

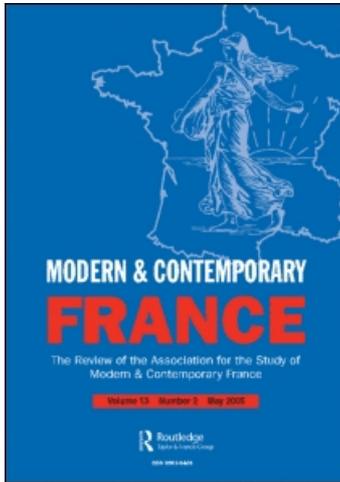
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Fifty Years of Feminising France's Fifth Republic

Rainbow Murray

For 50 years, women have been battling against the hostile institutions of the Fifth Republic. Despite barriers such as a majoritarian electoral system and presidentialisation, women have been making incremental gains in the political arena. The breakthrough came in the 1970s when politicians began to appreciate the benefits of appealing directly to women voters with policies such as the legalisation of abortion. The Socialist governments of the 1980s saw the introduction of the first women's ministry and the first parliamentary discussions of positive discrimination for women. However, 20 years later women still remain under-represented at the elite level, as well as continuing to carry a disproportionate share of caring and domestic duties. Despite the gendering of citizenship in the form of the parity law, and the flagship presidential campaign of Ségolène Royal, France still retains at heart a universalist tradition built on masculine norms that continues to disadvantage its citoyennes.

Fifty Years of Feminisation

At the time when the Fifth Republic was founded, France was built around male norms. Women had low levels of presence in politics. Abortion was illegal and women's participation in the labour market was relatively low, with the male breadwinner model based on the assumption that men would earn money to support their families while women would be responsible for domestic work. Things have come a long way in 50 years, but in 2008 women are still in a very disadvantaged position relative to men. They are still under-represented in virtually all positions of power, over-represented in their contributions to the 'private sphere' (such as housework and childcare), and they are much more likely than men to work part time in low-paid jobs. Indeed, in many respects, France has struggled to keep up with international trends of women's empowerment, and its overall track record for the past 50 years compares poorly to neighbouring countries. For example, women in Nordic countries enjoy higher levels of economic activity (INSEE 2004, p. 75) and much higher levels of parliamentary

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representation (an average of 41.8%, <http://www.ipu.org>). Even in Spain, a Catholic country with fairly traditional attitudes towards women, parliamentary representation for women stands at 36.3%, and an equal partition of domestic chores has now been written into marriage contracts (<http://news.bbc.co.uk>; <http://www.guardian.co.uk>).

Despite the above caveat about France's relatively weak performance, it would be misleading to suggest that France has not made significant advances for women in the past 50 years. *Au contraire*, very substantial progress has been made. This article will evaluate some of the key aspects in which France has feminised during the Fifth Republic, including women's presence in electoral politics, the creation of state feminist institutions such as women's ministries, and the resulting public policies that have been introduced to improve women's lives in various ways. The extent to which progress has been made for women will be considered in the context of factors that may have prevented more effective reforms from being introduced. At the heart of this lies the Republican universalist tradition, which has long served as an obstacle to equality for women. France's refusal to acknowledge sexual difference has served to perpetuate gender inequality, but is so deeply ingrained in French political thought that even self-avowed feminists have opposed certain equality measures on the grounds that they breach the principle of universalism. The article considers the extent to which barriers to gender equality have been overcome and areas in which problems persist, before concluding by discussing possible future directions for women.

Women's Political Representation

French women have a history of chronically low levels of political presence. The rights of suffrage and eligibility for office were not granted to French women until 1944—a century after all French men were enfranchised, and long after most other European countries gave the vote to their female citizens. Even after being allowed to stand for office, women's presence in the National Assembly stagnated at around 5%, and then actually declined following the creation of the Fifth Republic. As can be seen in Table 1, the levels of women elected under the proportional representation of the Fourth Republic dropped when single-member plurality (SMP) was introduced, and it was not until the Socialist victory of 1981 that women regained the levels of representation enjoyed prior to 1958.

