Local Democracy in France: Improvements and Shilly-Shallying

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The paper presents an up to date analysis of the French local government system and its potential for realisation of local democracy. It is structured into three sections in which the pros and cons, the improvements and shilly-shallying delineate local democracy in France. First, through the restricted French vision that participative democracy only supplements, not enriches representative democracy. Second, the structural and organisational crisis of representative local democracy will be examined against the context of continuing process of decentralisation. Finally, the paper concludes that the way local democracy is being defined and operated in France today raises more guestions than it provides answers. Whichever the point of view is taken, several questions need answers. To which degree are representatives answerable? Can participative democracy end up in no democracy?

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Key words: local government – France, local democracy, participative and representative democracy

1. Introduction

Since the 19th century, the successive constitutions of the French Republic have clearly shown a continuous hostility to giving the people tools of direct democracy despite what Jean-Jacques Rousseau described as the *Ideal State* in reference to the rural communities of Switzerland (*Landsgemeinden*) and their long tradition of self-government and direct democracy (*Le Contrat Social*). The fact is that the French have kept a long memory of Napoleon Bonaparte's plebiscites as so many symbols of *Césarisme*. President De Gaulle's philosophy about power only ensured the continued existence of referendums-plebiscites dedicated to the head of state. This spectre of plebiscites explains why the 2008 constitutional reform was reluctant to introduce the right to popular initiative in referenda at the national level. In fact, it only provides for a referendum based on a shared initiative that is very unlikely to succeed: indeed the bill must be introduced by one fifth of all 925 MPs¹ and supported by one tenth of all registered voters, i.e. 4.5 million citizens!

On the other hand, in France as much as in other democratic states, representative democracy is said to be simply outdated or its reputation is under severe criticism. Alternatives to representative democracy have been experienced under the various forms of so-called opinion democracy, participative democracy, or even direct democracy: as if inherited from the ideal type of Ancient Greece. In fact – and this is fortunate for the most vulnerable members of Western societies – only some means of the Ancient Greek regime have inspired lawmakers in contemporary Europe – in the view of reviving democracy at large. However, what is in crisis is not so much representative democracy in itself as the official image that politicians and journalists tend to give it.

Such an endless debate creates a fake competition between representative and participative democracy, especially at the local level, particularly in France, although it is obvious that they are supplementary and not in opposition to one another: citizens' participation in the management

 $^{^{1}}$ The Parliament is composed of 348 Senators and 577 Representatives in the Assemblée Nationale.

of local affairs could be considered as the corner-stone of a compelling evolution towards the inclusion of 'outsiders' - not contenders - into decision-making processes. Keeping in mind that a democratic regime consists of checks and balances, men and women equally able to elect their best possible representatives who are empowered to answer their needs and expectations, this paper will be structured into three sections in which the pros and cons, the improvements and shilly-shallying, delineate local democracy in France: first through the restricted French vision that participative democracy only supplements, not enriches representative democracy: secondly the structural and organisational crisis of representative local democracy will have to be examined against the context of continuing process of decentralisation; finally we will be somewhat forced to conclude that the way local democracy is being defined and operated in France raises more questions than answers. To which extent are representatives answerable? Can participative democracy end up in no democracy?

2. Local Participative Democracy as a Mere Supplement to Representative Democracy

If local authorities are praised as 'the foundation of democracy', 'the laboratory for democracy improvements' France should rank high on the list of the 'most democratic' countries in the world giving the size of its local government units. The fact is that France rather suffers from a curious and unique syndrome among European countries. While the national office for statistics (INSEE) shows that 95 per cent of the French population live in urban areas, 'under the influence of cities' (INSEE, 2011) current regulation about local government responsibilities and legitimacy seems to ignore that urbanization often expands beyond the historical borders of communes that remain the unchallenged basis for any local government reform. We have the smallest commune (Rochefourchat, in the Southeast) with only one inhabitant. We even have communes with no inhabitants at all: six 'dead communes' (mortes pour la France), totally destroyed in WW1 are kept 'alive' and the mayor is appointed by central government's representative (préfet). On the contrary, Paris is the biggest French city with over 2.2 million, but is still much smaller than its British or German counterparts that represent their whole urban regions. The average size of French communes is 1,750 inhabitants while the EU average

size is 5,130 inhabitants. So far successive attempts to merge municipalities have failed to overcome the strong sense of identity that citizens are said to develop in smaller units.

