

September 11, 2019

Thesis Prospectus: The Effects of Decentralization on the French *Associations*

Research Question

Originally founded by the Catholic Church, charities in France have had a tumultuous history since the French Revolution of 1789. As a result of the revolutionary backlash, charities, which fall under the French societal structure of *associations*, became illegal under the new administration as the state took exclusive control of the third sector believing they alone should provide for their citizens. While small steps were made to encourage the operations of charities, such as the *association* laws of 1901 that allowed charities a few legal rights, a significant change also happened in 1982 and 1983 with the ratification of the decentralization laws under President François Mitterrand that shifted the power from a central state filled with bureaucracy to more decentralized local municipalities, divided into four main administrative levels (communes, inter-communal structures, departments, and regions), hopefully able to better care for and make decisions for its citizens.¹ Therefore, in my thesis, I am seeking to answer the question: did the decentralization laws of 1982 and 1983 have a significant effect on private charities in France? My preliminary hypothesis is that I will find that a positive link between French charities and the decentralization laws exists as shifting from a centralized administration to a more localized one would not only have encouraged a better balance of state powers, but also enabled charities to be more easily created, effectively developed, and sustainably maintained. With more power at the local municipality level, associations, and thus more

¹ Jean-Louis Rocheron, "The French Experience of Decentralization," January 2016, 4.

specifically charities, presumably, would have to go through less bureaucratic processes and thus not only be created with more ease and efficiency, but also be able to focus their time and efforts on serving the community in effective and needed ways as well as raising funds for their continued operations. I believe this question to be important as charities are continuing to develop across the world as government and individuals alike realize the important role charities play in society, specifically in providing welfare for the people. However, the question of nonprofit and government cooperation is one that still exists today and the exploration of this research question will hopefully showcase how the relationship between these two entities can be mutually beneficial.

Methodology

The theoretical framework I plan on using as a basis for my research stems from Antonin Wagner's updated "Alternative Categorical System for Understanding the Role of Nonprofit Organizations in the Public Sphere" that is an adjustment of Solomon and Anheire's 1998 *Social Origins Theory*². In his system, Wagner argues for a system of nonprofit and welfare regimes that are determined by the level of centralization or decentralization in a given country and the governmental institutional structure. Wagner chooses to "reframe" Solomon's previously established categorization system under which France, categorized in between a corporatist and social democratic regime based on social spending as a percent of the GDP and nonprofit employment as a percent of all employment, is arguably pinholed into a category for previous state organization.³ In Wagner's updated categorization regime, France, until the 1980s would be

² Antonin Wagner, "Reframing 'Social Origins' Theory: The Structural Transformation of the Public Sphere," *Nonprofit and Voluntary Sector Quarterly* 29:4 (2000), 548.

³ Lester M. Salamon et al. "Social Origins of Civil Society: An Overview," *Working Papers of the Johns Hopkins Comparative Nonprofit Sector Project*: 38, (2000): 9.

categorized as a “Jacobin welfare regime”(Centralized structure of public sphere and Government Dominated Institutional Structure) but today would be categorized as a “community-based welfare regime” (Decentralized structure of public sphere and pluralistic institutional structure)⁴ . In the corporatist/social democratic regime, the state either does not cooperate with nonprofits or does so forcibly out of a common goal. The same goes for the Jacobin regime as it is categorized as a “regime in which the provision of welfare are administered through the collaboration of government, workers’ and employees’ associations, and welfare umbrella organizations.”⁵ While this could have been true after the French Revolution and early 20th century, in today’s context “the social origins approach fails to take into account the evolutionary character and the time dimension of the nonprofit phenomenon.”⁶ Today, the French welfare state is working toward forming amicable alliances with private nonprofits and charities to better serve its citizens’ needs. This framework lays the foundation of my thesis as, by understanding the key argument of Wagner’s system by which the relationship between the state and *associations* changes and evolves, does my research question becomes a relevant enquiry: if the relationship between the two entities has shifted from one of forced cooperation or disdain all together to amicable cooperation, then the resulting effects on the ways *associations* operate and their impact in communities would surely reflect that new relationship.

In order to examine the effects of this change, of the decentralization and the emerging pluralistic institutional structure, on French *associations*, I plan on studying the official documents of the 1982 and 1983 decentralization laws to understand what changes to the

⁴ Antonin Wagner, “Reframing ‘Social Origins’ Theory: The Structural Transformation of the Public Sphere,” *Nonprofit and Voluntary Sector Quarterly* 29:4 (2000), 548.

