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Antoine Vauchez and Pierre France, *The Neoliberal Republic: Corporate Lawyers, Statecraft, and the Making of Public-Private France*. Translated by Meg Morley. Ithaca, NY: Cornell University Press, 2020. xii +190 pp. \$125.00 U.S. (hb). ISBN 978-1-5017-5254-4; \$21.95 U.S. (pb). ISBN 978-1-5017-5255-1; \$14.99 U.S. (eb). ISBN 978-1-5017-5256-8.

Review by Emile Chabal, University of Edinburgh.

Depending on who you read, France has either been unusually resistant to neo-liberal ideas or it has entirely succumbed to them. The first of these arguments was widely disseminated in the 1990s and 2000s by those who saw France and its institutions as permanently hamstrung by the legacy of a top-heavy *dirigiste* state.[1] The second argument was being made at much the same time by left-wing activists who bemoaned the collapse of the Socialist project in the 1980s, the growing wave of privatisation in the late 1980s and 1990s, and the stranglehold of a so-called *pensée unique* amongst the country's elites.[2] It is one of the merits of this book that, while both authors clearly feel much greater sympathy for the second of these arguments, the empirical material they have collected suggests a more complicated story. If France's institutions--and the French themselves--have indeed resisted the incursion of neo-liberalism in the last three decades, this does not mean that they have been impervious to them. The French elites, in particular, have found themselves increasingly at the mercy of the neo-liberal turn.

The focus of Antoine Vauchez and Pierre France's study is the relationship between politics and corporate law. This will be a familiar subject for Americans, but it has received almost no attention in France. This is partly because of the radically different structure of the French legal system, which until recently was closely tied to the state through educational institutions, patronage networks, and a strong ethic of public service. As a result, business or corporate lawyers were few and far between. As Vauchez and France eloquently put it, "the representatives of the legal profession in France, heirs to a quasi-aristocratic conception of their role emphasizing disinterested detachment and noble vocation, were careful to confine the legal specialists closest to mercantile activity (in-house legal counsel, business agents, notaries, etc.) to the periphery of the profession...and the bar association imposed an array of restrictions to circumscribe the commercialization of the law...and generally prevent lawyers from participating in business activity" (p. 18). But this reality could not survive the rapid transformation of the legal profession in the 1990s. The arrival of US law firms, the growing demand for corporate lawyers at the European level, and the opening of the bar to tax specialists brought corporate law to the centre of the French legal field. This process was precipitated by the introduction of corporate pay structures that meant French lawyers could receive much higher salaries and bonuses working for a US corporate law firm in Paris than for a traditional French law firm.

The corporatization of the bar was, in and of itself, a major shift in France's legal culture, but Vauchez and France are interested in a specific aspect of this process, namely the increasingly porous boundary between state institutions (ministries, public administration, political cabinets, etc.) and the legal profession. Based on the biographies of over 200 lawyers and twenty-five in-depth interviews, they examine in detail how the boundary between public institutions and private legal actors has broken down in the past three decades. This is not simply a case of what the French call *pantouflage*, a term used to describe the move from a public or state institution into a private one. Rather, Vauchez and France give us a sense of the circulation of actors across the public-private divide. They paint a picture of a hybrid space where lawyers, accountants, tax officials, politicians, parliamentary aides, elected officials, and many others move freely between the worlds of corporate law, political influence, and political power. In some cases, this takes place through the straightforward transfer of personnel, as individuals move from state administration to corporate law, to finance, to positions of political responsibility, and back again. In other cases, the connections between these different worlds are facilitated by educational institutions, think-tanks, clubs, and even family connections. Whatever the mechanism, the result is the same: the development of a new "policy common sense" that emphasises the "synergies" and "advantages" of public-private cooperation in a neo-liberal key (p. 92).

Vauchez and France steer clear of the conspiratorial tone that often mars critical work on the contemporary French elites, but their conclusions are unambiguous. For them, the circulation of actors between politics and corporate law has resulted in the "hollowing out of the public interest" (p. 91) and a "black hole" (p. 117) at the heart of democracy. These are strong statements, but the authors provide a wealth of evidence to support their claims. The theoretical apparatus of the book draws on some of the most penetrating work on the formation of the French state, from Pierre Bourdieu to Alexis Spire. The range of examples and the biographical methodology are extremely convincing. The emphasis on the creation of new circuits of "public-private intermediation" (p. 78) that support a "public reliance on legal expertise" (p. 47) is both plausible and penetrating--and the use of interview material adds welcome texture to the analysis. It no doubt helps that, soon after the original French edition of the book appeared, the authors were handed a perfect example of their arguments in the form of Emmanuel Macron. The short afterword to the book, in which they explain Macron's insurgent victory in 2017 as a logical extension of a blossoming culture of public-private interaction, is very good. We have become accustomed to criticisms of Macron that emphasise his strong neo-liberal credentials, but Vauchez and France explain what this actually means and how it relates to structural changes within the architecture of the French state.

