

Dynamics of French Nonprofit Sector and Overlapping Market and State

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ABSTRACT

Purpose: The present paper is focused on growing role of civil society and its overlapping space with corporate sector and the state institutions. Surprisingly, this is a worldwide phenomenon invariably spread both developed as well as underdeveloped countries. Here my thrust is to examine these overlapping space and mutual relationship among three important sectors namely civil society, market and state with global context and the specific situation of the France.

Design/ Methodology/ Approach: The research method followed to analyses the secondary sources literatures to explore the dynamics of three important sectors of society. Explorative research design has followed to examine the interface of three sectors. In this paper, review has followed in the context of France based on secondary sources.

Findings: In this paper thrust has to see the dynamics of three sectors in the process of democratization and development. Globally all three sectors are existing in all nation- states irrespective of their role and status. Northern states/ developed countries like, USA, parts of Europe, Japan etc has large corporate sector than the state and its institution. While contrary to this, in the southern countries the state and its institution occupy large space and play more dominating role than northern countries. Hence the purely economic condition of this classification raises several questions specially changing dimension of global economy and emerging China and India. The role of civil society is determined by the dominant sector- the state or the corporate or sometime civil society also called the third sector. This is a review research paper has been remarks on 'The French Nonprofit Sector' published in *Voluntaristics Review*, volume 3(2) by Laura Nirello and Lionel Prouteau as well as other similar studies.

Paper Type: View Point

KEYWORDS Non Profit Sector (NPS) | Non Governmental Organisation (NGO) | Third Sector

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Introduction

Civil Society is the most emerging theme of contemporary development studies and public policy across the world. The studies reveal that the civil society became further significant with growing pace of globalization, new economic policies, enhanced communication technologies and increasing network of non-governmental organizations {NGOs}. All these conditions also posed a threat to local culture, local social network and folk relations on the one hand, while on the side it has further paved the roots of community based organizations, associations and various other social formations such as diverse interest groups, cultural associations, professional associations and other similar groupings. Apart from these, globalization also developed many international NGOs which have global membership, global funding and participation like, growing funding, number of funding agencies for common development issues. It has also induced a revolution on voluntarism (Mark M Sidel 1990). French sociologist Emile Durkheim visualizes the status of civil society within his notion of society; he describes his concept of social solidarity as an important tool to measure the collective consciences as the root of civil society. Jürgen Habermas considered that the civil society institution in public sphere has built the legitimacy among three sectors- government, corporate and society. Therefore, it played a binding role with other two sectors or built a base in order to redress of legitimacy crisis. However, he also emphasized the growing of international democratic value which will further reduce the barriers of civil society.

Global Dynamic- Northern and Southern NGOs

Civil Society in last four decade viewed as the center of discussion in social sciences and applied professional disciplines- social work, management studies. This concept have many new incarnation and terms has evolved known as NGOs, Non-Profit Sector, voluntary organisations, grassroots associations, development organisation, charity organisation under the broad category of third sector. These are social institutions that depict collective science or social capital of any society, however, first two sectors market and state has facilitating role but sometimes contradictory.

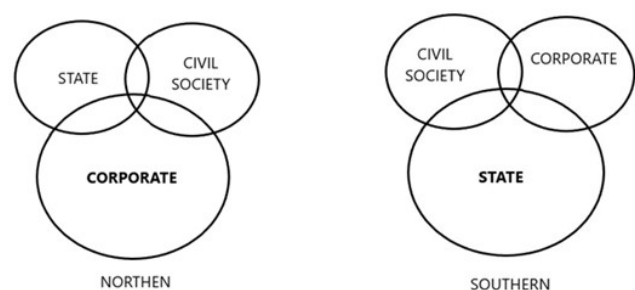
“The UN listed 41 consultative groups that were accredited to cooperate and consult with the UN Economic Council (ECOSOC); in 1998, there were more than 1500 with varying degrees of participation and access.” He further writes that “NGOs clustered in developed and democratic nations; now groups sprout up from Lima to Beijing”¹. Thus the growing space of civil society observed across the globe and playing a significant role as setting new agendas, negotiating outcomes/ mediating institutions, conferring

legitimacy, and implementing agencies. In this process many multinational organisations also emerge as pressure group and sometimes challenging national governments, owing to powerful transnational alliances. These muscling arena of high politics, taxation, banking and trade were previously dominated by the state institution.

