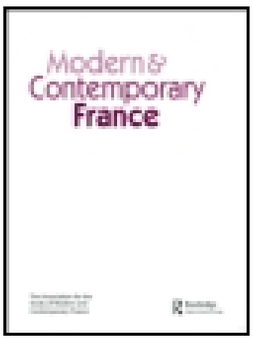

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La cohabitation de longue durée: studying the 1997–2002 experience

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Abstract

This article examines the politics of what the French call 'cohabitation' in the period 1997–2002. It identifies two different ways in which cohabitation is studied. The first assumes that each of the three periods of cohabitation has occurred under a unique set of political circumstances. The second argues that there have been institutional similarities between each of the three periods of cohabitation and that fundamentally the political situation during each has been the same. The article provides evidence that supports both approaches, and concludes by suggesting that the second approach is the more useful.

Over the last 15 or more years, cohabitation has been the subject of a bewildering amount of attention. Moreover, it has been studied from a wide range of perspectives. Most notably, there have been journalistic accounts,[1] insider 'kiss-and-tell' revelations,[2] as well as more studied academic accounts, both from the perspective of constitutional law[3] and political science.[4] This article examines the study of cohabitation. In particular, it makes a distinction between, on the one hand, largely *sui generis* accounts that focus on individual periods of cohabitation on a case-by-case basis and, on the other hand, positivist attempts to provide a framework with which to make generalisations about the behaviour of political actors more generally. This article applies both types of approaches to the most recent period of cohabitation, *la cohabitation de longue durée*, from 1997 to 2002.

The study of cohabitation, *au cas par cas*

Perhaps the dominant and certainly the most widely read accounts of cohabitation tend to stress the elements peculiar to each period in question. The most usual manifestation of this variety of cohabitation studies comes in the form of catchy epithets that are used to give an overall sense to the particular period under consideration. So,

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for example, we find that the period from 1993 to 1995 has been labelled 'la cohabitation de velours'.[5] More prosaically, the first period of cohabitation was summed up by one set of writers as 'le mariage blanc'.[6] More dryly, and, needless to say therefore, academically, one study has contrasted 'la première cohabitation, hyperconflictuelle' with 'la deuxième cohabitation, hyperconsensuelle'.[7]

The basic logic behind this approach is that each period of cohabitation takes place against the background of a necessarily unique set of political, economic and social circumstances. In this regard, Hugues Portelli is worth quoting at length. Two factors, he argues, account for the role of the President during cohabitation:

> […] Le premier concerne la condition qui était la sienne à la veille de la cohabitation: suivant la nature de ses rapports avec la majorité parlementaire et les partis qui la composent ainsi que sa pratique et sa lecture de ses pouvoirs constitutionnels, son 'entrée en cohabitation' sera largement conditionnée. Le second concerne les rapports de force politiques au moment de la cohabitation: ils dépendent à la fois de la part de responsabilité qui lui est imputable dans l'échec de son camp aux élections législatives (qui pèse dans ses rapports avec l'opinion et avec ses partisans) et des atouts et handicaps (politiques, institutionnels) tels qu'ils évoluent au cours de cette nouvelle donne jusqu'à la 'sortie de cohabitation'. Chaque cohabitation constitue ainsi un cas *sui generis* qui rend difficile la définition type du président cohabitationniste.[8]

All told, the logic of this argument is that while there may well be similarities between one period and the next, fundamentally each period of cohabitation is different from the last.

In this context, there is no doubt that the most recent period of cohabitation exhibited certain specific qualities. Indeed, four main peculiarities stand out.[9] First, in contrast to the first two periods of cohabitation (cohabitation 1 and cohabitation 2) that occurred after five years of the President's term of office, the third period (cohabitation 3) occurred after just two years. Arguably, this had a considerable impact on the course of the most recent experience of cohabitation, serving both to constrain and, arguably, to empower the President in various respects. For example, right from the outset of both cohabitation 1 and cohabitation 2, the President (and/or the President's party) had a clear set of policies to defend (and/or largely disown in the case of cohabitation 2). By contrast, in cohabitation 3 this was not the case. Such was the brevity, and indeed the catastrophic nature, of the Juppé government that there was scarcely anything in the period 1995–1997 for which Chirac could claim credit. This was a problem for the President, particularly during the early years of cohabitation 3, because there were few *acquis* to defend. At the same time, though, this situation also liberated the President. It meant that Chirac was not obliged to stick to a certain set of apparently discredited policies. As a result, the head of state had almost free rein to reinvent his policy priorities in the way that suited him best. Overall, whatever the precise details, a reasonable argument can be made that the third period of cohabitation differed from the first two in this respect.

