Novice or Veteran	Parl. experience	Age yrs/mths	Government posts/suppléance Reasons for incomplete term of office.
18	Cuillandre, François	SOC	N		42/4	
19	Davoine, Bernard	SOC	V	93-97 4 yrs	56/5	
20	*Desbons, Claude	SOC	N		58/8	Died in office, Sept. 2001
21	Dreyfuss, Tony	SOC	N		58/5	Secrétaire d'Etat (Premier ministre), 88-91
22	Dupré, Jean-Paul	SOC	N		53/4	
23	Fousseret, Jean-Louis	SOC	N		50/6	
24	Gerin, André	CO M	V	93-97 4 yrs	51/5	
25	Godin, André	SOC	N		55/1	
26	Hammel, Francis	SOC	N		46/6	
27	Jacquot, Claude	SOC	N		49/5	Replaced a member of government (Pierret, 97)
28	*Jaulneau, Jacky	SOC	N		45/4	Replaced a member of government (Huwart, 99)
29	Leroy, Maurice	UDF	N		38/4	
30	Jung, Armand	SOC	N		46/6	Replaced a member of government (Trautmann, 97)
31	Jean-Batiste, Henry	UDF	V	86-97 11 yrs	64/5	
32	Lajoinie, André	CO M	V	78-93 15 yrs	67/6	
33	Lefort, Jean-Claude	CO M	V	88-97 9 yrs	52/6	
34	Lamy, François	SOC	N		37/8	
35	Le Roux, Bruno	SOC	N		32/1	
36	Lefait, Michel	SOC	N		51/1	
37	Lemasle, Patrick	SOC	N		45/1	Replaced a member of government (Jospin, 97)
38	Liebgoth, Michel	SOC	N		39/4	
39	Lindeperg, Gérard	SOC	N		59/1	
40	Marché, Jean-Pierre	RCV	V	92-93 1 yr	60/8	Replaced a member of government (Royal, 92)
41	Maurer, Gilbert	SOC	N		45/3	
42	Quentin, Didier	RPR	N		50/6	
43	Mitterrand, Gilbert	SOC	V	81-93 12 yrs	48/4	
44	Morisset, Jean-Marie	UDF	V	93-97 5 yrs	49/ 10	
45	Néri, Alain	SOC	V	88-93 5 yrs	55/1	
46	Pandraud, Robert	RPR	V	88-97 9 yrs	68/8	Ministre délégué, sécurité (Intérieur), 86-88
47	Rouger, Jean	SOC	N		57/2	

	Name	Political Group	Novice or Veteran	Parl. experience	Age yrs/mths	Government posts/ <i>suppléance</i> Reasons for incomplete term of office.
48	Revol, Gérard	SOC	N		60/2	
49	Rimbert, Patrick	SOC	N		52/	
50	Rogemont, Marcel	SOC	N		49/5	
51	Rome, Yves	SOC	N		47/2	
52	Roseau, Gilbert	App. Soc	N		54/10	
53	Charasse, Gérard	RCV	N		53/3	
54	Rouquet, René	SOC	V	81-86 88-93 10 yrs	51/4	Senator, 95-97 Replaced member of govt (Franceschi, 81)
55	Tamaya, Michel	SOC	N		52/6	
56	Terrasse, Pascal	SOC	N		32/8	
57	Tavernier, Yves	App. Soc	V	81-93 12 yrs	59/8	
58	Tyrode, Joseph	SOC	N		53/6	Replaced a member of govt (Moscovici, 97)
59	Vachez, Daniel	SOC	N		50/8	
60	Schneider, André	RPR	N		50/5	

\* Indicates that the deputy did not complete the full five-year term

Group affiliation at mid-term.

Previous parliamentary mandates and gov. posts etc. based on National Assembly CVs.

Age as of June 1997 to the nearest month.

Titles of government posts taken from National Assembly website (main ministry in brackets).

### Appendix C.3 - List of Interviewees

Forty-five deputies were contacted (32 women, 13 men), and 18 interviews were conducted between October 2001 and January 2001. Most took place at the National Assembly, though two local deputies invited me to their constituency office. One deputy preferred to supply written answers, another briefed his parliamentary assistant whom I interviewed. I was unable to follow up three invitations (2 UDF women, and 1 Communist). Eleven interviewees out of 27 contacts came from parties of the *gauche plurielle*, while seven out of 18 came from the opposition: thus Deputies from left and right were equally amenable. However, the men were markedly more reluctant: only a third of the men contacted gave interviews, despite more determined lobbying on my part.

N°1: woman, Socialist, novice.

N°2: woman, Socialist, novice.

N°3: *man, Socialist, veteran.*

N°4: woman, Socialist, novice.

N°5: woman, Socialist, novice.

N°6: woman, Socialist, novice.

N°7: woman, Socialist, novice.

N°8: woman, Socialist (*apparentée*), novice.

N°9: woman, Socialist, veteran.

N°10: *man, Communist, novice.*

N°11: woman, Communist, veteran.

N°12: woman, opposition, veteran.

N°13: *man, opposition, veteran.*

N°14: woman, opposition, novice.

N°15: woman, opposition, veteran.

N°16: woman, opposition, veteran.

N°17: *man, opposition, veteran.*

N°18: woman, opposition, veteran.

To facilitate recognition of the most significant characteristics of interviewees in the body of the text, male interviewees are italicised, and Deputies from left and right have been grouped together: N°s 1-11 are from the *gauche plurielle*, N°s 12-18 are from the opposition.



## Appendix C.4 – Interview Questionnaire

Questions préalables: Quels sont les vrais centres de pouvoir décisionnel ? Quels sont les meilleurs moyens d'action pour peser sur le processus législatif ? A votre avis, les femmes accèdent-elles aussi facilement que les hommes à ces leviers ?

### A Pourrions-nous parler d'abord des fonctions que vous détenez actuellement à l'Assemblée.

Actuellement vous êtes

.....