Globally NGOs are divided broadly in two categories called northern NGOs and southern NGOs. Northern NGOs referred to those mostly existing in northern hemisphere of the globe and belongs to developed countries. However contrary to this, southern NGOs are those civil society institutions existing in southern hemisphere of the globe and belonging to underdeveloped and developing countries. The southern NGOs are membership organisations, programme implementing grassroots association and their outgrowths has linkages with northern counter parts like, many African and Asian NGOs are linked with northern counterpart for resource support. They have also created partnership, collaboration and network with northern NGOs for various purpose of medical, social, commercial, rehabilitation and other welfare measures. Thus the relationship between the southern NGOs and with northern NGOs is very much linked rather water tight separate wheels for common cause.

These collaboration has significant role not welfare measures and local development but also for democratic value and peace building in disturb nations. Many region has relieved with socio-political tensions and the country in this process we find they have close link between northern and southern NGOs often provide assistance to community groups through their collaborative efforts so improving these relationship which is essential to raising the quality of development. At the field level, NGO often in the southern NGOs to active and intermediate role and providing need based information about community to execute the appropriate program.

A Graph Depicting Relationship of Three Sectors



Source: Adapted from Alan Fowler (1999) *Striking a Balance: A Guide to Enhancing the Effectiveness of Non-Governmental Organisations in International Development*, Earthscan, London

¹ P. J. Simmons (1998) Learning to Live with NGOs, Foreign Affairs, Autumn No. 112, page-82

The above graph depicts the relationship among three sectors in southern and northern countries of the globe. In the northern countries – USA, parts of Europe, Japan etc has large corporate sector than the state and its institution. While contrary to this, in the southern countries the state and its institution occupy large space and play more dominating role than northern countries. In the southern category, we also find there is large number and variation of state- newly independent state, politically unstable democratic state, underdeveloped state and developing state. Hence the purely economic condition of this classification raises several questions specially changing dimension of global economy and emerging China and India.

French Civil Society

European civil society has active role in welfare mechanism and play various role towards social solidarity and democratic development. Alexis de Tocqueville, the French civil servant, who wrote early theoretical foundation of American democracy and civil society. Besides him, the Italian Marxist Antonio Gramsci's long prison notes and the French philosopher Henri Bergson contributed early voluntarism and theory construction. We see the corporate sector has major contribution towards social economy democratic values. Thus the study revealed that philanthropic share almost 91 percent of total NPS of France and it stands fourth position in the Europe after Germany, Sweden and Netherland (Salamon and Sokolowski, 2001).

A recent write up 'The French Nonprofit Sector' published in *Voluntaristics Review*, volume 3(2) by Laura Nirello and Lionel Prouteau is contemporary French nonprofit sector- covers historicity, changing social and legal status of civil society, dynamics of freedom, economic conditions and future prospects of civil society. This article analyses with ample existing literatures and empirical studies of French context. This deals long literatures on theme and about existing relationship among three sectors- the state, market and nonprofit sector centered on dynamics of social space to understand emerging the nonprofit sector, its forms and changing space of social capital across the globe and French society. Here, the interface of three sectors plays vital role to nature and growth of NPS. There are many studies across the globe to examine the relationship among civil society, state and market (L. M. Salamon 1987, Rajni Kothari 1996, J.Fernando & A. Heston 1997, **Jerry Harris 2007**, **Charlotte Benneker 2008**, D. Suárez & H. Hwang, 2013, **Melissa Leach 2016**, Jun Han 2017). Similarly Pujol nicely interpreted the interface of three sectors in French society and see the reason not encompassing the profit and well encompass the state, making associations a potential force of opposition towards established forces.

The two sectors state and market often overlaps the domain of civil society for development because development

is the common concern of three sectors. However, the role of the market or the state is not uniform across the globe, broadly southern region or underdeveloped / developing regions state's interface with civil society often visible where as in northern region or developed region interface with market is observed. This is common trends but exceptions are available, it happens owing to weak market in southern region and strong market in northern part. The case of France also shows strong role of market and overlapping the space of civil society. This is a very challenging and important writing about French nonprofit sector for two reasons- first going through the society where nonprofit historicity is shaped by democratic French revolution which is landmark of freedom struggle and guided the world and secondly tracing the deep rooted historicity of French nonprofit sector since medieval period dealing with large literatures makes it distinct. Authors Laura Nirello and Lionel Prouteau have contributed with detailed description, comparison and analyse deep rooted history and continuity of nonprofit sector (NPS) in French society published in *Voluntaristics Review*. The journal 'Voluntaristics Review' led by David Horton Smith, an emeritus professor and well known author, editor in this theme across the region from last 50 years. However, the content covered in this journal is long comprehensive write up with large canvas like a content of a book. The present writing is divided into four broad sections providing various dimensions of French nonprofit sector- legal status, social and economic solidarity; its linkages with freedom; empirical approach and most important future prospects of French NPS.