Second, and closely linked to the previous point, the various periods of cohabitation also differed by virtue of the fact that the first two could only last for a maximum of two years, whereas the third could last for as long as five years. During cohabitations 1 and 2 this meant that the Prime Minister had no option but to

legislate swiftly and decisively, as this was the only way in which the government could establish any sort of balance sheet for itself in time for the approaching presidential elections. By contrast, during cohabitation 3 it meant that the government had more time to prepare a broader set of reforms. This is not to say that one particular case was either better or worse for the subsequent electoral fortunes of the head of government. After all, in cohabitation 1 Chirac was criticised for introducing controversial and sometimes ill-thought out reforms, meaning that in 1988 at least one of the reasons why people supported Mitterrand was that he was a reassuring figure who would not introduce potentially destabilising change. By contrast, in 1995 Balladur's candidacy was certainly hampered by the fact that even after only two years he was seen very much as the candidate of the status quo in a situation where people clearly wanted a change of policy.[10] As for Jospin, he introduced key reforms very quickly and gave the impression of having run out of steam after about four years. All the same, though, he built up a solid body of policies for which he could claim credit and win support, even if after five years in office this meant he was seen as the *de facto* incumbent seeking re-election. The point remains that whatever the precise circumstances of the various periods in question, each of the three periods of cohabitation would appear to have its own peculiarities. This is consistent with a case-by-case approach to the study of cohabitation.

Third, the most recent period of cohabitation was marked by the fact that it was brought about by the President's disastrous decision to dissolve the National Assembly one year ahead of time, rather than as the result of a scheduled set of legislative elections. Again, this situation had an important impact on the functioning of cohabitation. Most notably, it meant that the President's political authority was called into question. During cohabitations 1 and 2, the President's standing in this regard was clearly diminished. Indeed, in the first period there was a considerable academic debate about the relative importance of *la fraîcheur* of the parliamentary and presidential majorities.[11] At the same time, though, on neither occasion was Mitterrand unequivocally the architect of his own (partial) political downfall. In 1986, he could be seen as the victim of the electoral calendar in a situation where the Socialist party was becoming more popular. In 1993, he was the casualty of the party's own particularly self-destructive behaviour. The same cannot be said for Chirac. In 1997, neither he nor his supporters could generate a coherent reason as to why the National Assembly had been dissolved. It was seen as an opportunistic party-political act that backfired on a President who claimed to be the incarnation of the national interest. So, whereas in the first two periods of cohabitation Mitterrand's supporters were able to rally around him (or at the least the abstract idea of what his presidency stood for, in the case of cohabitation 2), by contrast in the period immediately following the 1997 dissolution Chirac lost control of his party and his majority more generally. Chirac's albeit tacit, but nonetheless unsuccessful, campaign for the election of Jean-Paul Delevoye as leader of the RPR in 1999, and the subsequent election of Michèle Alliot-Marie is perhaps the best illustration of this point. In fact, only gradually was the President able to reconstruct the foundations of his party-political support, and only slowly did his political authority return. Again, the difference between cohabitation 3 and particularly cohabitation 1 is striking.

Finally, the third period of cohabitation differed from the first two by virtue of the fact that the President was supported by the Senate. True, the right-wing majority in the upper house includes members of the non-Gaullist Right. Moreover, divisions within the RPR were not entirely absent from the Gaullist group in the Senate. All the same, for both personal and strategic reasons, Chirac maintained at least one legislative ally in the form of the Senate, even though he lost the support of the National Assembly. The two main manifestations of this support came with the election of Chirac's preferred candidate, Christian Poncelet, as the President of the upper chamber in October 1998 and, more generally, with the Senate's opposition to government legislation. In terms of the latter, the upper house put up considerable resistance to some of the government's show-piece political reforms, perhaps most notably the PACS legislation. More noticeably still, the upper house wielded its veto on both organic laws and constitutional amendments. As a result, the government was unable to reform the *cumul des mandats* as much as it wanted to and some of its plans to modernise the Fifth Republic had to be put on hold.

What emerges, therefore, is a set of factors which suggests that the most recent period of cohabitation displayed certain unique characteristics that set it apart from the two previous periods. Moreover, the net result of these characteristics was a situation in which the President was neither uniformly constrained nor one in which the Prime Minister was unequivocally empowered. On the contrary, like the first two periods before it, the particularities of the third period of cohabitation served both to help and to hinder the political fortunes of the two main actors within the executive.