Indeed, the political institutions of the Fifth Republic, including the SMP electoral system, presidentialisation and the *cumul des mandats*, have all worked to exclude women from political power. There is wide-ranging evidence suggesting that PR electoral systems are more favourable to women than SMP (Rule 1987; Rule & Zimmerman 1994; Norris & Lovenduski 1995; Matland 2002; McAllister & Studlar 2002; Dahlerup 2006), and this has certainly proven to be the case in France, both across time (from the Fourth Republic to the Fifth) and across space (with women faring better in elections organised under PR, such as local and European elections, than in elections conducted under SMP, such as legislative and departmental elections—a difference that is influenced but not entirely explained by the status of the election).¹

Table 1 Women's presence in the National Assembly throughout the Fifth Republic.

| Date of election | Percent women elected |
|------------------|-----------------------|
| Oct 1945* | 5.6% |
| Jun 1946* | 5.1% |
| Nov 1946* | 5.7% |
| Jun 1951* | 3.5% |
| Jan 1956* | 3.2% |
| Nov 1958 | 1.5% |
| Nov 1962 | 1.7% |
| Mar 1967 | 2.1% |
| Jun 1968 | 1.6% |
| Mar 1973 | 1.6% |
| Mar 1978 | 3.7% |
| Jun 1981 | 5.3% |
| Mar 1986 | 5.9% |
| Jun 1988 | 5.7% |
| Mar 1993 | 6.1% |
| May 1997 | 10.9% |
| Jun 2002 | 12.3% |
| Jun 2007 | 18.5% |

Sources: Opello 2006, p. 16; Allwood & Wadia, 2000, p. 28;
<http://www.assemblee-nationale.fr>

*Elections held under PR in the Fourth Republic.

Presidentialisation has also had a negative impact, with its emphasis on *présidentiabiles* who have almost always been male. The common association of the presidency with being a man has hurt women's career progression in politics as they are not seen as likely contenders for the top positions. Finally, the *cumul des mandats* has concentrated power in the hands of male elites. Despite a higher presence of women in local politics compared to national politics, men are still most prevalent in the local springboard positions that lead to national office, such as mayors and presidents of the *conseils généraux* (powerful departmental councils). When men combine these positions with being a deputy they limit the range of new opportunities for women, and prevent political renewal. Allwood and Wadia (2000, p. 27) argue that

it is not surprising therefore that the establishment of the Fifth Republic coincided with the 'political exit' of women from both the executive and legislative branches of the state which have subsequently remained stubbornly opposed to measures and processes of feminisation until relatively recent times.

Indeed, as Table 1 demonstrates, it was not until 1997 that the percentage of women in parliament reached double figures, and despite recent improvements, France is still only 73rd in the world rankings for women's representation (<http://www.ipu.org>).

It is not just at the level of the National Assembly that women have struggled to gain representation; the problem has been far more widespread. At the turn of the twenty-first century, women comprised 5.9% of senators; 22.5% of local councillors; and only 7.6% of mayors (Allwood & Wadia 2000, p. 28; Helft-Malz & Lévy 2000, p. 88; Fabre 2001).

Women have also been largely absent from political executives, which stems from the preference for male *présidentiabiles*. France has not yet seen a woman president, and women have often been relegated to minor roles within French governments. As the next section will demonstrate, there has been a variable trend of direct ministerial responsibility for women's issues, which at the same time has been an opportunity to advance women's rights in the policy domain, and an excuse for prime ministers to relegate promising women ministers to a position generally held in low regard in terms of government portfolios.