Table 1: Distribution of population in France and in European larger countries

	Total Population (2010; million)	NUTS 2 Regions	NUTS 3 Départements	Local Authority Units Communes
European Union	501.25	271	1,303	121,601
France	64.70	26	100	36,682
Germany	81.75	39	429	12,379
Italy	60.39	21	107	8,101
United-Kingdom	62.04	37	133	10,664

Source: Eurostat

Median population in a French commune is 423 inhabitants, as opposed to 2,300 inhabitants in Italy and 11,000 in Belgium. More than 31,500 communes have less than 2,000 inhabitants ('rural' communes), 255 are over 30,000, and only 11 are over 200,000 inhabitants (Sénat, 2009).

As the French example shows physical closeness of representatives is not enough to ensure a better representation of the communities' interests and their involvement in local politics. As far as the people's involvement in the management of local affairs is concerned, Switzerland is certainly 'top of the European class' since it has experienced citizens' direct participation in decision-making processes since the first half of the 19th century. Since 1947, the Italian Constitution has provided for three direct democracy mechanisms: bills to be proposed through popular initiative (Art. 71), consultative constitutional referenda, and referenda that can repeal a law (Art. 75). The prize list could include Germany after re-unification (municipal and Land referenda), Hungary, Latvia, Lithuania, Poland, and Slovenia, which have added all three direct democracy processes to their constitutions at the time of their democratic transition. Similarly, citizens' popular initiative has been included in the Lisbon Treaty since April 1st, 2012; the trouble is that the mechanism comes up against so many obstacles that it seems more theoretical than real.

Apart from the 1793 Constitution (Constitution montagnarde of the First Republic), which gave the people a right to popular initiative and veto

that had never been enacted, local democracy was restricted to the representative model in all successive regimes.

It took the notion of local democracy ten years after the 1981–1982 decentralization reforms to make its first appearance in the constitutional framework. Popular participation in councils' decision-making processes or consultation was simply forbidden after two successive judgements by the Supreme Administrative Court.² Thus, an Act of Parliament had to be passed to officially seek people's advice about local policies. The 1992 Act (*Loi pour l'orientation territoriale de la République*) tackles the right of local communities to be better informed and to be asked for their advice through consultative referenda only. Budgetary documents must be put at disposal, decisions made in the field of economic public intervention must be officially published, direct consultative processes are created but strictly supervised, and customers of local services can be called into consultative committees to have their say.

Again, it took another ten years for citizens to be more closely included into the making of local decisions through area-meetings (conseils de quartier). Interestingly, at the same time, the rights of opposition party groups in local councils were reinforced and local councillors' conditions for election and status improved (Loi du 27 février 2002 relative a la démocratie de proximité). The mechanisms of participative democracy have recently multiplied: 'public debate', 'citizens' workshops', 'participative budget' are becoming common phrases in newspapers and political speeches. However, France is still testing local direct democracy: the 2003 Constitutional Reform Act opened up the possibility for local councils to hold decision-making referenda in restricted circumstances. Then only indirectly, the 2004 Charter on Environment Protection tackled local democracy³ in relation to the very topics it dealt with. The 2012 implementing legislation⁴ proposed to test the possibility of using participative democracy devices to improve the impact of public enquiries on the elaboration of some categories of by-laws and ministerial decrees, for an eighteen-month period from 2013 onwards. In July 2013, a report to the Ministry of Ur-

² Conseil d'Etat, arrit «Commune d'Aigre», 7th April 1905; arrit «Commune de Brugnens», 15th January, 1909.

³ Article 7 of the Charter: Everyone is entitled to free access to environment-related information that is held by public authorities; they are entitled to take part in the public authorities' policy-making that may have impact on the environment.