Positivist accounts of cohabitation

In addition to the previous accounts of cohabitation, an alternative approach, which here will be called the positivist approach, can also be identified. For the purposes of this study, the term 'positivist' is used to refer to a method of analysis which is based upon the study of observable rules, which produces results that are potentially falsifiable and which, therefore, can purport to be scientific. Whether or not they may wish to be called 'positivists', those who personify this type of reasoning most clearly are perhaps Jean-Luc Parodi, Olivier Duhamel and Anne-Marie Cohendet.[12] In this article, only the work of the first two writers will be explicitly considered.

The work of Parodi and Duhamel is closely associated with what has been called the 'strategic analysis of institutions'.[13] The basic logic behind this analysis is the identification of the constitutive elements of the institutions under consideration, the ways in which these elements combine, the context in which they operate and the institutional logic that can be derived from them.[14] Again, it is worth quoting Parodi at length in this regard:

> L'analyse stratégique des institutions [...] met l'accent sur la concurrence entre les autorités institutionnelles, l'importance de leur nombre, les panoplies dont elles peuvent se servir dans cette competition et tout spécialement leur légitimité créatrice et les armes dont elles disposent les unes sur les autres. Elle part du principe que chaque mécanisme institutionnel ou électoral comporte des logiques potentielles, que ces potentialités peuvent être contrecarrées ou favorisées par les autres éléments du système considéré.

> Enfin, elle recourt à l'histoire pour déterminer les rapports de force qui régissent les premiers affrontements constitutionnels et structurent leur équilibre postérieur.[15]

The intellectual inspiration behind this sort of analysis comes from the work of people such as Maurice Duverger and Georges Vedel in the 1950s and 1960s. In a different context, this work is also closely related to the recent English-language literature on new institutionalism, even if, Duverger aside, the French work has had little or no impact on the Anglo-Saxon literature in this domain and vice versa. Whatever its origins and influences, the logic of this analysis is the construction of what is sometimes called 'une grille d'analyse'.[16] This combines the institutional variables at play and makes it possible to read off the various institutional potentialities that result. The result is the identification of an exhaustive set of possibilities that can then be the subject of empirical analysis in order to determine which forms of institutional behaviour have actually manifested themselves. In this way, it becomes possible to posit the various forms of cohabitation that can occur in theory as well as to identify which forms have occurred in practice.

In this regard, the work of Olivier Duhamel is particularly useful. By combining the possible relationships between the President and the parliamentary majority with the possible types of majority that can occur, he has identified ten different political scenarios with four possible forms of cohabitation[17] (*see* Figure 1). At the time when he was writing, there had only been two examples of cohabitation. However, what is immediately noticeable is that, in contrast to the previous approach, Duhamel places them both in the same category. Moreover, given that during the third period of cohabitation there was a majority and that it was not a single-party majority and given that Duhamel defines the case of the heterogeneous majority as the situation where the lines between the majority and the opposition are fluid,[18] then it seems reasonable to suggest that the most recent period of cohabitation should be placed in this category as well. We are faced, then, not only with a very different type of logic but with a very different conclusion to the approach that was identified in the previous section. As Ardant and Duhamel have put it:

> […] si d'un point de vue politique chacune des trois premières cohabitations possède une très grande spécificité, si même d'un point de vue institutionnel elles relèvent de types très différents (la cohabitation conflictuelle de réélection, la cohabitation consensuelle de fin de règne, la cohabitation quinquennale de dissolution ratée), la répartition de pouvoir y est fondamentalement identique.[19]

All told, this approach emphasises the basic similarities between the three different periods of cohabitation rather than their differences. In fact, there are a number of voices that have argued that there are similarities between cohabitations 1, 2 and 3. This is true, for example, of the late Alain Peyrefitte, who has characterised the relationship between the President and the Prime Minister during periods of cohabitation as one between partners and adversaries.[20] For his part, Parodi has described cohabitation as the combination of political problems with a legal origin, resulting in a constant negotiation between the actors within certain textual limits, and political problems with a strategic origin, leading to an immediate and constant battle of wills between the President and the Prime Minister both of whom have

Figure 1. Political conditions and variations in the distribution of power.

Parliamentary majority									
Opposed to the President					**Favourable to the President**				
Single party	Coalition	Hetero-geneous	No majority	Relative	Hetero-geneous	Pres. party minority	Pres. party majority	Pres. party alone	Pres. party created by the Pres.
	1986 1993			1988	1958	1974	1962	1969	1968 1981
Governmentalism					..... Presidentialism				
President falls back on symbolic functions and his/her own powers are neutralised					President appropriates ..... shared powers				
President's constitutional powers					..... President's party powers				

competing electoral legitimacies.[21] Another useful way of considering the similarities of the first three periods of cohabitation is to see the relationship between the President and the Prime Minister as an ongoing process of conflict and compromise.[22]

