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Summary

The growth of French and German exchanges, coupled with the intensification of shared political, economic, and legal reflections between the two States, regularly gives rise to new questions regarding governance. The art of exercising power, but also, and more importantly, of creating, organizing, and maintaining it in the long term, increasingly appears to be subject to techniques aimed at evaluating and improving its quality. On both sides of the Rhine, the use of Better Regulation Tools to serve these objectives is particularly noteworthy.

"Normative complexity," "normative inaccessibility," "normative performance," "normative inflation," "normative competitiveness"… There are many aspects to the questions concerning the quality of the law. Better Regulation Tools [*légistique* in French] thus emerges as a true technique for "rescuing the law", based on several methods. It is defined by the French Legal Dictionary as "the art of legislating, the method of drafting texts,". In the German language, the term *Legistik* is less commonly used, but it still exists and conveys a similar idea across the Rhine. However, several German-speaking and German authors are more likely to refer to the expression *bessere Rechtsetzung*. Considering legislative technique as the search for the quality of law, the aim of this research is to offer a critical analysis of French and German Better Regulation Tools and to position themselves on the necessity of their institutionalization, or even their legalisation.

Embedded within a broad program of Bureaucracy Reduction Program (*Bürokratieabbau*), German legislative technique is primarily embodied by the *Normenkontrollrat*, a central body of "Better Legislation" in Germany. The French case reflects a more fragmented legislative strategy but is enriched by a strong doctrinal tradition and flourishing inter-institutional cooperation. The complementarity of these two approaches emphasizes the importance of transcending the strict legalisation of Better Regulation Tools in favor of the active dissemination of best practices and a genuine culture of "Better Legislation."

Methodologically, legislative technique is structured around successive stages : *ex ante* evaluation, promoting the design of rational and proportionate legal rules ; *in itinere* integration, enhancing intelligibility and clarity through strategic uses of language; and *ex post* evaluation, measuring the alignment of actual effects with expected ones, thereby ensuring the *per continuum* maintenance of the quality of the normative system in question. These techniques are also reinforced by the increasing use of legal informatics (*légimatique* in French) and more broadly call for considering the question of legislative technique in connection with hermeneutics, and thus the question of a legislative positivism.

Ultimately, far from requiring systematic normative abstention, legislative technique calls for new forms of conceptualisation of legal norms and a renewal in the ways of considering their addressees.