1. Qui vous a proposé ces responsabilités, ou les avez-vous sollicitées vous-même ?
2. Trouvez-vous que ces fonctions correspondent à vos compétences et centres d'intérêt, et à votre expérience associative et professionnelle ?
3. Y a-t-il d'autres fonctions qui vous auraient intéressée, mais qui ne vous ont pas été attribuées ?
4. A quoi servent les groupes d'étude, et les groupes d'amitié ?

### B Parlons maintenant des Commissions permanentes.

Vous êtes président(e)/vp/secrétaire/membre de la Commission de

.....

1. Auriez-vous voulu y exercer plus de responsabilités dans le Bureau ?
2. Avez-vous intégré votre Commission de premier choix lors de votre premier mandat ? Sinon, pourquoi pas ? Et laquelle auriez-vous préférée ?
3. Avez-vous changé de commission permanente ? Pourquoi ? Comment ?
4. Pendant cette législature, vous avez rapporté le/les textes de loi sur

.....

- Vous a-t-on demandé de rapporter ce/ces textes de loi, ou vous êtes-vous proposée ?

- Pourquoi précisément ce/ces textes là ?

OU

- Vous n'avez pas rapporté de textes pendant cette législature. Auriez-vous voulu en rapporter ?

5. Le style de discussion et de prise de décision est sans doute différent dans les Commissions par rapport à la séance publique ? Est-ce là votre forum préféré ou préférez-vous les débats dans l'Hémicycle ?
6. Le travail en commission prend-il trop de temps, ou pas assez ?
7. S'il vous fallait rater soit une réunion de Commission, soit une séance publique (en supposant que les sujets en discussion soient d'égale importance) quel serait votre choix ?

**C Et les autres commissions pendant cette législature .....**

1. Avez-vous participé à des commissions spéciales, d'enquête ou de contrôle, ou des commissions mixtes paritaires ? Lesquelles ?
2. Avez-vous participé à une mission d'information ?
3. Si oui (pour 1. et/ou 2.), à votre propre initiative, ou sollicitée par le groupe politique ?
4. D'après vous, y a-t-il plus de marge de manœuvre dans ces organes que dans les Commissions permanentes ?

**D Le droit d'initiative et d'amendement**

1. Avez-vous déposé de propositions de loi ou de résolution au cours de cette législature ?
2. Si oui, quel en était l'aboutissement ?

**E Je voudrais me tourner maintenant vers les moyens d'interroger le gouvernement.**

1. Des trois types de questions – orales, écrites et questions au gouvernement – lequel est le plus utile à votre avis ?
2. Vous avez posé .....questions au gouvernement et .....questions orales depuis 1997 : votre groupe politique a-t-il retenu toutes les questions que vous avez déposées ? Sinon, quelle proportion est 'passée à la trappe' ?  
OU  
Auriez-vous voulu poser des questions en séance publique ?
3. Arrive-t-il qu'on vous demande de poser telle ou telle question au gouvernement ? A quel propos ?
4. D'après mes données pour 1998-2000, les femmes (de tous les groupes) ont posé proportionnellement plus de questions au gouvernement que les hommes : comment expliquez-vous ceci ?
5. Pour vous, à quoi servent les questions écrites ?
6. Les député(e)s remplissant leur premier mandat posent plus de questions écrites que les député(e)s ayant une certaine ancienneté. Les femmes semblent se désintéresser plus, et plus rapidement, que les hommes : comment expliquez-vous ceci ?
7. Pensez-vous que votre appartenance à la Commission de la Défense a une influence sur la nature des questions que vous posez et sur les ministres que vous interrogez ?

**F En ce qui concerne votre groupe et parti politiques :**

1. Etes-vous globalement satisfaite des politiques défendues par votre groupe politique en matière des droits des femmes et d'égalité des chances ?
2. Pensez-vous que les débats autour de la parité auront un impact durable sur la réceptivité de votre parti par rapport à l'égalité des chances ?
3. Avez-vous, ou avez-vous eu dans le passé, des responsabilités dans votre parti ?

**G Je voudrais parler maintenant de la vie en dehors du Palais Bourbon. A commencer par d'autres activités politiques ou professionnelles.**

1. Approuvez-vous la limitation du cumul des mandats qui est entrée en vigueur cette année ? Pourquoi/pas ?
  - En mars dernier, vous étiez candidat(e) aux municipales/cantoniales: vous a-t-on encouragé à vous présenter, ou l'avez-vous décidé vous-même.
  - OU
  - Vous ne vous êtes pas présentée aux échéances de mars dernier : pourquoi ?
2. Etes-vous pour une limitation sur le nombre de mandats consécutifs, ce que l'on appelle le cumul dans le temps ? (Quelle durée maximale ?)
3. Personnellement, pendant combien de temps voudriez-vous rester à l'AN ?
4. Que souhaiteriez-vous faire après avoir quitté l'AN ?
5. Les femmes députées cumulent moins que les hommes. Comment interprétez-vous cela ?

**H L'équilibre entre la vie publique et la vie privée.**

1. Quels sont les aspects du travail de député (soit au parlement soit dans la circonscription) qui sont les plus difficiles à concilier avec la vie familiale ?
2. Ces problèmes sont-ils inévitables, ou pensez-vous que le travail pouvait se faire autrement ?
3. Ces problèmes, se posent-ils de la même manière pour les hommes que pour les femmes, à votre avis ?
4. Quelles stratégies avez-vous adoptées personnellement pour gérer ces difficultés ? (Refus de participer aux séances de nuit sauf exception, refus de faire des remises de médailles le dimanche, délégation de certaines tâches ....) Comment ces stratégies sont-elles perçues (par vos collègues/électeurs) ?
5. Quelles innovations pourraient faciliter la conciliation de la vie publique/vie privée ? (Participation active et ponctuelle de suppléants, augmentation des moyens financiers, crédit garde d'enfants, modification des rythmes parlementaire, nouvelles technologies, visio-conférences, autres .....)