If Macron provides a spectacular validation of the authors' arguments, there are times when the authors perhaps overstate their case, especially in relation to the penetration of neo-liberalism amongst the elites. There is a genuine attempt in the book to show how neo-liberalism works in practice, and readers will come away with a better understanding of how it shapes individual and institutional decisions. Nevertheless, some of the empirical material suggests that much older forms of social and cultural reproduction are still the main drivers of elite formation. Almost all the "crossovers" (pp. 72-78) who make up the authors' biographical database are men and have been to France's most elite educational institutions (above all, Sciences Po). In many cases, they come from extremely privileged family backgrounds as well. Thus, while the arrival of aggressive US law firms into the French legal marketplace clearly shook up the structures of the legal profession, the reader is struck by the resilience of these traditional patterns of elite formation

and sociability. The *énarchie* that has been the subject of so much political vitriol in the last few decades seems to be doing just fine in this new neo-liberal configuration. Is this due to the success of neo-liberal ideology or the French elites' ability to co-opt it? The answer may not be as clear-cut as Vauchez and France suggest.

More generally, it is a shame that the authors did not spend more time exploring the relationship between the emergence of a public-private sphere and the long history of political corruption in France. Even sporadic observers of French politics know that corruption is rife. Kickbacks, embezzlement, favours, and siphoning of cash are endemic problems at all levels of government in France, from the president downwards. This topic has usually been dealt with in sensationalised terms by journalists covering the endless array of scandals that afflict French politics, but research from other parts of the world—especially sub-Saharan Africa—has greatly enriched our understanding of “corruption” and its function within modern states. Some of these insights could have been put to use in this book. Amongst other things, this would have given a more nuanced picture of the French state. While the authors resist the “nostalgic” temptation to view the post-war French state as a bulwark against capitalism, they still have a tendency to assume that democracy in France has been—and should be—guided by a strong sense of the “public interest.” Yet the reality is that political corruption, clientelism, and vertical forms of patronage have played a key role in anchoring the legitimacy of the state—and notions of public interest in France have always incorporated them implicitly or explicitly. In this sense, the kind of public-private collusion that the authors so successfully describe in the book is merely another example of how forms of corruption have preserved rather than undermined the integrity of the French state.

It is worth mentioning that this book demands a high degree of knowledge of contemporary French politics. The authors and translator have done a valiant job of explaining the multiple agencies, acronyms, institutions, and roles that appear throughout the text; they have even added an explanatory glossary at the end of the book. But it is still hard work. Some translated passages are awkward or do not quite make sense, and many of the references to political personalities and scandals are written for an audience that regularly reads French media outlets like *Le Monde* and *Mediapart*. The uninitiated are likely to find this disorientating. To some extent, this is inevitable given the strongly Franco-French material, but it is something of a shame since the core argument of the book is fascinating and worthwhile. Vauchez and France have succeeded in unpicking the mechanisms by which neo-liberal ideas and practices can penetrate both the political and legal realms. In so doing, they reveal how easily we have been seduced by the ideological power of “banal” neo-liberalism.[3]

NOTES

[1] Variations of this argument can be found in Tony Judt, *Past Imperfect: French Intellectuals, 1944-1956* (Berkeley: University of California Press, 1992); Jack Hayward, *Fragmented France: Two Centuries of Disputed Identity* (Oxford: Oxford University Press, 2007); and the writings of French intellectuals such as Michel Crozier, Alain Minc, or Nicolas Baverez.

[2] The idea of the *pensée unique* was strongly associated with *Le Monde Diplomatique*, which also provided a platform for writers and activists critical of neo-liberalism and globalisation in the 1990s, especially after the public sector strikes in 1995.

[3] I have borrowed here from the analytical framework Michael Billig used to analyse nationalism in Michael Billig, *Banal Nationalism* (London: SAGE Publishing, 1995).

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