This interface often emerge questions on the nature of French NPOs and its growth. Similarly author explained French NPOs also viewed as suspicious and repression on the part of public authorities. In France, 1901 legislation on 'contract of association' was a control mechanism and its background reveals a long debate about congregations. They cite that since 1871 and before 1901 almost thirty-three bills, reports, and private member's bills on the similar topic brought before parliament which has clearly indicated the confrontation between Catholic Church and French state during above mentioned period. In case of France it has rooted before French revolution and this revolution well known for separation of these two powers- the state and church. It has also observed by them that it is church and more particularly, its hierarchy delayed recognizing the third republic and remained supportive to the monarchy, even after Pope Leo XIII and organize Catholics against NPS. They explains why the 1901 Act separated the congregation from associations, but the act has given space for various associations and their freedom- as act has identified three groups of associations and each of these granted different legal status. First comprised with unregistered associations were viewed legal but no legal capacity; secondly registered association were granted limited legal capacities and they cannot receive donations and bequests; while third category



comprises of those registered public interest associations whose legal capacities was extended to receive donations and bequests. Authors very explicitly started article's introduction that not all associations regulated under the 1901 Act are voluntary associations and also cited Smith (2015a, 2015b).

French NPS has deep rooted history and here authors also analyses detailed literature. Tracing Agulhon, Archambault studies found that nonprofit sector in France is older than for-profit sector in the middle and ancient period. Also Mollat (2006) supported that various types of charitable and religious support institutions in the forms of hospices, hostels and hospitals to provide lodging and food for poor. Apart from these works Minot (1991), Verger (2007) and others who dealt education as another area of nonprofit sector but dominated by church institution and important role played by bishops. The Benedictines occupied a major place until the 12th century when lay organizations began to assume responsibility for these charitable works. It further describes that 13th century saw the development of 'works of mercy' i.e. charitable actions which shows the influence of religious institutions. The emergence of foundation traced in 14th century mainly in northern France by the urban bourgeoisie. The trends of secularization also initiated with the state intervention during the Renaissance and later on, however, religious organizations continued to play a substantial role. With these description authors see the emergence of solidarity economy and shared the space with social economy in France. Not only had this also theoretically presented critique of the concept NPS on two grounds- tilted towards private and public sectors, hierarchical approach and suggested the term third sector/ civil society organizations to cater the functions of intermediate role between private and public spheres. Therefore, strong religious hold often not only act as barrier to democratic state but also a challenge to third sector development.

In this article detailed empirical approach has followed through various studies and nicely explained classification with main area of French NPS activity in terms of 1901 Act, foundations, details of budgetary resources. According to 1901 Act there are total 1,302,200 organizations with 12 percent employees across the France in 2013. Further it has classified into 09 categories area of NPS activities and employees - with highest 83 percent of employees in residential nursing and care facilities and lowest 4 percent share in leisure activities, entertainment. Other seven activities with employee shares are economic and local development department (30 percent); education, training and non-medical research (27 percent); social, humanitarian or charitable action (24 percent); culture, shows and artistic activities (14 percent); Health (14 percent); sports (12 percent); defense of causes, rights and interests (6 percent). The above analysis should also have focused on proportion of volunteers and their participation, however, the merger of employees with volunteering often misguides the exact associational status. There are huge numbers of interest groups trusts and foundations engaged in non-profit activities. Like earlier classification by authors also analyzed foundations distributed by six main activities with 2013 data such as highest in social action (29 percent); health and medical research (18 percent); arts and culture (17 percent); education (11 percent); sciences (4 percent); others (21 percent). Apart from these it dealt economic importance of NPS, diverse budgetary resources their proportions, individual participation, voluntary membership and most important future prospects NPS in France.

Further, French NPS history directed more towards higher education and universities began to be founded in fourteen and fifteenth century by the public authorities but ratified by the pope. The state's initiative could not completely evolve as secular institutions and remove the influence of church. The church was to retain a pre-eminent position in

Table-1: Nonprofit establishments with staff and nonprofit employment France

Field (Area)	Non Profit Establishments with staff	Employee headcount (in thousands)	FTE employees (in thousands)	Percentage of nonprofit FTE
Social services	33,236	913	746	46.9
Education, training, and research	20,698	338	287	18.1
Health	4656	173	147	9.2
Culture, arts, and performances	57,428	110	95	6.0
Other sectors (including sports and recreation) and n.e.c.	72,745	352	315	19.8
Total	188,763	1886	1590	100.0

Source: adapted from Edith Archambault (2015) France: A Late-Comer to Government-Nonprofit Partnership, *Voluntas* (ISTR Journal), Springer

