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SEMI-PRESIDENTIALISM IN FRANCE: PERILS AND
OPPORTUNITIES

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1. Introduction

Emerged as a compromise between two antipodes of constitutional designs, i.e., presidentialism and parliamentarism, the semi-presidential system is becoming increasingly relevant and common. And, surely, there is not a better and more consolidated example as the French landscape, which has been running under this banner since 1958. With the Fifth Republic Constitution, France transitioned from the parliamentary system to its current appearance, which has not yet changed. Regarded by many as a just and balanced compromise, the French system nowadays, with the Macron legislation, seems to be falling under a grey area in which the president retains an controversial power: while this system gives the French people the direct power to elect their president and thus a broader role in their country's politics, this also entails the perils of an excess of freedom given to the person sitting in the presidential chair.

The progressive erosion of the authority of the Fourth Republic, the political crisis caused by the Algerian uprising that escalated into an eight-years' war, the resulting call for De Gaulle's help and the drafting of the Constitution of 1958: all of these events, encapsulated in a decade, have changed the history of France forever. Over the sixty-six years that have passed since the Birth of the Fifth Republic, eight presidents have walked through the Elysée's corridors and sat in the presidential chair: each of them, regardless of their political beliefs, have somehow shaped the French political framework. And each of them has used to different extent their presidential power, in some cases also shedding the light on the fact that some provisions of the French Constitution do – potentially – have some perilous applications. This narrative has seen renewed interest in light of the 2023 events of the pension reforms by eight President Emmanuel Macron, who passed a bill overruling the Parliament voting procedure. The subsequent agitations, the ill-received political moves of the current President, and the usage of the controversial art.49(3) move this analysis in asking: what are the perils, and what are the opportunities of semi presidentialism?

In the first chapter, we will give some preliminary definitions in order to better define the concept of Semi Presidentialism, its types, giving an overview on the Maurice Duverger's political theory. In a second part of the chapter, we will introduce the French Semi-Presidential asset.

In the second chapter, we will delve into the history of the Algerian War, a long and draining conflict that served as the fuel for the birth of the Fifth Republic, whose Constitution we will analyse in depth in the second part of the chapter.

In the third chapter, we will narrate the case of a militant of the Communist Party, who was arrested alongside two other activists, for their protests against the Algerian War. In this short section of micro-history, we will shed light on the French management of the civil society during the conflict, highlighting the profound authority crisis of the Fourth Republic.

In the fourth chapter, we will provide a review of the seven president that preceded Emmanuel Macron, the present head of State, starting from the “father” of the Fifth Republic, Charles De Gaulle, to the independent foreign policy of George Pompidou; from the modernization of France's institutions and economy under Valéry Giscard d’Estaing to the first cohabitation under François Mitterrand; from Jacques Chirac and the reform of the Constitution in 2003 to Nicholas Sarkozy spectacularising of politics; and, finally, the troubled mandate of François Hollande and the rise of terrorism and security concern.

In our fifth and final chapter, we will introduce the figure of the President in office Emmanuel Macron, using the same analytic approach as for his predecessor. However, we will go into depth in scrutinizing the events of March and July 2023, which represented heated moments in the civil society of France. The usage of art.49(4) of the Constitution will be the object of our analysis in the second part of the chapter, in which we will try and give a response to the preliminary question of this thesis work.

Finally, we will conclude this work by summarising the findings, the observations, and the outcomes for the future that, given the everchanging nature of politics – especially French politics, giving the extremely recent reshuffle of the government of Gabriel Attal – is now more than ever uncertain.

2. Understanding the Complexities of Semi-Presidentialism

2.1 Definition and Examples of Semi-Presidentialism

Although come into existence already with the Weimar Republic (as a proto example) and spread across both the pre and post WWII European Countries, the term “Semi-Presidentialism” was not born until the seventies, when this regime was theorized by political scientist Maurice Duverger. His 1970 scientific paper, “A new political system model: semi-presidential government” aimed at analysing some specific study cases of countries which could have been described as responding to the semi-presidential model. The framework of Duverger’s model consists of four fundamental variables: national and contingent factors, the composition of the parliamentary majority, the president's position relative to this majority, and the rules of the constitution.¹

In accordance with this last assumption, Duverger’s analysis further deepens, and it structures its postulate as follows. The classic scholarly definition of the semi-presidential regime responds to “three requirements: (i) the president of the Republic is elected by universal suffrage; (ii) the president possesses quite considerable powers; (iii) and the president has opposite him a Prime Minister who possesses executive and governmental competences and can stay in office if parliament does not express its opposition to him”.²

In practice, what does this definition mean? According to Duverger, the countries which, at the time, could have been classified as “semi-presidential,” were essentially six: Finland, Austria, Ireland, Iceland, France, and the Weimar Republic of Germany from 1919 to 1933. These six countries will have been joined by Portugal in 1975, for a total of seven. De-structuring this axiom, we can elaborate more and find some deviances in the case studies.³

- (i) the president of the Republic is elected by universal suffrage: while this is the case for most of the countries of the list, Finland does not respond to this requirement. The Finnish system is more similar to the one applied in the United States. Through a three-tiered

¹ Duverger, Maurice. “A NEW POLITICAL SYSTEM MODEL: SEMI-PRESIDENTIAL GOVERNMENT.” *European Journal of Political Research*, vol. 8, no. 2, Wiley-Blackwell, June 1980, pp. 165–87. <https://doi.org/10.1111/j.1475-6765.1980.tb00569.x>.

² Laurent, Annie. “Duverger’s Concept of Semi-presidentialism in France: Lots of Shadow and Very Little Light.” *French Politics*, vol. 14, no. 1, Palgrave Macmillan, Mar. 2016, pp. 139–52. <https://doi.org/10.1057/fp.2015.27>.

³ Note: the analysis and cases mentioned stem from Duverger’s paper and reflect the state of politics for the time being.

voting system, the "grand electors," who are chosen by the citizens through proportional representation, choose the Head of State.

- (ii) the president possesses quite considerable powers: again, this postulate comes encounters difficulties. The Irish president, while elected directly by means of universal suffrage, has very little personal power—that is, not much authority to decide for himself or to stop the prime minister and the government from making decisions without consulting him. Only the refusal of a dissolution proposed by the prime minister or the referral of a law to the Supreme Court for potential unconstitutionality are within the scope of his authority.
- (iii) and the president has opposite him a Prime Minister who possesses executive and governmental competences and can stay in office if parliament does not express its opposition to him: In France, for example, it is practically established that the President is the true head of the government. This conception is, however, challenged by the opposition.⁴ In the pages that follow, we will discuss these points again.

It can be observed that these examples, there is not a unique embodiment of the Semi-presidential model. While, as stated by Duverger, the constitutions of the semi-presidential countries are relatively homogeneous, they differ from one another because of one key aspect: the role of the Head of State. To quote Duverger, "Semi-presidential constitutions lay down a governmental dyarchy. By establishing a president put into office by universal suffrage and endowed with personal powers alongside a prime minister and a government resting on parliament and charged with executive power, such constitutions introduce dualism into the heart of the State."⁵ However, has this been implemented fully, in every country that gave itself a semi-presidential constitution? Has the separation of these powers been made clear in every state? Is every country the same when it comes to this?

Duverger makes three distinctions on the matter. First, he considers countries with a "Figurehead Presidency," i.e., Austria, Ireland, and Iceland; then, the country with an "all-powerful Presidency," i.e., France; and, finally, the countries with a balanced rapport between Presidency and Government, i.e., The Weimar Republic, Finland, and Portugal. It is relevant to know, though, that said case studies that will be briefly analysed in this paragraphs, are limited to the knowledge of the author at the time of the publication of the paper.

In countries with a Figurehead Presidency, the Head of State ratifies every decision that the government makes; his sole actual discretion lies in selecting the prime minister, provided that his decision is not influenced by the outcome of the elections. There are, nevertheless, a considerable number of differences between the three Austria, Iceland, and Ireland.⁶

⁴ Duverger, "A New Political System Model," 170.

⁵ Ibid, p. 173

⁶ Ibid, p.167

Iceland, for example, leans more into the figure of the Head of State because of its multipartyism, which creates a condition in which no party can reach a considerable majority in parliament: it follows that the role of the Icelandic president strongly deploys in the Parliament. As Duverger notes, this prominent position of the President of Iceland has seen the country, after its independence until the 1970s, holding only two presidential elections. How is this possible? To make it simple, it had become customary in that specific time frame that Duverger was navigating, that in case of a lack of opposition to the outgoing president, they could have been re-confirmed without a formal election.⁷ If we look at the list of Icelandic presidents from 1952 to present days, it is worthy of notice of short it may appear, with barely six presidents, including the one elected in 2020 and still in charge: longest president's title is currently held by Ólafur Ragnar Grímsson, who served for 5 consecutive mandates, for a total of 20 years.⁸

In Ireland, the two main political parties, Fine Gael and Fianna Fail, occasionally field a single candidate for office. This demonstrates the president's figurehead status, to which the constitution also grants very limited authority. However, this does not mean that their power is not significant. When President O'Dalaigh attempted to exercise his constitutional authority in 1976 and refer a law to the Supreme Court, the action sparked a dispute with the administration and resulted in the Head of State's resignation. But this happened not because the presidential power was disputed, but merely because of political reasons (in this case, the contraposition of the two main parties, one in the presidency, one in the government).⁹

Austria falls under the category of semi-presidentialism since the 1929 constitutional reform. In addition to the prime minister, who answers only to parliament, there is a president who is elected directly and has the authority to dismiss the government as well as appoint it. The president has the authority to dissolve the parliament at the request of the government: however, he has very little accountability.¹⁰

The other type pinpointed by Duverger, is the model where the presidency and the government are balanced: this type includes, as stated before, the Weimar republic, Finland, and Portugal. It is in these systems that, according to Duverger, the diarchy required by ideal type of semi-presidential constitutions is operated in a “real sense.”

The Weimar Republic (1918–1933), though not seen as a real strong example, has seen different styles of presidencies during its short life. Friedrich Ebert, its first president, made great use of his powers, and enacted various ordonnances, and nominated chancellors not belonging to any party, a political move that avoided conflicts between the factions in Parliament. However, the following presidency, Hindenburg's, saw the president serving more of a “figurehead role.”

Finland, on the other hand, presents a different flavour of the same sub-category, with the president often mixing and matching different political stances and forming heterogeneous cabinets in complex

⁷ Ibid, p.168

⁸ Matthiasson, Bjorn. “Ólafur Ragnar Grímsson | Biography and Facts.” Encyclopedia Britannica, 27 Aug. 2008, www.britannica.com/biography/Olafur-Ragnar-Grimsson.

⁹Duverger, "A NEW POLITICAL SYSTEM MODEL", p. 165-87.

¹⁰ Elgie, R. (2011). *Semi-Presidentialism: Sub-Types And Democratic Performance*. Oxford University Press.

situation. This fact stems from the fact that, as other parliamentary countries in the Scandinavian region, the president often forms “minority cabinets,” i.e., a “a government where the party or parties in cabinet do not simultaneously hold a majority of seats in the legislature”¹¹.

According to Duverger’s analysis, these governments permit the dispatch of current business while the matter is being resolved. Their tenure in office is contingent upon the parliament's approval. When there is a lack of confidence, they dissolve. They carry out interim responsibilities until the subsequent elections or the arrival of a new majority.¹²

Finally, Portugal presents more of an analytical challenge for Duverger, at the time when he drafted the paper. The asset of the country had been shifting towards semi-presidentialism for only three years, a short amount of time in which president Eanes had exercised a “discreet, but continuous influence on the conduct of affairs.”¹³ As for now, Portugal has consolidated its semi-presidential identity, and presents now a political landscape with two main political parties¹⁴, the centre-left Socialist Party and the centre-right Social Democratic Party.¹⁵ To better explain what was happening in its contemporaneity, Duverger reports how prime minister Soares sought to retain his position of authority by forming a minority Socialist government in response to the defeat of the Social and Democratic Centre. The president of the republic declined, dismissed the prime minister, and formed an independent presidential cabinet that was quickly toppled by the parliamentary deputies. It was replaced by a second presidential cabinet, which the parliament decided not to remove in order to prevent dissolution. The nation's head of state, according to Duverger, decided to act in this capability because he believed that the previous administrations had failed to make the necessary choices to improve the disastrous economic state of the nation¹⁶: that is, to take the strong power usually reserved to presidents of the republic under semi-presidential systems.

The second category established by Duverger has been overlooked in the previous paragraph. Not because it is of less importance, but rather because it is the paramount example of the system this thesis is trying to dissect, and because it is going to be the centre of the analysis we will carry out in the following pages.

If one thinks about a semi presidential system, the first example that comes to mind is France, the *hexagone*. When the theorization of Duverger was rendered public in the 1970s, it did not spark that much interest in the political science community, including the French one. And, ironically, the French scholars have never embraced Duverger’s theory and concepts, whereas its political scientists and law experts have never seemed thrilled with duvergerian axiom. It was not only because of the “hybrid” academic provenance of Maurice

¹¹ Field, Bonnie N., and Shane Martin. “The Politics of Minority Government.” Oxford University Press eBooks, 2022, pp. 3–18. <https://doi.org/10.1093/oso/9780192871657.003.0001>.

¹² Duverger, "A NEW POLITICAL SYSTEM MODEL", p. 176

¹³ Idem

¹⁴ Nb: other minority parties do exist.

¹⁵ “Portugal | History, Flag, Population, Cities, Map, and Facts.” Encyclopedia Britannica, 11 Nov. 2023, www.britannica.com/place/Portugal/Political-process.

¹⁶ Duverger, "A NEW POLITICAL SYSTEM MODEL", p. 176-177

Duverger, which for many is to be regarded as a political scientist, for others a politician, but also because of the political stances of the author, found leaning towards some far-right positions in those years and the following ones.¹⁷ However, it is generally understood that France is, indeed, a semi-presidential republic, and in the following paragraph we will illustrate its origin and evolution.

¹⁷ Laurent, "Duverger's Concept of Semi-presidentialism", p. 139-52.

2.2 The French Semi-Presidential System

The impact of the two world wars was mirrored in Europe by the political changes that subverted the traditional systems. If this can be said true for such countries as Italy, which experienced the shift from a monarchy turned dictatorship to a republic, and for Germany, which returned to a democratic system after the horrors of Nazism, for France the real turning point was delayed by a decade after the end of World War II. On the aftermath of the conflict, the GPRF (*Gouvernement provisoire de la République française*) was tasked with the creation of a new France just after the liberation. The works of the GPRF lasted from 1944 to 1946, when the Fourth French Republic was born. Charles De Gaulle, who led the works of the GPRF, proposed a presidential form of Government, in order to give more strength to the President's figure and to eliminate the "parties system," which he considered to be damaging to the state. In his famous Bayeux speech, De Gaulle vehemently advocated for a strong presidential figure:

"It is therefore from the Head of State, placed above the parties and elected by an assembly which comprises the Parliament but is also much wider and composed so he can be the President of the French Union at the same time as that of the Republic, that the executive power must come. To the Head of State, the charge of granting interest as to the choice of men with the orientation which comes from the Parliament. To him the mission to name the ministers and, firstly, of course, the Prime minister, which must lead the policy and work of the government.

To the Head of State, the task to promulgate laws and take decrees, because it is to the whole State that they engage the citizens. To him the task to preside to the Councils of the government and to exercise the influence of continuity that a Nation cannot do without. To him the charge of serving as arbiter above political contingencies, either through the council, or, in moments of grave confusion, by inviting the country to make its sovereign decision be heard through elections. To him, if the homeland were in peril, the duty to be the keeper of national independence and of the treaties concluded by France."¹⁸

From the Bayeux speech, the three conditions for denominating a semi-presidential system that later would be created by Maurice Duverger already emerge, but with some differences.

¹⁸ Charles De Gaulle's Speech Before the Municipal Council of Bayeux: June 16, 1946 - Everything2.com

- (i) the president of the Republic is elected by universal suffrage: *“Head of State, placed above the parties and elected by an assembly which comprises the Parliament but is also much wider (...)”*. In the 1946 speech, the concept of a President elected by the people was not established yet. However, De Gaulle left quite considerable space for work, by considering the electoral pool as much wider, in order for the president to be *“President of the French Union at the same time as that of the Republic”*¹⁹
- (ii) the president possesses quite considerable powers: this is already visible from the Bayeux speech. Notably, the powers cited in the speech, which correspond to granting of *“the executive power”*; *the tasks to “name the ministers and, firstly, of course, the Prime minister”*; *“promulgate laws and take decrees”*; *“preside to the Councils of the government and to exercise the influence of continuity”*; *“serving as arbiter above political contingencies”*; *“duty to be the keeper of national independence and of the treaties concluded by France”*²⁰ in case of national peril.
- (iii) the president has opposite him a Prime Minister who possesses executive and governmental competences and can stay in office if parliament does not express its opposition to him: this can be observed from the phrase according to which the Prime Minister *“ must lead the policy and work of the government.”*²¹

This first draft of semi-presidentialism did not succeed at the first elections after the end of World War II, as the French Fourth Republic was essentially modelled after the Third Republic, i.e., in the shape of a Parliamentary Republic. The aforementioned failure of De Gaulle’s project was followed by the twelve years of life of the French Fourth Republic. De Gaulle retired and left politics until he re-appeared in 1947 with an opposition party called the “Rally of the French People” (*Rassemblement du peuple Français*). The party strongly opposed the new constitution, which moulded France in the following way. The Constitution gave the "National Assembly" the majority of legislative authority, displacing the Chamber of Deputies of the Third Republic, and it established a second house, the Council of the Republic, to replace the Senate. The Assembly was the only body with five-year electoral tenure to vote on acts of parliament; the Council was limited to issuing opinions. Together with the Council of the Republic, the National Assembly chose the President of the Republic and, by a vote of absolute majority, approved the appointment of the President of the Council, who was chosen by the President to head the government.²²

However, the conflicts outside the *hégalone* soon started to unsettle the asset of the Republic. The losses of the World War were designed to be compensated by a strong grip on the colonies such as the ones in

¹⁹ Idem.

²⁰ Idem.

²¹ Idem.

²² “The Constitution of 27 October 1946.” elysee.fr, www.elysee.fr/en/french-presidency/the-constitution-of-27-october-1946.

Indochina and Algeria. In the first case, the territorial power of France was compromised by the rise of the Nationalist Vietnamese movement led by Ho Chi Minh: failure of negotiations with the newly established regime resulted in a bloody war that went on for eight years, and that ended with the creation of two Vietnamese states (northern and Southern) with the conference of Geneva in 1954.²³ Barely six months after the end of the conflict, the nationalist movement in Algeria started to strike. The insurrections gave birth not only to another eight-years' war for which thousands of French soldiers were dispatched, but, notably, to great division in the French Republic at the political level. Right-wing activists plotted to replace the government with a stronger one, with the aim of maintaining control of the Algerian colony, while left-wings activists vocalised their support for the independence of the country from France.

In the following chapter, we will deepen the analysis of the role of the Algerian war and of the return to the political scene of Charles de Gaulle, delving into the text the Fifth Republic Constitution of 1958, and dedicating a space to the social unrest and protests during the war up until the mobilization of May 1968.

²³ "France | History, Map, Flag, Population, Cities, Capital, and Facts." Encyclopedia Britannica, 15 Nov. 2023, www.britannica.com/place/France/The-Fourth-Republic.

3. The Algerian War and the 1958 Constitution

3.1 The Algerian War and its impact on French Politics

To trace back the *raison d'être* of the 1958 constitutional change, it is necessary to delve into the Algerian War. Not only because the conflict, which ended the colonial domination of France of Algeria, represented an historical turning point, but also because its repercussions affected France in more than just one way. The two decades that followed the end of World War II are remembered for the violent conflicts that eventually resulted in the independence of many colonial dominions of the great powers of the North of world.