6. L'âge de(s) enfant(s) (si vous en avez) était-il un facteur déterminant dans votre décision de vous présenter pour la première fois à la députation ?
7. L'éloignement de votre circonscription de Paris a-t-il joué un rôle dans votre décision de vous présenter ?
8. Voyez-vous des solutions pour réduire les inconvénients du grand écart Paris-circonscription ? (« télétravail » pour certaines tâches, visioconférences, ....)
9. Est-ce que votre compagne/compagnon a pris des décisions concernant sa vie professionnelle, pour faciliter votre engagement politique ? (Par exemple, réduction du temps de travail, changement d'emploi -pour mobilité géographique ou pour flexibilité/disponibilité -, ralentissement ou interruption de carrière.....)

**K Pour terminer je voudrais savoir ce que vous pensez de la Délégation aux droits des femmes et à l'égalité des chances.**

1. Comment évaluez-vous le travail de la Délégation aux droits des femmes et à l'égalité des chances ?
2. Depuis la création de la Délégation avez-vous l'impression de porter un autre regard sur la législation ? Etes-vous davantage conscient de l'impact que les lois pourraient avoir sur l'un ou l'autre sexe ?
3. Est-il plus facile maintenant de faire entendre certaines des attentes ou revendications de vos mandants qui n'étaient pas formulées auparavant ?
4. Au sein de votre commission permanente, *savez-vous lesquels des commissaires sont également membres de la Délégation ?* Apportent-elles/ils une perspective 'égalité des chances' à vos délibérations ?
5. Vous siégez à la Délégation. Vous êtes-vous proposé(e) vous-même ? Pourquoi ?
6. Avez-vous l'impression de travailler différemment dans la Délégation que dans d'autres commissions/missions d'information ?
7. A votre avis, quelle devrait être le rôle de la Délégation à l'avenir ? Plus, ou moins important ? Ses compétences devraient-elles être étendues ?

### Appendix D.1 – Permanent Committee Membership

		June 1997		October 1998		October 1999		September 2000		February 2002		June 2002		Average 1997-2002
Committee		N	Percent	N	Percent	N	Percent	N	Percent	N	Percent	N	Percent	
Social & Cultural Affairs	Women	27	19%	29	20%	28	19%	24	17%	22	16%	37	26%	18%
	Men	116		114		116		118		119		107		
Foreign Affairs	Women	12	16%	11	15%	13	18%	12	16%	10	14%	4	5%	16%
	Men	61		62		60		61		62		69		
Defence	Women	4	6%	1	1%	1	1%	2	3%	2	3%	4	6%	3%
	Men	67		69		68		69		65		65		
Finance	Women	1	1%	3	4%	3	4%	3	4%	3	4%	3	4%	4%
	Men	72		70		70		70		69		70		
Constitutional Affairs	Women	7	10%	8	11%	8	11%	7	10%	8	11%	8	11%	10%
	Men	66		65		65		66		65		65		
Trade & Industry	Women	12	8%	8	6%	8	6%	9	6%	10	7%	15	10%	7%
	Men	132		136		137		134		128		130		

Source for 1997-2000: *Journal officiel*

Source for 2002: National Assembly website, accessed 02/02/02 & 28/06/02

### Distribution of Women in Permanent Committees, 2002 Parliament

Committee	June 2002		March 2004		Cohort Distribution
	N	Percent	N	Percent	
Social & Cultural Affairs	37 107	26%	34 111	23%	48%
Foreign Affairs	4 69	5%	5 68	7%	7%
Defence	4 65	6%	4 65	6%	6%
Finance	3 70	4%	2 70	3%	3%
Constitutional Affairs	8 65	11%	8 65	11%	11%
Trade & Industry	15 130	10%	18 127	12%	25%

Source: National Assembly website, accessed June and March 31st 2004

## Appendix E1 - Comparison of Different Types of Parliamentary Question

<i>Question écrites (QE)</i> Introduced in 1909-10	<i>Questions au gouvernement (QG)</i> since 1974 replaced 'questions d'actualité', introduced 1968	<i>Questions orales sans débat (QO)</i> Introduced in 1958
Throughout the year, with no interruption during recesses (though volume dips in August).	60-65 mins on Tuesday pm (after <i>Conférence des Présidents</i> ) & Wednesday pm (after <i>Conseil des ministres</i> ).	4 hrs on Tuesday am (coincides with other parliamentary work).
No limit. Huge variation between Deputies' output: 0 – 338 in the female cohort and male sample in 1999-2000.	Time allocated by <i>Conférence des Présidents</i> for 2000-0: Socialists, 40 mins; RPR, 30 mins; UDF, 15 mins; DL, 10 mins; Communists, 15 mins; RCV, 15 mins.	Number fixed by <i>Conférence des Présidents</i> at 25/week for 2000-01: Socialists, 10; RPR, 6; UDF, 3; DL, 2; Communists, 2; RCV, 2.
Prescribed reply time of 2 months. Option of <i>signalement</i> (requiring a reply within a week) at party discretion beyond this limit.	Name of Deputy & target Ministry submitted 1 hour in advance.	Text of questions submitted one week in advance.
Aim: to get an official ministerial reply to a constituency problem, often of a very individual nature. Used by organised groups for corporatist demands, to attempt to put pressure on the Minister.	Aims: to raise a topical issue, either to embarrass the government, <u>or</u> get them to clarify/modify the official position, <u>or</u> to provide an opportunity for a ministerial announcement. Also used to 'put the constituency on the map' and boost Deputies' visibility.	Aim: to get an official ministerial reply to a constituency problem (as with QE), generally with national ramifications.
Independent of party control. Only restrictions involve slander and litigation.	Parliamentary groups choose the questions & Deputies	Parliamentary groups choose the questions & Deputies
Participation is apparently linked to length of service, and cumul.	High participation level, especially Wed. pm, when all ministers are normally present. Televised since 1981	Few Deputies present and even fewer ministers (often replaced by another Minister, who reads the reply.)
Low status: often handled by assistants, and junior civil servants. Replies are considered binding, therefore valued for resolution of administrative problems.	High status: they continue throughout parliamentary session, and are always chaired by Assembly President.	Medium status: they cease during budgetary debates, and are often chaired by vice-presidents. QO sessions often cancelled for other priorities.
Volume – 15-16,000 per year.	Volume - 700-800 per year.	Volume – about 450 in 'normal' year.