⁴ LOI n° 2012–1460 du 27 décembre 2012 relative ã la mise en œuvre du principe de participation du public défini ã l'article 7 de la Charte de l'environnement

ban Policy on citizenship and empowerment of inhabitants in poor areas was titled Ca ne se fera plus sans nous (Never again without us) (Bacqué, Mechmache, 2013) expressing acutely that the traditional tools of citizens' participation as known for the last twenty years have never been bevond mere exercise of public relations or consultation. Sadly, the appalling Sivens dam affair in the Southwest has illustrated this critical report, when in November 2014 a young man died in a demonstration against a planned reservoir to be built on the protected wet lands by a publicly owned company with the approval of the local (provincial) council⁵. No wonder why the news was broken as un drame de la décision publique ã la française (A tragedy of the French-style decision-making process, Le Monde, 21th November, 2014): 'The tragedy reveals weaknesses in the management of public decision-making in France ... (which very much) depends on the balance of political powers on the spot'. In the aftermath, President Hollande proposed to the Conférence Environnementale (National Conference on the Environment) a new model of participative democracy which would be based on local referenda. This is to say that until now participative democracy in France has implied an unfinished business of allowing local communities to take part in the life of their own areas.

So what does participative democracy consist of? If we reckon that country and city planning are its most favoured and complex playfields, we can find the three commonly assumed aspects of participative democracy – information, consultation, and dialogue that only reinforce the idea that participative democracy is mainly seen as a supplement to representative democracy.

As said before, the number of tools for citizens' participation is expanding in France as elsewhere and they mirror the local politicians' various views if not contradicting expectations: some tools are genuinely made to deepen the case for more democracy, others are created to control and adapt the local structures to the law, while still others are definitely purely instrumental in the hands of local politics (Bacqué, Sintomer, 2009; Blondiaux, 2008). Some of these tools are becoming commonplace, like referenda, public enquiries and the various forms of mandatory or voluntary meetings for inhabitants and voluntary sector (comité de quartier, conseil de développement) or their representatives (conseil des jeunes, conseil municipal des enfants, conseil des anciens, conseils des résidents étrangers, commissions extra-municipales), etc. Some remain exceptional, like people's initiatives,

⁵ Conseil départemental du Tarn.

citizens' juries, participative budgets and public proceedings (assises, forums citoyens, conseil communal de concertation, conférences de consensus, ateliers urbains de proximité ...) – contemporary local politics and policies are required to use them as mandatory steps within the decision-making processes of the time for both management and democracy reasons. The politics of citizens' participation is supposed to give a larger number of laymen access to public information from and negotiation with those 'in charge and who know about' on the one hand, and to guarantee easier acceptance and more efficient implementation of public intervention on the other (Blondiaux, Sintomer, 2002).

Participative democracy is expected to achieve numerous goals such as improving local management, social cohesion and democracy at large, and is based on a kind of ideology of closeness (la proximité), enshrined in the Act on démocratie de proximité⁶ – sort of localism – in order to enlist citizens and raise local communities' interest in immediate and downto-earth stakes so that local politics become a daily routine (Lefebyre. Nonjon, 2003). It remains to be seen whether it is no more than a new widely used fashionable word though without any particular meaning or, on the contrary, it signals that a powerful groundswell is changing the way political legitimacy and magnitude are developing across French society. If we agree that it is a notion, it expresses a break into the symbolic inheritance of the French political philosophy, which has for centuries insisted on indexing legitimacy on distance and separation: 'the general public's interest is different from a collection of private interests; the State is separated from civil society, good and rational bureaucracy is untouched by face to face relationships' (Le Bart, 2007). Since it is all about 'getting together' the notion is deemed to help reviving local democracy and to reinforce its legitimacy.

Whatever its merits are, 'close democracy' as a legal mechanism comprises at least two limits: one is often quoted as the NIMBY phenomena: individually represented private or vested interests prevent the community from trying any kind of collective solution. The second limit is that it may discourage or make people feel guilty because they are facing a problem that exceeds their local authority's area and power while they are not given the means to call upon other tiers of government authorities (ADELS, 2004).

 $^{^6~}$ Loi n° 2002–276 du 27 février 2002 relative \tilde{a} la démocratie de proximité.

As a short conclusion on the state of the art of participative democracy in France, one can insist on the fact that these tools have not been created to be efficient. The Parliament carefully handled them in the view of making them non-binding for local authorities showing its definite distrust in participation processes (Feldmann, Guiselin, 2011). Local referenda, consultations, and petitions remain optional for local councils. The creation and functioning of area committees, citizens' forums, local assemblies, etc. is left in the hands and at the good will of local councillors.