Note- FTE- full time equivalent

education, as evident by the network of colleges founded at that time of counter-reformation under the church. About history of NPS described various important empirical studies and literature like, Naurrisson (1920), Agulhon (1966, 1988), Archambault (1985, 1996), Minot (1991), Bradout (1991), Mollat (2006), Verger (2007), Defourny (2017) these well known works described NPS history of France society but also visualize its broader European context. Author viewed conventional NPS as ancestors of non-profit agencies. Beside this, there were other forms of organizations and appropriate voluntary associations like, guilds whose presence in rural areas. Tracing from Mollat and Agulhon found its birth from twelfth and thirteenth century in French rural society and became a permanent feature of French life. Guild voluntary associations also existed in other parts of the world in urban areas. The South Asian region is well known for urban guilds particularly among artisan and traders.

Very interesting the French revolution (1789), a struggle of democratic value and freedom became a reason for decline of nonprofit actions; author described the revolution as collapse the NPS activity citing decisions of revolutionaries - Allarde Decree and Le Chapelier Laws in 1791. Archambault (1996) viewed change in power structure also over thrown the existing guilds and prohibited craft, trade associations, other similar institutions. Among thinkers and studies there is almost consensus on declining trends of nonprofit functioning after revolution like Nourrisson (1920), Chevallier (1981), Le Gall (1985), Gibaud (1989), Rosanvallon (2004) however interpreted differently. Studies indicate one important reason behind this was separation of religious power from political institutions. Before revolution there was large hold of bishop and church has denied. Agulhon viewed that revolutionaries abolished traditional forms of sociability, nevertheless encouraged political sociability in the shape of 'society of the Jacobins' also known as Jacobin Club (1977).

Civil society viewed as a voice of society and people's freedom always occupies a centre stage. In this article also discussed at length about strong influence of legal acts and provisions. This has analysed by authors and cited many empirical studies- Naurrisson (1920), Meister (1972), Poujol (1981), Agulhon (1981), Le Gall (1985), Marais (1986), Anjou (1986), Bradout, (1991), de Tocqueville (1991), Rosanvallon (2004) shows NPS freedom in nineteenth century and friction among church, state and emerging market. The conditions of nineteenth century France viewed a period towards freedom of association, often called *de jure prohibition* but *de facto arbitrariness* indicates restrictions. Under Napoleon I, article 291 of the penal code of 1810 put restriction of association with prior authorization by public authorities with twenty members and such authorization granted at government's discretion as well as failure to this comply open to sanctions, which has further posed severe penalties in 1834 Act. However, Rosanvallon believes that beyond the legislation and declared principles attention should be paid to the practices

that were adopted under Jacobin, a form of civil society from 1830. Thus despite of repressive context some associations managed to become established such as 'men's societies' for leisure activities, game societies, music and singing societies, which has increased number 1870s onwards.

The most aspect of French civil society sector is important because of its relatively deep history in Europe, emergence corporate and played a dominant role in social economy more than state. As we are aware that religion has stronghold in society and welfare responsibility. This stronghold of church slowly shrunk but the space occupied by the market, however, state has fewer roles like other European countries. Unlike USA, it has its philanthropic base and enormously contribute for social solidarity whereas USA membership base active interest groups.

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**Reviewers
Memorandum**

Reviewer's Comment 1: The study analyses the secondary sources literatures to explore the dynamics of three important sectors of society. The study also lays the roadmap for conducting similar research in other economy context or doing inter economy comparative study.

Reviewer's Comment 2: The paper highlights the growing role of civil society and its overlapping space with corporate sector and the state institutions. The study addresses the thrust to see the dynamics of three sectors in the process of democratization and development.

Reviewer's Comment 3: The study has followed a detailed approach which makes it comprehensive through undertaking various studies and classification with the main areas of of French Non-profit Sector, Overlapping Market and State.



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**Editorial
Excerpt**

The article has 3% of plagiarism which is the accepted percentage as per the norms and standards of the journal for the publication. As per the editorial board's observations and blind reviewers' remarks the paper had some minor revisions which were communicated on a timely basis to the authors (Pradeep and Kishor) and accordingly all the corrections had been incorporated as and when directed and required to do so. The comments related to this manuscript are noticeably related to the theme "**Dynamics of French Non-profit Sector and Overlapping Market and State**" both subject-wise and research-wise. With the civil society becoming further significant with growing pace of globalization, the study highlights on growing role of civil society and its overlapping space with corporate sector and the state institutions. Overall, the paper promises to provide a strong base for the further studies in the area. After comprehensive reviews and editorial board's remarks the manuscript has been categorised and decided to publish under "**View Point**" category.

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