Given the long-term under-representation of women within politics and the obstacles to women's representation presented by the institutions of the Fifth Republic, it is perhaps not surprising that there have been many attempts over the years to introduce measures to increase women's presence in politics. The first measures took the form of internal quotas within the Socialist Party from the late 1970s onwards. These have had variable success, and women within the party complained about early attempts to thwart the quotas by reducing their size and impact (Roudy 1995, pp. 20–21). It was not until 1996 that these quotas had a significant effect, resulting in the large increase in women deputies in the 1997 legislative elections. Additionally, attempts to create a statutory quota in 1982 hit a constitutional brick wall. A bill was proposed by Gisèle Halimi, an independent deputy associated with the Socialist Party, for a minimum of 30% women, then revised to a maximum of 75% of either gender (Mossuz-Lavau 1998, p. 31). The bill received an almost unanimous vote in favour; however, deputies were already aware that the law was likely to be deemed unconstitutional, and supported it as a public relations exercise rather than through any genuine desire to see the bill become law. The Constitutional Council pronounced the quota contrary to article three of the French constitution and article six of its preamble, which 'opposed any division by categories of voters and of those eligible for election' (ibid). This part of the law was thus annulled, and with it was the possibility of introducing any kind of formal quota, except in the event of a constitutional amendment. Hence the formal equality of citizens in the constitution was used to reinforce the continuing inequality of women in practice.

The disillusionment felt by feminists over the low levels of women in politics led to the growth of a movement demanding gender parity in politics. Launched with the book *Au pouvoir citoyennes! Liberté, égalité, parité!* (Gaspard *et al.* 1992), the parity movement was born. This movement comprised a collection of campaign groups, some of which formed specifically around the issue of parity, while others campaigned more generally for women's rights with a shift of focus towards parity during the 1990s. Collectively, the movement gained growing momentum and managed to place significant and sustained pressure on politicians. Lobbying techniques included putting presidential candidates on the spot during the 1995 presidential elections, and mobilising the support of the media (and with it, public opinion). Following the 1995 elections, Chirac came good on his promise to establish an Observatoire de la Parité, although this body was initially allocated very few resources in the hope that its role would be restricted to that of a toothless symbol (Roselyne Bachelot-Narquin, founding director of the Observatoire, Assemblée nationale 2005).

The main motivation of those lobbying for parity, as opposed to any other form of raising women's presence, was to overcome the constitutional barrier to quotas by claiming that parity was not a quota but simply a recognition of the natural divide of the French population into two sexes. Their hope was that this claim would not run counter to the universalist principles of the French constitution. This (rather weak) theoretical claim, which was accompanied by a rejection of claims to representation of any other marginalised group, was subjected to much criticism from defenders of universalism. These included self-proclaimed feminists such as Elizabeth Badinter and Mona Ozouf (Amar 1999), along with politicians on both the left and the right, such as the Socialist senator Robert Badinter, and the UDF deputy Christine Boutin.² The universalist argument claimed that French citizens were equal before the law irrespective of sex or any other descriptive characteristic, and parity would be a dangerous step into *communautarisme*, or the division of society into groups. Parity was also considered to be essentialist and humiliating to women, with the risk of inferior candidates chosen purely on the grounds of their sex. Supporters of parity countered that France had a false universalism based on the male citizen model that had long served to the detriment of women, and that the humiliation of parity was as nothing compared to the humiliation of systematic exclusion from the political sphere. They also argued that what might be undesirable in theory was necessary for the achievement of something desirable in practice, that is, the fair representation of women within politics. Ultimately, it was the supporters of parity that emerged victorious.

In 1999, the French constitution was amended to include two clauses promoting the equal representation of men and women, with political parties charged with the implementation of this principle. The word 'parity' was conspicuously absent from the amendment, a concession made to the Senate in exchange for their reluctant support. This was followed in 2000 by detailed legislation, known as the parity law, which outlined the ways in which parity was to be implemented. Parity obliges all parties to field an equal number of men and women candidates in all elections. Where elections use party lists, it is a fairly effective measure as the list is rejected unless it complies with the law, and there are additional specifications ensuring that women have to be placed within the top positions on the list.³ In elections conducted under SMP, the law is far less effective. Parties are penalised by a financial penalty that richer parties can afford to absorb, and the law applies only to candidates and not to seats, meaning that women tend to be fielded disproportionately in unwinnable seats. As a result, the parity law has seen considerable gains for women at certain levels of election (for example, in 2001, women won 47.5% of seats in the municipal elections where the law applied), but very limited improvements at other levels. In particular, the most powerful positions have remained stubbornly male dominated. In municipal elections, women have been kept off local executives and denied the key role of mayor; following the 2001 elections, 93% of mayors were male (Bird 2003). The 2008 municipal elections told a similar story, with men comprising 91.5% of town mayors, 83.5% of heads of list, and 86.9% of the *conseils généraux* (Zimmerman 2008). In senatorial