In 1945, the French power extended in different regions of the planet, from Africa to Asia, from The Caribbean to Oceania, many of which are still under French dominion. But the overseas territories served, during the second world conflict, as military strategic basis, all regrouped under the (anachronistic) name of “French Colonial Empire.” This denomination surely was a mirror of the times in which the Second French Empire was born, i.e., during the late 19th century. The word "empire" was not used with the same frequency after Napoleon III's downfall, which marked the end of monarchy in France. The term had come, by then, to be associated with despotism and decadence. Instead, the term "colonies" was preferred²⁴. But as Republicans solidified their hold on power in the 1880s and 1890s, a growing number of politicians, thinkers, and authors started referring to republicanism as the "colonial empire" and associating it with the French nation, often justified by the *mission civilisatrice* (i.e., civilizing mission)²⁵, that the French took upon them.

While this is certainly not a novelty for the centuries that preceded the two World Wars, the example of France is one of remarkable endurance, especially for its extraterritorial extension and diversification of dominions. Not all territories controlled by France were colonies, with some of them classifying more as “protectorates.” The main differences between the two concepts could be summarised as follows. According to the Oxford Dictionary, the word “Colony” stands for “A country or area under the full or partial political control of another country and occupied by settlers from that country”²⁶, while “Protectorate” is referring to

²⁴ Carroll, C. (2018). Republican Imperialisms: Narrating the History of “Empire” in France, 1885–1900. *French Politics, Culture & Society*, 36(3), 118–142. <https://www.jstor.org/stable/26892995>

²⁵ Betts, R. F. (2005). *Assimilation and Association in French Colonial Theory, 1890-1914*. U of Nebraska Press.

²⁶ Colony, n. meanings, etymology and more | Oxford English Dictionary. (n.d.). https://www.oed.com/dictionary/colony_n?tab=factsheet#8919508

the “state or territory over which such suzerainty is exercised”²⁷, with “suzerainty” being “the right of a country to partly control another”²⁸.

As the definitions speak for themselves, we could highlight the main partition between the concepts of “protectorate” and “colony,” which is the extent of the grip that the protector or the colonizer exercise over the other territory. Under the umbrella of the “Protectorate” term, we could include Laos, Cambodia, Morocco, and Tunisia. Under the shade of the “Colony” denomination, we could find Mauritania, Senegal, Côte d’Ivoire, and Algeria. Minding that this is not an extensive account but rather a hyper-simplification, we could proceed to analyse and compare two of the main examples of their kind: Tunisia, which was chosen for its geographical proximity and time sensitivity, and Algeria, whose history we will deepen later in the chapter.

The La Marsa Convention and the Treaty of Bardo established the French protectorate in Tunisia in 1881. This arrangement would endure for almost 70 years, until 1954, when the North African nation's formal independence was granted two years later as a result of the French government's ultimate recognition of its internal autonomy.²⁹ The French protectorate over Tunisia was characterised an officially autonomous “bey” (ruler), and every cultural, linguistic and cultural aspect of the county was left untouched by France. However, the French resident general was granted ultimate authority. Tunisia's finances quickly stabilised and modern communications were established. There was no forced expropriation or displacement of people, but France did give other European nations the right to access to the most productive areas of northern Tunisia, while in the south, valuable phosphate mines started to operate. Both French and Italian colonists established themselves in the Majardah valley, where they grew vegetables and exported from there.³⁰ The protectorate over Tunisia was rather moderate, compared to other colonial dominions that France established in other regions, but it was deemed necessary as the French government regarded Tunisia as the “key” to their “house” in Algeria.³¹

Progressing through Algeria, its history with France is different, and not as fortunate. First of all, the process of the establishment of French dominion of the territory contrasts with the process that took place in Tunisia that, as we explained in the previous part, via treaty. Algeria was de facto conquered, representing a textbook example of colonisation, even though historians have used with extreme caution the term of “colony,” a heritage of the Algerian War, during which France tried to undercut the extent of its presence in the territory.³² The conquest of Algeria foreshadowed the violences that would have later characterised the French dominion.

²⁷²⁷ protectorate - Quick search results | Oxford English Dictionary. (n.d.-b).

<https://www.oed.com/search/dictionary/?scope=Entries&q=protectorate>

²⁸ *suzerainty*. (2023). <https://dictionary.cambridge.org/dictionary/english/suzerainty>

²⁹ Houssi, L. E. (2017). The History and Evolution of Independence Movements in Tunisia. *Oriente Moderno*, 97(1), 67–88.

<https://www.jstor.org/stable/48572291>

³⁰ Tunisia | History, Map, flag, population, & Facts. (2023, December 11). Encyclopedia Britannica.

<https://www.britannica.com/place/Tunisia/The-protectorate-1881-1956>

³¹ Mckay, D. V. (1945). The French in Tunisia. *Geographical Review*, 35(3), 368–390. <https://doi.org/10.2307/211326>

³² Choi, S.-E. (2016). *Decolonization and the French of Algeria*. Palgrave Macmillan UK.

<https://www.perlego.com/book/3487408/decolonization-and-the-french-of-algeria-bringing-the-settler-colony-home-pdf>

While the Tunisian people did not see their goods and lands taken away, the Third French Republic acted in Algeria through extensive programs of expropriation and confiscation of cultivable land.³³

After the official conquest, over time, the Indigenous population was progressively displaced, and the French gained almost complete political, economic, and social dominance. At the same time, hospitals and medical services, new communication channels, and educational facilities became more widely accessible to Europeans; however, Algerians only received limited access to these resources, and they were provided exclusively in French. The majority of farms, businesses, and workshops were owned by settlers, and were organised following a Western model. Native Algerians could only access primary education, and only in towns and cities, discarding the rural areas and effectively “segregating” Muslims: since they tended to live in rural and semirural areas, they were disproportionately affected by underemployment and chronic unemployment because employment was concentrated primarily in urban settlements.³⁴

For authors such as Werner J. Cahnman, the French – Algeria problem was one of culture contact.³⁵ Already in 1945, when his article “France in Algeria: A Problem of Culture Contact” was published, the problem of incompatibility was brought to the table. Even taking these pages with a grain of salt (it should be remembered the strong racial connotations that are used in this paper, one this work does not associate with), ten years before the Algerian war the strong divides in the country were already highlighted, ready to explode. Furthermore, the marginalisation of Muslim communities and the recognition to Algerians as French citizens only under the condition of submitting to civil and public law of France exacerbated the French policy of *divide et impera*. For Muslim Algerians, which accounted as the majority of the population, this “stipulation, while following from the territorial conception of French law, implied abandonment of the personal status”³⁶ as Muslims, resulting, in practice, ineffective: even those who accepted this new status did not find place nor in France, where they were seen only as foreigners, nor in Algeria, in which they were seen as traitors. The 1947 Statute did not smooth things. The statute, also known as the *Statut de l'Algérie*, aimed to establish a framework for the administration of Algeria within the French Union. It granted a certain degree of representation to Algerians in the French Parliament and allowed for the creation of an Algerian Assembly. However, it maintained a hierarchical system that favoured European settlers over the Muslim Algerian population, further isolating them.

The violences of French domination were destined to be halted in the 1950s. As recalled by Phillip C. Naylor in his article “A Reconsideration of the Fourth Republic's Legacy and Algerian Decolonization,” Paris was sensing tensions in the air, even though they were kept at bay and shielded from public scrutiny. The then Minister of the Interior François Mitterrand visited Algeria in 1954, not long before the spark of the revolution ignited the country. He was reported to have been confident in the peace and prosperity of Algeria in a public

³³ Algeria | Flag, capital, Population, map, & Language. (2023, December 4). Encyclopedia Britannica. <https://www.britannica.com/place/Algeria/Colonial-rule>

³⁴ Idem

³⁵ Cahnman, W. J. (1945). France in Algeria: A Problem of Culture Contact. *The Review of Politics*, 7(3), 343–357. <http://www.jstor.org/stable/1404184>

³⁶ Idem

speech rendered in the country itself: however, when meeting with the Prime Minister Pierre Mendès-France, he expressed his concerns: "the climate is getting worse over there. It is necessary to act quickly."³⁷ While attempting to implement a series of reforms in order to fix the flaws in the Statute of 1947 and sedate the rebellious feelings that were circulating in Algeria³⁸, in 1954 the course of history both for France and Algeria began its alteration course.

In this work, we will not provide a comprehensive step-by-step narration of the Algerian War, as it is not the crucial point of this analysis. However, since the decolonisation war brought to life the major defect in the French political system and made the *hémisphère* change its constitutional order during what is now remembered as a long, tiresome, and bloody conflict, we will bestow a general overview.

On the first of November 1954 the first ALN (Armée de Libération Nationale, the military branch of the Front de Libération Nationale) coordinated attack targeted public installations, police, and military posts. The *guerrilla* warfare used by the ALN was soon condemned by the French authorities, which punished the insurgents as "bandits" and recurring to major punitive sweeps.³⁹ The guerrilla warfare was the main tool used, for the first two years of the war for liberation, against the French settlers: the years 1954-1956 were intensely marked by rural insurgency, urban bombings, and acts of terrorism and the old as time method of "peasants revolt".⁴⁰ The French, on the other hand, responded with a declaration of the state of emergency over Algeria, and militarily by sending troops from the homeland to the colony. In 1955, with a widespread armed outbreak in Skikda, north of the Constantine region which resulted in the deaths of almost one hundred Europeans and Muslim officials, turning point in the war was achieved. Between 1,200 (according to French sources) and 12,000 (according to Algerian sources) people were killed as a result of countermeasures carried out by the French army and settlers⁴¹. Countermeasures also included cutting off supplies, displacement of rural populations (as the FNL forces were mostly spread across villages in the countryside), burning down villages and / or killing their livestock.⁴²

An interesting dimension of the Franco-Algerian war is indeed the voluntary internationalisation of the conflict: Natalya Vince writes in "The Algerian War, The Algerian Revolution", the FNL sought a "favourable resolution of the conflict by making it an international issue, drawing in the USSR, the United States and newly independent Asian, Middle Eastern and African states, to apply pressure on France"⁴³. This is why 1955 is a crucial year also for the ideology behind the *Algerie Française*: in that year, the Bandung Conference saw

³⁷ Giesbert, F.-O., & Mitterrand, F. (1977). François Mitterrand ou la tentation de l'histoire. Seuil, 127.

³⁸ Naylor, P. C. (2002). A Reconsideration of the Fourth Republic's Legacy and Algerian Decolonization. *French Colonial History*, 2, 159–180. <http://www.jstor.org/stable/41938127>

³⁹ Windrow, M. (1997). *The Algerian War 1954–62*. Osprey Publishing.

⁴⁰ Vince, N. (2020). *The Algerian War, The Algerian Revolution*. Springer International Publishing. <https://www.perlego.com/book/3481850/the-algerian-war-the-algerian-revolution-pdf>

⁴¹ Algeria | Flag, capital, Population, map, & Language. (2023b, December 4). Encyclopedia Britannica. <https://www.britannica.com/place/Algeria/The-Algerian-War-of-Independence>

⁴² Vince, "The Algerian War; The Algerian Revolution."

⁴³ Idem

previously colonised countries claiming their place at the table, together with nationalist movements of colonised countries as well: to name a notable participant, the FNL itself.

In coincidence with the independence of Tunisia and Morocco from France in 1956, and their support to the independentist struggle, the FNL decided to shift their strategy from guerrilla warfare to urban insurgency, with the aim of targeting the centre of the colonial power: the capitol, Algiers.

The Battle of Algiers is one of the most famous and important development for the conflict. Preceded by months in which the FNL spun a clandestine web of liaisons in the Casbah, September 1956 witnessed the declaration of armed struggle in the capitol, and the subsequent “Operation Soummam” that was launched by the FNL at the beginning of 1957. The violence and the losses on both sides of the Battle for Algiers clamoured for the return of Charles De Gaulle who, as we illustrated in the previous chapter, had left the French political scene after the failure of its system proposal. Under his guidance, the *hégexagone* put to sleep the old ordainment of the Fourth Republic and refashioned the Constitution under the banner of the Fifth Republic. With him becoming President of the Republic in 1959, the self-determination of the Algerian people was officially recognised. This prospect that the General projected into the future was a medicine to feed the revolutionaries of the FNL, hoping they would negotiate. The Algerian forces, however, took this as a moment of French weakness: the years 1960 and 1961 witnessed numerous revolts, and the failure of the peace talks with the FNL increased the threat of a direct intervention of the USSR and China.

The already brittle status of the country was further compromised by the rise of the OAS (Organisation Armée Secrète), a far right, paramilitary and terrorist organisation that aimed at preserving the colonial rule of France over Algeria. The organisation mainly used the tools of mass bombings in what has been called *la folie meurtrière*⁴⁴ (murderous insanity), in response to the self-determination referendum of 1961. It is estimated that, in its brief political life, the “OAS killed between 1,600 and 2,400 people, the overwhelming majority of them ‘Muslims’, as Algerians were then called”.⁴⁵

Ironically enough, the murderous strikes conducted by the OAS had the opposite effect: in fact, it brought FNL and French negotiations to a turning point, besides burning bridges with the remaining support in France for the colonist cause⁴⁶. In 1962, the peace talks re-opened in Evian, after a first failure in 1961: in March of the same year, the ceasefire is signed between France and the FNL, in April the head of the OAS is captured, and on the 3rd of July 1962 the independence of Algeria is finally recognised.⁴⁷

We illustrated until now the situation in the liberated colony. But what was happening, in the meantime, in the *hégexagone*? And why this historical conjunction of events is important?

⁴⁴ Universalis, Encyclopaedia. (2015, October 28). Algérie: Géographie, économie, histoire et politique (Les Grands Articles d'Universalis) (French Edition).

⁴⁵ French far right’s fight to keep Algeria. (2022, April 11). Le Monde Diplomatique. <https://mondediplo.com/2022/04/11/france-algeria>

⁴⁶ Windrow, M. (1997). The Algerian War 1954–62. Osprey Publishing.

⁴⁷ Idem

First thing first, the Gaullist mythology painted the return of De Gaulle in 1958 as the saviour of the country.⁴⁸ The return to power of the prominent figure of World War II, the promoter of the Evian accord and of the peace dialogue, targeted and almost murdered by the OAS, was incredibly acclaimed.

The spark of the Algerian war of Independence took advantage of a disunited situation that was affecting France. In fact, in the years 1949-1953 the political French landscape was dominated by small groups rather than big parties. Furthermore, lists representing motorists, *mecontents*, professional groups, and taxpayers were presented during the 1951 elections.⁴⁹ After those elections, the parliament composition became exponentially fragmented, especially on prominent issues. Moreover, many of these divisions occurred both between and within parties. The Peasant Party was split between Paul Antier's supporters and Camille Laurens'; the UDSR (*Union démocratique et socialiste de la Résistance*) was split between Pleven and Mitterrand; Edgar Faure and Pierre Mendes-France fought for control of the Radical party, which eventually split into several different elements; and the Independents were split between the faction loyal to Antoine Pinay and that loyal to Joseph Laniel.⁵⁰ This complex political mosaic was further worsened by the growth of the Cold War tensions and the anti-communist sentiments: however, if the common front against the Soviet menace worked in 1951, after Stalin's death in 1953, the threat seemed less frightening, and the USSR less strong. The general feeling in France was more of "neutralism," without choosing between the eastern and the western blocks.

As per internal orientations, the main parties had opposite goals, with the Gaullist wishing to completely change the Constitutional ordainment much like De Gaulle wished in 1946; other forces were more or less prepared to cooperate with the system. The MRP (*Mouvement Républicain Populaire*) wanted to focus on foreign policy, even if it meant losing votes. In contrast, the SFIO (*Section française de l'Internationale ouvrière*) and the Radicals both sought to maintain their own support. The Radicals by staying in government at all costs, in order to make sure that their clients could receive the benefits that the state controlled, while the SFIO regularly left to take a *cure d'opposition* that would appease their austere militants.⁵¹

According to Richard Vinen, the issues that affect the last years of the Fourth Republic were the clerical/anti-clerical division, the Vichy-Resistance conflict division, the debate around the EDC (European Defence Community), and, relevant to this chapter, the decolonisation. The whole of France's political problem found ideally its solution in the political figure of Pierre Mendès-France, invested by a large majority with the title of Prime Minister. He was strongly opposed, however, by the Poujadism, a populist, low-class and right-wing movement founded by Pierre Poujade (interestingly, Jean Marie Le Pen, former leader of the National front, found its political origins in this movement, which welcomed ex-poujadists).

In the meantime, after 1947, the *Rassemblement du Peuple Français* (from now referred to as RPF) founded by De Gaulle had been gaining popular support in the elections of 1951 but faded a little after Stalin's

⁴⁸ Atkin, Nicholas. (2004). *The Fifth French Republic*. Palgrave Macmillan Ltd.

⁴⁹ Vinen, R. (1996). *The Fall of the Fourth Republic: 1951-1958*. In *France, 1934-1970* /. Macmillan.

⁵⁰ Idem, p.

⁵¹ Idem, p.102

death. The resilience of the other forces meant that the Fourth Republic did not implode as it was supposed to in De Gaulle's previsions.⁵² The trigger to this implosion was, in the end, the Algerian War.

The brittle asset of the Fourth Republic did not have a backbone strong enough to bear the impact of the escalating conflict against Algeria. And, when in May 1958 Algiers fell under a coup d'état that demanded the return to power of De Gaulle, president René Coty had no choice than recalling him from his voluntary exile, in order to pacify a country on the brink of a civil war: "turning towards the most illustrious of Frenchmen, towards the man who, in the darkest years of our history, was our chief for the reconquest of freedom and who refused dictatorship in order to re-establish the Republic. I ask General de Gaulle to confer with the head of state and to examine with him what, in the framework of Republican legality, is necessary for the immediate formation of a government of national safety and what can be done, in a fairly short time, for a deep reform of our institutions."⁵³

The return to political power, to being useful to France, meant for De Gaulle that he could hold the constitutional change as a leverage to use as a shield from the collapse of France.

⁵² Atkin, "*The Fifth French Republic.*"

⁵³ Fenby, J. (2013). *The General* (p. 396). ISBN 9781620878057.

3.2 The 1958 Constitution and the birth of the Fifth republic

“During exile” Nicolas Atkins writes “de Gaulle had enjoyed plenty of time to think about the new political structures he wished for France but (...) his ideas had changed little since he delivered his famous speech on 16 June 1946, the so-called Bayeux Constitution.”⁵⁴ The first priority was to cast away “authoritarian” or “Bonaparte” accusations, and, for this reason, De Gaulle heavily allowed wide variety of ministers and legal experts to have a say in the constitution making process. and reinforced the notion of France as a Republic. The 1958 constitution was the symbolically unveiled in Place de la République, and then submitted to referendum to the French people, being approved with a striking 82,60% in favour. Thus, on September 4th, 1958, the history of France took the turn of Semi-presidentialism, traversing the path on which course it is still on. In this part of the chapter, we will examine distinct parts of the French Constitution of 1958, in order to further lay out elements of our research question on the perils and opportunities of Semi-presidentialism.

Part 1 – the *préambule*

“Le peuple français proclame solennellement son attachement aux Droits de l'homme et aux principes de la souveraineté nationale tels qu'ils ont été définis par la Déclaration de 1789, confirmée et complétée par le préambule de la Constitution de 1946, ainsi qu'aux droits et devoirs définis dans la Charte de l'environnement de 2004.

En vertu de ces principes et de celui de la libre détermination des peuples, la République offre aux territoires d'outre-mer qui manifestent la volonté d'y adhérer des institutions nouvelles fondées sur l'idéal commun de liberté, d'égalité et de fraternité et conçues en vue de leur évolution démocratique.”⁵⁵

“The French people solemnly proclaim their attachment to the Rights of Man and the principles of national sovereignty as defined by the Declaration of 1789, confirmed, and complemented by the Preamble to the Constitution of 1946, and to the rights and duties as defined in the Charter for the Environment of 2004.