Sources: B.A.N. *Statistiques*, 1997-2001; *Connaissances de l'Assemblée*, N°4 (1997); internal memos from the *Division des questions* (allocation of questions).

## Appendix E.2 - Percentage of Questions Tabled by Women, for Opposition and Government Parties

		QE			QG			QO		
		Female Cohort	Male Sample	Women (%)	Female Cohort	Male Sample	Women (%)	Female Cohort	Male Sample	Women (%)
Year 2	Total Number	930	1148	45%	94	58	62%	57	49	54%
	<i>Gauche plurielle</i>	664	887	43%	75	40	65%	44	34	56%
	Opposition	266	261	50%	19	18	51%	13	15	46%
Year 3	Total Number	1008	1292	44%	114	69	62%	30	34	47%
	<i>Gauche plurielle</i>	614	865	42%	90	61	60%	26	24	52%
	Opposition	394	427	48%	24	8	75%	4	10	29%
Years 2 & 3	Total Number	1938	2440	44%	208	127	62%	87	83	51%
	<i>Gauche plurielle</i>	1278	1752	42%	165	101	62%	70	58	55%
	Opposition	660	688	49%	43	26	62%	17	25	40%

Data collated from the National Assembly database, [www.questions.assemblee-nationale.fr](http://www.questions.assemblee-nationale.fr), accessed July 2001, for 120 Deputies (see list of female cohort and male sample in Appendix C).

For QE, the two highest scoring Deputies from the sample and cohort (one each from a governing and opposition party) were excluded because of the distortion caused by their questions. (One opposition woman produced 222 QE's in year 2 and 338 in year 3.)

Year 2 corresponds with the period 1<sup>st</sup> October 1998-30<sup>th</sup> September 1999, Year 3 with the period 1<sup>st</sup> October 1999-30<sup>th</sup> September 2000



### Appendix E.3 – Ministries Targeted by Male/Female Deputies

	Target Ministry	QG's by Women (Total: 114)	QG's by Men (Total: 69)	QO's by Women (Total: 30)	QO's by Men (Total: 34)
Finance & Trade	<i>Agriculture &amp; pêche</i>	2	1	3	3
	<i>Budget</i>	3	2	-	-
	<i>Commerce extérieur</i>	2	3	-	-
	<i>Economie solidaire</i>	1	1	-	-
	<i>Economie</i>	9	6	1	1
	<i>Industrie</i>	5	6	0	2
	<i>PME</i>			1	1
Finance & Trade	Total for category	22	19	5	7
	Percent. of women's/men's questions targetting category	19,3%	27,5%	16,7%	20,6%
	Gendered distribution of questions within category	53,7%	46,3%	41,7%	58,3%
Institutional & State Affairs	<i>Affaires Etrangères</i>	8	4	-	-
	<i>Affaires européennes</i>	2	0	-	-
	<i>Aménagement du territoire</i>	3	4	1	2
	<i>Coopération</i>	1	0	-	-
	<i>Défense</i>	2	0	1	2
	<i>Equipement &amp; Transport</i>	5	2	3	4
	<i>Fonction publique</i>	1	0	-	-
	<i>Intérieur</i>	5	3	2	5
	<i>Justice</i>	3	4	0	1
	<i>Outre-mer</i>	1	0	0	1
	<i>Premier Ministre</i>	3	4	-	-
	<i>Relations avec le parlement</i>	1	1	-	-
		35	22	7	15
	Percent. of women's/men's questions targetting category	30,7%	31,9%	23,3%	44,1%
	Gendered distribution of questions within category	61,4%	38,6%	31,8%	68,2%
Social & Cultural	<i>Anciens combattants</i>	0	1	-	-
	<i>Culture et communication</i>	1	3	0	1
	<i>Droits des femmes &amp; formation</i>	3	1	-	-
	<i>Education nationale</i>	5	4	3	6
	<i>Emploi &amp; Solidarité</i>	23	9	12	3
	<i>Enseignement professionnel</i>	3	0	-	-
	<i>Enseignement scolaire</i>	3	0	-	-
	<i>Famille &amp; Enfance</i>	5	0	-	-
	<i>Jeunesse &amp; Sports</i>	1	1	-	-
	<i>Santé &amp; Handicapés</i>	8	6	3	2
	<i>Ville</i>	5	3	-	-
		57	28	18	12
	Percent. of women's/men's questions targetting category	50,0%	40,6%	60,0%	35,3%
	Gendered distribution of questions within category	67,1%	32,9%	60,0%	40,0%

## Appendix F.1 – Delegation Membership and Attendance, 1997 Parliament

### Women's Delegation Membership

Compiled from Assembly Report N° 2800 and *Journal officiel*, 01/10/1999, with additional information from the Assembly Information Service.