elections, only larger constituencies are required to implement the law, and even here, devious tricks have been used by outgoing male incumbents to maintain their seats, such as standing as independents or heads of a different party list. These efforts have partially subverted the effect of parity, with women making up only 21.8% of the Senate (<http://www.senat.fr>, accurate as of February 2008). Finally, at the legislative level, the law has been particularly ineffective, with the proportion of women in the National Assembly rising from 10.9% in 1997 to only 12.3% in 2002. The second application of the parity law in 2007 saw a significant improvement, with women rising to 18.5% of deputies, but this still represents a far cry from parity and a poor performance relative to the promises made by political parties.

The overall impression of the parity law is that it has failed to live up to expectations, with the key positions of political power in France remaining largely in the hands of men. The improvements that parity has brought, although welcome, have been deemed inadequate, especially as the most coveted positions in local and national politics have remained largely unaffected by the law. The parity movement that helped spearhead the initial changes has lost its momentum and largely disbanded in favour of other issues. All is not lost, however. Reforms of the law have been enacted to make it more effective in an attempt to address some of its shortcomings. These include reforms passed on 31 January 2007 to extend the requirement of parity to the composition of regional and municipal executives, enforce zipping (the requirement that one in every two candidates be a woman, rather than three in every six, which improves the potential minimal outcome), and to increase the financial penalty for non-implementation of parity in legislative elections (<http://www.observatoire-parite.gouv.fr>). The laws concerning local and regional elections will have immediate effect, whereas those concerning legislative elections will not come into effect until 2012, and are likely to have only a limited impact as they are still too weak to override other party priorities when selecting their candidates (Murray 2007). Finally, new legislation is currently on the table to strengthen the law at the departmental level.

One area that has been unaffected by the 'parity' legislation but which has seen notable changes for women in recent years is the executive level. Under the Fourth Republic, two women (Andrée Viennot and Jacqueline Thome-Patenôtre) rose to the position of Under-Secretary of State, with Germaine Poinso-Chapuis being the one and only woman minister (Helft-Malz & Lévy 2000, p. 52). For the first part of the Fifth Republic, women's participation in the government was even more minimal, with only two women holding government posts between 1959 and 1973 (Néfissa Sid Cara 1959–1962; Marie-Madeleine Dienesch 1968–1974) (Helft-Malz & Lévy 2000, p. 57; Pionchon & Derville 2004, p. 47). This may partly have been a result of ideology, with women struggling to make their presence felt within Gaullist parties. Under the Fourth Republic, it was the non-Gaullist MRP and Socialist SFIO parties that promoted women, and in the Fifth Republic it was not until the centrist Giscard d'Estaing's presidency that women saw the first big jump, with between four and seven women in each subsequent government until 1993, and the next appointment of a woman minister (rather than the junior post of secretary of state). Giscard's presidency also saw

the first creation of a government post with responsibility for women; this is considered further in the next section.

In 1991, Mitterrand appointed Edith Cresson as Prime Minister. Her premiership was riddled with scandal and she distinguished herself as being the shortest serving Prime Minister of the Fifth Republic, with a term of office lasting only 323 days, which did not bode well for future women's prospects of rising to the top government post (Allwood & Wadia 2000, p. 38). Cresson's downfall in 2002 was followed by a dip to three women in the government under the Gaullist Balladur (1993–1995). The next incoming Prime Minister, Alain Juppé, then made a big show of including 12 women in his government. These women were nicknamed 'Juppettes', an insulting term that plays on Juppé's name and on the word *jupe*, and which could be translated as 'short skirts'. To add injury to insult, eight out of the twelve women were dismissed a mere six months into their term.

