

# Sarkozy's clean slate: a new French commitment to democracy and human rights?

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France's heritage alone should stand it in good stead as a promoter of democracy; the republican values of liberty, equality and fraternity, Montesquieu's writings on the separation of powers, the 1789 Declaration of the Rights of Man and of the Citizen. Steadfast in their national pride, many French defend the Republic's virtues in democracy as given.

In 1990, President Mitterrand reputedly placed France at the head of the democracy promotion commitment with his speech at Le Baule by stating that "French aid will be ungenerous towards authoritarian regimes and more enthusiastic towards those who choose the path towards democracy [...] there is no development without democracy and there is no democracy without development". Yet the post-Cold War era did not bring any significant French achievements in this field, and was in fact characterised by support for dictatorial regimes in Africa and the Middle East through historical linkages. According to one diplomat, the French attitude to democracy has always seemed either reactive, or even defensive through its protection of "friends" and national interests. Consequently, experts in development have for years criticised France's contribution to democratisation as at best empty or limited, and at worst, detrimental.

The presidential elections of 2007 thus generated hopes of a shift in foreign policy, away from traditional bonds and towards a greater commitment to democratisation.<sup>1</sup> Nicolas Sarkozy has certainly made bold and well-publicised strides in defining a new foreign policy for France. But has his pragmatic realism brought any evidence to suggest a new vision for promoting democracy?

## Empty rhetoric?

The "high politics" dimension of democracy promotion, via public and state diplomacy, commercial deals or military intervention, is inevitably the most visible and thus the most readily scrutinised. The new administration's rhetoric on values, principles, and dedication to fighting corruption and human rights abuses has been impressive. Yet using the prestige of values to eclipse an otherwise uninspiring democratisation policy is not a new concept; they were utilised during Napoleon's reign to justify imperialism as "civilising missions". Centuries later, the same complaint emanated from the ex-colonies themselves when after La Baule,

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<sup>1</sup> For example one important NGO the CCFD (Comité Catholique Contre la Faim et Pour le Développement) lobbied during the presidential campaign for the new French administration to more actively promote democracy.

efforts to promote democracy appeared absent. Discourse from Africa in the 1990s accused France of using a very selected application of its “values”, adding that virtuous political rhetoric could not hide France’s failings in the democratisation process.

Today, amidst talk of new beginnings we are certainly witnessing many fresh initiatives, yet much of this has been characterised by deals with leaders who have questionable democratic standards. Whilst he did halt diplomatic contact with Syria because of its involvement in the Lebanon presidential crisis, the French president has signed oil and gas contracts with Algeria, and nuclear cooperation accords with the United Arab Emirates, Qatar and Libya. He has also held cooperation talks with Saudi Arabia which he describes as the pole of moderation and stability in the region. Inevitably, critics accuse Sarkozy of countering democratisation efforts and of sidestepping moral principles.

One of the main objectives stated by the president in his introductory speech to French ambassadors was to end France’s paternalistic relationship with certain states and to reorganise these ties by restoring the moral dimension of foreign policy. During the presidential campaign he stated that he would only cooperate with democratic countries, refusing to support dictatorships or corrupt regimes. This was a riposte to former president Chirac’s much criticised personal relationships with certain African elites and the policy of “Francafrique”. Yet signing such deals and praising leaders such as Egypt’s Mubarak, Saudi King Abdullah and welcoming African leaders such as Gabon’s Bongo, Libya’s Gaddafi or Congo Brazzaville’s Sassou Nguesso is, for some, too reminiscent of previous questionable affiliations. Furthermore, it seems that although some positive steps have been made, these paternalistic ties have not yet ceased; whilst Sarkozy pledged his support to the trial of ex-Chadian leader Hissene Habre, who had previously counted on France’s support, he also offered a 50 million euro “gift”, by way of debt relief, to oil-rich Gabon when he made an official visit to the country. Even now Germany suspects France of a hidden agenda in heading the EU peacekeeping force to Chad. Understandably, many Africans also feel suspicious of the new President’s actions. Accords have been signed on an ad-hoc basis, with no clear overall strategy; during his visit to Cameroon in October 2007, Sarkozy signed two conventions with President Biya, two million euros for a decentralisation programme and one million euros for modernising the police, both activities of democratic governance but also explicitly designed to enhance security and stability.