<b>Social Affairs (14)</b>	Soc. : Mmes Casanova, Clergeau, Lacuey, Lazard, Mignon et Picard, M. Bloche. RPR : Mmes Bachelot-Narquin, Zimmermann, M. Martin-Lalande UDF : Mme Boisseau DL : M. Herbillon Com : Mme Jacquaint, M. Malavieille
<b>Finance (3)</b>	Mmes Bricq (Soc.) & Idrac (UDF), M. Chabert (RPR)
<b>Constitutional Affairs (8)</b>	Soc. : MM. Floch, Roman, Vallini. Mme Le Texier. RPR : Mme Catala, M. Cazenave. UDF : M. Albertini DL : M. Goasguen
<b>Trade and Industry (4)</b>	Mme Bousquet (Soc.), MM. Etienne (RPR), Herr (UDF), Defontaine (RCV)
<b>Defence (3)</b>	Mme Lignières-Cassou & M. Yamgnane (Soc.), M. Briand (RPR).
<b>Foreign Affairs (4)</b>	Mmes Roudy (Soc.), Ameline (DL), Robin-Rodrigo (RCV ), M. Delnatte (RPR)

#### Total : 36 members

16 Socialists, 2 Communists, 2 RCV  
9 RPR, 4 UDF, 3 DL

20 members of the *Gauche plurielle*  
16 opposition members

*The 17 veteran members are italicised.*

Delegation membership was stable, with only 4 changes :

- Mme Cécile Helle replaced Mme Le Texier, (resigned from the Assembly)
- Mme Françoise Imbert replaced Mme Lazard
- M. Pierre Aubry replaced M. Etienne (elected to the Senate)
- M. Patrick Lemasle (Jospin's *suppléant*) replaced M. Floch (promoted to the Cabinet)

## Women's Delegation Attendance

The attendance tables below were compiled from the printed version of the *Journal officiel* (the on-line version does not include 'Informations parlementaires'). Data were found for 55 of the 57 meetings held from November 1999 to the end of parliamentary business in early 2002.

The attendance rate is calculated by dividing the number of potential presences (e.g. the number of women multiplied by the number of meetings) by the number of actual presences recorded.

### Overall Attendance, by Parliamentary Session

	1999-2000	2000-2001	2001-2002	Overall
Attendance rate for women	42.3%	29.6%	21.1%	33.3%
Attendance rate for men	11.8%	3.7%	2.9%	7.1%
Attendance rate for majority	40.2%	23.2%	18.8%	29.6%
Attendance rate for opposition	12.5%	10.2%	4.7%	10.0%
Overall attendance	27.9%	17.4%	12.5%	20.9%

### Parliamentary Session, 2001-2002

Date meeting	Women		Men	
	Majority	Opposition	Majority	Opposition
11/09/2001	5	1	0	1
18/09/2001	4	1	0	1
02/10/2001	4	0	0	0
16/10/2001	6	0	0	1
30/10/2001	3	0	0	0
06/11/2001	2	0	0	0
13/11/2001	3	0	0	1
20/11/2001	3	0	0	0
27/11/2001	2	0	0	0
04/12/2001	5	0	0	1
18/12/2001	3	0	0	0
08/01/2002	5	1	0	1

### Parliamentary Session, 2000-2001

Date meeting	Women		Men	
	Majority	Opposition	Majority	Opposition
12/09/2000	8	3	0	0
19/09/2000	6	1	0	0
03/10/2000	9	3	2	3
10/10/2000	5	2	0	2
17/10/2000	4	1	0	0
24/10/2000	7	1	0	0
07/11/2000	?	?	?	?
14/11/2000	3	1	0	1
12/12/2000	5	1	0	0
23/01/2001	?	?	?	?
30/01/2001	3	0	0	0
06/02/2001	3	1	0	0
27/03/2001	3	1	0	0
24/04/2001	6	0	0	1
02/05/2001	2	0	0	1
09/05/2001	3	1	0	0
22/05/2001	4	2	0	1
29/05/2001	3	1	0	1
05/06/2001	3	2	0	0
12/06/2001	5	0	0	0
19/06/2001	4	0	0	0

### Parliamentary Session, 1999-2000

Date meeting	Women		Men	
	Majority	Opposition	Majority	Opposition
09/11/1999	13	2	5	1
23/11/1999	11	3	3	3
30/11/1999	8	2	1	2
07/12/1999	9	2	3	1
17/12/1999	8	1	3	2
11/01/2000	9	2	3	2
18/01/2000	8	0	0	0
25/01/2000	9	0	0	1
01/02/2000	6	1	1	2
08/02/2000	7	2	1	0
09/02/2000	4	1	1	1
10/02/2000	0	0	1	0
22/02/2000	6	1	2	1
29/02/2000	4	0	1	1
14/03/2000	10	0	1	1
21/03/2000	8	1	0	0
28/03/2000	7	0	0	0
25/04/2000	4	3	0	1
02/05/2000	7	1	0	1
16/05/2000	7	1	0	0
23/05/2000	5	1	0	0
13/06/2000	7	1	0	1
27/06/2000	4	0	0	0
04/07/2000	6	1	0	1

## Appendix F.2 - Summary of Laws Submitted to the Women's Delegation (1999-2002)

Subject (Original title)	Origin of bill (Gov./Deputies/Senate)	Delegation <i>Rapporteur</i> (date of publication)	Committee <i>Rapporteur(s)</i> (Committee)	Law (date of promulgation)
Voluntary Civilian Service ( <i>Volontariats civils</i> )	Government	Nicole Bricq (11/01/2000)	André Vauchez (Defence) Yves Dauge (Foreign Affairs)	N° 2000-242 (14/03/2000)
Political Parity* ( <i>Egal accès aux mandats électoraux et fonctions électives</i> )	Government	Odette Casanova (12/01/2000)	Bernard Roman (Constit. Affairs)	N° 2000-493 (06/06/2000) N° 2000-612 (04/07/2000)
Sports Provision ( <i>Organisation des activités physiques et sportives</i> )	Government	Catherine Picard (19/01/2000)	Patrick Leroy (PC) (Social Affairs)	N° 2000-627 (06/07/2000)
Clean Break Settlements ( <i>Prestation compensatoire en matière de divorce</i> )	Senate	Marie-Françoise Clergeau (26/01/2000)	Alain Vidalies (Constit. Affairs)	N° 2000-596 (30/06/2000)
Equality at Work* ( <i>Egalité professionnelle</i> )	Catherine Génisson	André Vallini (01/03/2000) Nicole Bricq (15/11/2000)	Catherine Génisson (Social Affairs) Nicole Feidt (Constit. Affairs)	N° 2001-397 (09/05/2001)
Contraception for Teenagers* ( <i>Contraception d'urgence</i> )	Danielle Bousquet	Marie-Françoise Clergeau (25/09/2000)	Hélène Mignon (Social Affairs)	N° 2000-1209 (13/12/2000)
Abortion and Contraception* ( <i>IVG et contraception</i> )	Government	Danielle Bousquet (22/11/2000)	Martine Lignières-Cassou (Social Affairs- 21/11/00 & 12/04/01)	N° 2001-588 (07/07/2001)