In terms of conflict between the President and Prime Minister, cohabitation has been associated with the increased use of extraordinary constitutional, administrative and political procedures. For their part, Prime Ministers have tended to use the full set of constitutional powers at their disposal so as to speed up the legislative process. For example, from 1986 to 1988 Prime Minister Chirac declared a bill to be urgent on 60 occasions; he used the 'blocked vote' procedure 68 times; he used Article 49–3 eight times; and he also resorted to trying to legislate by decree (*ordonnance*) on a number of occasions, albeit unsuccessfully.[23] A similar situation occurred during cohabitation 3. For example, in the 1999–2000 parliamentary session, in order to circumvent the Senate's obstructionism the Prime Minister called a *commission mixte paritaire* on 23 occasions, only seven of which resulted in an agreed text between representatives of the two legislative houses. In other words, the Prime Minister used the Constitution to ensure that the left-dominated National Assembly had the last word on legislation 16 times in the course of one year. In addition to accelerating the legislative process, Prime Ministers have resorted to other relatively unusual procedures so as to freeze the President out of the decision-making process. For example, during the first period of cohabitation Chirac resurrected the so-called *Conseil de cabinet*. These are government meetings which, unlike the Council of Ministers (*Conseil des ministres*), are held in the absence of the President. Likewise, the Jospin government held a large number of 'réunions de ministres' as well as

policy away-days ('séminaires') that allowed the coalition partners to discuss and attempt to agree government policy.[24] By contrast, Presidents have tended to resort to exceptional constitutional and political measures so as to slow down the decision-making process. For example, prior to 1986 there was a fierce debate between some of the country's most respected constitutional lawyers as to whether or not the President had the right to refuse to sign a bill allowing the government to legislate by *ordonnance*. In the end, though, Mitterrand simply refused to do so, thus setting a precedent for the future. Equally, during cohabitation 3 Chirac used his powers to veto the government's attempts to reform the system of justice. Similarly, in February 2001 the President refused to allow the government's bill on the future of Corsica to be placed on the agenda of the Council of Ministers the first time it was due to be presented, even though he did then agree the second time only a week later. While Chirac's decision only delayed the discussion of the bill for a week, symbolically it was an important act.

A further manifestation of conflict between the President and the Prime Minister concerns the battle for public opinion. During cohabitation the opposition is present not just in parliament, but in one part of the executive as well. One result of this situation is that Presidents have often used their position as chair of the Council of Ministers to distance themselves from government policy. So, for example, from 1993 to 1995 Mitterrand criticised the government in this forum on a number of occasions, concerning most notably the reform of the Bank of France and the list of companies which the government intended to privatise.[25] A similar situation occurred in May 1999 on the issue of Corsica. During the meeting, Chirac accused the government of 'des graves dysfonctionnements de l'État' concerning the assassination of the prefect Claude Erignac in Corsica. Breaking with convention, Jospin replied and countered the President's accusations.[26] Over and above criticisms in the very formal atmosphere of the Council of Ministers, the President and Prime Minister utilise other forms of political communication to express their opposition to each other. For example, both protagonists carefully choreograph their public engagements. Indeed, Chirac was accused of deliberately visiting the same places around the same time as Jospin so as to steal some of the Prime Minister's media thunder.[27] Thus, in September 1999, Chirac visited the agricultural show organised by the National Centre for Young Farmers. A day later Jospin made a similar visit. During his visit Chirac tried to establish himself as the natural spokesperson for the rural community, implicitly criticising the government's policy in the process. Likewise, during his visit Jospin reminded people that the government, not the President, was responsible for agricultural policy and claimed that he too was in touch with farmers' needs. Whereas this sort of tit-for-tat criticism is an almost everyday part of cohabitation, on occasions the relationship between the two actors can become very difficult. For example, in July 1986, when Mitterrand first refused to sign the bill allowing the government to legislate by decree, there was a debate within the government as to whether or not Chirac should resign in protest.[28] Less dramatically, in May 1998 the Justice Minister, Élisabeth Guigou, said that the President might be called to testify before the courts if there was evidence that he was involved in the scandal that had engulfed the Paris town council. The presidency immediately retaliated by examining

the Prime Minister's background and implying that he too may have been guilty of an 'emploi fictif' at the Quai d'Orsay from 1993 to 1995. Similarly, in July 2001 when one of Chirac's key advisers, Maurice Ulrich, testified that he had used left-over money from the so-called *fonds secrets* to finance various trips abroad, the President was quick to argue that the Prime Minister was in charge of these funds and was still using them to the advantage of the government. The tit-for-tat rule still applied.