Women fared much better under the premiership of Lionel Jospin (1997–2002)—again suggesting that women are more likely to be promoted under non-Gaullist governments. Not only did their numbers in the government return to double figures (representing more than 30% of the total government), but several women were appointed to key positions that had previously been the domain of men. These included the appointment of Elisabeth Guigou and then Marylise Lebranchu as the Minister of Justice, and of Martine Aubry as the Minister for Employment and Solidarity (leading to the controversial 35-hour week reform).⁴ The levels of women dropped slightly following the Right's return to power in 2002, but a significant appointment was that of Michèle Alliot-Marie to the post of Defence Minister, never before held by a woman. Then, in 2007, Nicolas Sarkozy promised that, if elected president, he would institute a 'parity' government. Although he failed to come good on this promise, with women comprising a third rather than half of governments during Sarkozy's presidency, there have been significant appointments of women at high levels, including Rachida Dati as Minister of Justice and Christine Lagarde as Finance Minister. Meanwhile, Michèle Alliot-Marie has been promoted to the powerful position of Interior Minister, another first for a woman. The increasing prevalence of women in high-powered governmental positions has helped to reduce the impression that executive power is the exclusive preserve of men, a phenomenon enhanced by the legacy of Ségolène Royal's presidential campaign (discussed below) and by the subsequent actions of Nicolas Sarkozy. Whilst being firmly placed on the right, Sarkozy has sought to represent a 'rupture' from the past, including the Gaullist traditions of his party, thus breaking a second traditional barrier to women. Sarkozy has generally proven to be more socially progressive than his Gaullist predecessors. However, the growing tendency for women to be more heavily represented in the government than in the parliament is slightly problematic. Appointment to the government is possible without the need for a prior electoral mandate, and women have often had their first taste of politics via appointment rather than election. This gives them less legitimacy than their male colleagues who rose through the parliamentary ranks, and leaves them vulnerable to their male benefactor, who can grant or remove their power as he sees fit. This problem of the *fait du prince* (Helft-Malz & Lévy 2000, p. 57) is still

prevalent, with several members of the current government entirely dependent on the president for their political careers. Without the autonomy of an independent mandate, it is easy for these women to be seen as puppets of the president. The institutions of the Fifth Republic, with the emphasis on a strong president and the limited electoral opportunities available for women, have served to reinforce this problem.

Furthermore, although women's presence in executive positions has risen considerably during the course of the Fifth Republic, no government has ever exceeded 35% women and, most notably, there has never been a woman president. Although there have been woman candidates in presidential elections since the 1970s, such as Arlette Laguiller for Force Ouvrière, there were no credible women candidates with any real chance of winning until Ségolène Royal won the Socialist nomination as their presidential candidate for the 2007 election. Royal's campaign was highly symbolic, with her status as a woman being credited both for her initial successes and her subsequent failures (Murray 2008). It is likely that her sex played only a minor role in her electoral fortunes, but perhaps her most important legacy is that she showed that women can be credible *presidentiables*, and this has already had an impact for subsequent women politicians, as exemplified by the feminised government. The prospects of seeing another, more experienced woman candidate in the future are now much improved.

State Feminism

Not only did the 1970s see the first major breakthrough for women in government, with an increase in women's presence and the appointment of the first woman to a cabinet post, but Giscard d'Estaing's presidency also saw the creation of a government post for women. Since this time, there have been several forms of governmental portfolio devoted at least partially to women, although the size, importance, remit and indeed existence of this portfolio have varied over time. The first woman to take up such a post was Françoise Giroud in 1974, with the title of Junior Minister for Women's Status (Allwood & Wadia 2000, p. 40). This position was revised to Junior Minister for Women's Employment in 1978. Following Mitterrand's election in 1981, the first fully fledged Ministry for Women's Rights was created, headed by Yvette Roudy. This was a major step forward, and accorded significant status and a cabinet post to the policy area of women's needs and rights. The Roudy years have been celebrated as the peak of French state feminism, although Mazur (2007) argues that some of the reforms of this period were largely symbolic, and the institutions created to promote women's rights were not sufficiently institutionalised. Indeed, the ministry was not maintained under Chirac's right-wing government from 1986–1988, but saw a return (albeit downgraded back to a junior ministry without cabinet status) following another Socialist victory in 1988. The left–right divide continued in 1993, with the loss of the portfolio following the right-wing victory, and even during the first six months of Juppé's premiership, when there were 12 women in the government, the position of women's minister was not resurrected. It was not until the Socialists regained power in 1997 that the post of Junior Minister for Women's Rights was