Indeed the importance placed on maintaining stability has always been a defining feature of French foreign policy with direct implications for the promotion of democracy - especially when used to justify decisions to intervene militarily in support of autocratic regimes in Africa. The use of stability to justify questionable activities is still used today by Sarkozy in his support of the Algerian and Egyptian governments, in order to stop the Taliban and the Muslim Brotherhood respectively. But even though the new president has so far failed to cut this paternalistic relationship with Africa, as demonstrated by the military accords with Chad and Togo and his failure to address issues of democracy before any other interaction, it must be remembered that Sarkozy and Chirac come from very different generations and that the relationship that each has with the continent are very distinctive. Rather than personal relationships with African elites, Sarkozy’s relationships seem based on keeping to his pragmatic and realist foreign policy approach.

Most notably however, Sarkozy has justified these visits with a new policy that specifically links his actions to democratisation, namely “reconciliation diplomacy” whereby rather than promoting human rights and democracy, France will promote *diversity*, cited as a common value for all that will not block communication efforts. By taking this stance, Sarkozy has placed French democratisation policies in an interesting position, not only countering (perceived) American democratisation methods of “imposing a model”, but also other European ones.

Sarkozy has in a similar bid even defended his nuclear cooperation accords as encouraging the democratic process. He asserts that as long as there is petrol and gas, and thus rentier states, these countries can never become democratic. Hence, by sharing civil nuclear programmes, the state has a better chance of fomenting a democratic system.

Many question the president's prioritisation of economic interests and moral principles. However this criticism was pre-empted by Foreign Minister Kouchner in his speech at the Day of International Cooperation and Development in July 2007, when he asserted that France's economic competition in a globalised market does *not* depend on moral weakness; that renouncing values for a few contracts has never brought power and that a steadfast attitude towards values is the "surest incarnation of our force, including commercial force".

This has also silenced speculation of a possible rapprochement towards an American style democratisation policy under Sarkozy. Thawed relations between the two states aroused talk of a turnaround in France's staunch opposition to the Iraq war style of democratisation. Yet, one official explains that any shift towards this would be inherently impossible for any French leader because of differing historical experiences. With so many changes of empire and republic in France, it is believed that no one model of democracy can last forever and thus there is no one "model" of democracy to export. Another historical reason for this is colonialism, an argument often used by Jacques Chirac. Having seen the French system fail in many countries, exporting one model or even "regime change" again is inconceivable. Thus if one thing does seem coherent, it is that any democratisation policy under Sarkozy will not reflect warmer relations between France and the US at the diplomatic level.

Certainly, one cannot accuse the new president of inaction, not only in responses to crises but also in launching new initiatives, and Sarkozy's frenetic probation period has not abated. However, political commentators have assessed that the omnipresent president may need to conciliate discourse and actions or risk deviating from his stated objectives. Though his actions may seem to counter democracy promotion, the rhetoric on values defends it. We need to see the opposite: solid policies defending the rhetoric on democracy and human rights.

## The promotion of culture

Just as French values and principles are used to defend democracy promotion activities, so is the French culture and language. The traditional promotion of culture seemingly goes hand in hand with the promotion of democracy and, as Kouchner asserted in an early speech, France must "place culture at the heart of development".

The Foreign Minister also stated that the three major achievements of French foreign policy have been human rights, academic influence, and francophonie; it is clear that the French regard their culture as having a certain amount of international leverage in promoting democracy. This is not a new development, but has been particularly stressed in early discourse emanating from the new administration. Kouchner takes it so far as to end his speech by saying that he wishes "to make it so that there is not a library in Asia in which one does not find a French book, not an enlightened African spirit in which one does not find a French soul, and not a quality American website without a link towards a francophone site".