It is clear, therefore, that cohabitation is characterised by conflict. At the same time, though, it is also marked by compromise between the two main elements of the executive. The President and the Prime Minister both know that they have to work with each other in certain respects. Moreover, they also realise that cooperation can work to the mutual advantage of both. The rule established during cohabitation 1 still holds true: 'le premier qui dégaine est mort'. So, for example, contact between the President and the Prime Minister during cohabitation is very limited but carefully regulated. They meet each other face to face only once a week immediately prior to the meeting of the Council of Ministers. The only other regular contact takes place on a daily basis between the General Secretary of the Élysée, the Prime Minister's *directeur de cabinet* and the General Secretary of the Government. (In addition, there are reports that during cohabitation 3 the first two, Dominique Galouzeau de Villepin and Olivier Schrameck respectively, met discreetly for dinner once every six weeks.)[29] The relative absence of contact during cohabitation suits both sides in that it emphasises that they are political opponents.

At the same time, though, the existence of regular channels of communication means that common tasks can still be carried out and that mutually inconvenient mistakes can be avoided. Thus, while there are strong incentives for the President and Prime Minister to oppose each other during cohabitation, there are also incentives for them to cooperate. Perhaps the best example of the institutionalised cooperation that occurs between the President and Prime Minister during cohabitation concerns public sector appointments. This is a highly sensitive issue because Prime Ministers have wanted to dismiss appointments made by the previous government. However, because many of these appointments need the formal approval of both the President and Prime Minister, both actors have been obliged to negotiate and deal with each other. In practice, a considerable proportion of public-sector appointments during cohabitation has been made according to the principle of 'donnant-donnant'.[30] So, for example, Chirac and Jospin each appointed one of France's two European commissioners when the vacancies arose in 1999. The Prime Minister chose former adviser to Jacques Delors, Pascal Lamy, while the President chose the former Gaullist Minister of State for European Affairs, Michel Barnier. More generally, Jospin's *directeur de cabinet* reported that so-called 'tour extérieur' appointments are governed by the principle: two for Matignon and one for the Élysée. In all other cases the President has the right, firstly, to ensure that those leaving their posts are transferred to a position that is worthy of their status and, secondly, to object to the Prime Minister's proposed replacement.[31] There have been occasions when the President and Prime Minister have disagreed. For example, Balladur has disclosed that in about a dozen cases, mostly concerning judicial

appointments, Mitterrand questioned the Prime Minister's preferred nominations.[32] Morever, Schrameck reports that during cohabitation 3 the *directeur des Renseignements généraux* was maintained in the post at the President's wishes even though the minister concerned wished to make a new appointment.[33] It simply means that, like conflict, negotiation and cooperation between the President and Prime Minister have been consistent features of all three periods of cohabitation to date. This provides evidence for the positivist approach to the study of cohabitation.

In addition to emphasising the similarities between the first three periods of cohabitation, the strategic analysis of institutions can also be used to hypothesise about the course of events during any single period of cohabitation. Indeed, a key distinction between the case-by-case approach to the study of cohabitation and the positivist approach is that the latter has the potential to provide predictions about the behaviour of political actors. In this regard, Jean-Luc Parodi has proposed a very distinct thesis about the evolution of cohabitation. Parodi suggests that we should be able to observe at least two distinct trends: first, that the position of the Prime Minister will become more and more difficult over time and, second, that the intensity of the conflict between the President and Prime Minister will increase over the course of time.

In the period between 1997 and 2002 there is good evidence to suggest that the position of the Prime Minister gradually became more and more difficult. This can be seen, for example, in the opinion poll ratings for the President and the Prime Minister over the course of this period. Immediately following the 1997 election the percentage of people who said that they were confident that Jospin would be able to solve the country's political problems was much greater than the equivalent figure for Chirac. However, as time went on the gap between the two figures diminished. Indeed, for the first time since the onset of cohabitation, in November 2001 more people had confidence in Chirac in this regard than Jospin.

More impressionistically, there is no doubt that the Prime Minister's standing became less secure over time. Immediately following the dissolution of the National Assembly in 1997 the Prime Minister enjoyed a honeymoon period. In part, this was by default. The Prime Minister was popular because the President had only recently and so publicly shot himself in the foot. Moreover, the Right generally was in disarray. The relationship between the new leader of the RPR, Philippe Séguin, and the President was poor, the RPR was on the verge of splitting and the tension between DL (Démocratie Libérale) and the UDF was mounting (indeed there was talk that the two party leaders, Alain Madelin and François Bayrou respectively, refused to talk to each other for months). In part, though, the Prime Minister's popularity was also by design. The government proposed a set of policies (most notably the 35-hour week and the youth employment programme) that were different from the ones put forward by the previous right-wing governments (both Balladur and Juppé). Moreover, these policies and others appeared to be working in the sense that they were seen to be responsible for helping to reduce the level of unemployment, which had long been the country's main priority. Whatever the reason, the Prime Minister was undoubtedly the main beneficiary of the political situation during the early period of cohabitation 3.