reinstated, combined with Professional Training and given to Nicole Péry. Even then, the post was not created immediately, but was put into place in 1998 following feminist outcry at the absence of a high-profile government portfolio for women (Mazur 2007).

In 2002, a government post was created for women's rights, this time under the guise of the Junior Minister for Parity and Professional Equality—the first time such a post had existed under a right-wing government. Again, it took several months of feminist protest between the formation of the government and the creation of a women's policy agency. Nicole Ameline succeeded in raising the status of this post from Junior Minister to Senior Minister in 2004, although it was downgraded again in 2006 and has since been mainstreamed into the Ministry of Work, Social Relations and Solidarity (Mazur 2007; <http://www.femmes-egalite.gouv.fr>). At all times, the specific representation of women's interests—as opposed to the presence of women in other portfolios—has been somewhat precarious, with the portfolio for women being variably upgraded, downgraded, abolished, reinstated, and merged with and/or subsumed by other posts. The presence of such a portfolio within the government has also been a dilemma for women. On the one hand, having a department led by a member of the government devoted to the remit of gender equality has been beneficial for raising the profile of women's rights and keeping equality issues on the agenda. On the other hand, with the exception of Yvette Roudy, most of the incumbents of this post have found themselves relegated to a low-status and poorly resourced position that has been a way of having a token woman in the government without according her the status and power associated with the more traditionally 'male' portfolios such as minister of the interior, foreign minister and so on. As women are increasingly breaking this trend by accessing the more prestigious government posts, it is they rather than the junior colleagues dealing with gender equality that are seen as figureheads for women within the government.

Another aspect of state feminism has been the Observatoire de la Parité. The Observatory has become an active mechanism in campaigning for the creation and then the strengthening of the parity law. Its numerous reports have been a valuable tool in obtaining and disseminating research and recommendations concerning parity, and exposing deficiencies in current practice, even when this has involved criticising the government of the day. Although the head of the Observatory is a partisan appointment, this has not prevented the various incumbents from taking a proactive role in campaigning for gender equality in the political realm.

One final area of note in discussing state feminism is the relationship between state feminists and the wider feminist movement. Overall, the feminist movement in France has had a mixed history and has been continually weakened by its internal divisions. On the rare issues on which feminists have been able to unite, such as legalised abortion and gender parity, the women's movement has been fairly successful in achieving its aims, but in many other areas the women's movement has been weak and disparate. Feminist activists have had an uneasy relationship with the state; the greater the co-option of feminist demands within the state apparatus, the weaker the

movement has become. For example, during the Roudy years, the Ministry for Women effectively replaced the role of the women's movement, with those that supported the Ministry becoming absorbed within its activities while those that rejected its goals gradually disappeared into obscurity. A cynic might suggest that the best way to muzzle women's movements is to provide them with state representation, thus allowing symbolic reform in the absence of an effective and mobilised voice to campaign for more profound change. With the current strength of women in the government, there is the possibility that women's activism will again be replaced by state feminism. Nonetheless, despite these concerns, the presence of feminist women in positions of power within the state has been a useful means for pursuing women's rights, through promoting policies that benefit women, resourcing research and providing information to the public and the business sector, for example through their websites.

Policy Output

So far, this article has considered the actors that have been involved in feminising the Fifth Republic. This final section considers the outcomes of this feminisation in terms of policy output. Policies favouring gender equality have been passed in a number of areas, from legalising abortion to increasing gender equality in the workplace, although there has been inconsistency in the strength of these laws and in the willingness to take measures to implement them.