In this respect, the International Organisation for La Francophonie (OIF) has become an important tool in promoting democracy, the government claims. Although it is not, strictly speaking, a French organisation, it still represents the importance of using French culture and civilisation to

help foster democratic reform. Originally created with the aim of promoting the French language and cultural solidarity, it has since the Bamako declarations of 2000 added a political dimension to its activities with the aim of promoting democracy and human rights, including the financial means to this end. The organisation's claim is that Francophonie and democracy are indivisible and thus "peace, democracy and justice" was the second priority funding activity in 2004-2005, with 10,165,000 euros amounting to 20% of the total budget. This mostly goes towards electoral observation missions but other actions include, for example, using French advisers to train locals or cutting cooperation in response to coups such as in Mauritania in 2005.

There is little doubt that cultural diplomacy has above all *political* objectives but its role in the promotion of democracy seems to be taking on a more defined position under Sarkozy and Kouchner, with a clear awareness of its potential as an effective lever in diplomatic relations.

## Democracy funding

As aforementioned, there has been much activity at the level of high politics and plenty of rhetoric on moral values in foreign policy. But have French policies changed on the ground, in terms of the funding offered for democracy and human rights projects?

In his mission letter to the new Foreign Minister, Sarkozy declared that development aid should be defined in terms taking respect for democracy, the fight against corruption and the rule of law into account, while concrete projects that are visible on the ground should be given priority. Is this aim being fulfilled?

French work on democratic governance is managed for the most part by the sub-directorate for democratic governance within the Directorate General for International Cooperation and Development in the Foreign Ministry. This sub-directorate in turn consists of four units representing the areas within democratic governance prioritised by the French administration; rule of law and public freedoms, financial governance, state modernisation and local governance, and conflict prevention and reconstruction.

It is difficult however to assess the level of work carried out specifically to foster democratic reform since each area contains projects that may fall outside of what can be defined as the promotion of democracy. Nevertheless, considering budgets as a reflection of priorities, we can deduce which areas are most favoured; we see from the latest available figures from 2006 that financial and statistical governance was allocated the most money with 23.7%: followed by justice and human rights (19%); local governance (16.5%); central government modernisation (15%); police and civil defence (13.5%); and conflict prevention (12.2%). Activities on democratic governance are not exclusive to the sub-directorate, with projects also funded from an array of other departments, although the bulk of the work is done here.

The French allocations for democratic governance are divided between "crédits centraux", funds for projects managed from the sub-directorate in Paris, and "crédits de postes" which are funds sent directly to French embassies in third countries who monitor the projects and their funds locally, albeit in coordination with Paris. Before any budget is decided, the embassies consult with the sub-directorate in Paris on how much they estimate they will spend on upcoming projects, and vice versa. Applications for credit are then sent to the Ministry of Foreign Affairs in accordance. The figures show that the embassies receive considerably larger amounts than the sub-directorate; for example only 2.7% of allocations for justice and human rights were

monitored by the sub-directorate in Paris in 2006, whereas most regional projects or multilateral projects such as with the FIDH (International Federation for Human Rights) or the UNDP will go via the central credits at the sub-directorate.

This is especially true of work in the rule of law unit in which, for the most part, embassies propose projects rather than being offered them, and the sub-directorate sends technical assistants to collaborate. It would seem reasonable to assume that governance work at the state-system level cannot be carried out without the will of the authorities. With the aim of re-legitimising the state, this unit works on the logic that more than just free elections are needed in order to establish a democratic system. The unit thus supports projects such as training police (21 projects), reforming judicial systems (17 projects), and human rights (3 projects), with the aim of offering real expertise in order to train local judges and police, help to re-write texts, documentation and so on. Two particularly successful projects have implemented in Afghanistan involving the training of judges and lawyers in collaboration with the German government, and the training of anti-drug police. Other highly successful projects, focussing on the democratisation of the Arab world and with a budget of 300 million euros each from 2006 to 2008, have been implemented via the FIDH in collaboration with the Spanish.