By virtue of these principles and that of the self-determination of peoples, the Republic offers to the overseas territories which have expressed the will to adhere

⁵⁴ Atkin, “*The Fifth French Republic.*”

⁵⁵ French Constitution. (1958). *Constitution de la République française*, Préambule.

to them new institutions founded on the common ideal of liberty, equality and fraternity and conceived for the purpose of their democratic development.”⁵⁶

The first thing that can be highlighted in the *Préambule* of the French Constitution of 1958 is not only the recalling of the Declaration of the Rights of Man of 1789, but the emphasis put, on the second paragraph, on the right of self-determination of peoples. This concept of international law, which still causes controversies to a certain extent, exudes the eight years of the Algerian War. By recognising the right to self-determination, France is slowly distancing itself from its colonial heritage, which is demonstrated by the progressive loss of the colonies in the same years. Of course, it could be objected that France still has colonies, but nowadays the extra-territorial France goes by the name of “overseas departments,” “overseas communities” and “special territories.” Guadeloupe, Martinique, French Guiana, La Réunion, and Mayotte are the five overseas departments-regions (*Département d'outre-mer - DOM; Région d'outre-mer - ROM*); French Polynesia, Wallis and Futuna, Saint-Pierre and Miquelon, Saint-Barthélemy, and Saint-Martin are the five overseas communities (*Collectivités d'outre-mer - COM*); and, lastly, there are two special territories: sui generis collectivity (*Collectivité sui generis*), which is New Caledonia, and the overseas territory (*Territoire d'outre-mer*) of the French Southern and Antarctic Land.⁵⁷

The great turn of the 1958 constitution was the legitimisation of the right to independence for Algeria: like a buried hatchet, it was legitimising the claims of the FNL, and it was a declaration of permanent abandonment of the *Algérie Française* project.

Once resolved this question, we can move forward with our first question. How, and to what extent is the semi-presidential system a balanced system? Could it degenerate into a more authoritarian layout?

An overview of the articles of the Constitution that deal with the Presidential figure, the Government, and the Parliament (*Assemblée Nationale*) is dutiful. In the French Constitution of 1958, the part dedicated to such figures are the *II*, *III* and the *IV Titre*.

3.2.1 *The President*

Delving into the *II Titre*, we find the constitutional layout of the role of the president of the Republic, from Article 5 to Article 19.

⁵⁶ Translation

⁵⁷ European Parliament. (2018). IPOL_BRI(2018)617483_EN. European Parliament. [https://www.europarl.europa.eu/RegData/etudes/BRIE/2018/617483/IPOL_BRI\(2018\)617483_EN](https://www.europarl.europa.eu/RegData/etudes/BRIE/2018/617483/IPOL_BRI(2018)617483_EN)

Art.5

“Le Président de la République veille au respect de la Constitution. Il assure, par son arbitrage, le fonctionnement régulier des pouvoirs publics ainsi que la continuité de l’État.

Il est le garant de l’indépendance nationale, de l’intégrité du territoire et du respect des traités”⁵⁸

“The President of the Republic shall ensure due respect for the Constitution. He shall ensure, by his arbitration, the proper functioning of the public authorities and the continuity of the State. He shall be the guarantor of national independence, territorial integrity, and due respect for Treaties.”⁵⁹

Apart from the first article of the III Title, which has more generalist approach, the most relevant articles to take into consideration for this analysis (and for the changes that the 1958 constitution brought) are artt. 6 – 8 – 9 – 10 – 12. In this analysis of the contents of the French constitution of 1958, we will try to extrapolate the limits posed to the new, strong presidential figure. As rejoiced by De Gaulle, finally the president would have a more significant role, and would have not been limited only to “inaugurate the chrysanthemums”⁶⁰, i.e., to dispose of a prestigious title but without real and incisive powers. The first element of check and balances emerges from art.6 is the time limit imposed to a single president.

ART. 6

“Le Président de la République est élu pour cinq ans au suffrage universel direct.

Nul ne peut exercer plus de deux mandats consécutifs.

Les modalités d’application du présent article sont fixées par une loi organique.”⁶¹

“The President of the Republic shall be elected for a term of five years by direct universal suffrage.

No one may hold office for more than two consecutive terms.

The manner of implementation of this article shall be determined by an Institutional Act.”⁶²

⁵⁸ France. (1958). *Constitution of the French Republic, 1958*, Art. 5, Jurisdiction.

⁵⁹ Translation

⁶⁰ De Gaulle, C. (9/09/1965). *Presse Conference at the Elysée*.

⁶¹ France. (1958). *Constitution of the French Republic, 1958*, Art. 6, Jurisdiction.

⁶² Translation

According to the French Constitution of 1958, the President of the Republic shall be elected. This is the first key point that changes the constitutional asset of the *hégémonie*. The election of the President of France takes place every five years using a two-round voting procedure. With a first round followed by a second round if no candidate wins an absolute majority. This represented a great novelty: for the French people to elect their head of state meant for the one that sat in the presidential chair to have a stronger legitimacy, and with this, a stronger power.

Furthermore, in a constitutional layout such as the *V République* one, in which the president has the extensive powers we will shortly illustrate, a limit on the mandates seems only reasonable. This goes well in accord with the desire of De Gaulle to cast away the accusation of trying to concentrate the powers in his hands, and the suspicions of the opposition of a certain Bonapartism feeling. For this reason, presidents are prohibited from being re-elected for more than two consecutive terms, posing practical limitations to any suspected attempt at transitioning the presidential title from an elective title to some sort of hereditary office, not differently from what happened, in fact, with Napoleon Bonaparte. Moving along, one of the most important powers of the president of the republic is laid out in art.8:

ART. 8

*“Le Président de la République nomme le Premier ministre. Il met fin à ses fonctions sur la présentation par celui-ci de la démission du Gouvernement.
Sur la proposition du Premier ministre, il nomme les autres membres du Gouvernement et met fin à leurs fonctions.”*⁶³

“The President of the Republic shall appoint the Prime Minister. He shall terminate the appointment of the Prime Minister when the latter tenders the resignation of the Government.

On the recommendation of the Prime Minister, he shall appoint the other members of the Government and terminate their appointments.”⁶⁴

The practice of the appointment of the Prime Minister has given birth, in France, of the curious phenomenon of the *cohabitation*. As in most systems, the head of Government has to present before the Parliament, in order to gain the vote of confidence, without which his appointment is null. But, contrarily to what happens in parliamentary systems, and more generally in systems where the President is not elected with universal suffrage, in France the vote of confidence is tied to the figure of the President.

Being universally elected, the president disposes of a considerable majority in Parliament, and having to appoint the Prime Minister, the practice has usually saw presidents appointing their right-hand men from

⁶³ France. (1958). *Constitution of the French Republic, 1958*, Art. 8, Jurisdiction.

⁶⁴ Translation

their party, or at least pooling them from the same political alignment. But, in cases such as results of legislative elections resulting in a majority that is completely opposed to the alignment of the President in charge, how to untangle the impasse? This is what happened in 1986, when the legislative elections under the presidency of Mitterrand (Socialist Party) resulted in a majority of a coalition of right alignment. This led to the appointment of Jacques Chirac, of the Neo-Gaullist *Rassemblement pour la République*. The institution of *Cohabitation* only occurred three times, but each of them shed light on the different balances between the President and the Prime Minister.

Other most notable powers are listed in art. 9,10 and 12:

ART.9

*“Le Président de la République préside le conseil des ministres.”*⁶⁵

“The President of the Republic shall preside over the Council of Ministers.”⁶⁶

ART.10

“Le Président de la République promulgue les lois dans les quinze jours qui suivent la transmission au Gouvernement de la loi définitivement adoptée.

*Il peut, avant l'expiration de ce délai, demander au Parlement une nouvelle délibération de la loi ou de certains de ses articles. Cette nouvelle délibération ne peut être refusée.”*⁶⁷

“The President of the Republic shall promulgate Acts of Parliament within fifteen days following the final passage of an Act and its transmission to the Government. He may, before the expiry of this time limit, ask Parliament to reopen debate on the Act or any sections thereof. Such reopening of debate shall not be refused.”⁶⁸

ART.12

“Le Président de la République peut, après consultation du Premier ministre et des présidents des assemblées, prononcer la dissolution de l'Assemblée nationale.

*(...)”*⁶⁹

“The President of the Republic may, after consulting the Prime Minister and the Presidents of the Houses of Parliament, declare the National Assembly dissolved.

⁶⁵ France. (1958). *Constitution of the French Republic, 1958, Art. 9, Jurisdiction.*

⁶⁶ Translation

⁶⁷ France. (1958). *Constitution of the French Republic, 1958, Art. 10, Jurisdiction.*

⁶⁸ Translation

⁶⁹ France. (1958). *Constitution of the French Republic, 1958, Art. 12, Jurisdiction.*

(...)”⁷⁰

These dispositions are the practical demonstration of the new incisive role of the president of the Republic. As demonstrated by art.9, he presides over the Council of Ministers, thus imposing a certain degree, even if only symbolic, over the works of the Prime Minister. Furthermore, the President is a prominent figure in the legislative process, having the role of promulgating the Acts of the Parliament, and also the possibility in the timeframe required (fifteen days), to request a re-opening of the debate on the Act. An interesting point is that such request coming from the President cannot be refused by Parliament, posing very clearly the prominence of the Presidential role in the legislative process, and in the executive as a whole.

3.2.2 *The Government*

Moving along, in the III Titre, the functions and powers of the Government are illustrated, from article 20 to article 23.

ART. 20

“Le Gouvernement détermine et conduit la politique de la nation.

(...)”⁷¹

“The Government shall determine and conduct the policy of the Nation.

(...)”⁷²

The first article of the III Titre, concerning the role of the Government clearly states the mission of the organ within the nation. In art.21, the more practical functions of the Prime Minister are laid out:

ART.21

“Le Premier ministre dirige l'action du Gouvernement. Il est responsable de la défense nationale. Il assure l'exécution des lois. Sous réserve des dispositions de l'article 13, il exerce le pouvoir réglementaire et nomme aux emplois civils et militaires.

Il peut déléguer certains de ses pouvoirs aux ministres.

⁷⁰ Translation

⁷¹ France. (1958). *Constitution of the French Republic, 1958*, Art. 20, Jurisdiction.

⁷² Translation

Il supplée, le cas échéant, le Président de la République dans la présidence des conseils et comités prévus à l'article 15.

Il peut, à titre exceptionnel, le suppléer pour la présidence d'un conseil des ministres en vertu d'une délégation expresse et pour un ordre du jour déterminé.”⁷³

“The Prime Minister shall direct the actions of the Government. He shall be responsible for national defence. He shall ensure the implementation of legislation. Subject to article 13, he shall have power to make regulations and shall make appointments to civil and military posts.

He may delegate certain of his powers to Ministers.

He shall deputize, if the case arises, for the President of the Republic as chairman of the councils and committees referred to in article 15.

He may, in exceptional cases, deputize for him as chairman of a meeting of the Council of Ministers by virtue of an express delegation of powers for a specific agenda.”⁷⁴

Other provisions of the Constitution further implement these powers: the Prime Minister may introduce bills in either House (Article 39, paragraph 1)⁷⁵; the Government sets half of the agenda for the examination of its bills and those it chooses to examine (Article 48, paragraph 2)⁷⁶; the Government may propose amendments (Article 44, paragraph 1)⁷⁷; it may request that the Assembly take a single vote on all or part of the text under discussion, adopting only the amendments that it proposes or accepts (Article 44, paragraph 3)⁷⁸; and it may grant the National Assembly "the last word" by asking it to render a decision in the event that the Senate and the Government cannot agree on the adoption of a bill (Article 45, paragraph 4)⁷⁹.

In practice, for France, what does it mean? It means, first of all, a form of stability at the government level. According to the *Conseil Constitutionnel*, the Government ‘stability is openly encouraged by the Constitution, which strictly limits the conditions under which the Government can be overthrown by the National Assembly, as per articles 49 and 50 of the Constitution: in case of contrast with the political conduct of the government, the Parliament can vote on a motion of “censorship”, which is only admissible if it is signed by at least one tenth of the members of the National Assembly. In such case, the Prime Minister must submit the Government's resignation to the President of the Republic (art.50). In practice, the stability is guaranteed by the fact that the vote on censorship can only take place forty-eight hours after it has been tabled; that only

⁷³ France. (1958). *Constitution of the French Republic, 1958*, Art. 21, Jurisdiction.

⁷⁴ Translation

⁷⁵ France. (1958). *Constitution of the French Republic, 1958*, Art. 39, Jurisdiction.

⁷⁶ France. (1958). *Constitution of the French Republic, 1958*, Art. 48, Jurisdiction.

⁷⁷ France. (1958). *Constitution of the French Republic, 1958*, Art. 44, Jurisdiction.

⁷⁸ Idem

⁷⁹ France. (1958). *Constitution of the French Republic, 1958*, Art. 45, Jurisdiction.

the votes in favour of the motion of censure are counted; and, finally, that the motion may only be adopted by a majority of the Members of the Assembly (art.49). Generally speaking, if the Government balances the powers of the President of the Republic, the same thing could be said for the relation between the Government and the Parliament.

3.2.4 *The National Assembly*

The IV Titre is dedicated to the functions of the National Assembly, which is the official name for the French Parliament: the artt. concerning the role of the Parliament span from 24 to 33.

ART.24

“Le Parlement vote la loi. Il contrôle l'action du Gouvernement. Il évalue les politiques publiques.

Il comprend l'Assemblée nationale et le Sénat.

Les députés à l'Assemblée nationale, dont le nombre ne peut excéder cinq cent soixante-dix-sept, sont élus au suffrage direct.

Le Sénat, dont le nombre de membres ne peut excéder trois cent quarante-huit, est élu au suffrage indirect. Il assure la représentation des collectivités territoriales de la République.

(...)”⁸⁰

“Parliament shall pass statutes. It shall monitor the action of the Government. It shall assess public policies.

It shall comprise the National Assembly and the Senate.

Members of the National Assembly, whose number shall not exceed five hundred and seventy-seven, shall be elected by direct suffrage.

The Senate, whose members shall not exceed three hundred and forty-eight, shall be elected by indirect suffrage. The Senate shall ensure the representation of the territorial communities of the Republic.

(...)”⁸¹

⁸⁰ France. (1958). *Constitution of the French Republic, 1958*, Art. 24, Jurisdiction.

⁸¹ Translation

The powers of the Government, as explicitly stated by art.24, are balanced by the Parliament, here addressed as the ensemble of the National Assembly and the Senate, having the prerogative of voting the law and, as we mentioned in the paragraph above, the *censure*. The ties with the Government, especially with the Prime Minister, are even more laid out in art.29:

ART.29

“Le Parlement est réuni en session extraordinaire à la demande du Premier ministre ou de la majorité des membres composant l'Assemblée nationale, sur un ordre du jour déterminé.

Lorsque la session extraordinaire est tenue à la demande des membres de l'Assemblée nationale, le décret de clôture intervient dès que le Parlement a épuisé l'ordre du jour pour lequel il a été convoqué et au plus tard douze jours à compter de sa réunion.

*Le Premier ministre peut seul demander une nouvelle session avant l'expiration du mois qui suit le décret de clôture.”*⁸²

“Parliament shall meet in extraordinary session, at the request of the Prime Minister or of the majority of the Members of the National Assembly, to debate a specific agenda.

Where an extraordinary session is held at the request of Members of the National Assembly, this session shall be closed by decree once all the items on the agenda for which Parliament was convened have been dealt with, or not later than twelve days after its first sitting, whichever shall be the earlier.

The Prime Minister alone may request a new session before the end of the month following the decree closing an extraordinary session.”⁸³

This power, ultimately, seems also to be in the hands of the President of the Republic, as posed by art.30, which sets in stone that, when needed, the extraordinary session of Parliament must be called by presidential decree:

ART.30

⁸² France. (1958). *Constitution of the French Republic, 1958*, Art. 29, Jurisdiction.

⁸³ Translation

*“Hors les cas dans lesquels le Parlement se réunit de plein droit, les sessions extraordinaires sont ouvertes et closes par décret du Président de la République.”*⁸⁴

“Except where Parliament sits as of right, extraordinary sessions shall be opened and closed by a Decree of the President of the Republic.”⁸⁵

The mention and brief overview of the articles concerning the major organs of the French political system served the purpose of understanding how the Constitution of 1958 lays out and divides the powers in its terrain. What seems to be excluded, for obvious reasons, is what happens, in practice, outside the Constitution as a text, and trends in the functioning of said organs.

⁸⁴ France. (1958). *Constitution of the French Republic, 1958*, Art. 30, Jurisdiction.

⁸⁵ Translation

3.3 Checks and balances: a progressive shift?

According to Łukasz Jacubiak, the original structure of the French system is of parliamentary origin. More precisely, “parliamentary genesis.”⁸⁶ The changes that distinguish the Fifth republic regime from its predecessors is, as we stated at the beginning of this work, is the reinforced role of the President of the Republic, which had to function “over various political divisions, which would have put him, in some sense, outside the strictly structured executive power.”⁸⁷

Taking, for example, the role of the President in “classic” Parliamentary Republics, we could generally depict it as an arbitrator, someone that is at the same time inside and outside the politics of the state. In Italy, for example, the President follows what political scientists have called *modello a fisarmonica*, i.e., “accordion model”⁸⁸. That means, the expansion and contraction of the presidential powers in the process of government formation⁸⁹, and, more generally, according to the political needs of the times.

Jacubiak firmly argues on the Parliamentary nature of the French system, all considering the Constitution of 1958. If this hypothesis should be considered as adherent to the political reality of France, the French President would not have significantly different powers, to cite an example, in comparison to the Italian President. But can it genuinely be concluded that Sergio Mattarella and Emmanuel Macron have the same power, and the same impact as Heads of State in their own countries?

The French Constitution of 1958 changes the rules. The President of the Fifth Republic ordainment is still an arbitrator, on the blueprint of the parliamentarism heritage, but with exceptional strength. The constitutional text grants the head of State certain constitutional powers (applied without the need for a ministerial countersignature) that allows him to affect how the entire institutional framework operates. The ability to dissolve parliament is, first and foremost, one of the instruments of such a powerful arbitration.⁹⁰ Furthermore, as intended by De Gaulle, the referendum would have been a tool for the President of the Republic to direct the national line of policy, in direct contact with the voters. The dissolution power was intended to counter the weight of the parliament, which was particularly strong in the Fourth Republic ordainment, further elevating the stance of the executive, while the referendum power was regarded as a way to break the legislative exclusivity of the chambers, making it possible for a bill to pass without going through the parliamentary process. A country, Jacubiak writes, can now function as its own legislator without the involvement of parliamentarians.⁹¹

⁸⁶ Jakubiak, Ł. (2018). The Parliamentary Genesis of the French Semi-Presidentialism against the Background of the Process of Presidentialisation of the Fifth Republic. *Politeja*, 15(53), 203–226. <https://doi.org/10.12797/politeja.15.2018.53.12>

⁸⁷ *Idem*, p. 209

⁸⁸ Pasquino, G. (2012). Italian Presidents and their Accordion: Pre-1992 and Post-1994. *Parliamentary Affairs*, 65, 845-860.

⁸⁹ Tebaldi, M. (2023). The ‘presidential accordion’ in times of crisis: Is it still well tuned? *Contemporary Italian Politics*, 15(3), 312-330. <https://doi.org/10.1080/23248823.2023.2199184>

⁹⁰ Jakubiak, "The Parliamentary Genesis of the French Semi-Presidentialism.", p.203–226.

⁹¹ *Idem*, p. 211

However, the asset laid down by the Constitution is strongly parliamentary. In order to appease the strong Fourth Republic Parliament, the new constitution was intended to preserve a broadly understood parliamentary system of government. While the founding fathers' original ideas directly led to this direction for constitutional works, the requirement to maintain the basic framework of this model was also formally regulated. Therefore, maintaining the principle of the cabinet's responsibility before the legislature, which is fundamental to any parliamentary regime—and ensuring the separation of various authorities were among the legal requirements.⁹²

As argued by Jacubiak, the Constitutional text did present elements of a “reformed” parliamentarism, which are demonstrated by the responsibility of the government before the parliament, and the role of the President in this mechanism. We mentioned earlier the power of the President to dissolve parliament. However, article 20 states that the government is only accountable to the parliament for formulating and carrying out state policy. This meant that even though the president is in charge of the Council of Ministers, the only legally sanctioned forum for government meetings, his activism in setting state policy is unsupported by the constitution.⁹³

It needs to be remarked that, while we observe nowadays the French President being chosen via direct election on a universal suffrage basis, in the first moments of the 1958 text, the head of state was to be appointed after being elected by a special electoral college (which strongly resembles the American “electoral votes”). In the French case, the electoral college comprised parliamentarians and representatives of local assemblies, approximately amounting to 80,000 members.