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Subject (Original title)	Origin of bill (Gov./Deputies/Senate)	Delegation Rapporteur (date of publication)	Committee Rapporteur(s) (Committee)	Law (date of promulgation)
Validation of Work Experience* (Validation des acquis professionnels)	Government	Hélène Mignon (13/12/2000)	MM. Nauche and Terrier (Social Affairs)	N° 2002-73 (17/01/2002)
Transmission of Surnames* (Nom patronymique)	Gérard Gouzes	Yvette Roudy (31/01/2001)	Gérard Gouzes (Constit. Affairs)	N° 2002-304 (04/03/2002)
Inheritance Rights of the Surviving Spouse* (Droits du conjoint survivant)	Alain Vidalies	Marie-Françoise Clergeau (31/01/2001)	Alain Vidalies (Constit. Affairs)	N° 2001-1135 (03/12/2001)
Disclosure of Ascendants' Identity* (Accès aux origines personnelles)	Government	Danielle Bousquet (23/05/2001)	Véronique Neiertz (Constit. Affairs)	N° 2002-93 (22/01/2002)
Shared Parental Care* (Autorité parentale)	MM. Ayrault, Dolez & Mme Lazerges	Chantal Robin-Rodrigo (RCV) 06/06/2001	Marc Dolez (Constit. Affairs)	N° 2002-305 (04/03/2002)
Divorce Reform* (Réforme du divorce)	François Colcombet	Marie-Françoise Clergeau (03/10/2001)	François Colcombet (Constit. Affairs)	n/a
Bioethics* (Bioéthique)	Government	Yvette Roudy (09/01/2002)	Alain Claeys Special Committee	n/a

Sources: Assembly Reports N°2800 and 3663 (Annual Women's Delegation Reports for 2000-2002); *dossiers législatifs* on [www.assemblee-nationale.fr](http://www.assemblee-nationale.fr) accessed 25 & 26/11/01; [www.legifrance.gouv.fr](http://www.legifrance.gouv.fr) accessed 17/06/2003.

Unless otherwise specified (in brackets after their name), all Deputies are Socialists.

\* Subjects handled in parallel by Senate Delegation.

### Appendix F.3 - Delegation Survey – Overview

The survey and covering letter - reproduced in full overleaf – was sent to the National Assembly address of 528 Deputies, including 35 women, on 10<sup>th</sup> December, 2001. 118 completed forms were received from 107 men and 11 women over a 2-month period. The response rate was therefore 22.3% overall, and 31.5% for women. The breakdown of respondents by sex, age and party affiliation is summarised below.

**Table F.3.a - Respondents' Sex and Age**

Age	30-39	40-49	50-59	60-69	70-79	80+	Total
Men	3	18	54	26	6	0	107
Women	0	4	6	1	0	0	11
Total	3	22	60	27	6	0	118
% respondents	3%	19%	51%	23%	5%	0%	100%
% all Deputies*	3%	18%	46%	24%	6.6%	0.9%	

\* Source: [www.assemblee-nationale.fr](http://www.assemblee-nationale.fr), accessed 20/11/2001

The age distribution of the respondents reflects the age profile within the Assembly, although the most elderly Deputies were slightly under-represented. Likewise, the proportion of women in the sample (9.3%) is consistent with the overall level in the Assembly. However, the very small number of women involved – all Socialists except one woman from the RPR - mean that only tentative gender-based comparisons can be made. In view of this gender imbalance, the results essentially reflect male attitudes.

Deputies were not asked to state permanent committee membership as this could have compromised anonymity for members of the smaller parliamentary groups, and could have induced them to omit their party affiliation.

**Table F.3.b - Respondents' Political Affiliation**

	<i>Communiste</i>	<i>RCV</i>	<i>Socialiste</i>	<i>Majorité</i> *
Men	8	8	54	72
Women	0	0	10	10
Total	8	8	64	82
% respondents	7%	7%	54%	69%
% all Deputies*	6%	5%	44%	56%
	<i>DL</i>	<i>RPR</i>	<i>UDF</i>	<i>Opposition</i>
Men	6	10	15	34
Women	0	1	0	1
Total	6	11	15	35
% respondents	5%	9%	13%	30%
% all Deputies*	7%	24%	12%	44%

Source: [www.assemblee-nationale.fr](http://www.assemblee-nationale.fr), accessed 20/11/2001

In addition, there was one 'non-inscrit' and 5 respondents only specified 'majorité' or 'opposition'.

There was a higher response rate for the *gauche plurielle* than for the opposition, which represented 44% of the Assembly but provided only 30% of the answers. This disparity derives from Socialist over-performance, and apparent lack of interest on the part of the RPR: the smaller groups' response rate was more or less proportional with their level of representation. Consequently, the overall results are more representative of views on the left, and results for the *gauche plurielle* are more representative of the Socialists (who accounted for 54% of the total responses, and 78% of responses from the left).

The Survey and the covering letter are reproduced overleaf.



## Enquête sur la Délégation aux droits des femmes et à l'égalité des chances

Réalisée par Manda Green, dans le cadre d'une thèse doctorale sur le travail parlementaire des femmes au cours de la onzième législature, sous la direction de la Professeure Siân Reynolds à l'University of Stirling, Ecosse.

Veuillez renvoyer cette fiche à Manda Green, Rue Basse, 30350 Cassagnoles.