One of the first laws of major significance for women was the legalisation of abortion. This law was achieved through a combination of coordinated activity by women's movements, and the efforts of the Fifth Republic's first woman minister, Simone Veil, who was responsible for health policy. Giscard d'Estaing had promised the legalisation of abortion in his presidential manifesto, but the choice of Veil to introduce the law was judicious, since she was a woman and a Jewish survivor of the Holocaust. These descriptive characteristics enabled her to adopt a discourse that might have sounded patronising and paternalist if used by another minister, but which came across as compassionate when associated with her. For example, she spoke movingly about the pain and shame experienced by pregnant women who chose to abort their child, making it clear that this was not an easy option made casually by women without a conscience. This discourse helped to smooth the path for the passage of a law that was opposed by a significant section of the Right, including most of the RPR. Even though there have been attempts to repeal the law (known as the *loi Veil*) ever since its passage, it stands to this day.

Other policy areas have been much more incremental in their development. Key amongst these is the area of equality in the workplace. Here, the old problem of gender-biased universalism has re-emerged time and again under various guises, with its ingrained notions of the male breadwinner model and the idea that a man's career and salary is more important than a woman's, both at the individual and collective levels. Changing this attitude is a slow and ongoing process, and the legislation that has

resulted is a reflection of this incremental change. The first step towards change came in the form of the 1972 Equal Pay Reform, considered by Mazur to be symbolic rather than substantive: 'While ministerial offices and administrative agencies supposedly responsible for the new law virtually ignored its implementation, few groups in society became actively engaged in using the new law to promote gender-based wage equity' (Mazur 1995, p. 101). This was followed in 1975 by the Equal Treatment Law, which was born out of opportunism rather than conviction (Giscard had promised to introduce the law during his electoral campaign—the first time that the electoral muscle of women voters had influenced the policy agenda). This law was designed to afford women better rights in the workplace and protect them against discrimination on grounds such as pregnancy. However, the law was easy to circumvent, as it did not penalise all forms of discrimination against women employees and did not have adequate penalties for infractions (Mazur 1995, p. 139). It was not until 1983, with the benefit of a strong women's ministry, that a more powerful law was introduced in the form of the Equality in the Workplace (*égalité professionnelle*) law. Since 1983, laws concerning equal pay and employment rights have been revised and strengthened at regular intervals, yet women still experience widespread discrimination in the workplace across France. There is still a wide gender pay gap, and women at all levels are more likely than men to be unemployed, to work part time and to be concentrated in low-paid, low-status sectors (INSEE 2004). The latest in a long series of reforms is Sarkozy's proposal that firms should be forced to take stock of gendered salary differences and be penalised if they are underpaying their female staff.

Another area of policy output is childcare, and this remains a problematic issue in France. State childcare provision is inadequate, leaving many women no choice but to work part time. A particular problem in France is that children do not attend a full day of school on a Wednesday. In the absence of alternative arrangements, this obliges one parent—almost invariably the mother—to be available on Wednesdays. Although this is an issue that women's movements have tried to address at various times, the high costs associated with state childcare have prevented the introduction of major reforms.

Last but not least, the parity law mentioned earlier in this article is another example of a law that did not go far enough in its first incarnation, with loopholes and weak penalties contributing to its initial poor performance in legislative elections. Subsequent reforms have strengthened the law, but not to the extent of rendering it properly effective. This reinforces Mazur's arguments that gender equality reforms tend to be symbolic in the first instance, a half-hearted fulfilment of a campaign pledge made by presidential hopefuls seeking to woo the female electorate. The resulting legislation is often designed to please the electorate whilst appeasing policy-makers, by giving the false impression of change whilst broadly maintaining the status quo. However, in keeping with the incremental changes mentioned above, even a symbolic law provides a building block which can then be reformed and strengthened over time. As the fortunes and strengths of women's movements and state feminists have varied over time, so the pressure on politicians to deliver strong policies for women has been inconsistent. During periods of strength for feminists, either within or outside the

state apparatus, it has been possible to reinforce and expand existing legislation in a way that would be harder to achieve without the initial legislation to use as a starting point. Even a toothless law is better than no law at all, if it establishes principles and precedent and can then be given teeth in its second (third, fourth) wave.

