

The fifth republic essay



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The structure and organisation of French government has undoubtedly undergone dramatic changes since the inception of the Fifth Republic, not only as a result of the changes prescribed by the new constitution of 1958, but also subsequently to this in the evolving interpretations of the new system by leaders from De Gaulle onwards. Perhaps the most notable change in the fundamentals of French Republicanism since the establishment of the Fifth Republic has been a structural shift in the balance of power between the executive and legislative branches of government. This shift, responsibility for which can be ascribed in large part to the vision of de Gaulle, has been shaped and advanced by a number of factors, some historical, some political and some entirely personal to the actors manipulating the political climate.

In defining to what extent the French President enjoys ‘unchallenged predominance’ it is necessary to analyse, through examples, the changing balance of power in France since 1959 between the President and Parliament. Having explored this relationship and established the extent of executive supremacy, we can then look at the factors which have led up to and influenced the augmentation of Presidential authority and draw conclusions as to how the present situation has come about. It was clear in 1959, when de Gaulle, as the principle author of the new constitution, chose the Presidency rather than the Premiership as a basis for his leadership, where he intended the hub of political authority to be centred. This is not to say, however, that the new regime was, at its inception, a presidential one by nature. Rather the new framework gave greater scope for interpretation and manipulation of the role of the President, while restricting the traditional

rights and powers of parliament in comparison with the four previous republics.

As Peter Morris notes in 'French Politics Today', '... Constitutions set out the legal framework for the operation of a political system; they do not necessarily tell us very much about who has power. 2 Thus, it is more accurate to think of the rise of Presidential power in French government as an organic, evolutionary process, the foundations of which were laid in the birth of the Fifth Republic by the constitutions ambiguous lack of definition regarding where ultimate power is vested. Presidential dominance in French government began with de Gaulle.

He was the charismatic war-time leader, a symbol of strength and hope following the disastrous episode surrounding Algerian independence from 1954 onwards. Furthermore, he harboured a barely concealed contempt for parliament, which he viewed as an unstable and ineffective governing institution. Thus when backed by the French people in his creation of the Fifth Republic, he was keen to develop a strong and dynamic role for the head of state. The constitution of 1958, whilst outlining an essentially parliamentary system, grants certain powers to the President which stand in direct contrast to the primarily 'ceremonial' role he is granted in the constitution of the Fourth Republic³. The introduction of the election of the president by universal suffrage in 1962 was a huge step in the establishment of the new dynamic, symbolic and no doubt a catalyst for the growing authority the office was to take on as the Fifth Republic wore on. It is evident that, since de Gaulle and the introduction of the 1958 constitution, the role

of President as 'decision-maker' has become more and more accepted and entrenched in French political culture.

This area of authority for the president did not exist in the constitution; rather de Gaulle interpreted the ambiguities of the document, (developing his constitutional role as 'guardian' of the state and the independence of the national territory), working 'at the margins of the constitution'⁴ to give extra responsibility to the office. His cavalier attitude to his own party and ruthlessness towards his own subordinates was...

a very Gaullist trait. ⁷ It seems, therefore, that by the time Mitterand took office for the second time, the mantle of powerful Presidency in the Fifth Republic had been somewhat firmly defined. The structure of the Fifth Republic had become reconciled with all areas of French political culture, and a powerful President was one manifestation of this. This hypothesis, however, is slightly misleading. It would be wrong to state that the only shifts in the balance of power since 1958 have been in the direction of the presidency.

The 1980s, while ushering in the first 'left-wing' president since the birth of the new republic, saw a decided swing in governmental authority back towards the prime minister. Cohabitation, the sharing of a regimes two-part executive between parties of the left and right, had existed in principle since the terms of executive office in the constitution of 1958 were established, but did not occur in practice until the victory of the right-wing RPR-UDF coalition in 1986. As a result, Mitterand was forced to appoint a political adversary, Jacques Chirac, to the post of prime minister. While stopping

short of undermining presidential authority, the effect of cohabitation was (and has been every time it has occurred subsequently) a marked shift of power back towards the prime minister, who draws legitimacy and undeniable authority from his majority backing in parliament. Under such conditions the president does not enjoy exemption from the predilections of government and prime minister.

On the contrary, he must in many cases bow to the legitimate authority of the elected parliament, whether he condones the agenda or not. The president's position of unbridled authority, therefore, is not without its conditions. In the words of Peter Morris, '... the ' presidentialist' reading of power depends on a supportive National Assembly.

' 8 We have seen, therefore, that there have been a multitude of factors contributing to the perceived gradual ' presidentialisation' of the governments of the Fifth Republic. While it is not strictly true to describe the French presidential office as a position of ' unchallenged predominance' (periods of cohabitation refute this), it is obvious that the position constitutes a significant authority in government and, when backed by a sympathetic National Assembly, can at times appear to resemble an ' elective dictatorship'. Starting with the prescriptions of 1958 which offer a greater role of leadership for president than any previous constitution, the new president de Gaulle forged a new position at the head of French politics which has been steadily built upon by all his successors.