Over time, though, the situation changed. This was no real thanks to the situation on the Right as a whole. After all, the fact that there were seven declared (or quasi-declared) right-wing candidates for the presidency by autumn 2001 was testimony to the divisions within this one so-called political family (Chirac, Bayrou, Madelin, Charles Pasqua, Philippe de Villiers, Corinne Lepage and Christine Boutin). At the same time, there is no doubt that the President's popularity gradually increased. In this regard, the celebrations surrounding France's victory in the World Cup were significant. While Chirac's image had improved somewhat before this time, there is no doubt that, however opportunistic his association with the French team might have been, the President, like the Prime Minister, benefited from the 'feel-good factor' that swept the country during this period. Thereafter, the President's strategy was twofold. He played upon his image as a world statesperson. In this regard, for example, he was particularly active after the events of 11 September in the US. At the same time, he took care to make numerous visits to all parts of France, creating the impression that he was in touch with 'la France profonde'. The result was that by the latter part of 2001 Chirac appeared to be the most likely candidate on the Right to go through to the second ballot of the presidential election. Moreover, the figures suggested that if he were to do so, then the battle with Jospin, still his most likely left-wing opponent, would be extremely close. This is in stark contrast to the situation in June 1997 and is entirely consistent with Parodi's hypothesis that during cohabitation the Prime Minister's position becomes more precarious over time.

In addition, there is also good evidence to suggest that the intensity of the conflict between the President and Prime Minister increased over the course of time. (For examples, *see* Figure 2.) In the period from June 1997 to around December 1998, Jospin had the political stage to himself. Indeed, one commentary towards the end of this period was entitled 'Jacques Chirac invisible'.[34] The President's 14 July 1998 television interview was very revealing of the state of the political situation during this time. The interview, it must be remembered, occurred immediately after France had won the World Cup and both the team and the team manager, Aimé Jacquet, were the special guests at the Élysée garden party. Thus, there was an air of national celebration. In this context, the President did criticise a number of aspects of the government's work (most notably, the supposed 'dérapages' in public spending, particularly health spending).[35] However, in general Chirac's attitude towards the government was remarkably tolerant. He said that the 35-hour-week reform was 'une ambition légitime' and was willing to admit that 'nous sommes sur le bon chemin', thus identifying himself with seemingly successful and certainly popular policies. In fact, Chirac's most controversial statements during this interview were directed towards the Right. A considerable proportion of the interview was devoted to the President's criticisms of the 'petites querelles' and what he called the 'médiocrités' of his right-wing colleagues. All in all, at this time the President represented little threat to the Prime Minister and the level of public disagreement between the two was very small.

After this period the relationship between the President and the Prime Minister changed. In the period from around December 1998 to July 2001 the President was somewhat more combative. During this period, Chirac started to make a number of

Figure 2. Chronology of cohabitation, July 1997–December 2001.

Year	*Month*	*Presidential/prime ministerial relations*
1997	July	Chirac warns against what he calls 'le mirage des experimentations hazardeuses' in relation to the government's employment policy. In return, Jospin refers to Chirac's dissolution of the National Assembly as 'une experimentation hazardeuse en politique'.
1998	May	The Justice Minister, Élisabeth Guigou, states that 'comme tous les Français, le président de la République peut être traduit devant les tribunaux s'il a commis des délits'. A couple of days later, the Right raise the issue of whether Jospin was guilty of an 'emploi fictif' at the Quai d'Orsay from 1993 to 1995.
1999	May	Debate in the Council of Ministers over the issue of Corsica.
	July	In his 14 July interview, Chirac declares: 'II y a aujourd'hui énormément d'argent qui rentre dans les caisses'. This sets off the so-called 'affaire de la cagnotte'.
	Sept.	Chirac calls for the government to have 'des réponses courageuses' in relation to pension reform. Jospin replies that he will deal with the matter 'selon sa méthode'.
	Nov.	The Right accuse the Left of political corruption in relation to the problems and subsequent resignation of the Finance Minister Dominique Strauss-Kahn. In return, in the National Assembly, Jospin raises the issue of Chirac's own involvement in a number of ongoing investigations into political scandals.
2000	Feb.	In the Middle East, Jospin calls the Hezbollah 'terrorists'. Outraged at the Prime Minister's intervention in the domain of foreign affairs Chirac requests Jospin to make contact with him 'dès son retour'.
	Sept.	After claims that the former the Finance Minister, Dominique Strauss-Kahn, had a copy of the Méry video accusing Chirac of complicity in the Paris corruption scandals, Chirac demands that Jospin launch an inquiry into the matter. Jospin replies that the cassette 'ne me concerne en rien'.
	Nov.	On TV, Chirac calls upon Jospin to outlaw the feeding of bone meal to animals. A few days later, Jospin appears to criticise the President's handling of the matter.
2001	Jan.	In the New Year's ceremonies, Chirac advises Jospin to make sure that 2001 is 'une année utile'. Jospin's replies that the government will continue to work hard.
	Feb.	Chirac refuses to allow the bill on Corsica to be placed on the agenda of the Council of Ministers.
	March	When the news that he has been asked to testify before judge Halphen is leaked to Le Parisien, Chirac says that the Prime Minister must 'tirer toutes les conséquences de la violation du secret de l'instruction' and that he should take 'toutes les mesures utiles relevant de sa compétence pour faire respecter la Constitution'.
	April	In the National Assembly, Jospin opposes any idea of creating a minimum public service provision during strike periods. Shortly after, Chirac says that he is favour of such a reform.