The French military role in democratisation has for many years been dubious. However, apart from the highly contentious military support offered to certain African autocrats in the past, the Directorate for Military Cooperation and Defence, which operates hand in hand with French diplomatic activity, also has a role to play in democracy promotion, its officials argue. Their work includes re-establishing the rule of law and helping to train army officers and make them more accountable. Whilst part of a different directorate, their work is comparable to that of the rule of law unit, but for non-civilians.

The sub-directorate's doctrine, as well as all its areas of work, is detailed in the recently published Governance Strategy (December 2006). A comprehensive policy outline and the result of a year-long drafting process, the document will theoretically act as the guideline which every project concerning democratic governance, across all government ministries and in the field, will follow. This reworking of the strategy showcases three key developments; governance as a process rather than short-term objectives, the notion of appropriation, and the involvement of civil society. Unfortunately, it will take some time before the strategy becomes known to all actors and as it stands, it would be optimistic to assume that the political directorates would take the strategy into account at this early stage.

Nevertheless, the strategy has been well received, particularly in the forthcoming DAC assessment of the OECD (revised every four years for each country and due in May 2008). Of particular interest is its clarification of the French position on two important issues; engagement with civil society and the notion of conditionality.

In the past, French efforts on democratic governance have been known to take a very state-centric approach. Most projects continue to require state support from local governments since technical assistants are delegated to consult and assist in the reform, reorganisation and modernisation of judicial systems, police, parliaments and civil services. However, despite this approach to democratisation, greater efforts have been made over recent years to include civil society in what the sub-directorate describes as the *process* of democratisation. That is to say that "governance is not a set of rules or an activity", most probably referring to the continued French commitment to counter what is perceived as the American method of "exporting" a democracy model. This process must therefore include all sectors of a given country, including

civil society. For the moment, however, it is yet to be seen if there will be a considerable shift from the predominant statist approach that exists at present once the new strategy really comes into force.

One controversial factor that has always been of interest is the notion of conditionality, a result perhaps of the French military interventions in undemocratic African states. It seems that the stance on political conditionality has not altered, and with their bilateral aid being “politically neutral”, the French remain opposed to the use of conditions to determine levels of aid to third countries. As one diplomat suggested, the line between conditionality and alienation is uncomfortably thin. Thus democratic governance is not, according to the strategy, an automatic conditionality instrument. Instead, results will determine the *modes* of aid as opposed to the levels of it.

Another important document which has recently been published through the sub-directorate is a strategy on fragile states within the unit for conflict prevention. One aim of the document is to state the necessity of moving from a remedial approach to a preventative one, which will theoretically provide a link to democracy and governance policies.

## Aid decreases

Therefore, at least within the department for development policies, a conscious effort has been made to consolidate and coordinate the directorate’s strategy on how to promote democracy in third countries. However, regardless of this positive move or any dedication and effort on behalf of the sub-directorate, their work has inevitably been constrained by certain factors, perhaps the most significant of which being funding levels. A direct line of aid to democratic governance does exist, yet the French government’s credibility in matters of democratisation has continued to suffer for many years as the central budget for the democratic governance department receives progressively less money each year:

2002	2003	2004	2005	2006
€ 86,167,179	€ 81,012,453	€ 62,033,869	€ 53,627,394	€ 51,652,324

This decreasing amount has maintained France’s very low position on the ranking for European countries’ contributions to democratic governance, despite the increase in Official Development Aid in accordance with the UN millennium goals. Whilst France’s total ODA is amongst the world’s highest, funds for democratic governance constitute less than 1% of it.

This direct budget for democratic governance is not the sole contributor to France’s governance work. One official in the financial department quoted the governance budget as being between 50 and 100 million euros suggesting a very big allowance for discretionary contributions to democratisation. For example, there are some additional public policy supports which affect the various sectors, including that of democratic governance. It is important to bear in mind, for example, that money spent on sending technical assistants is not included in this budgeting though they certainly play a primordial role in the governance projects.

Officials cite three reasons for the paucity of French governance funding. The first factor is the policy of debt cancellation. As one official explained, approximately 200 million euros per year

go directly to cancelling bilateral debts and this has continued to deplete available aid since the debt relief initiative for heavily indebted poor countries (HIPC) was introduced. There is evident resentment towards this policy within some governmental ranks, with one official describing French aid as the victim of NGOs that started to advocate this policy at the end of the 1990's.