Conclusion

The first 50 years of the Fifth Republic have been a period of profound social and political change for women. Women have faced four key barriers in the fight for political equality. The problem of the electoral system is one that has only partially been mitigated by the parity law, and France's SMP system continues to exclude women from politics. Electoral reform looks unlikely, with Jospin having promised that parity legislation would not lead to reform of the electoral system via the back door. However, during the 2007 presidential elections both Ségolène Royal and François Bayrou called for the introduction of some form of proportional representation in legislative elections, suggesting that any prospects of a Sixth Republic might be more favourable for women. Royal also proposed eliminating the *cumul des mandats*, which would help remove the second of the four barriers. Sarkozy's attempts at encouraging his ministers to focus on their portfolios has been rather unsuccessful, with the majority seeking an electoral mandate on the side, suggesting that this problem remains deeply engrained in French political culture. So does the question of presidentialisation, although the challenge here is not in eliminating presidentialisation per se but in reducing its negative effects for women. Women are currently the beneficiaries of the *fait du prince*, and the concept of a male president is being challenged both politically (for example by Royal) and culturally (for example by the television show 'L'Etat de Grâce', broadcast in 2006 and featuring a woman president as the lead character). The final barrier, however, is perhaps the most challenging to overcome, and that is the barrier of universalism. Parity has been a major step forwards in this battle, by gendering universal citizenship (Lovecy 2000). Rhetoric is now beginning to emerge of a more plural and inclusive politics, with the question of race also beginning to creep into this discourse. Nonetheless, attitudes change slowly and the enduring image of a French politician is that of a white man.

In terms of policy, change and developments have largely followed the incremental model, with only occasional points of punctuated equilibrium in the form of a more radical or far-reaching development, such as the loi Veil legalising abortion. Incremental change has also relied on the opening of policy windows to push through reforms. These windows have sometimes been generated with the help of the women's movement, who demonstrated in the early 1970s and the late 1990s that they can be effective when they work together for a collective goal. In the absence of a mobilised women's movement, change has been much slower and has largely been the work of state feminists working in various incarnations of (junior) ministries for women's rights. Many reforms have remained token gestures, often introduced as public relations exercises in the presentation of the party responsible as modern, fair and

concerned with human rights. The practice of turning these symbolic laws into effective legislation has largely gone on behind the scenes, as state feminists and femocrats try to smooth the path towards more effective legislation.

Attitudes in France are changing, but slowly, and political parties have been amongst the slowest to change their attitudes towards women (Opello 2006). As parties serve multiple functions including agenda-setting, policy-making and being gatekeepers to political office, the feminisation of parties is a critical step towards achieving broader levels of gender equality. The 'parity' law may be a vital enabling tool in this regard. Meanwhile, the main forces for change are currently located within the state (women ministers, the Observatoire de la Parité) rather than in wider civil society. Unless the women's movement is able to mobilise and unite once more, French women will be dependent on the small supply of state feminists providing a slow and steady stream of reforms. Given the slow impact of parity (and indeed of every other reform), it could easily be another 50 years or more before the Fifth Republic is as good to its *citoyennes* as its universalist claims would have us believe.

Notes

- [1] The one exception to this rule was the 1986 legislative elections, which were conducted under PR but saw only a negligible rise in the percentage of women elected, despite a sharp increase in women candidates. This was because the electoral system was changed too late in the day to allow women sufficient time to mobilise and ensure good placements on party lists, and the electoral system had reverted back to SMP by the 1988 elections.
- [2] Robert Badinter is the husband of feminist philosopher Elisabeth Badinter; Christine Boutin was the only deputy to vote against the resulting parity legislation.
- [3] Depending on the district magnitude, the requirement is one woman for every two candidates (e.g. senatorial elections) or three women for every six candidates (municipal elections).
- [4] This was Aubry's second stint in this post, having also occupied this role during the Socialist governments 1991–1993.

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