Figure 2 continued overleaf

Figure 2 (continued). Chronology of cohabitation, July 1997–December 2001.

Year	*Month*	*Presidential/prime ministerial relations*
2001	May	A proposal by Socialist deputies for Chirac to be placed before the High Court of Justice is not supported by the government. Instead, the leader of the Socialist group in the National Assembly, Jean-Marc Ayrault, says that a constitutional reform will be proposed later in the year that will allow Presidents to be judged during their time in office but that any such law would only come into force after the 2002 elections.
	July	The Prime Minister requests a special report on the use of the 'fonds secrets' following ongoing investigations into Parisian scandals. In his 14 July interview, the President accuses Jospin of using these funds in a similar way.
	Sept.	Initially, there are differences between the Élysée and Matignon in relation to the French reaction to the events of 11 September.
	Oct.	During the course of a conference on Europe in Montpellier, Chirac criticises the government's budgetary policy. In a television interview, Chirac says that French forces will take part in operations in Afghanistan. The next day, the Defence Minister, Alain Richard, states: 'C'est en discussion à l'heure actuelle avec le partenaire américain'. At a Franco-Spanish summit meeting in Perpignan, Chirac offends Jospin by embarking on what appears to be an orchestrated campaign walkabout. Jospin's directeur de cabinet, Olivier Schrameck, publishes a book about his experience of cohabitation; the Élysée's reaction is hostile.

important policy declarations, perhaps the most important of which was his highly pro-decentralisation speech at Rennes in December 1998. In addition, the President was quick to try to make political capital on the occasions when the government appeared to be running into trouble. This was true, for example, during the teachers dispute and the subsequent resignation of Education Minister, Claude Allègre, in March 2000, the fuel dispute of September 2000, and the debate about contaminated bone meal in November 2000. In this context, we can make a useful comparison with the previous period by examining the themes of Chirac's 14 July 2000 television interview.[36] On this occasion, he was much more pugnacious. Once again, he stressed the need to reduce the budget deficit. However, this time there was no mention of the situation on the Right. Moreover, on the issue of law and order the language was more critical: 'je suis inquiet dans ce domaine', he said, 'très inquiet'. In addition, he felt secure enough to reiterate one of the main themes of his 1995 election campaign. 'La fracture sociale s'élargit', he said, and went on to add: 'Les progrès des techniques de communication risquent fort d'ajouter à cette fracture sociale une fracture numérique'. Furthermore, he reinforced his new-found passion for decentralisation and warned the government against trying to change the order of the 2002 presidential and legislative elections. On this latter point, he proved to be distinctly unsuccessful. All the same, what emerges is the President in the role of a sniper, or, as he himself preferred to put it, an 'éclaireur en quelque sorte'. Whether it is better

to see him as someone who was taking deliberate pot-shots at the government or as someone who was simply trying to provide the government with honest advice, there is little doubt that Chirac now felt more confident in both himself and his political position than was the case in the first 18 months of the Jospin government.

The final period of cohabitation 3 began in July 2001. In effect, this point marked the end of the phoney war and the beginning of the presidential campaign proper. On the President's side, there was a clear sense in which he thought Jospin and his government was in trouble. The Left was certainly more divided than it had been previously. The government had failed to propose any new and popular reforms. Moreover, revelations about the Prime Minister's Trotskyite past had damaged his reputation for honesty. As a result, Chirac went on the offensive. This can be seen very clearly in his 14 July 2001 television interview, in which he was quick to minimise the significance of the accusations that had been made against him.[37] On policy issues, he spent a long time criticising the government's law and order policy. Moreover, he was particularly critical of the government's economic policy. In contrast to his 1997 interview, when he called for a 'cohabitation constructive', the feeling about his 2001 interview was that it had set in train a cohabitation 'quasiment dévastatrice'.[38] All told, the evidence suggests that the intensity of the conflict between the President and Prime Minister increased between 1997 and 2002. This confirms Parodi's hypothesis.