For example, only in bigger cities – over 80,000 inhabitants – conseils de quartier must be created. In smaller communes – 20,000 inhabitants or more – the establishment, functioning, chairmanship, and design of their area-basis are left to the municipal council's decision. They may be completely informal in towns under 20,000. Interestingly, the management of contracted or in-house local services (water, garbage collection, transportation, etc.) is now under a rather restrictive scrutiny of consultative committees (commissions consultatives des services publics locaux) that gather appointed councillors and representatives of the voluntary sector in all three tiers of local government (regions, départements and communes over 10,000 inhabitants): the Commissions will only be consulted for new contracted or in-house services.

That is to say that these structures can do no harm! The reason why the Parliament decided about non-binding mechanisms for participative democracy lies in the system of accumulation of mandates (Paoletti, 1998). French local councillors, mayors, presidents of regional or provincial councils can also be members of the Senate or of the *Assemblée nationale*. They refuse to undergo what they see as a limitation to representative democracy and thus have limited, as much as possible, citizens' capability to express their views directly. They want to keep for themselves their decision-making powers and allow for means of direct expression only when they decide so within their local councils.

 $^{^7}$ After the 2012 general elections, 476 out of 577 members of the National Assembly (82 per cent) and 267 out of 348 senators (77 per cent) hold at least one local mandate on top of their national mandate.

3. An Immature Representative Local Democracy in Crisis

First of all, one needs to bear in mind that within the local authority's executive power the French mayor holds the most prestigious seat and more importantly, the largest share of power due to his/her own personal responsibilities as the embodied executive power and also as the representative officer of the central government for registration, election roll and organisation, immigration police, etc. As we will explain further on, the voting system of blocked lists mixes the pluri-nominal majority vote in two rounds with some proportional representation. Since the 2014 municipal elections, this system has been extended to all communes over 1,000 inhabitants⁸ whereas 'panachage' and individual candidacy has been the rule in small communities under 3,500 inhabitants. The 2013 local government reform act definitively reassesses the strong position of the mayor as a 'local monarch' (Mabileau, 1993) and silences the opposition party groups: the winning list is granted 50 per cent of the total seats: the remaining seats are distributed among the lists that gained at least 5 per cent of the votes cast including the winning list.

Even if the mayor is indirectly elected by the municipal council on its first meeting following the election day, most of the time, though not always, he/she is the first name on the winning list. Given the voting system that provides a real bonus to the winning list, there is no excitement about the name of the 'mayor to be'... unless the leader of the winning list decides not to stand for the mayoral election and to let another name become the mayor instead. That is to say that incidentally citizens who voted for the winning list may not be represented by the declared candidate!

Moreover, the French 'disease' of accumulation of national and local mandates (as an MP or Senator and simultaneously as a mayor or president of a regional or second-tier council – le *Département*) has been gradually cured. The 2014 Act definitively forbids MEPs, MPs, and Senators from holding executive powers in local government but it will not be implemented until the 2017 general elections.

Two more reforms were imposed in the 2014 local ballots to improve the representativeness of local authorities: gender equality and direct elections of councils for joint inter-communal bodies.

 $^{^{8}}$ There are 3,732 communes with less than 1,000 inhabitants, which together have 2.7 million inhabitants.

In order to ensure gender equality, the lists of candidates must contain an equal number of women and men, alternately ranking (one man, one woman or conversely), in the 6,550 communes over 1,000 inhabitants so that the number of women in politics should increase by about 16,000.

Regarding direct election of inter-communal councils, for the first time in the 2014 local elections, citizens directly elected their representatives in the municipal and inter-communal joint councils by one ballot: from the blocked lists the first names in the elected lists were also to become members of the related inter-communal council. The government prided itself that the 2013 reform act also provided for the first ever direct election of these joint bodies through municipal elections. In fact, the same provision was incorporated in the 2010 reform act under the Fillon Government as President Sarkozy elaborated it. The 2010 Act had been abolished after the swing in the 2012 presidential and general elections. In small communes, fewer than 1,000 inter-communal councillors are members of the municipal councils according to the classical order (mayor, first and second deputy-mayors). In fact, as citizens have no choice when choosing members of the inter-communal councils, both the new system and the previous one, which has been in existence since the end of the 19th century, end up with practically the same result.