The amendment that gave the French people the power to elect their own president was adopted in 1962. And from this, a new legitimacy for the President comes to life, re-interpreting the role of the Head of state and, more specifically, the meaning of art.6 – now reciting the formula “universal suffrage”.⁹⁴ This amendment resulted in a progressive “presidentialisation” of French politics after the reform of 1962, approved by referendum with a 62.3% on a 77.0% turnout⁹⁵, and the first presidential elections of 1965 that reconfirmed De Gaulle as president. Another important reform to keep in mind is the establishment of the *quinquennat*, i.e., the five-years term for the presidency, which also coincides with the parliamentary mandate. Additionally, the popular presidential elections of 1965 allowed the head of state to assume the role of “creator and unifier” of a more or less multi-tiered political camp of their own. The most crucial factor in the second round of the majority system-conducted parliamentary elections was the candidate's affiliation with the president's political allies or opposition group. Parliamentary elections and presidential elections have thus been closely associated, even though their temporal convergence was not a necessary condition.⁹⁶

⁹² *Idem*

⁹³ *Idem*

⁹⁴ France. (1958). *Constitution of the French Republic, 1958*, Art. 6, Jurisdiction.

⁹⁵ Nohlen, D., & Stöver, P. (2010). *Elections in Europe: A data handbook*.

⁹⁶ Jakubiak, "The Parliamentary Genesis of the French Semi-Presidentialism.", p.214.

The president's term limit has demonstrated that the so-called majority effect, or *fait majoritaire*, in which the entire executive branch is politically cohesive, has emerged as the favoured political arrangement. This means, in practice, that a politically “familiar” executive is to be preferred, with the Head of Government coming from the same political family of the Head of State: in this case, we have the so called “*congruence des majorités*” or “*primauté présidentielle*.” In contrary cases, the phenomenon of the cohabitation takes place.⁹⁷ Why is this relevant? The importance of this institution is the key to understand the core of semi-presidentialism as per the French system. The cohabitation is the peak demonstration of the counterweight to balance the presidential powers. In fact, in a situation where the government carry the same genetical asset as the president, how can pluralism be effectively enacted? Or to be more precise, how can it be politically relevant? Truth to be said, the President’s role is not set in stone as almighty as it may appear. However, the triad Parliament-Government-President does not give room to doubt on a progressive shift towards presidentialisation since 1962. During the first four years of the new Republic ordainment, the party system in France changed substantially, polarizing the previously fragmented political scenario in two poles: Communists and Socialists one the left hand, and Gaullists and Giscardians on the right hand.⁹⁸ Said division as destined to perdure until the 1980s, mirroring de facto the evolution of the Cold War.

According to Pierce, if the advantage of majority blocs gave stability to France, the real problem with them was represented by the “potentiality of the presidency being held by one partisan bloc and the National Assembly being controlled by the opposing bloc. If a parliamentary majority opposed the president, the prime minister supported by that majority would also be opposed to the president, and unity in the executive branch — taken as a whole — would vanish. The ironic outcome could be that the presidency, designed at least in part to help bolster the government in its relations with the legislature, would contribute toward undermining a government that the legislative majority was prepared to support.”⁹⁹

The divisions between the executive surfaced only three times from 1962 until now: in the Mitterrand-Chirac Era (1986–1988); in the Mitterrand-Balladur Era (1993–1995); and in the Chirac-Jospin Era (1997–2002). We have mentioned before the cohabitation of Mitterrand and Chirac, and how during the time that they cohabited, the President focused on international affairs while Chirac took care of home affairs. In the second Mitterrand mandate, the right secured an 80% majority in the National Assembly elections. Once again, he was required to appoint an opposition figure from the RPR and Union for French Democracy (UDF) factions. On this occasion, Édouard Balladur assumed the position of Prime Minister, as Chirac was directing his efforts towards a presidential candidacy, which he preferred to pursuing a third term as Prime Minister. Balladur enjoyed this role until 1995, when Jacques Chirac was elected President.

In 1995, Jacques Chirac succeeded Mitterrand as president, and, with the right securing a majority in the assembly, he appointed his fellow RPR member Alain Juppé as Prime Minister, concluding the cohabitation

⁹⁷ François, B. (2018). *La Ve République confrontée au 'fait majoritaire'*. Presses de l'Université de Montréal.

⁹⁸ Pierce, R. (1991). *The Executive Divided Against Itself: Cohabitation in France, 1986-1988*. *Governance.*, 4(3), 270–294. <https://doi.org/10.1111/j.1468-0491.1991.tb00016.x>

⁹⁹ Idem, p.274

through a change in the presidency. This alignment of the president and assembly was expected to endure until the regularly scheduled 1998 assembly elections. But in 1997, President Chirac took the audacious and disastrous strategic choice to dissolve the Parliament and hold early elections for the legislature. However, this tactic backfired: in his plan Chirac had not considered the shift, for French people, to more leftist views, which led to the right-wing assembly majority being erased. As a result, Chirac was forced to name socialist Lionel Jospin as prime minister. Jospin held this position until the elections of 2002, which made his third cohabitation term the longest ever at five years. Jospin's limited Chirac's political power and prevented him from influencing major changes carried out by the left-wing majority, such as the law that reduced the standard working week from 39 to 35 hours (2000).

In conclusion, it is clear how the constitutional asset of France is slightly separated by the real events and course of history. The parliamentary genesis argued by Jacubiak gave way with the reform of 1962 to a progressive shift to presidentialism: and presidentialism, as argued by Lijphart, gives way to parliamentarism, once again, when in presence of the cohabitation¹⁰⁰, that ultimately serves the purpose of countering the presidential power. In the following chapter we will focus on the eight presidents of the Fifth Republic, and illustrating their mandates and their styles of presidency, we will try to further develop the argument on the perils and opportunities of semi-presidentialism in France.

¹⁰⁰ Lijphart, A. (1999). *Patterns of Democracy*. New Haven: Yale University Press. 110. ISBN 978-0-300-07893-0.

4. Do you hear the people sing?

Before proceeding with the analysis of the Presidency style that characterizes the Fifth Republic's heads of State, we would like to open a brief parenthesis of micro-history related to what we narrated in the first part of Chapter 2. As we mentioned, the Algerian War split the public conscience and, in particular, it mobilised part of the civil society against colonialism and the occupation of Algeria. The Algerian war was extremely present in France, and as we have just observed in the previous Chapter, it incisively contributed to the fall of the system that was traversing a profound crisis – the Fourth Republic. In this Chapter, we will delve into the first-hand account of the social climate of the period 1954-1962, with the testimony of Rolande Balbot narrated by her daughter, Micheline.

“We felt that the Republic was in danger” she recalls, when asked about how life was at the twilight of the Fourth Republic. “In France, in great metropolitan areas such as the surroundings of Paris, the attacks by the *Organisation de l'Armée Secrète* (OAS) were multiplying. French Algerians were hunted down by OAS members – they engaged in beatings in the shantytowns where Algerians lived in miserable conditions around Paris. The OAS also placed bombs at the homes of politicians who were against the war and for peace negotiations. The newspaper *l'Humanité* was attacked, and my father was often called upon to defend it because it was often set on fire.”¹⁰¹ At the time of the facts that we are narrating, the OAS had already put into place its violent strategy. As we have highlighted in Chapter 2, the OAS advocated for the maintenance of French control over Algeria and was the driving force that vehemently opposed negotiations for Algerian independence. They viewed any steps towards granting independence to Algeria as a betrayal of French colonial interests and a threat to their own existence in North Africa. As negotiations between France and Algerian nationalist groups, notably the FLN, progressed, leading eventually to the independence of Algeria, the OAS escalated its campaign of violence and terrorism in both Algeria and France. Their actions were aimed at destabilizing the French government, intimidating the supporters of Algerian independence, and undermining the negotiating process. Bombings, assassinations, and other acts of violence were their chosen

¹⁰¹ Balbot, M. (2024, February 12). Personal communication. [Interview]

strategy for undermining political dialogue, often targeting the headquarters of leftist parties, such as the PCF, who was a loud advocate for the cause of Algerian independence.¹⁰²



*The Communist Party section of Neuilly-sur-Seine*¹⁰³

We have observed in Chapter 2 how deeply fractured France was, and terrorism was certainly a plague that weakened the government in place on one hand, on the other it exacerbated the existent social divides. For example, the *Pieds-Noirs* had begun to return to France, but a large part of the population did not look at them with sympathy. Nonetheless, they were integrated in the school system, as remembered by Micheline Balbot. “We had some girls in my class that had returned from Algeria. I remember in school that they were terrified of most loud noises, because it reminded them of bombings.”¹⁰⁴

But one of the key points for this micro-history analysis is the repression of dissent. Those who were against this war and protested loudly demanding for peace, organized strikes, and distributed leaflets were regularly repressed by the government in place.¹⁰⁵ Certainly, there were state guarantees for the freedom of press and expression, in particular the *Loi du 29 Juillet 1881 sur la liberté de la Presse*, who granted a relatively broad freedom of press and speech.¹⁰⁶ However, such laws were followed in 1893 by the so-called *Loi*

¹⁰² Schweitzer, T.-A. (1972). *Le Parti communiste français, le Comintern et l'Algérie dans les années 1930*. *Le Mouvement social*, 78, 115-136.

¹⁰³ Image retrieved from personal archive.

¹⁰⁴ Balbot, "Personal communication."

¹⁰⁵ Idem

¹⁰⁶ Legifrance. (n.d.). *Loi du 29 juillet 1881 sur la liberté de la presse*. Retrieved from <https://www.legifrance.gouv.fr/loda/id/LEGITEXT000006070722#:~:text=Tout%20journaliste%2C%20au%20sens%20du,insu%20ou%20contre%20sa%20volont%C3%A9>.

Scélérates, approved in the context of the Third Republic (1870-1940), when the French State was dealing with anarchist terrorism. The *Loi Scélérates* targeted anarchism and political violence against the state. This bill criminalized anarchist activities, enabling authorities to suppress anarchist propaganda, organizations, and publications, while granting expanded powers to police for censorship and investigations when suspicions of peril arose. It imposed restrictions on public meetings and associations suspected of promoting anarchism, allowing arrests based purely on suspicion. Severe penalties, including imprisonment and fines, were bestowed upon individuals involved – or suspected to be involved – in anarchist activities.¹⁰⁷

Hence, even if the *Loi Scélérates* were born specifically to target anarchists around sixty years – and a whole République – before the Algerian War, they were abrogated only in 1992, and were still in use in the 1950s. As Micheline Balbot recalls, left-wing newspapers were regularly censored, and anyone who opposed the government was silenced.¹⁰⁸ The Communist Party was among the left-wing political entities that openly expressed their dissent with the French occupation of Algeria, especially when the tortures operated by the French Army towards the locals surfaced, provoking a wave of indignation. During the Algerian war, the French government denied institutional participation in practices of torture, claiming that it was merely the result of aberrant behaviour by soldiers or police officers acting not in the name of the state, but in their individual capacity. However, as William B. Cohen writes, it happened with eerie systemisation. “Beginning in 1955 every regiment of the French army had an interrogation officer attached to it whose job it was to gain information by all means, including torture. Special training schools were established instructing the officers on "interrogation" techniques. Hundreds of thousands of Algerians were tortured during the war. These facts have been known for years (...).”¹⁰⁹

¹⁰⁷ Journal officiel de la République française. (1894, July 29). *Lois et décrets (version papier numérisée) n° 0203 du 29/07/1894 - Texte en accès protégé*. Retrieved from <https://www.legifrance.gouv.fr/download/securePrint?token=3drB@vdWrGn5Q3e0yB4P>

¹⁰⁸ Balbot, "Personal communication."

¹⁰⁹ Cohen, W. B. (2001). *The Sudden Memory of Torture: The Algerian War in French Discourse, 2000-2001*. *French Politics, Culture & Society*, 19(3), 82–94. <http://www.jstor.org/stable/42843189>



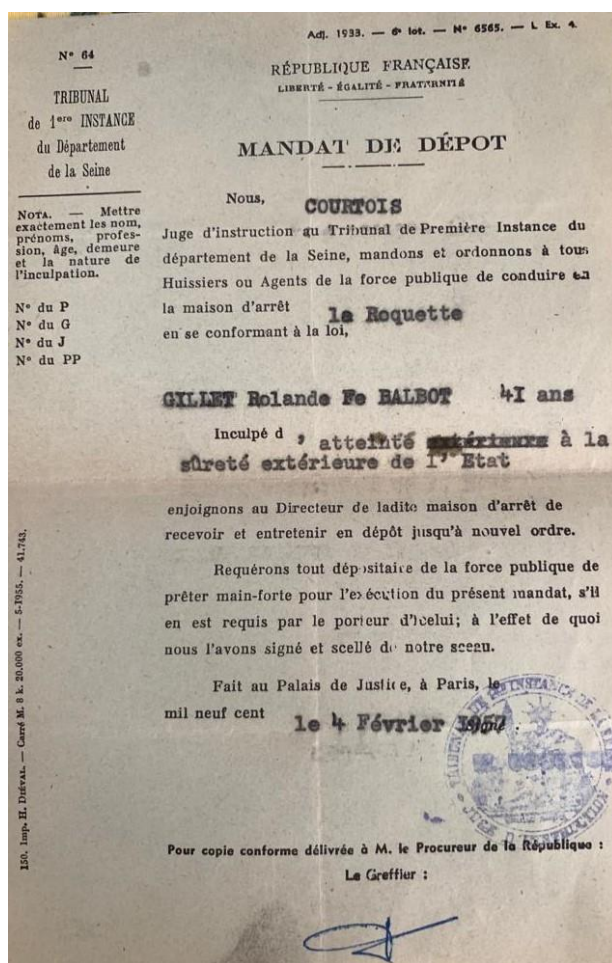
*A protest against the use of torture and for peace in Algeria, Neuilly-sur-Seine
Foreground, Micheline Balbot¹¹⁰*

The militants of left-wing parties were thus daily involved in mobilisation of public opinion, often encountering the repression of police and authorities, as the facts of Rolande Balbot – née Gillet – narrate. A Neuilly-sur-Seine resident, Rolande Balbot had been engaged in politics since the young age, joining a militant cell in 1934. In 1937, Pierre Sorlin, the town's Communist leader, had offered her a job as a typist at the headquarters of the Paris-Ouest Communist Region. She had accepted and it was her future husband, Ernest Balbot, who took her in. She was on the premises when the police raided the building in the summer after the Communist Party was banned. She typed texts for *l'Humanité clandestine*, and after having left town during WWII, she resumed her activities at the Libération as a UFF activist and member of the local Sarlat Liberation Committee. After the end of the war, she returned to Neuilly with her husband in 1946, where she was a town councillor there from 1947 to 1959, along with Pierre Sorlin, Léonie Cattiau and Joseph Marchisio.¹¹¹ So, when during the Algerian War the Communist Party had started to print and distribute leaflets, the Neuilly militants were called to promote them. “The *Parti Communiste* had published a leaflet to denounce the constant torture of Algerian people during the war” narrates Micheline “My mother had agreed to distribute it with two other comrades. She had started distributing it in the morning at the Porte des Ternes in Neuilly. This distribution had been secretly reported to the police, who came to arrest them that same morning. My mother was taken to the town hall of Neuilly-sur-Seine. They were all imprisoned – Rolande in the women's prison of La Petite Roquette, Jean Moreau in Fresnes, and Philippe Colombier in La Santé. For what I knew back then – I was eleven, my sister was nine – my mother had left on the morning, and she did not return that day. She

¹¹⁰ Image retrieved from personal archive

¹¹¹ Pennetier, C. (2008, October 20). *Notice BALBOT Rolande [née GILLET Rolande]*. Maitron. Retrieved from <https://maitron.fr/spip.php?article15529>

would only return ten days later.”¹¹² The reason for their indictment was that they had harmed the external security of the state, as the pamphlet distribution was seen as an attempt to incite violence in the population and against the State, as it can be observed by the original record of the arrest of Rolande Balbot.



Warrant for the arrest of Rolande Balbot, 1957¹¹³

A solidarity movement quickly rallied around the trio, vehemently asserting that they posed no threat whatsoever, and that they were innocent of all charges. The French Communist Party then took a proactive stance in their support, distributing postcards bearing the images of the three prisoners and advocating for their liberation. These postcards were a symbolic gesture, but also a very effective one. They were mass-produced and dispatched by the hundreds, directed towards the president of the correctional chamber at the *Palais de Justice* in Paris. The effort to rally behind the accused aimed at transmitting the belief in their innocence and aimed at favouring their acquittal as the outcome of their impending trial. Below, a copy of the pamphlet printed and distributed.

¹¹² Balbot, "Personal communication."

¹¹³ Image retrieved from personal archive

Trois habitants de Neuilly-sur-Seine menacés



ALBIN LIECHTI

Albin Liechti, symbole de la lutte du Peuple de France contre la guerre d'Algérie, comme hier Henri Martin en était le symbole contre la guerre d'Indochine, de par la volonté du gouvernement qui l'a fait partir en Algérie alors qu'il était l'ainé de neuf enfants, de par la volonté du gouvernement qui l'a fait passer en jugement, qui a ordonné qu'il soit condamné pour l'exemple, alors qu'il avait fort bien pu, comme Albin Liechti ne plaiderait sa conscience: pour des hommes d'une telle valeur morale...

Ces trois personnes sont honnêtement connues et entendues à l'échelle nationale de Neuilly-sur-Seine. Madame BALBOT est mère de 2 enfants et conseiller municipal. Monsieur Philippe COLOMBIER est artisan et Monsieur Jean MOREAU, employé.

Le 20 septembre ils seront jugés par la 1^{re} Chambre correctionnelle. Ils répondront de l'incrimination « d'atteinte à la sûreté extérieure de l'Etat ». Déjà en février dernier ils furent emprisonnés une semaine sans même avoir pu recevoir la visite de leur famille.

Quel crime ont-ils commis, de quelle trahison se sont-ils rendus coupables ? Tout simplement ils ont cru à l'esprit et à la lettre du préambule de la Constitution ratifiée par le peuple de France le 27 octobre 1946 et qui stipule : « Nul ne peut être lésé dans son travail ou son emploi en raison de ses opinions, de ses croyances, de ses convictions ».

Le 4 février, ils distribuaient aux ouvriers de l'usine Marchal

à Neuilly un opuscule traitant de l'obligation de négocier la paix en Algérie. Arrêtés et incarcérés dans de scandaleuses conditions, ils bénéficièrent de la sympathie de personnes profondément choquées de cette répression aussi inhumaine. En quelques jours, des centaines de protestations affluèrent sur le bureau du juge qui les libéra. Car, le tract incriminé, distribué à plusieurs centaines de milliers d'exemplaires à travers la France n'avait été rédigé d'aucune manière. En plusieurs milliers apparaissent donc la volonté d'entendre, d'écouter ceux qui émettent une opinion non conformiste. Mais aussi, en pleine lumière est apparu le profond attachement aux libertés démocratiques de l'immense majorité de Français. Le 20 septembre il s'exprimera par des milliers de cartes postales, des centaines de messages qui s'adresseront sur la table devant le Président de la 1^{re} Chambre correctionnelle. Malgré le vote des pouvoirs spéciaux, le Maccarthysme ne s'ins tallera pas dans notre pays.



M. MOREAU



Mme R. BALBOT



M. COLOMBIER

Ces trois personnes, Mme BALBOT, MM. MOREAU et COLOMBIER, sont traduits en justice; elles comparaitront devant la 1^{re} Chambre Correctionnelle le 20 septembre, sous l'incrimination « d'atteinte à la sûreté extérieure de l'Etat ».