Conclusion

The September 2000 constitutional reform may have reduced the likelihood that cohabitation will occur as frequently in the future as it has done over the course of the last 16 years. For the country as a whole this may be a good thing. For the student of politics, though, it would undoubtedly be a disappointment. After all, it is clear that cohabitation has provided one of the most interesting subjects for political analysis since it first occurred in 1986. Indeed, the interest lies not just in the study of the phenomenon *per se*, but in the ways in which it has been studied. The study of cohabitation reflects a basic divide in the study of politics.

On the one hand, it has been studied from a case-by-case perspective. This approach assumes that all politics is contingent and that the task of the student of politics is to identify these contingencies as clearly as possible. The advantage of this approach is that it gets to grips with the messy realities of every day political life. The disadvantage is that the reasoning is essentially *post hoc*. The writer is always chasing after events. On the other hand, cohabitation has been studied from a positivist perspective. This approach assumes that certain basic variables are fundamental to the study of cohabitation and that once these variables have been determined it is then possible both to identify an exhaustive set of political scenarios that may occur and to make predictions about which of these scenarios actually will occur. The advantage of this approach is that it is at least an attempt to make systematic observations about a certain political phenomenon. The disadvantage is that the resulting analysis may only capture a small aspect of what is undoubtedly a very complicated political picture. For my part, whatever its limitations, the strategic

analysis of institutions constitutes the more rewarding of the two approaches. However, this is a judgement about the study of politics as much as it is a judgement about the study of cohabitation.

Notes and references

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11. COHENDET, *La cohabitation*, pp. 43–4.
12. Cohendet explicitly states that she is adopting a positivist approach; COHENDET, A.-M., 'Cohabitation et constitution', in *Pouvoirs*, 91 (1999), pp. 33–57.
13. *See*, for example, DUHAMEL, O., 'Les logiques cachées de la Constitution de la Cinquième République', in O. DUHAMEL and J.-L. PARODI (eds), *La Constitution de la Cinquième République* (Presses de la FNSP, 1985), pp. 11–23; DUHAMEL, O., 'L'hypothèse de la contradiction des majorités en France', in M. DUVERGER (ed.), *Les régimes semi-présidentiels* (PUF, 1986), pp. 257–72; DUHAMEL, O., 'Remarques sur la notion de régime semi-présidentiel', in *Droits, institutions et systemes politiques. Mélanges en hommage à Maurice Duverger* (PUF, 1987), pp. 581–90; PARODI, J.-L., 'La Cinquième République à l'épreuve de la proportionnelle. Essai de prospective institutionnelle', in *Revue française de science politique*, 33, 6 (1983), pp. 987–1008; PARODI, J.-L., 'Imprévisible ou inéluctable, l'évolution de la Cinquième République?', in DUHAMEL and PARODI (eds), *La Constitution de la Cinquième République*, pp. 24–43.
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24. *See* SCHRAMECK, *Matignon Rive gauche*, p. 35.

25. A full list of Mitterrand's criticisms during the first two periods of cohabitation can be found in BIGAUT, 'Les cohabitations institutionnelles', p. 13.
26. *Le Monde* (28 mai 1999).
27. SCHRAMECK, *Matignon Rive gauche*, p. 97.
28. *See* the account in FAVIER, P. and MARTIN-ROLAND, M., *La décennie Mitterrand. 2. Les épreuves (1984–1988)* (Seuil, 1991), pp. 512–22.
29. CARTON, *Cohabitation, intrigues*, p. 45. The existence of these dinner meetings is confirmed in SCHRAMECK, *Matignon Rive gauche*, p. 99.
30. BIGAUT, 'Les cohabitations institutionnelles', p. 9.
31. SCHRAMECK, *Matignon Rive gauche*, pp. 108–10.
32. BALLADUR, E., *Deux ans à Matignon* (Plon, 1995), p. 80.
33. SCHRAMECK, *Matignon Rive gauche*, p. 112.
34. PARODI, 'Proportionalisation périodique', p. 304.
35. *Le Monde* (15–16 novembre 1998).
36. A review of the interview is given by *Le Monde* (16 juillet 1998).
37. The main points of the interview are provided in *Le Monde* (16–17 juillet 2000).
38. The full text of the interview is available on the *Le Monde* archives at www.lemonde.fr.