**Cerclez la réponse adéquate, ou cochez la case correspondante à votre opinion.**

**Sexe :** M F

**Tranche d'âge :** 30-39 40-49 50-59 60-69 70-79 80+

**Groupe politique :** Communiste RCV Socialiste Majorité

**Non Inscrit(e)** DL & I RPR UDF Opposition

(Si vous ne souhaitez pas préciser votre groupe, veuillez indiquer « majorité » ou « opposition ».)

**Perception de la Délégation** Indiquez si vous êtes d'accord ou pas d'accord avec les opinions suivantes concernant la Délégation, ou si vous n'avez pas d'avis :

	D'accord	Avis neutre	Pas d'accord
Elle a contribué à une prise de conscience parmi les députés de l'impact des lois sur l'un ou l'autre sexe.			
Elle donne une image valorisante et moderne de l'Assemblée.			
Elle est trop partisane.			
Elle contribue à l'ouverture de l'Assemblée sur le monde associatif et la société civile.			
Les membres de la Délégation siégeant dans votre commission permanente y apportent une vision 'droits des femmes/égalité'.			
Les membres sont trop revendicateurs.			
Il est important que les hommes s'investissent dans les travaux de la Délégation.			

### Evaluation du travail législatif de la Délégation

Comment évaluez-vous globalement l'impact de la Délégation sur le processus législatif ?

Très positif Plutôt positif Neutre Plutôt négatif Très négatif

Comment évaluez-vous globalement l'impact de la Délégation sur les résultats législatifs ?

Très positif Plutôt positif Neutre Plutôt négatif Très négatif

### Statut et perspectives

En ce qui concerne le statut actuel de la Délégation et les perspectives pour l'avenir, pensez-vous qu'elle devrait :

	D'accord	Avis neutre	Pas d'accord
- avoir plus de moyens d'investigation			
- avoir le droit de l'autosaisine			
- être convertie en commission permanente			
- être élargie pour compter plus que 36 membres			
- être composée seulement de femmes			



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DEPARTMENT OF FRENCH

Casier de la Poste  
Palais Bourbon  
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Manda GREEN

Cassagnoles, le 5 décembre 2001

Objet : Thèse doctorale - Enquête sur la  
délégation aux droits des femmes

Rue basse  
30350 CASSAGNOLES

Tél : (00.33) 4.66.83.44.69  
Port. : 06.81.40.03.62  
e-mail : mandag@free.fr

Chère Madame, cher Monsieur,

Je prépare une thèse doctorale (sous la direction de la Professeure Siân Reynolds à l'University de Stirling en Ecosse) sur le travail parlementaire des femmes au cours de la onzième législature. Dans le cadre de mes recherches, je m'intéresse tout particulièrement à la Délégation aux droits des femmes et à l'égalité des chances, qui me semble représenter un outil novateur.

Au-delà d'une analyse des travaux de la Délégation, je souhaite évaluer son implantation à l'intérieur de l'Assemblée, et le regard que porte sur elle l'ensemble des députés. Je me permets donc de vous adresser une enquête anonyme et succincte – elle ne requiert que dix-sept coups de plume. Je sais que vous êtes particulièrement sollicité(e) en cette période, mais j'espère que vous conviendrez de l'opportunité de procéder à une première appréciation de ce nouvel organe parlementaire, qui rappelons le, a recueilli le vote favorable de tous les Groupes politiques lors des débats à l'Assemblée.

Pour plus de facilité, l'enquête ne comporte que des questions fermées. Si toutefois vous souhaitez vous exprimer plus longuement, vous pouvez bien évidemment rajouter de plus amples commentaires.

Vous remerciant par avance, je vous prie de croire, chère Madame, cher Monsieur, à l'assurance de mes sincères salutations.

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## Appendix F.4 - Delegation Survey Results

### F.4.a Attitudes - Men/Women

	Men			Women			Percentage overall		
	Yes	Neutral	No	Yes	Neutral	No	Yes	Neutral	No
<i>Prise de conscience</i>	77 72.6%	18 17.0%	11 10.4%	10 90.9%	0 0.0%	1 9.1%	73.7%	15.3%	10.2%
<i>Image valorisante</i>	68 64.8%	33 31.4%	4 3.8%	9 81.8%	1 9.1%	1 9.1%	65.3%	28.8%	4.2%
<i>Partisane</i>	13 12.6%	44 42.7%	46 44.7%	0 0.0%	6 54.5%	5 45.5%	11.0%	42.4%	43.2%
<i>Ouverture</i>	49 47.1%	44 42.3%	11 10.6%	7 63.6%	3 27.3%	1 9.1%	47.5%	39.8%	10.2%
<i>Influence dans les Comm.</i>	50 48.1%	44 42.3%	10 9.6%	7 70.0%	1 10.0%	2 20.0%	48.3%	38.1%	10.2%
<i>Revendicateurs</i>	11 10.5%	53 50.5%	41 39.0%	2 18.2%	2 18.2%	7 63.6%	11.0%	46.6%	40.7%
<i>Activité hommes</i>	83 79.8%	21 20.2%	0 0.0%	11 100.0%	0 0.0%	0 0.0%	79.7%	17.8%	0.0%

NG

## Appendix F.4 - Delegation Survey Results

### F.4.b Attitudes - Left/Right

	<i>Gauche plurielle</i>			Opposition			Percentage overall		
	Yes	Neutral	No	Yes	Neutral	No	Yes	Neutral	No
<i>Prise de conscience</i>	71 86.6%	7 8.5%	4 4.9%	15 44.1%	11 32.4%	8 23.5%	73.5%	15.4%	10.3%
<i>Image valorisante</i>	63 76.8%	18 22.0%	1 1.2%	13 39.4%	16 48.5%	4 12.1%	65.0%	29.1%	4.3%
<i>Partisane</i>	9 11.3%	30 37.5%	41 51.3%	4 12.1%	19 57.6%	10 30.3%	11.1%	41.9%	43.6%
<i>Ouverture</i>	42 53.2%	31 39.2%	6 7.6%	14 40.0%	15 42.9%	6 17.1%	47.9%	39.3%	10.3%
<i>Influence dans les Comm.</i>	46 57.5%	28 35.0%	6 7.5%	11 33.3%	17 51.5%	5 15.2%	48.7%	38.5%	9.4%
<i>Revendicateurs</i>	9 11.3%	33 41.3%	38 47.5%	3 8.6%	22 62.9%	10 28.6%	10.3%	47.0%	41.0%
<i>Activité hommes</i>	71 87.7%	10 12.3%	0 0.0%	23 69.7%	10 30.3%	0 0.0%	80.3%	17.1%	0.0%