Nous l'avons déjà écrit, pour les gouvernements actuels, distribuer un tract est un crime permet de traîner des gens honnêtes en prison et devant des tribunaux. Rien ne peut être dit ne soit conforme aux agissements et aux pensées d'un gouvernement se souciant bien peu de berti d'expression.

Les Français honnêtes, eux, ne laisseront pas faire.

Septembre 1957 Gisele B...

Lecteurs Défense

sections du Secours nous présentons la conception des décisions à DEFENSE n'est pas amis, celle du Sectional du Secours. Il est compris par effort sera fait pour toutes les sections. Elle n'a failli à cette tâche. concours et pour but de la leur connaître et d'augmenter le nombre de nos lecteurs. Le Secours National a fixé un objectif de 6.000 lecteurs nous pourrions en chiffrer 1000 abonnements d'un an, numéros supplémentaires tous les mois. Est-ce là un objectif déraisonnable ? que non et cela à la fois l'essor ininterrompu du mouvement tant au point de vue des adhérents qu'à l'au-

(Suite page 3)

(Suite page 3)

Pamphlet depicting Jean Moreau, Rolande Balbot and Philippe Colombier upon their arrest.¹¹⁴

The three were interrogated during the days following their arrest, and Rolande Balbot would recall in her diaries how strict the rules in the female prison were, such as the obligations for every prisoner to go to mass every day: “There is so much abuse” she wrote “that you would believe that you were under Petain in Vichy, and not in the IVth Republic. The freedom of creed is written in the prison rules – but that is about it. We are forced two times per day to listen to mass (...)”¹¹⁵. The prisoners were released February 12th, 1957, just a year before the birth of the Fifth Republic and the constitutional change that would have impacted profoundly the life of French politics. “If my mother was released” Micheline Balbot comments “it was because the leaflet denouncing torture in Algeria was not subject to prosecution, and it was not prohibited. So, it could be distributed.”¹¹⁶ Nevertheless, the trial took place – but thanks to the support received, they were all acquitted immediately.

We wanted to bring forward this historical parenthesis for two main reasons: the first one being that it is imperative to remember, in this greater framework made of institutions, political parties and higher offices,

¹¹⁴ Image retrieved from personal archive.
¹¹⁵ Letters by Rolande Balbot from La Roquette, retrieved from personal archives.
¹¹⁶ Balbot, "Personal communication."

that civil society is an extremely important factor – especially in the French equation, as we will see in the following chapters, narrating the Presidential dynasty, and how every time legislations came across controversies, it had to face social unrest and collective mobilisation. Secondly, the events of Neuilly-sur-Seine are strikingly representative of the late-stage illness of the Fourth Republic. The use of repression and the systematic recourse to the contents of the *Loi Scélérates* betrays the image of stability that the government tried to exude while dealing with the dramatic war of Algeria. It does not come as surprise that one of the darkest pages of France history of mobilisation was written in blood during that time, with the background of the Parisian metro of Charonne, a place that witnessed a tragic event on February 8, 1962, a month before the Evian Accords that would have ended the conflict.

At the time, especially in the metropolitan area of Paris, many protest for the war had already taken place, such as the one of October 17th 1961, when Algerian people gathered in the city to express their support for peace and independence: on the late afternoon of that day, between 20,000 and 40,000 Algerian took the streets to protest peacefully but were met with extreme violence by the police, who had been previously misled by false accounts of multiple police fatalities and injuries. Because of this false information, the repression hit harshly the protesters: many were killed by beating, by being thrown in the Seine – and drowning – while other were taken to internment centres. In light of the final count, the total death toll amounted to the astonishing number of 120, even if some historians correct this cipher by going as up as 200. As per the arrests, it is estimated that at least 1200 Algerian protesters were taken by the police.¹¹⁷

Nonetheless, the OAS attacks still persisted, reaching a particularly violent turn, precisely, in February 1962. The day before, the OAS had bombed around ten apartments in the French capital: these events had a particularly felt sentiment of anger towards the attackers, as one of the victims of the violence was Delphine Renard, a four years-old girl that ended up losing her right eye and had her sight from the left eye severely damaged. In an outburst of solidarity, as it often happened, thousands of people gathered in Paris for a peaceful protest against the French government's policies in Algeria. The crowd, mostly made of Algerian pro-independence activists, gathered near the Charonne Metro station to voice their opposition to the war and to demand peace negotiations between the FNL and the French Government. The protest, not authorised under the disposition of the state of emergency of 1961, was mostly organised by the left-wing parties. When confronted with the crowd, “violent brawls broke out, particularly in Place Voltaire with the police. The demonstrators responded to the charges and beatings with stones, planks, and pieces of tarmac, and tried to protect themselves with vegetable crates. The clashes lasted for almost three hours. A police bus was stormed, and the driver used his weapon to free himself.”¹¹⁸ But the real tragedy took place after the end of the protest, in the early evening, when the participants had started to disperse, and the police charged them. In a situation of collective panic, people started rushing to the metro Charonne, chased by the police who had already started

¹¹⁷ Favier, S. (2021, October 16). *Que s'est-il passé le 17 octobre 1961 à Paris ?* Le Monde.fr. https://www.lemonde.fr/societe/article/2021/10/16/que-s-est-il-passe-le-17-octobre-1961-a-paris_6098617_3224.html

¹¹⁸ Bole-Richard, M. (1982, February 7). *La tragédie de Charonne*. Le Monde.fr. https://www.lemonde.fr/archives/article/1982/02/08/la-tragedie-de-charonne_2886243_1819218.html

the beatings. The rush was such that the first ranks of protesters found themselves crushed at the bottom of the stairs and ended up being buried under piles of fifteen people at the time. In the meantime, the police had reached the metro station and had continued the charge beating the last protesters that were trying to get in. “The bodies of those who had been knocked unconscious were thrown over the railings onto the mass of people trapped in the mouth and, finally, the police threw tree grills, café tables and chairs onto the human heap.” Recalls an eyewitness, Claude Bouret, vice-president of the Parisian union of the C.F.T.C. (*Confédération Française des Travailleurs Chrétiens*) in an interview with *Le Monde*. “When we managed to free ourselves, we found three dead women who had been suffocated and trampled.”¹¹⁹ At the end of the day, the victims were nine, with the youngest being only fifteen. From this moment onward, the Charonne massacre became a symbol of state violence and repression, sparking a wide participation to the burials of the victims, which were accompanied by thousands of people marching from Place de la République to the Père-Lachaise cemetery in the “largest gathering since General de Gaulle entered Paris on 26 August 1944”.¹²⁰

“I was just an highschooler at the time” Micheline Balbot recalls “but the events of Charonne had a great impact, even on younger people, given the death of a boy who was also around our age. I was deeply shaken and upset. So, I decided to join the people who were going to pay their respects at the function. And there I found myself in the middle of an enormous crowd, there were almost a million of people following the coffins, ahead of the photos of the victims who were paraded in their memory.”



*The crowd at the burial of the victims of the Charonne Massacre.*¹²¹

¹¹⁹ *Idem*

¹²⁰ *Idem*

¹²¹ Image retrieved from personal archive.

“The crowd was extremely powerful” she continues “the parade was very moving. Everyone wanted to enter the Père Lachaise to leave flowers or homages, but there were too many people, and a limited number of visitors were allowed in. But the power of this crowd... It was so intense, no wonder that the Evian Accords were signed so shortly after.”¹²²

At first glance, we observe that the Charonne events took place when the Fourth republic had been history for more or less four years. De Gaulle had gloriously returned to the French scene, marking history as the sole French President of the Fifth Republic elected not by popular suffrage, but by a specially appointed electoral college. We will analyse in the next Chapter the style of De Gaulle as president, which is not the object of this section. What we want to highlight, in narrating the dramatic events that unfolded in Paris, is how they are symptomatic of political change that was happening. The Fifth Republic was born and was moving its first steps during an independence war marked by violence, bloodshed, and terrorism in both countries at war: and, generally speaking, the clashes of the same society that voted “yes” on the 1958 Referendum were left to stabilise on themselves. Of course, the main point to detangle, on the aftermath of the birth of the Fifth Republic, was the ongoing conflict. And the social unrest of February 8th was the pinnacle of the agitations that occurred during the Algerian War, which were part of the reason why the Fourth Republic fell in the first place. Furthermore, this unrest resonates with the more recent events that, under the Presidency of Emmanuel Macron, have agitated France in the summer of 2023. Great mobilisation has marked, in France, great moments of change: the passage from the Fourth to the Fifth, the May 68 changes, the *Gilet Jaunes*, the protest against the pension reform and against police violence on the aftermath of the assassination of Nahel Marzouk.

We believe in the importance of dedicating this section to micro-history also in light of the fact that the Fifth Republic is young and old at the same time. It is young, because we can find first-hand testimonies, such as the ones of Micheline Balbot; it is old, because some of the provisions contained in the constitution exude the time in which they came into being. In particular, the provisions of art.49(3) have a pronounced Gaullist aura: we will tackle the analysis of this constitutional provision later in Chapter 6.

In conclusion, what emerges from these two episodes, is different and related: firstly, the arrest and trial of Rolande Balbot for distributing leaflets against torture in Algeria is only one of the examples of censorship in France during the Fourth Republic, and especially during the war. Even if Balbot, Colombier and Moreau were ultimately set free and found innocent of all charges, the mere fact that they were arrested, detained, and tried under the accuses of menacing the security of the state speaks volumes about the censorship and state control that was in place during the Fourth Republic. One major change that the 1958 Constitution brought was, notably, the disposition of freedom of expression, speech, and press (art.11).¹²³ Both the Massacre of October 17th and the Charonne massacre, on the other hand, highlights the fractures between the new system

¹²² Balbot, "Personal communication."

¹²³ France. (1958). *Constitution of the French Republic, 1958*, Art. 11.

and the society it had to govern: in a certain sense, it foreshadows the cycle of protests that will become central in the analysis of the following chapters.

5. *Le Grand huit*: styles of Presidency

Since the Constitutional reform of 1958, eight presidents have sat in the presidential chair at the Elysée and, with the only exception of Charles De Gaulle on his first mandate (who, as we explained on Chapter 2, was the only president elected by an electoral college), all have been elected by popular suffrage.

All eight of the presidents, from De Gaulle to Macron, have conducted their politics in different styles, giving different meaning to the semi-presidential ordainment, also due to the fact that, being elected by the people, the choice of the Head of State strongly reflects the current state of French politics, as well as national and international trends. And this is also relevant for the appointment of Prime Ministers, who also mirror the existence or lack of a strong majority block.

During this *Grand Huit*, French politics also experimented for the first time the phenomenon of the cohabitation, which we extensively explained in Chapter 2, with the Mitterrand Presidency, the post 2001 terrorism alert, the 2008 economic crisis, and the violent attacks perpetrated by ISIS in Paris and Nice in 2015 and 2016, under the Hollande Presidency, and the latest reform on the pension system under the Macron presidency, which caused, in the last year, widely participated protests and their (often violent) repression. The events of the past year not only showcased the resilience of public dissent but also brought attention to the often-forceful measures employed in response to these protests.

In this chapter, we will explore the different eras of the *V République*, drawing a comprehensive summary of the seven presidents spanning from Charles de Gaulle to François Hollande, aiming to delve into the distinct eras of the V République, providing a comprehensive overview of the seven presidents, spanning from Charles de Gaulle to François Hollande. The examination will extend beyond their political decisions, encompassing their presidential styles and the evolving dimensions of executive power, offering a nuanced understanding of the intricate tapestry that is French political history.

5.1 Charles de Gaulle (1958-1969)

As the first president of contemporary France, Charles De Gaulle strongly advocated the necessity of the new system that was emerging, a system that he would have later described as “at once parliamentary and presidential, consistent with the requirements of our equilibrium and the traits of our national character.”¹²⁴ The aftermath of the Algerian crisis, and the obvious flaws internal to the IVth Republic constitution, all played a pivotal role in De Gaulle’s second rise to frontstage. On 1958, his desire to reform the French Institutions was adamant in his speech in Algiers, where he put himself on the line with his famous “Je vous ai compris!”, i.e., “I understand you”. Here we provide the full text in French and the translations that we will analyse.

“Je vous ai compris!

Je sais ce qui s’est passé ici. Je vois ce que vous avez voulu faire. Je vois que la route que vous avez ouverte en Algérie, c’est celle de la rénovation et de la fraternité.

Je dis la rénovation à tous égards. Mais très justement vous avez voulu que celle-ci commence par le commencement, c’est-à-dire par nos institutions, et c’est pourquoi me voilà. Et je dis la fraternité parce que vous offrez ce spectacle magnifique d’hommes qui, d’un bout à l’autre, quelles que soient leurs communautés, communient dans la même ardeur et se tiennent par la main.

Eh bien ! de tout cela, je prends acte au nom de la France et je déclare, qu’à partir d’aujourd’hui, la France considère que, dans toute l’Algérie, il n’y a qu’une seule catégorie d’habitants : il n’y a que des Français à part entière, des Français à part entière, avec les mêmes droits et les mêmes devoirs.

Cela signifie qu’il faut ouvrir des voies qui, jusqu’à présent, étaient fermées devant beaucoup.

Cela signifie qu’il faut donner les moyens de vivre à ceux qui ne les avaient pas.

¹²⁴ De Gaulle, *Discours et Messages*, 3:301.

Cela signifie qu'il faut reconnaître la dignité de ceux à qui on la contestait.

Cela veut dire qu'il faut assurer une patrie à ceux qui pouvaient douter d'en avoir une.

L'armée, l'armée française, cohérente, ardente, disciplinée, sous les ordres de ses chefs, l'armée éprouvée en tant de circonstances et qui n'en a pas moins accompli ici une œuvre magnifique de compréhension et de pacification, l'armée française a été sur cette terre le ferment, le témoin, et elle est le garant, du mouvement qui s'y est développé.

Elle a su endiguer le torrent pour en capter l'énergie. Je lui rends hommage. Je lui exprime ma confiance. Je compte sur elle pour aujourd'hui et pour demain.

Français à part entière, dans un seul et même collège ! Nous allons le montrer, pas plus tard que dans trois mois, dans l'occasion solennelle où tous les Français, y compris les 10 millions de Français d'Algérie, auront à décider de leur propre destin.

Pour ces 10 millions de Français, leurs suffrages compteront autant que les suffrages de tous les autres.

Ils auront à désigner, à élire, je le répète, en un seul collège leurs représentants pour les pouvoirs publics, comme le feront tous les autres Français.

Avec ces représentants élus, nous verrons comment faire le reste.

Ah ! Puissent-ils participer en masse à cette immense démonstration tous ceux de vos villes, de vos douars, de vos plaines, de vos djebels ! Puissent-ils même y participer ceux qui, par désespoir, ont cru devoir mener sur ce sol un combat dont je reconnais, moi, qu'il est courageux... car le courage ne manque pas sur la terre d'Algérie, qu'il est courageux mais qu'il n'en est pas moins cruel et fratricide !

Oui, moi, de Gaulle, à ceux-là, j'ouvre les portes de la réconciliation.

Jamais plus qu'ici et jamais plus que ce soir, je n'ai compris combien c'est beau, combien c'est grand, combien c'est généreux, la France!

Vive la République!

*Vive la France!*¹²⁵

“I understand you!

I know what happened here. I see what you wanted to do. I see that the road you have opened up in Algeria is one of renewal and brotherhood.

I say renewal in every respect. But you quite rightly wanted it to begin at the beginning, with our institutions, and that is why I am here. And I say fraternity because you offer this magnificent spectacle of men who, from one end to the other, whatever their communities, share the same ardour and hold each other by the hand. I take note of all this on behalf of France, and I declare that, as of today, France considers that throughout Algeria there is only one category of inhabitants: there are only fully-fledged French citizens, fully-fledged French citizens, with the same rights and the same duties.

This means opening up avenues that until now have been closed to many. It means giving the means to live to those who did not have them. It means recognising the dignity of those who were denied it. It means providing a homeland for those who might have doubted they had one.

The army, the French army, coherent, ardent, disciplined, under the orders of its leaders, the army tried and tested in so many circumstances and which has nonetheless accomplished here a magnificent work of understanding and pacification, the French army has been the leaven, the witness, and it is the guarantor, of the movement that has developed in this land. It has managed to stem the torrent in order to harness its energy. I pay tribute to her. I express my confidence in it. I am counting on it for today and tomorrow.

Full French citizenship, in a single college! We are going to show it, no later than three months from now, on the solemn occasion when all French people, including the ten million French people from Algeria, will have to decide their own destiny. For these ten million French people, their votes will count as much as the votes of all the others. They will have to designate, to elect, I repeat, in a single college their representatives for the public authorities, as will all the other French people. With these elected representatives, we will see how to do the rest. Ah, may they

¹²⁵De Gaulle, C. (1958, June 4). *Discours prononcé par le général de Gaulle, président du Conseil, au Forum d'Alger (Algérie), 1958*. [Speech delivered by General de Gaulle, Prime Minister, at the Forum of Algiers (Algeria), 1958]. Forum d'Alger, Algeria.

participate en masse in this immense demonstration, all those from your towns, your douars, your plains, your djebels! May they even include those who, out of desperation, thought they had to fight a battle on this soil, a battle which I recognise as courageous... because there is no lack of courage in Algeria, courageous but no less cruel and fratricidal...

Yes, I, de Gaulle, am opening the doors of reconciliation to these people. Never more than here and never more than tonight have I understood how beautiful, how great, how generous France is! (...).¹²⁶

The Algiers speech is delivered exactly three months before the birth of the new constitutional design, and its wording is a clear spy of this matter, as we can observe De Gaulle “rising to the occasion” and present himself, once again, as *the* man. Firstly, it should be noted that, as evident, De Gaulle was not in touch with the real Algerian sentiment of independence that would have prevailed four years later, as he only speaks of “one category of inhabitants,” i.e., “fully-fledged French citizens, with the same rights and the same duties.”¹²⁷ Secondly, this speech as Prime Minister is extremely important to see the design that was already prevailing on the Constitutional reform, and how De Gaulle counted on applying it to the *Algérie Française*. Charles de Gaulle emphasized that the citizens would need to designate and elect their representatives for the public authorities in a single college, just as all other French citizens would do, and wishing upon the participation en masse of Algerian people to the elections that would have taken place the year after. Algerians, did, in fact, participate to the 1959 elections, the first “popular” mandate given to the General under the new constitution. The voting process was marked by controversy and complexities due to the ongoing war. Many Algerian nationalists called for a boycott of the 1958 referendum, arguing that it did not address their aspirations for independence. As a result, the voter turnout in Algeria was relatively low, and the majority of those who did vote in Algeria supported the new constitution, with a striking majority of 96.59% in favour, beating by far the 3.41% against.¹²⁸ Nonetheless, the speech betrays the opinion of the General on the war, on the Algerian Resistance, who is deemed cruel and fratricidal.

Three months later, when the Constitution was ready to be submitted to the *volonté du peuple français*, Place de la République witnessed another expression of the Gaullist rhetoric. General de Gaulle set about reforming the institutions in line with the ideas he had set out in Bayeux in 1946. The constitutional law of 3 June set the framework for the revision, and work continued over the summer. On 4 September, the anniversary of the proclamation of the Third Republic, the General presented the draft Constitution that would be submitted to the French people on 28 September, placing it in line with republican continuity.

¹²⁶ Translation

¹²⁷ De Gaulle, C. (1958). *Discours prononcé, au Forum d'Alger*.

¹²⁸ Ch, B. M. B. S. (1958b, September 28). Frankreich, 28. September 1958: Verfassung -- [in German]. <https://www.sudd.ch/event.php?lang=en&id=fr011958>

“C'est en un temps où il lui fallait se réformer ou se briser que notre peuple, pour la première fois, recourut à la République. (...) Elle était la souveraineté du peuple, l'appel de la liberté, l'espérance de la justice. Elle devait rester cela à travers les péripéties agitées de son histoire. Aujourd'hui, autant que jamais, nous voulons qu'elle le demeure.