Can we expect the developing inter-communal system to become really democratic at a time when it is transferred more and more responsibilities and financial means from its member-communes? The question must be asked since the system has been repeatedly criticized for its lack of legitimacy and transparency (Caillosse et al., 2001; Desage, Guéranger, 2010). It is sufficient to explain that since the end of the 1990s Parliamentary reports, debates, and academic research for local government associations and political lobbies have endlessly pointed at the same failure to deliver democratically controlled policies while chairmanship and executive powers for such councils have never accounted for the calculation of accumulated mandates. The reason is that mayors, whether they are presidents or vice-presidents of inter-communal bodies or not, do not want them to be fully regarded as local authorities and endowed with a status that could impinge on communal sovereignty.

4. Further Questions to Be Raised Rather Than Clear Answers to Be Given

To sum up our critical review of local democracy in France, we will analyse both representative and participative aspects under two dimensions. First, we will deal with the issue of representative through democratic control over councillors and councils' work, then we will assess the real part played by participative democracy within the local government machinery.

Representative democracy and the control over councils' work: how much are elected councillors answerable? Local government responsibilities and functions seem to be definitely entangled due to the implementation of the principle of freedom of administration which is allocated to all three local authority categories, the commune, the département, and the region, but not to joint bodies (établissement public de cooperation intercommunale, EPCI) which have only delegated powers. Functions and, consequently, human resources tend to be multiplied and duplicated not only among local councils but also between local and central government. Institutions are literally pilled as a result of institutional reform-policies that have created more structures on top of one another "without ever abolishing, clarifying or re-organizing" (quoted from the report for the Local Government Reform Bill, 2009). Moreover, the territorial structure of communes as well as of EPCIs is crumbling, despite recent reforms that tend to control and rationalize the number of joint bodies. Finally, most of these organisations lack legitimacy and direct accountability before citizens since their councils mainly end up in coalition governments as defined behind closed doors. Indeed, French and foreign academics as much as parliamentary reports (Balladur 2008 Commission Report to the President and Mauroy 2000 Commission Report to the Prime Minister; 2009 Senate Report) have repeatedly expressed their concern about the deepening crisis of the French local government system which is traditionally based on a mixed machinery of three-tiered local authorities and numerous bodies with no local authority legal status in between.

A research project studying 344 legal actions against local authorities at the Administrative Court in Lille from September 2008 to September 2009 showed that only 36 (10.5 per cent) were raised by the prefect, while 215 (63 per cent) were initiated by individuals and 44 (13 per cent) by companies (Contamin, 2011). Beyond the rule of the game, the prefects' restrained room for manoeuvre in the field of legal control over local au-

thorities (and reduced number of qualified staff!) seems to reduce the importance of formal scrutiny, which is, nevertheless, one of their main raisons d'itre. Since political control over local government remains largely impossible in France due to the voting system as explained above on the one hand, and to the constitutionally expressed *libertés communales* that protect local authorities and their personnel on the other, it is a paradox that political control seems to develop in France through legal action. The decentralisation reform has evolved within a presidential style and regime for local authorities that provide citizens with few means to influence local policies politically. As we have already seen, citizens' involvement and participation in local affairs remain at the good will of the council, especially of the mayor.

As a whole, the 'municipal presidentialism' model as it has developed since the last quarter of the 19th century under the Third Republic, only expanded into councils of regions and *départements* through transferred executive powers and resources to the council presidents personally. It was a simple implementation of the devolution of powers to the President of the Republic under the 1958 Constitution: the mayor and presidents are not answerable to their local councils which mainly play the role of ratifying their decisions. Thus, political control is restricted to recurring election process not forgetting the impact of the 'nationalisation' rule of local elections.

Participative democracy: Participation without democracy? Participation against democracy? What are the aims of using semi-direct democracy tools? What use is being made of them? Is there any risk of splitting the society into two opposed groups over sensitive issues? For sure, since the decentralisation reform, a wider number of local politicians have been called upon and intervened. Nevertheless, we have explained that participation has been established on ad hoc basis and it still depends on the good will of mayors, as the case of local referenda shows (Paoletti, 2007). For that reason, new decentralisation reform bills have been passed at top speed since the end of 2012 as parts of President Hollande's electoral manifesto. The trouble is that they have often been against the Senate's advice, although the upper chamber is constitutionally designed as the representative body for local authorities and local interests in the French Parliament.