This negative correlation between ODA and the governance budget is, however, misleading. French aid has increased in recent years precisely in order to accommodate debt relief operations which constituted a third of ODA in 2006. If we exclude debt relief, we see that French aid has in fact decreased by a small amount, thus explaining a decrease in the democratic governance budget.

The second reason given is that French development aid is "multilateralising". France has for many years expressed the desire to play a more influential role within international bodies and thus has prioritised global funds such as the European Development Fund which include governance issues, and multilateral projects such as those run via the UNDP. Multi-donor funds are considered by the French to be more efficient and coherent and whilst relatively low on bilateral aid, French multilateral contributions via international organisations have always positioned well; France is the leading contributor to the 9th EDF, donating 23.4% of the fund. Democratic governance is no exception to this and a very large part of French aid efforts are allocated to such multilateral funds. However, since the work of democratic governance is more bilateral in nature than other sectors, the commitment to multilateral aid is said to have resulted in a direct decrease in the sub-directorate's budget.

However, whilst more money is spent multilaterally, it has been recognised that despite this the French need to work harder towards getting more leverage and influence in the democratic governance strategies of the international organisations that they help fund. Whilst their contributions are large, their capacity to influence is much lower than that of the UK or USA. The French do possess the appropriate instruments to make a difference, but need to adapt them and become more "present" in the democratisation field.

Furthermore, despite the preference for multilateral funding, Jean-Marie Bockel, the state secretary for cooperation and francophonie said in his introductory speech that one particular priority should be recovery of the proportion of funds previously allocated to bilateral aid. In 2005 this consisted of 3 billion euros out of an 8 billion euro aid budget. Such a shift would be wholly necessary if efforts in democratic governance were to be better supported.

One important way in which France could be more present in the field, more in touch with civil society, and justify more bilateral spending, would be to place more importance on French NGOs. Whilst their numbers are growing, there is no tradition of governmental funding and France is known for having a weak network of NGOs compared to its European partners. Shockingly perhaps, one official explained that the French parliament does not traditionally "like" NGOs and therefore does not allocate much money to them, preferring to give aid via the public sector. Furthermore, NGOs have maintained a very "developmental" approach, objectives such as fighting poverty rather than corruption for example, because those that do fund them have never been happy for them to make "political" moves such as criticising democratic practices. In fact, one piece of legislation still exists today, although it is not necessarily fully enforced, which prevents NGOs from becoming too political, stating that NGOs should only concern themselves with "local issues".

This leads to the third issue which reflects more on French attitudes to development aid. ODA is managed by the French parliament, but MPs are "very rarely the type of people who would

appreciate cooperation becoming too political”, and they therefore allocate funds to education, health and so on rather than governance. The idea that “all that is politics belongs with the state” has had a significant influence, meaning that any attempts to engender political change would not be the work of the development departments. This again plays a role in France’s opposition to American-style democratisation, which has been more political and short-term.

Entering into a vicious circle, France’s institutional top-down approach to democratic governance has meant fewer NGOs working in this sphere and thus, with little presence on the ground besides technical assistants, France’s efforts to add more bottom-up activities is made more difficult.

As we see therefore, whilst there are valid reasons to explain why the democratic governance budget is so small and decreasing, the question seems to be more one of conflicting views on democratisation between the political and developmental elements of Foreign Policy than anything else. Sarkozy has certainly moved away from some traditional French methods, but whether this will effect spending on democratic governance will still depend not only on whether the promotion of democracy is given more importance, beyond a symbolic gesture representing French values, but also if democratisation is considered a developmental or political issue.

There is evidence however that this conflict has been noticed in recent months, and perhaps the changes that are hoped for in French democracy promotion may materialise. Bockel has said that “...we do not put enough of our means into a particular sector...which is the key to the success of all our activities in development and cooperation, that of democratic governance”. Reforms that would positively support the sub-directorate’s efforts in democracy promotion could come in the form of aid allocation adjustments and possibly a structural change of approach to the issue.