Certes la République a revêtu des formes diverses au cours de ses règnes successifs. En 1792 on la vit, révolutionnaire et guerrière, renverser trônes et privilèges, pour succomber, huit ans plus tard dans les abus et les troubles qu'elle n'avait pu maîtriser. En 1848, on la vit s'élever au-dessus des barricades, se refuser à l'anarchie, se montrer sociale au-dedans et fraternelle au-dehors, mais bientôt s'effacer encore, faute d'avoir accordé l'ordre avec l'élan du renouveau. Le 4 septembre 1870, au lendemain de Sedan, on la vit s'offrir au pays pour réparer le désastre. De fait, la République sut relever la France, reconstituer les armées, recréer un vaste empire renouer des alliances solides, faire de bonnes lois sociales, développer l'instruction. Si bien qu'elle eut la gloire d'assurer pendant la Première Guerre mondiale notre salut et notre victoire. Le 11 novembre, quand le peuple s'assemble et que les drapeaux s'inclinent pour la commémoration, l'hommage, que la patrie décerne à ceux qui l'ont bien servie, s'adresse aussi à la République.

Cependant, le régime comportait des vices de fonctionnement qui avaient pu sembler supportables à une époque assez statique, mais qui n'étaient plus compatibles avec les mouvements humains, les changements économiques, les périls extérieurs qui précédaient la Deuxième Guerre mondiale. Faute qu'on y eût remédié, les événements terribles de 1940 emportèrent tout. Mais quand, le 18 juin, commença le combat pour la libération de la France, il fut aussitôt proclamé que la République à refaire serait une République nouvelle. La Résistance tout entière ne cessa pas de l'affirmer.

On sait, on ne sait que trop, ce qu'il advint de ces espoirs. On sait, on ne sait que trop, qu'une fois le péril passé, tout fut livré et confondu à la discrétion des partis. On sait, on ne sait que trop, quelles en furent les conséquences. À force d'inconsistance et d'instabilité et quelles que puissent être les intentions, souvent la valeur des hommes, le régime se trouve privé de l'autorité intérieure et de l'assurance extérieure sans lesquelles il ne pouvait agir. Il était inévitable que la

paralyse de l'État amenât une grave crise nationale et qu'aussitôt la République fût menacée d'effondrement.

Le nécessaire a été fait pour obvier à l'irréversible à l'instant même où il était sur le point de se produire. Le déchirement de la nation fut de justesse empêché. On a pu sauvegarder la chance ultime de la République. C'est dans la légalité que moi-même et mon Gouvernement avons assumé le mandat exceptionnel d'établir un projet de nouvelle Constitution et de le soumettre à la décision du peuple.

(...) La nation, qui seule est juge, approuvera ou repoussera notre oeuvre. Mais c'est en toute conscience que nous la lui proposons.

(...)

(...) Le devoir de ramener la paix en Algérie, ensuite celui de la mettre en valeur, enfin celui de régler la question de son statut et de sa place dans notre ensemble, nous imposent des efforts difficiles et prolongés. Les perspectives que nous ouvrent les ressources du Sahara sont magnifiques certes, mais complexes. Les rapports entre la métropole et les territoires d'outre-mer exigent une profonde adaptation.

(...)

C'est donc pour le peuple que nous sommes, au siècle et dans le monde où nous sommes, qu'a été établi le projet de Constitution. Que le pays puisse être effectivement dirigé par ceux qu'il mandate et leur accorde la confiance qui anime la légitimité. Qu'il existe, au-dessus des luttes politiques, un arbitre national, élu par les citoyens qui détiennent un mandat public, chargé d'assurer le fonctionnement régulier des institutions, ayant le droit de recourir au jugement du peuple souverain, répondant, en cas d'extrême péril, de l'indépendance, de l'honneur, de l'intégrité de la France et du salut de la République. Qu'il existe un Gouvernement qui soit fait pour gouverner, à qui on en laisse le temps et la possibilité, qui ne se détourne pas vers autre chose que sa tâche, et qui, par là, mérite l'adhésion du pays. Qu'il existe un Parlement destiné à représenter la volonté politique de la nation, à voter les lois, à contrôler l'exécutif, sans prétendre sortir de son rôle. Que Gouvernement et Parlement collaborent mais demeurent séparés quant à leurs responsabilités et qu'aucun membre de l'un ne puisse, en même temps,

être membre de l'autre. Telle est la structure équilibrée que doit revêtir le pouvoir. Le reste dépendra des hommes.

Qu'un Conseil économique et social, désigné en dehors de la politique par les organisations professionnelles et syndicales du pays et de l'outre-mer, fournisse ses avis au Parlement et au Gouvernement. Qu'un Comité constitutionnel, dégagé de toute attache, ait qualité pour apprécier si les lois votées sont conformes à la Constitution et si les élections diverses ont eu lieu régulièrement. Que l'autorité judiciaire soit assurée de son indépendance et demeure la gardienne de la liberté de chacun. La compétence, la dignité, l'impartialité de l'État en seront mieux garanties.

Qu'entre la nation française et ceux des territoires d'outre-mer qui le veulent, soit formée une Communauté, au sein de laquelle chaque territoire va devenir un État qui se gouvernera lui-même, tandis que la politique étrangère, la défense, la monnaie, la politique économique et financière, celle des matières premières, le contrôle de la justice, l'enseignement supérieur, les communications lointaines, constitueront un domaine commun dont auront à connaître les organes de la Communauté : président, Conseil exécutif, Sénat, Cour d'arbitrage. Ainsi, cette vaste organisation rénovra-t-elle l'ensemble humain groupé autour de la France. Ce sera fait en vertu de la libre détermination de tous. En effet, chaque territoire aura la faculté, soit d'accepter, par son vote au référendum, la proposition de la France, soit de la refuser et, par là même, de rompre avec elle tout lien. (...)

Qu'enfin, pendant les quatre mois qui suivront le référendum, le Gouvernement ait la charge des affaires du pays et fixe, en particulier, le régime électoral. De cette façon pourront être prises, sur mandat donné par le peuple, les dispositions nécessaires à la mise en place des nouvelles institutions.

(...) Le monde, qui discerne fort bien quelle importance notre décision va revêtir pour lui-même, en tirera la conclusion. Peut-être l'a-t-il, dès à présent, tirée ! Un grand espoir se lèvera sur la France. Je crois qu'il s'est déjà levé !

Vive la République ! Vive la France !”¹²⁹

¹²⁹ de Gaulle, C. (1958, September 4). *Discours prononcé place de la République* [Speech delivered at the Place de la République

“It was at a time when it had to reform or break that our people first turned to the Republic (...) It was the sovereignty of the people, the call of liberty, the hope of justice. It was to remain that throughout the turbulent ups and downs of its history. Today, more than ever, we want it to remain that way.

It is true that the Republic has taken different forms over the course of its successive reigns. In 1792 it was revolutionary and warlike, overthrowing thrones and privileges, only to succumb eight years later to the abuses and unrest it had been unable to control. In 1848, we saw it rise above the barricades, reject anarchy, show itself to be social within and fraternal without, but soon fade away again because it was unable to reconcile order with the impetus of renewal. On 4 September 1870, the day after Sedan, it offered itself to the country to repair the disaster. In fact, the Republic was able to rebuild France, reconstitute its armies, recreate a vast empire, forge solid alliances, pass good social legislation, and develop education. So much so that it had the glory of ensuring our salvation and our victory during the First World War. On 11 November, when the people assemble and the flags are lowered in commemoration, the homage that the country pays to those who have served it well is also addressed to the Republic.

However, the system was flawed in ways that may have seemed bearable at a fairly static time, but which were no longer compatible with the human movements, economic changes and external perils that preceded the Second World War. Unless something was done about it, the terrible events of 1940 swept everything away. But when the fight to liberate France began on 18 June, it was immediately proclaimed that the Republic to be rebuilt would be a new Republic. The entire Resistance never ceased to affirm this.

We know, we know only too well, what happened to these hopes. We know, we know only too well, that once the danger had passed, everything was left to the discretion of the parties. We know, we know only too well, what the consequences were. By dint of inconsistency and instability, and whatever the intentions and often the worth of the men, the regime was deprived of the internal authority and external assurance without which it could not act. It was inevitable that the paralysis of the State would lead to a serious national crisis and that the Republic would immediately be threatened with collapse.

Everything necessary was done to prevent the irreparable just as it was about to happen. The tearing apart of the nation was narrowly prevented. The Republic's last chance was saved. It was within the law that I and my Government took on the exceptional mandate of drawing up a draft of a new Constitution and submitting it to the people for their decision.

(...) The nation, which alone is the judge, will approve or reject our work. But we are proposing it to them in all conscience.

(...) The duty to bring peace to Algeria, then to develop it, and finally to settle the question of its status and its place in our system, all impose difficult and prolonged efforts on us. The prospects opened up by the resources of the Sahara are certainly magnificent, but complex. Relations between metropolitan France and the overseas territories require far-reaching changes. (...)

It is for the people that we are, in the century and the world in which we live, that the draft Constitution has been drawn up. That the country may be effectively governed by those whom it elects and grants them the confidence that underpins legitimacy. That there exists, above political struggles, a national arbiter, elected by the citizens who hold a public mandate, responsible for ensuring the regular functioning of the institutions, with the right to have recourse to the judgement of the sovereign people, responsible, in the event of extreme peril, for the independence, honour and integrity of France and the salvation of the Republic. That there is a Government which is made to govern, which is given the time and the opportunity to do so, which does not turn away from its task, and which, as a result, deserves the support of the country. That Parliament exists to represent the political will of the nation, to pass laws, to control the executive, without pretending to go beyond its role. Government and Parliament should work together but their responsibilities should remain separate, and no member of one should be a member of the other at the same time. This is the balanced structure that power must take on. The rest will depend on the people.

That an Economic and Social Council, appointed from outside politics by the professional and trade union organisations of the country and overseas, provide its opinions to Parliament and the Government. That a Constitutional Committee, free of all ties, be empowered to assess whether the laws passed are in conformity with the Constitution and whether the various elections have been held regularly. That the judicial authority be guaranteed its independence and remain the guardian of

everyone's freedom. The competence, dignity and impartiality of the State will be better guaranteed.

That a Community be formed between the French nation and those of the overseas territories which so wish, within which each territory will become a State which will govern itself, while foreign policy, defence, currency, economic and financial policy, raw materials policy, control of justice, higher education, long-distance communications, will constitute a common domain to be dealt with by the organs of the Community: the President, the Executive Council, the Senate, the Court of Arbitration. In this way, this vast organisation will renew the human community grouped around France. This will be done by virtue of the free determination of all. In fact, each territory will have the option of accepting France's proposal in a referendum, or of rejecting it and thereby severing all ties with France. (...)

Finally, during the four months following the referendum, the Government should be in charge of the country's affairs and should determine, in particular, the electoral system. In this way, on the basis of a mandate given by the people, the necessary measures can be taken to set up the new institutions.

(...) The world, which is well aware of the importance of our decision for itself, will draw the necessary conclusions. Perhaps it has already done so! Great hope will rise for France. (...)"¹³⁰

The September 4th speech was the direct descendant of the Algiers one. Not by chance, the principle of the territories *d'outre-mer* still being part of the France which was concerned with the Constitutional change emerge clearly. De Gaulle expressed the idea that the country should be governed effectively by those elected by and bestowed with the confidence of the citizens, thus establishing legitimacy: the president was to be the national arbiter, elected by citizens with public mandates, responsible for ensuring the regular functioning of institutions. This mirrors the Bayeux speech's ideals we unfolded in Chapter 1.

Furthermore, in this speech the government is regarded as the "place to govern," and for this essential purpose it was deemed deserving of support from the country, provided it remains committed to its task and utilizes the time and opportunities granted. Parliament, in his view, exists to represent the political will of the nation, enact laws, and oversee the executive branch, maintaining its role without overstepping its bounds. De Gaulle asserted that the government and Parliament should collaborate, but that their responsibilities must remain nonetheless distinct. This formed the balanced structure that power must assume, and which is the general frame still in use today.

¹³⁰ Translation

The French people were asked to vote on the 1958 constitution, and they approved it with an astounding 82,60% of the vote. On the December 21st, the first and only presidential elections under indirect suffrage were held, resulting in De Gaulle's victory on the first turn and with 78,51% of the votes.¹³¹

For the following decade, Charles De Gaulle exercised his presidency with strength. First and foremost, he sought to end the Algerian conflict, but while the June speech had arisen the hopes for the settlers, the pieds-noirs, that the soon-to-be president at the time would have supported them, the course of history witnessed the progressive shift of allegiance of the General towards the FLN.¹³²

As explained in the previous chapter, the Evian Accords, and the subsequent referendum on the self-determination of Algeria ended the conflict in 1962, repatriating almost a million of settlers in the most massive population displacement since the end of World War II. Prior to their arrival in France, the Pieds-Noirs were known to be racist, violent, chauvinist, right-wing, and a burden on the country's modernising economy. They were also seen as Arab exploiters. When they arrived in the port of Marseille, the communist left attacked them as rapacious colonists and welcomed them with hostile demonstrations.¹³³

The second priority of De Gaulle, once the Algerian question was put aside, was to pursue what was later called, by international observers, "politique de grandeur," i.e., the development and reform of the French economy, as well as the encouragement of a stand-alone foreign policy and a robust presence globally.

Taking into account the fact that the years of De Gaulle's presidency years were the ones of the peak of the Cold War, we can observe how France was deciding to align with neither bloc, thus contradicting the acceptance of the Marshall aid after World War II and withdrawing in 1966 from the Alliance's integrated military command. De Gaulle auspicated that Europe, which was still in its embryo form, could have been a third pole between the two blocs. Already when in Government during the last years of the Fourth Republic, De Galle had highly involved France in the works of the Treaty of Rome, ensuring its implementation.¹³⁴

As per internal policies, De Gaulle's first years of presidency witnessed industrialization and technological development. General de Gaulle's return to power fell during the *Trente Glorieuses* period (1946–1975), which was marked by a post–World War II global economic rebound that sparked new growth in numerous European nations.¹³⁵ France, in the 1960s, was a changing society, which was experiencing the wealth and opportunities of the economic boom. However, that was all set to change when the first wave of baby boomers—those born in the years following World War II—reached adulthood at the close of the 1960s and simultaneously joined the workforce. Still, there were remarkably few opportunities for employment and an unexpected rise in the unemployment rate. These young adults, who were under the supervision of the

¹³¹ Décision n° 59-2 PDR du 8 janvier 1959. (n.d.). Conseil Constitutionnel. <https://www.conseil-constitutionnel.fr/decision/1959/592pdr.htm>

¹³² Fois, M. (2015). Martin Evans Algeria: France's Undeclared War New York: Oxford University Press, 2012, 457 pp. \$49.95 (hbk). *Studies in Ethnicity and Nationalism*, 15(2), 383–385. <https://doi.org/10.1111/sena.12144>

¹³³ L'Obs. (2012, July 6). Marseille, 1962 : le cauchemar des rapatriés d'Algérie. L'Obs. <https://nouvelobs.com/regions/infos-marseille-13/20120412.REG0949/marseille-1962-le-cauchemar-des-rapatries-d-algerie.html>

¹³⁴ Warlouzet, L. (2011). De Gaulle as a Father of Europe: The Unpredictability of the FTA's Failure and the EEC's Success (1956–58). *Contemporary European History*, 20(4), 419–434. <https://doi.org/10.1017/S0960777311000464>

¹³⁵ Comes, E., & Minutes. (2015). *Mai 68, la France paralysée: De la révolte étudiante à la crise nationale*. 50 Minutes.

Church, educational institutions, and families, found it difficult to relate to the consumerist attitudes and lifestyles of the middle and upper classes and attempted to fit in with a conventional, hierarchical, and paternalistic society.¹³⁶

As argued by Emilie Comes, the students would prove to be the “forgotten” by the economic boom, and they would be the protagonists of the riots of May 68. When it came to handling social unrest, mobilization, and facing criticism, it can be argued that De Gaulle’s style of presidency rather heavy handed. For instance, the mass communication media such as television, in those years becoming more and more prominent in French people’s daily life, fell under the competence of the *Office de Radiodiffusion Télévision Française* (ORTF), which held a monopoly on the broadcasting of news, and laying the grounds for the criticism of De Gaulle’s tight grip on French society. This had proven significantly true and problematic when it came to repressing dissent. In the next chapter the case study of Rolande Balbot (née Gillet), a Communist party militant arrested for manifesting her dissent towards the French dominion of Algeria will be discussed, and a parallel will be drawn with how Charles De Gaulle approached the protests of 1968.

On March 22, 1968, homonymous movement, founded at Nanterre University, about a hundred students assembled in a general assembly in support of Xavier Langlade (1946–2007), a student who was arrested along with several others for storming an American Express location in protest of the US-led war in Vietnam.¹³⁷ The force of the students’ association and the agitation they caused provoked the closing of the campus, after which the Nanterre students storm the capitol and spread the revolt. The riot reaches the Sorbonne, and soon it spreads to the entirety of France, and it meets the harsh repression by the police. Paris, in those days, witnessed the armed repression and the fire-opening order from above reaches the police, that on May 10th attack the students, mirroring for certain aspects the 1848 revolts, for example, in building up barricades. The first barricade night alone counted more than a hundred injured.

The country officially enters into an impasse when the rebellious sentiment reaches the factory workers, who commence their strike on May 14th, the day after a mass protest that took the street of Paris denouncing the bourgeoisie and capitalism, de facto paralyzing France. The following days did not witness improvement, and many others were injured in the second barricade night, with the damages caused by the fighting resulting in the students’ movement losing consensus.

In the Elysée, the feeling towards the revolts was not unanimous, with the then Prime Minister George Pompidou being more moderate and in a more conciliating position, arranging a union meeting that resulted in the Grenelle agreements being signed and the factories gradually starting to operate again. On the other hand, President De Gaulle was more explicitly opposed to the students. “*La réforme, oui, la chienlit, non*”¹³⁸, a now idiomatic phrase in French political commentary, was coined by De Gaulle in relation to the demands

¹³⁶ Idem

¹³⁷ Idem, p.6

¹³⁸ Le Monde. (1968, May 20). “*La réforme, oui. La chienlit, non*” déclare le président de la République. Le Monde.fr. https://www.lemonde.fr/archives/article/1968/05/21/la-reforme-oui-la-chienlit-non-declare-le-president-de-la-republique_2501912_1819218.html

of direct participation of students' and workers' in business and government. The phrase translates to “reform, yes, masquerade, no,” but it has, in reality, a more vulgar meaning, transpiring the total sentiment of disgust that the general had towards the students.

The heavy hand that characterized De Gaulle’s direction of France is also exemplified by the famous events of May 29th: in that day, the president disappeared from Paris without notice, and was not to be found until the evening. As it would have been recalled only later, De Gaulle had gone, without notifying Prime Minister Pompidou, to Baden-Baden, in order to meet with General Massu, a name who had become known during the Algerian war, and associated with the use of controversial tactics during the Battle of Algiers, including torture and coercive methods, aimed at suppressing the FLN, but who was then nonetheless in a prestigious position in Germany. The subject of the discussion between the two was the possible army intervention against the students and the protesters, which the president obtained in exchange for amnesty for OAS members and the plotters of the 1961 assassination attempt against him.

The Grenelle accords and the return of De Gaulle, together with the tiredness of French people of damages, fights, riots and so on put an end to the 1968 movement, and the elections of June 1968 resulted in a stark victory of the Gaullists. But the heritage of May had a pivotal role for France: the events exposed a deep fracture between the goals of workers and students and the President's vision of a hierarchical France. The following year, the longed reform of the Senate, which would have transformed it into a more advisory and less powerful body, was submitted to referendum in April. The proposal, which De Gaulle had aspired to put in practice for a long time, was rejected by 52% of French people.¹³⁹

The unpopularity of the reform coupled well with the personal unpopularity that De Gaulle had gained within the French, which were influenced by the ultimatum given to the people live on television. “*Si je suis désavoué par une majorité d'entre vous.../... ma tâche actuelle de chef de l'Etat deviendra évidemment impossible et je cesserai aussitôt d'exercer mes fonctions*”¹⁴⁰: “If I am disowned by a majority of you...” he threatened “...my current task as Head of State will obviously become impossible and I will immediately cease to hold office”. On April 29, after the unveiling of the tragic results of the referendum, de Gaulle officially retired from his role. Two months later, Georges Pompidou sat in the presidential chair as its successor.