First, it was about abolishing the 2010 Act on the creation of *conseillers* territoriaux (local councillors accumulating responsibilities for both regional and provincial councils and meeting for both tiers of local govern-

ment). Then there was a need to clarify the distribution of responsibilities between each type of local authority and between central and local government. The Government has decided to create new local authorities (métropoles) as a sort of unitary councils for major urban areas over 400,000 inhabitants that could become autonomous enclaves detached from their département and region areas in the long run.9 From 1st January 2015, the inter-communal bodies (communautés urbaines) around Bordeaux, Brest, Grenoble, Lille, Montpellier, Nantes, Rennes, Rouen, Strasbourg, and Toulouse have become metropolises with larger responsibilities, voluntarily or not delegated from communes and from central government. On the same day, Lyon Métropole urban area was established as a new local authority that endorses delegated responsibilities from the Rhône Département on top of the tasks devolved from its member-communes. 10 The Maptam Act has created two other new métropoles with a special status: Grand Paris and Aix-Marseille to start on 1st January 2016. Smaller urban areas can be turned into pôles métropolitains.

Nice area is the only *métropole* that was created as early as 1st January 2012. On the 17th November 2011, while a member of the Fillon Government (2007-2012), Christian Estrosi, the mayor for Nice city council and president of Nice-Communauté urbaine was granted the first ever status as *Métropole Nice Côte d'Azur* by the Minister of the Interior according to the 2010 local government reform Act which was abolished in 2013. This status remains to be revised to conform with the new provisions of the 2014 Maptam Act.

More controversial and much more resented, even by members of the Left majority group in the French Parliament is the reform of the regions in continental France. Finally, despite lengthy consultations and negotiations, 13 enlarged regions will replace the 21 of those that dated back to the 1970s. The final decision was President Hollande's, who announced the late restructuring into a still smaller number after the Government Bill had announced the establishment of 14 regions at the beginning of 2014. Facing solid inertia in the structure and devolution processes of local responsibilities and powers, tools for participative democracy have only brought cosmetic change so far. The traditional division of labour among

 $^{^9}$ Loi de modernisation de l'action publique territoriale et d'affirmation des métropoles (loi Maptam), $27^{\rm th}$ January 2014. By-laws signed up by the Minister of the Interior delineate each métropole.

Décret en Conseil des ministres, 17th December, 2014. Métropole de Lyon.

local politicians is not questioned in-depth and participative democracy can still be set against representative democracy at the local level in France (Lefebvre, 2012).

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LOCAL DEMOCRACY IN FRANCE: IMPROVEMENTS AND SHILLY-SHALLYING

Summary

The paper presents an up to date analysis of the French local government system and its potential for realisation of local democracy. It is structured into three sections in which the pros and cons, the improvements and shilly-shallying delineate local democracy in France. First, through the restricted French vision that participative democracy only supplements, not enriches representative democracy. Second, the structural and organisational crisis of representative local democracy will be examined against the context of continuing process of decentralisation. Finally, the paper concludes that the way local democracy is being defined and operated in France today raises more questions than it provides answers. Whichever the point of view is taken, several questions need answers. To which degree are representatives answerable? Can participative democracy end up into no democracy?

Key words: local government – France, local democracy, participative and representative democracy

LOKALNA DEMOKRACIJA U FRANCUSKOJ: POBOLJŠANJA I NEODLUČNOST

Sažetak

Analiziraju se suvremeni razvoj francuskog sustava lokalne samouprave i njegov potencijal za ostvarenje lokalne demokracije. U tri poglavlja prikazuju se dobre i loše strane te poboljšanja i neodlučnost u razvoju francuske lokalne demokracije. Najprije se razmatra ograničeno francusko shvaćanje da participativna demokracija samo nadopunjava, a ne obogaćuje predstavničku demokraciju. U drugom se poglavlju razmatra strukturalna i organizacijska kriza lokalne predstavničke demokracije u kontekstu stalnog procesa decentralizacije. Način na koji se danas definira i upravlja lokalnom demokracijom u Francuskoj postavlja mnogo više pitanja no što daje odgovora. Koje god stajalište se zauzme, postavljaju se bar dva važna pitanja: do koje su mjere odgovorni lokalni politički predstavnici; je li moguće da participativna demokracija završi tako da demokracije više ne bude?

Ključne riječi: lokalna samouprava – Francuska, lokalna demokracija, participativna i predstavnička demokracija