⁵ Ibid 548.

⁶ Ibid 543.

administrative system would have affected the process of creating and maintaining an association as well as looking at similar existing policies in Germany and the United Kingdom to understand the framework of charities in Europe as a whole. I then plan on analyzing data such as the numbers of associations created and its trends before 1982 and comparing it to the numbers after 1982 in France, Germany, and the United Kingdom. In France, there is a notable change in the number of *associations* created as it ranges from around 26,000 to 33,000 from 1972 to 1981⁷ but skyrockets to more than 60,000 by 1989⁸ thus indicating a significant societal change. I plan on breaking down this data across various sectors of *associations* as well as years to understand where specifically the growth occurred and to better draw conclusions from these observations. By studying similar data in Germany and the United Kingdom, I can control for variables such as the global interest in charities and charitable giving during the 1980s and determine whether the exponential growth in France truly came from the decentralization laws. I could also potentially study the charitable giving and volunteering trends as well to get a more comprehensive understanding of the nonprofit sector in France and its changes during the decentralization process.

Literature Review

While scholarship regarding the laws of 1901 and their effect on associations are abundant, most have either ignored the impact of the decentralization laws or merely assumed their importance without looking further into it. Researchers looking at the role of government and nonprofit co-operation see the 1980s following the decentralization in France as a time of societal change. Professor Edith Archambault writes extensively on the nonprofit sector in

⁷ Michel Forsé, "Les créations d'associations: un indicateur de changement social," *Observations et diagnostics économiques: revue de l'OFCE* : 6 (1984): 124.

⁸ Edith Archambault, "Le Secteur Associatif En France: perspective internationale," (1999), 10.

France, its historical roots, morphing phases, and continued challenges it faces today arguing that “[a]s local governments were not equipped to deliver human services, and because the political philosophy had changed as well, local governments contracted out the bulk of the services that they could not provide directly.”⁹ She continues by saying that “the association boom of the past three decades is the result of the constant tendency of the nonprofit sector to adjust to the changing issues of civil society and to the encouragement of the central and local governments,” thus noting the importance of the institutional changes of administrations that tricked down to the nonprofit sector.¹⁰ Archambault offers great insight into the nonprofit sector in France as she offers a holistic analysis on the lack of French foundations, associations, and charities by looking at the intricate and often multi-faceted history of France, its governments, and institutional systems. She often argues, similar to other contemporaries, that while the French nonprofit sector lagged behind other European countries for centuries, the laws during the 20th century have allowed France the opportunity to catch up and be a competitive force in the third sectors of Europe as a whole.

Claire Ullman also contributes key scholarship to the field not only by breaking down important terminology, such as the word *nonprofit* in American English that doesn’t always have a clear translation in other languages, but also by selecting appropriate descriptors for the sector as a whole. Additionally, she provides a contrasting point of view from other scholars in the field as she argues that the development of the nonprofit sector did not arise out of a mindless societal

⁹ Edith Archambault, “France: A Late-Comer to Government-Nonprofit Partnership,” *Voluntas: International Journal of Voluntary & Nonprofit Organizations* 26:6 (December 2015), 2296.

¹⁰ Edith Archambault, “Historical Roots of the Nonprofit Sector in France,” *Nonprofit and Voluntary Sector Quarterly* 30:2 (June 2001), 218.

change but rather a decision on the part of the French government to actively pursue a more socialist government approach to nonprofits and charities.¹¹

Chapter Outline

The thesis will consist of several chapters starting with a background of the evolution of the nonprofit sector in France and the key phase changes. The first chapter will focus on the institutional design of nonprofits, how they function, and the laws surrounding their creation. It will also look at the political atmosphere in Germany and the United Kingdom at the same time and the laws governing charities and nonprofits in those countries in order to better compare the data collected. Finally, the second chapter will analyze the data and trends of nonprofits in France overall as well as comparing it to the same data in the United Kingdom and Germany and discuss the conclusions and limitations of the research.

¹¹ Clarie F. Ullman, "The Welfare State's Other Crisis: Explaining the New Partnership Between Nonprofit Organizations and the State in France," Bloomington: Indiana University Press: 1998.

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