The recent change of administration has brought certain changes to the Foreign Ministry in general and this will effect all departments, including the department for development policies and its sub-section for democratic governance. There is no doubt that some changes will occur to the structure of this section, but it is not yet clear how exactly. The President has recently ordered a “General Revision of Public Policy” or RRGP which is expected to include (it has not yet been made public) reforming aid allocations and the organisation of responsibilities. It is therefore sure to occasion some considerable changes to the functioning of French activities in democratic governance. There have been rumours circulating of a possible shift of responsibility concerning democratic governance, from the Directorate General for International Cooperation and Development to either the French Agency for Development (AFD) or even the Directorate General for Political and Security Issues. Although neither move is certain, this could mean that democracy issues become more localised under the AFD, which deals with issues that do not fall under the state’s traditional responsibilities, what the French call *Régalien* responsibilities such as justice and security. For now, the AFD has no official mandate for democracy promotion except for some civil society projects. But by moving to the latter section, democratic governance activity could become far more political in its approach, perhaps giving it more legitimacy (and thus funding) amongst the higher ranks of the administration.

## Conclusion

In sum, what the “Sarkozy approach” is engendering is a substantial clash of wills between the political and developmental sides of democracy promotion. There is no doubt that France’s work on this issue is multifaceted, but these independent actions appear contradictory. Despite his justification of “reconciliation diplomacy”, Sarkozy’s own foreign policy actions have severely undermined his political discourse on upholding democratic standards around the world and this has even begun to manifest itself amongst ministers. Minister Bockel in an interview with *Le Monde* in January 2008 stated that France’s development efforts are pointless if relations with undemocratic countries continue and called for the president to “sign Francafrique’s death certificate”.

The activities of the sub-directorate for democratic governance - the real substance of democracy assistance - do not reflect the new president’s foreign policy, or even influence it. There is no doubt that a lot of symbolic importance is placed on the sub-directorate for governance, but being a relatively small section in the hierarchy of the Foreign Ministry, the successes they have had over that past few years have gone somewhat unnoticed. Thus despite the recent publication of the new Governance Strategy and a high-profile position paper on fragile states, and amidst the possibility of shifting responsibilities and structural change, it is a time of relative uncertainty and ambiguity for France regarding work on democratic promotion.

Changes may not have been evident up to this point but with a president seemingly intent on addressing every state issue, it may only be a matter of time before some consequential changes are introduced. One major question mark hangs over whether support for democratic governance should remain part of the development department or shift some of its responsibilities towards political efforts. Whilst the sub-directorate concentrates on rule of law and decentralisation as a means of promoting democracy, work with civil society, which is stated as a priority within the new strategy, is hindered by limited bilateral aid levels, arguably because this work is seen as too political in its scope.

Democratic governance in France is therefore clearly a *double jeu*. On one side, the president’s pragmatic realpolitik approach of maintaining stability whilst increasing the projection of French power has so far meant continued relationships with non-democratic leaders in an attempt to uphold traditional privileges, in the past based on very personal ties which the new generation lacks. On the other side, the new governance strategy finally providing France with a coherent doctrine that can guide democracy promotion mechanisms across all departments has been well received by the OECD but continues to lack sufficient funding and implementation. In fact, some commentators suggest that multilateral funding is preferred precisely because it can “protect” France’s bilateral relations in the face of sensitive questions over democracy. Much of the ambiguity that surrounds France’s stance on the matter comes from the fact that there is no continuity between the different levels of French intervention. Thus it has to be asked on the basis of whose actions France’s record should be judged.

Indeed France is not a development giant and the lever of French influence, even within the multilateral funds it supports, has become somewhat stagnant. Diplomatically and even culturally, however, it is very much in the limelight. Thus for now, France’s policy of democracy promotion faces a time of uncertainty as it awaits change, and it is yet to be seen if the merits of the governance strategy will be recognised over the president’s conspicuous *hyper-activité*.

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