### F.4.c Positive Attitudes - Age

	30-39	40-49	50-59	60-69	70-79	Total
<i>Prise de conscience</i>	3	16	44	21	3	87
<i>Image valorisante</i>	2	15	39	17	4	77
<i>Ouverture</i>	1	7	28	16	4	56
<i>Influence dans les Comm.</i>	2	7	34	11	3	57
<i>Total positive attitudes</i>	66.7%	51.1%	60.4%	60.2%	58.3%	59%

## Appendix F.4 - Delegation Survey Results

### F.4.d Legislative Contribution

	Legislative Input						Legislative Outcomes					
	++	+	+/-	-	--	n/s	++	+	+/-	-	--	n/s
Men	4	72	27	3	0	1	2	66	35	3	0	1
Men %	4%	67%	25%	3%	0%	1%	2%	62%	33%	3%	0%	1%
Women	1	8	2	0	0	0	0	9	2	0	0	0
Women %	9%	73%	18%	0%	0%	0%	0%	82%	18%	0%	0%	0%
Left	5	64	13	0	0	0	2	64	16	0	0	0
Left %	6%	78%	16%	0%	0%	0%	2%	78%	20%	0%	0%	0%
Right	0	16	16	2	0	1	0	11	21	2	0	1
Right %	0%	46%	46%	6%	0%	3%	0%	31%	60%	6%	0%	3%
Total	5	80	29	3	0	1	2	75	37	3	0	1
Percent	4%	68%	25%	3%	0%	1%	2%	64%	31%	3%	0%	1%

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#### F.4.e Institutional Status and Change

Men/Women	Men			Women			Percentage overall		
	Yes	Neutral	No	Yes	Neutral	No	Yes	Neutral	No
<i>Moyens d'investigation</i>	56 53.3%	42 40.0%	7 6.7%	10 90.9%	1 9.1%	0 0.0%	55.9%	36.4%	5.9%
<i>Autosaisine</i>	34 32.7%	40 38.5%	30 28.8%	8 72.7%	2 18.2%	1 9.1%	35.6%	35.6%	26.3%
<i>Conversion CP</i>	18 17.1%	33 31.4%	54 51.4%	2 18.2%	4 36.4%	5 45.5%	16.9%	31.4%	50.0%
<i>Elargissement</i>	29 27.6%	47 44.8%	29 27.6%	3 27.3%	4 36.4%	4 36.4%	27.1%	43.2%	28.0%
<i>Seulement femmes</i>	2 1.9%	9 8.6%	94 89.5%	1 9.1%	0 0.0%	10 90.9%	2.5%	7.6%	88.1%
Left/Right	Gauche plurielle			Opposition			Percentage overall		
	Yes	Neutral	No	Yes	Neutral	No	Yes	Neutral	No
<i>Moyens d'investigation</i>	52 63.4%	27 32.9%	3 3.7%	14 42.4%	16 48.5%	3 9.1%	56.4%	36.7%	5.1%
<i>Autosaisine</i>	34 42.0%	30 37.0%	17 21.0%	8 24.2%	12 36.4%	13 39.4%	35.9%	35.9%	25.6%
<i>Conversion CP</i>	13 15.9%	28 34.1%	41 50.0%	7 21.2%	9 27.3%	17 51.5%	17.0%	31.6%	49.6%
<i>Elargissement</i>	23 28.4%	40 49.4%	18 22.2%	9 26.5%	10 29.4%	15 44.1%	27.3%	42.7%	28.2%
<i>Seulement femmes</i>	1 1.2%	7 8.6%	73 90.1%	2 5.9%	2 5.9%	30 88.2%	2.6%	7.7%	88.0%

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## Acronyms

ADF	<i>Association des Départements de France</i>
AMF	<i>Association des Maires de France</i>
C6R	<i>Convention pour la 6ème République</i>
CADAC	<i>Coordination nationale pour le droit à l'avortement et à la contraception</i>
CCEC	<i>Conférence des organes parlementaires chargés de la politique de l'égalité des chances des femmes et des hommes dans les Etats membre de l'UE et au Parlement européen (NCEO)</i>
CMP	<i>Commission mixte paritaire</i>
CNDF	<i>Collectif National pour le Droit des Femmes</i>
DL	<i>Démocratie Libérale</i>
IEFPD	<i>Inter-European Parliamentary Forum on Population and Development</i>
MDC	<i>Mouvement des Citoyens</i>
NCEO	<i>Network of Parliamentary Committees for Equality of Opportunity of Women and Men in EU Member States and the European Parliament (CCEC)</i>
NQF	<i>Nouvelles questions féministes</i>
OSCE	<i>Organisation for Cooperation and Security in Europe</i>
PCF	<i>Parti Communiste Français</i>
PRG	<i>Parti Radical de Gauche</i>
PS	<i>Parti Socialiste</i>
RCV	<i>Groupe Radical, Citoyen et Vert</i>
RPR	<i>Rassemblement pour la République</i>
SDF	<i>Service des Droits des Femmes</i>
UDF	<i>Union pour la Démocratie Française</i>
UFCS	<i>Union Féminine Civique et Sociale</i>

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- For verbatim reports of debates (which can be consulted on [www.assemblee-nationale.fr/debats/index.asp](http://www.assemblee-nationale.fr/debats/index.asp)), the date of the "compte rendu intégral" or "compte rendu analytique" is adequate to call up the report.
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