¹³⁹Nohlen, D., & Stöver, P. (2010). *Elections in Europe: A data handbook* (p. 674). ISBN 978-3-8329-5609-7.

¹⁴⁰ De Gaulle, C. (1969, April 25). *Allocution du Général de Gaulle Président de la République* [Address by General de Gaulle, President of the Republic].

5.2 Georges Pompidou (1969-1974)

Brought to power by his calm, poise, and popularity among the French, who happily turned to him instead of supporting De Gaulle, Georges Pompidou won over the Acting President Poher by a wide margin (58% against 42%).¹⁴¹ Georges Jean Raymond Pompidou, alumnus of the prestigious Sciences Po institute in Paris, former Prime Minister under De Gaulle, continued the politics of modernization of France, and further contributed to the *Trente Glorieuses* that we mentioned in the previous section. First and foremost, Pompidou was a more pragmatic political man than De Gaulle was, and that was highly demonstrated by the negotiations carried out by him in the role of Prime Minister, with the factory workers. Notably, Pompidou played a key role in facilitating the United Kingdom's accession to the European Community on January 1, 1973, contrasting the diffidence that had characterised De Gaulle's approach – as the General was opposed to the federalist project of the United Kingdom. Pompidou initiated plans for industrialization, including projects like Arianespace and the TGV, and advanced the French civilian nuclear program.

It is interesting to note how the new presidential powers were used by Pompidou in different occasions. For example, he held reservations about the "New Society" (*Nouvelle Société*) initiative led by Prime Minister Jacques Chaban-Delmas, a fellow Gaullist and former major of Bordeaux. The program brought by Chaban-Delmas was articulated as follows:

“• Dans les entreprises nationales de nouvelles procédures de détermination des salaires seront étudiées en liaison avec les syndicats et seront appliquées dès l'année 1970.

• Pour les entreprises publiques, il s'agit d'en faire de vraies entreprises, en leur restituant la maîtrise de leurs décisions, ce qui implique que la responsabilité de leurs dirigeants soit effectivement sanctionnée.

(...)

COMPÉTITIVITÉ NATIONALE

• Les ressources budgétaires en faveur de la formation professionnelle seront majorées de 20 %, à partir de 1970.

• Des dispositions particulières seront mises en œuvre en vue du recyclage et de l'emploi des travailleurs de plus de 50 ans qui constituent près de 50% des chômeurs qui subsistent.

¹⁴¹ Berstein, S., & Rioux, J.-P. (2000). *The Cambridge History of Modern France: The Pompidou Years, 1969–1974*. Cambridge University Press. <https://doi.org/10.1017/CHOL9780521580618>

• *Trois cents kilomètres d'autoroute, au moins, seront mis en chantier en 1970 et la progression des investissements consacrés au téléphone dépassera 40% l'année prochaine. Ainsi, le trafic sera plus que doublé en 1973.*

(...)

DÉVELOPPEMENT INDUSTRIEL

• *(...) Les mécanismes de financement et de restructuration seront complètes et même transformés par la création de l'Institut de développement industriel, organisme léger destiné à prendre des participations temporaires en fonds propres et qui ne sera ni une banque d'État, ni un hospice pour entreprises menacées. Le gouvernement définira avec les professions des objectifs d'exportation par branches, qui seront inclus dans les contrats de programme. Pour associer pleinement les cadres au succès des sociétés et les y intéresser, les dispositions législatives nécessaires vous seront proposées en vue de leur permettre d'acquérir des actions de leur entreprise, selon des mécanismes comparables à celui des stock-options employés dans les pays, anglosaxons.*

LE RAJEUNISSEMENT DES STRUCTURES SOCIALES

Il implique :

- *La transformation des relations professionnelles.*
- *La revalorisation de la condition ouvrière. Une redéfinition de la solidarité. Afin de transformer les relations professionnelles, le gouvernement propose tout d'abord au patronat et aux syndicats de coopérer avec l'État pour les tâches d'intérêt commun.*
- *En second lieu, afin de moderniser et de rendre plus efficaces les accords collectifs entre le patronat et les syndicats, le gouvernement se propose d'étudier, avec les intéressés, la rénovation du cadre et des modalités des conventions collectives.*
- *Par ailleurs, le gouvernement veillera à l'application de la législation sur la section syndicale et mettra en place des chambres sociales auprès des tribunaux de grande instance pour le règlement des conflits collectifs.*

(...)

REVALORISATION DE LA CONDITION OUVRIÈRE

- *La mensualisation sera étudiée par quatre personnalités qui indiqueront « les conditions primordiales de la réussite ».*
- *Une étude d'ensemble sera menée, dans la préparation du Vie Plan, sur une réduction de la durée hebdomadaire du travail (de préférence à un nouvel allongement des congés annuels) à la condition de ne pas porter atteinte à la production.*

• *Le gouvernement s'attachera, par priorité, à la revalorisation des bas salaires, d'une part : adoption concertée d'un nouveau régime pour le S.M.I.C. D'autre part : un programme pluriannuel en faveur des petites catégories de la fonction publique.*

• *Des mesures nouvelles interviendront en faveur des handicapés et des inadaptés. Le minimum vieillesse sera sensiblement revalorisé.*

(...)

• *Dès 1970, sera mise en œuvre une réforme de l'allocation de salaire unique. Celle-ci sera sensiblement augmentée pour les familles aux revenus modestes, mais sera réduite à due concurrence pour les familles plus aisées et même supprimée « pour celles qui n'en ont que faire »¹⁴²*

"In national companies, new procedures for determining wages will be studied in conjunction with the unions and will be applied from 1970.

- In the case of public companies, the aim is to turn them into real companies by giving them back control over their decisions, which means that the responsibility of their managers must be effectively sanctioned.

(...)

NATIONAL COMPETITIVENESS

- Budgetary resources for vocational training will be increased by 20% from 1970.

- Special measures will be taken to retrain and employ workers over the age of 50, who make up almost 50% of the remaining unemployed.

- At least 300 kilometres of motorway will be built in 1970, and the increase in investment in the telephone network will exceed 40% next year. Traffic will more than double by 1973.

(...)

INDUSTRIAL DEVELOPMENT

- (...) The financing and restructuring mechanisms will be completed and even transformed by the creation of the Industrial Development Institute, a light body designed to take temporary equity holdings, and which will be neither a state bank nor a hospice for threatened companies. The government will work with industry to define export targets for each sector, which will be included in the programme contracts. To ensure that managers are fully involved and interested in the success of companies, the necessary legislative provisions will be proposed to you to enable

¹⁴² Sud-Ouest. (2022, June 3). *Jacques Chaban-Delmas de l'épopée bordelaise à la nouvelle société* [archive]. Retrieved from <https://www.sudouest.com>

them to acquire shares in their company, based on mechanisms comparable to the stock options used in Anglo-Saxon countries.

REJUVENATING CORPORATE STRUCTURES

This involves :

- Transforming industrial relations.
- Enhancing the status of workers. Redefining solidarity. In order to transform industrial relations, the government is first of all proposing that employers and trade unions cooperate with the State on tasks of common interest.
- Secondly, in order to modernise collective agreements between employers and trade unions and make them more effective, the government proposes to study, together with the interested parties, the renewal of the framework and procedures for collective agreements.
- In addition, the government will ensure that the legislation on the trade union section is applied and will set up social chambers in the regional courts to settle collective disputes.

(...)

UPGRADING THE STATUS OF WORKERS

- The monthly wage will be studied by four personalities who will indicate "the essential conditions for success".
- In preparing the Vie Plan, an overall study would be carried out on reducing the working week (in preference to a further extension of annual holidays), provided this did not undermine production.
- The government will give priority to raising the salaries of the low-paid, on the one hand: concerted adoption of a new system for the S.M.I.C. and on the other hand: a multi-year programme in favour of the lower categories of the civil service.
- New measures will be taken for disabled people and the maladjusted. The minimum old-age pension will be substantially increased.

(...)

- From 1970, a reform of the single wage allowance will be implemented. The allowance would be substantially increased for families on modest incomes but reduced accordingly for wealthier families and even abolished "for those who didn't care".¹⁴³

The Chaban-Delmas proposal for the seven years presidency were not received with warmth by diverse factions within the French political landscape. Most of the policies auspicated by the Chaban-Dalmas proposal

¹⁴³ Translation

were in stark contrast to the Gaullism per se, with its conservatism, but were too bland for the left wing and the Communist Party to be considered as revolutionary. Thus, in 1972, Pompidou replaced Chaban-Delmas with the more conservative Gaullist, Pierre Messmer.

Messmer, loyal to De Gaulle, opposed the parliamentary style of Chaban-Delmas in his investiture speech, and aligned himself more to the President. “*Le Gouvernement procède du Chef de l'Etat, ce qui n'enlève rien au droit et au pouvoir de l'Assemblée de le contrôler, ni au devoir de ce Gouvernement d'informer celle-ci.*”:¹⁴⁴ “The Government”, Messmer asserts, reports to the Head of State, which in no way detracts from the Assembly's right and power to scrutinise it, nor from the Government's duty to inform the Assembly.”

When delving into the great liberty that the Constitution of 1958 gives the president, we brought to light the occurrence that the Chaban-Delmas – Messmer succession well exemplifies, i.e., the replacement according to what is more in line with the politics of the president in Charge. It is also important to be noted that, starting from 1973, his health would progressively deteriorate due to his Waldenstrom Macroglobulinemia, leaving Messmer to administrate multiple tasks on his behalf.

Regardless of his health and despite the left-wing opposition's efforts to organize and propose a Common Programme before the 1973 legislative election, Pompidou managed to expand his presidential majority by incorporating centrist pro-European parties¹⁴⁵. Most notably, with the Independent Republicans (*Républicains Indépendants*) led by Valéry Giscard d'Estaing. The 1973 elections re-confirmed Messmer's cabinet, and the coalition UDR – RI – CDP (Centre Democracy and Progress, a Christian and Conservative Party) gained 262 seats in Parliament.¹⁴⁶

As per foreign policy, Pompidou represented for the United States a hope of reconciliation, as he was well estimated by the then President Richard Nixon and his advisor, Henry Kissinger. What the United States wanted, writes Trachtenberg, was to rebuild the relations with France in order to “invest” it of the role of superpower in the West, for “better balance”, and to replace the British that did not seem interest in covering that position with a strong grip.¹⁴⁷ But the détente policy that was pursued by the presidency did not significantly improve the US – France relations. However, the offer to aid the French Nuclear programme was halted by the Nixon and the 1973-1975 recession, which devaluated the dollar, the currency for international trade. Furthermore, Pompidou maintained good relations with the newly independent countries of Africa, and former colonies, such as Mauritania, Senegal, Ivory Coast, Cameroon, and Gabon, which he visited in 1971: addressing the new governments, he auspicated economic cooperation, financial assistance¹⁴⁸ free from the paternalistic ways that had marked De Gaulle's style.

¹⁴⁴ Messmer, P. (1971, July 5). *Déclaration de politique générale de M. Pierre Messmer, Premier Ministre* [Declaration of General Policy by Mr. Pierre Messmer, Prime Minister]. *Vie Publique*. <https://www.vie-publique.fr/discours/180705-declaration-de-politique-generale-de-m-pierre-messmer-premier-ministr>

¹⁴⁵ Wilson, F. L. (1973). *Gaullism without de Gaulle*. *Western Political Quarterly*, 26(3), 485–506.

¹⁴⁶ Inter-Parliamentary Union. (n.d.). *France*.

¹⁴⁷ Trachtenberg, M. (2011). *The French Factor in US Foreign Policy during the Nixon-Pompidou Period, 1969–1974*. *Journal of Cold War Studies*, 13 (1), 4–59. https://doi.org/10.1162/JCWS_a_00073

¹⁴⁸ Kolodziej, E. A. (1974). *French International Policy Under de Gaulle and Pompidou: The Politics of Grandeur*. Cornell University Press.

As we said for De Gaulle, we might stamp Pompidou's presidency with the "heavy" adjective, although in a different, softer flavour. Pragmatic, and more moderate than his political father, he corrected some of the courses of action that had resonated with the more Manichee approach of De Gaulle: but, at the same time, he utilised the powers granted by the constitution on a "personal" manoeuvre, granting himself a more loyal and right-winged prime minister.

His presidency was, however cut short. His terminal illness cost him his life in April 1974, when he died in his house, still in office as President. France observed a six – day mourning period, before the new candidates to the presidency stepped forward: François Mitterrand, Jacques Chaban-Dalmas, and Valéry Giscard d'Estaing.

5.3 Valéry Giscard d'Estaing (1974-1981)

The third President of the French Republic was not a face unknown to the public. In fact, just as Pompidou had been the right-hand man of Charles De Gaulle in the last years of his presidency, Valéry Giscard d'Estaing had already served under his predecessor, although as Minister of Finance. Member of the French Resistance and later of the Gaullist majority, the novelty of the election of Giscard D'Estaing rested upon two factors: the fact that this choice could be regarded “personal,” and the rise of a third political stance among the two classic poles of right and left.

Taking a step back, it is important to note that the presidential elections of 1974 witnessed the competition of a strong left led by François Mitterrand, who gained a considerable amount of vote in the first turn and had enough support to alarm the Gaullist forces. For this reason, a conspicuous number of political figures between parliament members, ministers of the Gaullist UDR, issued the so-called “Appel des 43”, i.e., the Call of the forty-three, a political manifesto. On a first glance, this appeal seemed to criticize the numerous candidates within the majority. However, in essence, it served as a significant provocation against Jacques Chaban-Delmas, who was the candidate of the Union des démocrates pour la République (UDR).¹⁴⁹ The latter, still recovering from the fiasco of the *Nouvelle Société*, Chaban-Delmas was not seen in a favourable light the Gaullist Guard, which, with the Appel manifesto, in a relatively veiled manner designated Giscard D'Estaing as their ideal candidate. They did so through an intricate plan.

Jacques Chirac, who was of Minister of the Interior at the time and had access to survey data from the *Renseignements Généraux*, was convinced that Chaban-Delmas would not succeed. A second failure of him would have meant the loss of credibility of the UDR, and a potential jeopardy of its future. He exerted influence on Prime Minister Pierre Messmer to present Chaban-Delmas as a candidate, a proposition that Messmer agreed to under the condition that the other four candidates withdrew in favour of Chaban-Delmas. However, when two of these candidates declined, including Giscard d'Estaing, who conditioned his acceptance on Chaban-Delmas's withdrawal, and Chaban-Delmas himself refused to withdraw, Giscard d'Estaing withdrew his candidacy on the same day (the 9th). Despite this, the manoeuvring allowed Chaban-Delmas to be perceived as causing division within his own political faction: and, more importantly, he was publicly called out when the Manifesto was presented a few days after this events, when the Manifesto called upon a unique candidacy, deflecting the spotlight on Giscard D'Estaing.¹⁵⁰

Pitting himself against a man that already failed, and whom he called “a man of the past” (i.e., Mitterrand), Giscard D'Estaing wins in the second turn by a slight majority, 50.81 against the 49.19 accorded to

¹⁴⁹ Pozzi, J. (2007). *Parlement[s]*, *Revue d'histoire politique*, 7(1), 109-120. <https://doi.org/1768-6520/2007-03-01>

¹⁵⁰ Idem

Mitterrand.¹⁵¹ “Sans moi, la Ve République disparaissait et la France s’affaissait durablement. Je compte sur vous. Structures, méthode, objectifs. J’exercerai pleinement mes fonctions”: with these words translating as “Without me, the Fifth Republic would have disappeared, and France would have collapsed for good (...)”, Giscard D’Estaing inaugurated his presidency in 1974, with this strong stance.

Giscard D’Estaing was, indeed, an innovative figure for multiple aspects. First and foremost, he opened his *septennat* with three key concepts: the personal character of the elections; the necessity of his election for avoiding an historical catastrophe that would have meant the death of the Fifth Republic; and, finally, the approach delineated as “*structure, méthode, objectif*”, i.e., structure, method, objectives. What did it mean, in practice?

We mentioned at the beginning of this section the relevance of the first point. On the second point, Philippe Ratté argues that the risk was due to either Mitterrand taking over and distorting the Fifth Republic and revert to the Fourth Republic, or to the Gaullists keeping the Cinquième in their "reactionary formaldehyde". It would have been genuine Gaullism perishing in both scenarios.¹⁵² Bringing a more “centrist” approach, a younger face and policies that were way more advanced than De Gaulle’s personal stances would have ever been – or at least, the Catholic supporters of the UDR’s stances, he was pushed to be the innovator and “saviour” of the life project of General De Gaulle.

On the matter of the third point, Ratté highlights the differences of Giscard D’Estaing and Mitterrand, emphasizing how the latter, in his political speeches, was attracting consensus with “shiny” promises of results, while the former was more pragmatic, beginning “begins by defining, putting in place and validating the foundations (the structures) that will allow certain things to happen and render others unattainable, then establishes a method (a central concept in his thinking as a polytechnician) for getting the best out of the conditions thus verified, and finally, and only finally, chooses the objectives to be achieved at various times by implementing these methods on the verified foundations.”¹⁵³

As aforementioned, he hijacked Gaullism and coupled it with a more liberal approach, “sometimes even against the grain of his own conservative majority”¹⁵⁴. Indeed, in domestic policy some of the legislations that passed under his presidency were advanced. He started by raising the minimum wage, family allowances, and pensions for the elderly. He lowered the voting age to eighteen, modernised divorce laws, increased health insurance coverage for all Frenchmen, and extended the right to political asylum. In the case of the divorce law, for example, the modification of 1975 introduced the procedure for "de facto separation" (or "breakdown of cohabitation") and that of "mutual consent", thus provoking an accelerating effect on the rates of divorce.¹⁵⁵

¹⁵¹ République Française. (2019). *Résultats de l’élection présidentielle 1974*. Vie Publique. Retrieved from [<https://www.vie-publique.fr/eclairage/24162-resultats-de-lelection-presidentielle-1974>]

¹⁵² Ratté, P. (2020). *Valéry Giscard d’Estaing*. Odile Jacob. <https://www.perlego.com/book/3420953/valry-giscard-destaing-lautre-grand-prsident-pdf>

¹⁵³ Idem

¹⁵⁴ France, & France. (2020, December 2). *Valéry Giscard d’Estaing, ‘reformist’ French president, dies at 94*. France 24. <https://www.france24.com/en/france/20201202-val%C3%A9ry-giscard-d-estaing-modernist-french-president-dies-at-94>

¹⁵⁵ Agnès, Y. (1979, October 28). *Le divorce après la loi de 1975*. Le Monde.fr. https://www.lemonde.fr/archives/article/1979/10/29/le-divorce-apres-la-loi-de-1975_2792745_1819218.html

Another epochal law passed under Giscard D'Estaing's Presidency is the one legalizing abortion, under the aegis of philosopher Simone Veil, who was nominate Minister of Health. The abortion law of 1975 still carries the name of "Loi Veil": The Veil Law allows women to request an abortion during the first 12 weeks of pregnancy (14 weeks since the last menstrual period), with no requirement to provide a specific reason.

Although Giscard d'Estaing achieved success in implementing social reforms, he encountered various economic difficulties, notably a rise in unemployment after the 1973 oil crisis. In reaction to this, he appointed economist Raymond Barre as his prime minister in 1976, initiating a phase of rigorous austerity that ultimately led to a decline in his popularity as a leader¹⁵⁶, and replacing its first Prime Minister Jacque Chirac (an event that we will discuss further in the next paragraphs of this section).

As per foreign policy, Giscard D'Estaing persisted in the line of De Gaulle for the relations with Africa. He kept good ties with Muslim countries in order not to compromise the oil supply, and highly invested in countries such as Senegal, Cameroon, and Gabon, considered as extremely reliable allies.¹⁵⁷ Furthermore, the Giscard D'Estaing's presidency launched the Opération Lamantin in 1977 in Mauritania to repress the Sahrawi forces of the Polisario front, who sought independence for the Western Sahara.

