

## Chez Nous Branche Sur Le Monde Francophone

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recalling tocqueville s exhortation for the french to look to america for a better understanding of their own government john rohr returns the favor by revealing how much we can learn about american constitutionalism from a close study of french governance the french and american republics both emerged from the same revolutionary era and share a common commitment to separation of powers rule of law and republicanism even so the two constitutional traditions are quite different france after all has replaced its constitution at least thirteen times since 1789 while the american constitution has endured essentially intact yet as rohr shows french constitutionalism merits our careful attention focusing upon the founding of the french fifth republic and the drafting of its constitution rohr

compares the nations divergent approaches to executive legislative and judicial power independent administrative authority and discretion and the relation of administrative law to statutory law his analysis of france s divided versus our unified executive the two presidents exceptional powers and their influence on the legislative process provides particularly fresh insights into how the two constitutional traditions promote and inhibit the capacity for administrative action rohr shows that french administrative institutions are much more thoroughly developed than their american counterparts due to recurrent presidential and constitutional crises without such a strong public administration daily life in france would likely be extremely unstable if not quite chaotic the proper role of the french institutions he suggests is largely determined by their relationship to elected officials whereas their american counterparts are essentially shaped by the constitutional order a model for future comparative work in constitutional law and public administration rohr s study should help us see that the constitutional path we ve pursued wasn t the only possibility and why we ve chosen that route nevertheless as such it should have great appeal for students teachers and practitioners in u s and french law politics and public administration

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