As per the European approach, Giscard D'Estaing followed on his predecessors' footsteps. He was one of the advocated for and set the European Monetary System, in close cooperation with Helmut Schmidt, the chancellor of the Federal Republic of Germany. Furthermore, under his direction, France appeased the relations with the Soviet Union, fostering the conclusion of the Helsinki Accords. In regards of relations with the Soviet Union, Giscard D'Estaing considered France to be a peace-make figure with the USSR's involvement in Afghanistan: this led the French President to arrange the Warsaw Summit with Léonid Brejnev (1980) in order to discuss the retirement of the troops from the territory. This was accorded in a telegram from the Kremlin to the Elysée, and Giscard D'Estaing appeared in front of the new G7 as victorious and strong of accomplishment. Unfortunately, the dreams of grandeur in resolving the occupation of Afghanistan were not long-lived. Not a single soldier returned to Russia.¹⁵⁸

Giscard D'Estaing's image, at the elections of the following years, was also taunted by the diamonds scandal with President Bokassa. Being accused of having accepted high profile diamonds gifted by him when in office as Minister was in counter tendency with the style that Giscard D'Estaing wanted to give his presidency. He had constructed his image around his being a man of the people, a man in action, different from the first two presidents that had acted almost as monarchs.¹⁵⁹ However, the diamonds scandal, and his coolly

¹⁵⁶ France, & France. (2020). *Valéry Giscard d'Estaing*. France 24. <https://www.france24.com/en/france/20201202-val%C3%A9ry-giscard-d-estaing-modernist-french-president-dies-at-94>

¹⁵⁷ Frears, John R., *France in the Giscard Presidency* (1981) pp. 109–127

¹⁵⁸ Branda, P. (2023, March 30). «*L'histoire des relations franco-russes aurait dû nous enseigner la prudence*». Le Figaro. https://lefigaro.fr/vox/histoire/l-histoire-des-relations-franco-russes-aurait-du-nous-enseigner-la-prudence-20230330?utm_source=app&utm_medium=sms&utm_campaign=fr.playsoft.lefigarov3

¹⁵⁹ Obituaries (2020, December 3). *Valéry Giscard d'Estaing, centre-Right French President who supported a united Europe – obituary*. The Telegraph. <https://www.telegraph.co.uk/obituaries/2020/12/03/valery-giscard-destaing-centre-right-french-president-supported/>

received attempts at approaching the French people with walks in the Metro and “common day” activities never gained him the title of President of the people.

The concept of “monarchisation” of the Presidency is extremely interesting, because it highlights the personalisation of French politics. As will be discussed in the final part of this work, this represents what could be ascribed as one of the perils of Semi-Presidentialism.

Concluding the analysis of Giscard D’Estaing’s presidential style, the relation with his first Prime Minister, Jacques Chirac, is worthy of a separate paragraph. The projection of the image of a young France did not only apply to the presidential post, but the nomination of the Prime Minister as well. At forty-one and with a past in the French Communist Party, Jacques Chirac was appointed Prime Minister by Vge in the aftermath of his election, thus defeating the Old Guard of the UDR, also known as the “barons” of Gaullism. It is worth of notice that, ultimately, the nomination was also a “reward” for having betrayed Chaban-Dalmas in the 1974 elections. It was with faith in the institution of the President of the Republic that he had approached the Prime Minister role, as we can read from his investiture declaration.

“ (...)

Tâche exaltante, tâche difficile.

Mais je crois profondément que le succès est à notre portée. Parce que les changements qu'il implique répondent à la volonté du Président de la République. Parce que le Gouvernement que j'ai l'honneur de diriger est déterminé à les accomplir. Parce que, je n'en doute pas, votre assemblée est disposée à jouer pleinement son rôle pour les rendre possibles.”¹⁶⁰

“(…)”

An exciting task, a difficult task.

But I firmly believe that success is within our grasp. Because the changes it involves are in line with the wishes of the President of the Republic. Because the Government that I have the honour of leading is determined to achieve them. Because, I have no doubt, your Assembly is ready to play its full part in making them possible.”¹⁶¹

Giscard d'Estaing and Chirac's cooperation, however, was not meant to last. Merely two years after the presidential election, the first rivalries between the two started to appear, with a growing grudge developing

¹⁶⁰ Chirac, J. (1974, June 5). *Déclaration de politique générale de M. Jacques Chirac, Premier ministre, sur les grandes orientations de la politique étrangère, la construction européenne, la politique économique, monétaire et sociale, la politique contractuelle et les relations dans l'entreprise, à l'Assemblée nationale*. Retrieved from <https://www.vie-publique.fr/discours/180709-declaration-de-politique-generale-de-m-jacques-chirac-premier-ministre>

¹⁶¹ Translation

from the Prime Minister towards the President. This resentment, which ultimately led to the fall out, was due to various factors.

As we stated before in this section, the reforms that Giscard d'Estaing put into place were far too advanced for the conservative wing of the UDR. Certainly, the social and economic development of France was not ill-regarded by the Gaullist old guard: it was under Chirac, at the beginning of his Prime Minister mandate, that a social reforms programme was proposed. Said program not only served as an economic stimulus but also brought about several changes. The minimum wage saw an increase to 1200 F, family allowances experienced a 12% boost, the minimum old-age allowance witnessed a 21% rise, and old-age pensions were raised by 6.7%. Aligned with this approach, the government under Jacques Chirac, on January 1, 1975, announced an 18.5% increase in the *Sécurité Sociale* ceiling, a 6.3% rise in general pension payments, a reduction in the retirement age for almost 170,000 veterans to 60, an extension of the maternity allowance to over 300,000 families, and an increase in the orphan allowance.¹⁶² It was rather the social reforms that preoccupied the old Gaullists, as well as the progressive opening to European Union, that in those years was in its crucial phase. Even if Charles De Gaulle had fostered the first steps of the European integration, the more conservative front of the UDR advocated for a more nationalist stance. Their voices were regrouped in the figures of Pierre Juillet and Marie-France Garaud, who strongly advised Chirac to oppose the President. The latter, to cite an example, was amongst who voted “no” in the France referendum on the Maastricht Treaty.¹⁶³ Chirac's position in the government was a strong one, also due to the fact that he had used his primeministerial position to ensure dominance within his party and took over as secretary-general of the Gaullist party.¹⁶⁴ However, not long after his appointment, the Barons of Gaullism started reprimanding him for being too close to the presidency, de facto lacking an “independent” power.

On January 11, 1976, the president carried out a ministerial reshuffle against the Prime Minister's advice. Furthermore, the government was expanded by six secretaries of state, with only one from the UDR: this went right in opposition with the Prime Minister's will to increase the number of Gaullists within its entourage. He denounced the power exercised by Valéry Giscard d'Estaing, and he called for early legislative elections. On June 6, 1976, Jacques Chirac yielded to the pressure exerted by his allies, viewing himself as the "usher of the presidency," declared that he had chosen to leave office.¹⁶⁵

“Je viens de remettre la démission de mon gouvernement au Président de la République. Je l'avais préalablement informé de mon intention. En effet, je ne dispose

¹⁶² Palier, B. (2008, May 9-10). *France more liberalised than social democratized?* Paper presented at the conference "The Nordic Models: Solutions to Continental Europe's Problems?" Center for European Studies at Harvard.

¹⁶³ Ramsay, R. L. (2003). *French women in politics: Writing power, paternal legitimization, and maternal legacies*. Berghahn Books.

¹⁶⁴ Stevens, A. (2017). *Government and Politics of France* (3rd ed.). Bloomsbury Publishing. <https://www.perlego.com/book/3032478/government-and-politics-of-france-pdf>

¹⁶⁵ *Jacques Chirac 1974 -1976*. (n.d.). Gouvernement.fr. <https://www.gouvernement.fr/jacques-chirac-1974-1976>

pas des moyens que j'estime aujourd'hui nécessaires pour assumer efficacement mes fonctions de premier ministre. Et, dans ces conditions, j'ai décidé d'y mettre fin."¹⁶⁶

"I have just submitted the resignation of my government to the President of the Republic. In fact, I do not have the resources that I consider necessary today to carry out my duties as Prime Minister effectively, and in these circumstances, I have decided to put an end to them."¹⁶⁷

Following his departure in 1976, Raymond Barre's experiment in containing and handling inter-party conflict within the government was not successful. According to Anne Stevens, this "proved that a prime minister cannot with impunity simply abdicate the political leadership of the parliamentary majority."¹⁶⁸

All of the aforementioned stained Giscard D'Estaing's reputation: at the end of his mandate, the French considered him not so different from the "barons," or, at least, closer to them than he ever was with the common people. The 1981 elections marked the final nail on the coffin of Giscard d'Estaing's *septennat*: in the consultation, his former contender resurfaced, and prevailed. François Mitterrand, as per the election of 1981, was the new President of the Republic.

¹⁶⁶ Chirac, J. (1976, August 25). *Conseil du 25 août 1976: Démission du gouvernement de M. Chirac*.

¹⁶⁷ Translation

¹⁶⁸ Stevens, A. (2017). *Government and Politics of France* (3rd ed.). Bloomsbury Publishing. <https://www.perlego.com/book/3032478/government-and-politics-of-france-pdf>

5.4 François Mitterrand (1981-1995)

Even though the scandals did damage his reputation, and the French malcontent due to the growing unemployment was knocking on his door, Giscard d'Estaing was convinced that Mitterrand was never going to be elected to replace him.¹⁶⁹ However, in the case of François Mitterrand, the saying “third time’s a charm” quite literally came true: when the results of the 1981 elections declared that François Mitterrand was France’s twenty-first President, it was his third presidential campaign, although he had already served in various governments years prior. “In 1981” Friend narrates “France had been governed by conservatives for twenty-three years — a whole political generation. Divided and dispirited even before de Gaulle’s return in 1958, the Socialists had had more than enough time to meditate on their complex party history.”¹⁷⁰ And they had plenty of time to regroup under the aegis of Mitterrand, who made the PSF take the power for the first time ever in the history of France.

It is interesting to note how, sixteen years prior, Mitterrand had been a strong opposer of de Gaulle, as illustrated by *Le Coup d'état permanent*. In this essay, he harshly criticized De Gaulle’s style of leadership, especially in relation to the figure of the President, considering the evolution of this political figure a “betrayal” of the promises of 1958. Mitterrand claimed that the Head of State had grown to be all-powerful and that this demonstrated the frailty of the Parliament and Government, which the President of the Republic had marginalised.¹⁷¹ Mitterrand even went as far as accusing De Gaulle of having operated a proper coup.

“Du 13 mai au 3 juin 1958, le général de Gaulle a réussi un premier coup d'Etat. Après avoir inspiré une conjuration politique et exploité une sédition militaire, il a renversé l'ordre établi mais décadent qui s'appelait quand même la République. Telle est la vérité qui, assurément, contredit la version officielle selon laquelle le général de Gaulle, la preuve faite de l'impuissance de la IV^e République, aurait exercé un arbitrage entre l'Etat humilié et d'arrogants vassaux, rétabli l'ordre, garanti le respect des lois et assumé sans rupture de continuité les pouvoirs de la République. Au reste, l'insistance que met le général de Gaulle à invoquer à tout propos et hors de propos ce qu'il nomme «sa légitimité» souligne le besoin qu'il éprouve d'une justification. De cette légitimité discrètement sous-entendue tout le temps de sa retraite à Colombey il proclama le dogme lors de l'affaire des Barricades d'Alger par cette formule sacramentelle prononcée à la radiotélévision

¹⁶⁹ Friend, J. (2019). *Seven Years In France (1st ed.)*. Taylor and Francis. <https://www.perlego.com/book/1477020/seven-years-in-france-francois-mitterrand-and-the-unintended-revolution-19811988-pdf>

¹⁷⁰ Idem

¹⁷¹ Mitterrand, F. (1984). *Le coup d'état permanent*. <https://ci.nii.ac.jp/ncid/BA2338551X>

: «En vertu du mandat que le peuple m'a donné et de la légitimité nationale que j'incarne depuis vingt ans, je demande à tous et à toutes de me soutenir quoi qu'il arrive.» Effarés mais prudents devant cette incroyable affirmation les milieux politiques ricanèrent, mais se gardèrent de protester. »¹⁷²

“From 13 May to 3 June 1958, General de Gaulle succeeded in his first coup d'état. After inspiring a political conspiracy and exploiting a military sedition, he overthrew the established but decadent order that was still called the Republic. This is the truth, which certainly contradicts the official version according to which General de Gaulle, having proved the impotence of the Fourth Republic, arbitrated between the humiliated State and arrogant and arrogant vassals, restored order, guaranteed respect for the law, and assumed uninterrupted power. of the Republic. Moreover, General de Gaulle's insistence on invoking what he called the "permanent coup d'etat" at all times and out of General de Gaulle's insistence on invoking what he calls "his legitimacy" at every turn and out of turn underlines the need he feels for justification. Of this legitimacy, discreetly implied throughout his retreat to Colombey, he proclaimed dogma during the Barricades d'Alger affair with this sacramental formula pronounced on radio and television: "By virtue of the mandate that the people have given me and the national legitimacy that I ask everyone to support me whatever happens. Astonished but cautious in the face of this unbelievable statement, the political circles sniggered, but refrained from protesting.”¹⁷³

The 1960s brought changes to the left in France. The insurgent wave of May 68 was extremely politicized and leaning towards the left wing of French politics, as well exemplified by the participation of the factory workers in the protests. But the failures of the barricades and the general sense of discontent that May left on the students stained the images of the leftist parties and their political figures, and it showed in numbers at the following elections. Out of the 118 deputies, the FGDS (*Fédération de la gauche démocrate et socialiste*) lost 61, and the Communists lost 43 of their total of 73.¹⁷⁴

At this time, Mitterrand had already presented his first candidacy in 1965 against De Gaulle, losing the post to the General who he strongly criticised in his work. In 1971, Mitterrand had taken the lead of the Socialist Party, a milestone that he was able to achieve proposing a reconciliation – and political alliance – with the Communist Party, as the ultimate solution to finally enter the Elysée and to battle capitalism. The Left presented the Common Programme in the 1973 legislative elections mentioned in the section regarding

¹⁷² Idem

¹⁷³ Translation

¹⁷⁴ Idem, p.9

Pompidou, presenting the so called “Union for the left”. The presidential elections took an unexpectedly positive turn. Even though, in the end the victory fell on the lap of Valéry Giscard d’Estaing, the competition between the two candidates proved to be very close. After failing to update the Common Programme in 1977, the Communist and Socialist parties were defeated in the 1978 legislative election. The Socialist Party "archaic" and "unrealistic" programme was criticised by Michel Rocard, the leader of the internal opposition, who was challenging François Mitterrand's leadership. Nonetheless, the Socialists emerged victorious on the left, collecting more votes than the Communists. According to the polls, Rocard was more well-liked than François Mitterrand. However, at the Party's Metz Congress in 1979, François Mitterrand emerged victorious, and Rocard withdrew his candidature for the 1981 presidential elections. The victory of Mitterrand gathered around the new president, winning the majority in the National Assembly with the legislative elections.¹⁷⁵ François Mitterrand began his term with a blunt proposal:

“Dans le monde d'aujourd'hui, quelle plus haute exigence pour notre pays que de réaliser la nouvelle alliance du socialisme et de la liberté, quelle plus belle ambition que l'offrir au monde de demain?”¹⁷⁶

“In today's world, what higher demand can our country make than to achieve a new alliance between socialism and freedom, what better ambition than to offer it to the world of tomorrow?”¹⁷⁷

The socialist president did not waste time, and he started to work on the promises of his campaign, i.e., the famous “110 proposals for France”: the proposals covered a wide range of issues that were considered key for the country, including economic planning, nationalization of designated industries, social welfare reforms, and changes to the political system. Some of this reform propositions included the nationalization of key industries, reducing the working week to 39 hours, increasing the minimum wage, and various measures aimed at decentralizing power. The program organised in the following sections: I. - Peace: a France open to the world. Defence of the law and solidarity with peoples in struggle; II. - Employment: social growth through control of the economy. Economic recovery; III. - Freedom for responsible women and men. Democracy respected; V. - France: a free and respected country. Its security and identity.¹⁷⁸

François Mitterrand started with the nationalisation of determined sectors of the industry, as was already laid out in the twenty-first point of the “110 proposals”:

¹⁷⁵ Birch, J. *The many lives of François Mitterrand*. (2015, August 19). <https://jacobin.com/2015/08/francois-mitterrand-socialist-party-common-program-communist-pcf-1981-elections-austerity/>

¹⁷⁶ Mitterrand, F. (1981, May 21). *Discours d'investiture de François Mitterrand* [Inaugural speech of François Mitterrand]. Retrieved from <https://www.elysee.fr/la-presidence/1-investiture-de-francois-mitterrand>

¹⁷⁷ Translation

¹⁷⁸ *110 propositions pour la France*. Institut François Mitterrand. (n.d.). <https://www.mitterrand.org/110-propositions-pour-la-france.html>

“21. Le secteur public sera élargi par la nationalisation des neuf groupes industriels prévue dans le programme commun et le programme socialiste, de la sidérurgie et des activités de l’armement et de l’espace financées sur fonds publics.”¹⁷⁹

“21. The public sector would be enlarged by the nationalisation of the nine industrial groups provided for in the Common Programme and the Socialist Programme, the steel industry and publicly financed arms and space activities.”¹⁸⁰

While there was consensus within the newly formed government regarding the nationalisation principle, there was disagreement regarding how it should be put into practice, and to what extent the firms and industries would have to fall under the State’s competence. Ultimately, Mitterrand followed the guidance of his economic advisors and chose to pursue complete nationalization. The decision involved the full state ownership of six major industrial groups mostly involved in electronics, naval construction, cables, computers, and telecommunications. Additionally, two prominent steel companies, Usinor and Sacilor, which had received substantial financial assistance during Giscard's administration, underwent nationalisation through the conversion of their debt into government-held stocks.¹⁸¹ Another important milestone already contained in the 110 proposals was the “solidarity tax on wealth” (*Impôt de solidarité sur la fortune*, ISF), a yearly direct tax on French citizens which had assets exceeding a certain threshold.¹⁸²

Generally speaking, Mitterrand’s first year of presidency was marked by social policies through enhancement of access to healthcare, housing, and education; local politicians were encouraged to follow administration courses with paid leave from their jobs; minimum wage thresholds were increased; and the pension system was reformed. In 1983, the pension system was reformed, and the retirement age was reduced from 65 to 60.¹⁸³

However, merely after two years of Mitterrand’s election, the president turned the domestic policy around in order to remain competitive within the European Economic System: it was the beginning of the “tournant de la rigueur,” the austerity turn, marked by monetary and fiscal restraint. This was due majorly to high inflation, a declining currency, and rising interest rates. As a result, the 1986 legislative elections saw the rise to the Assembly majority of the Rally for the right-wing Republic – Union for French Democracy coalition. Facing this outcome, Mitterrand was obliged to nominate as Prime Minister Jacques Chirac,

¹⁷⁹ Idem

¹⁸⁰ Translation

¹⁸¹ Friend, J. (2019). *Seven Years In France*. Taylor and Francis.

¹⁸² *French wealth tax explained in full*. (n.d.). <https://www.connexionfrance.com>. <https://www.connexionfrance.com/article/Archive/French-wealth-tax-explained-in-full>

¹⁸³ Ginori, A. (2021, May 8). *Quarant’anni fa “la force tranquille” di Mitterrand. Ma che cosa resta oggi dei socialisti francesi?* La Repubblica. https://www.repubblica.it/esteri/2021/05/08/news/quarant_anni_fa_la_force_tranquille_di_mitterrand_ma_che_cosa_resta_oggi_d_ei_socialisti_francesi_-300012854/

expression of the new majority: it was the first cohabitation in the history of France. What had been previously enacted under the 110 proposal was soon enough reversed. The nationalised companies were sold, the ISF tax was abolished. Furthermore, in an attempt to encourage the private sector to create jobs, he lowered payroll and other taxes.¹⁸⁴

In general, under the cohabitation regime, the powers were specifically divided, with the entente that the President of the Republic would have dealt with foreign policy, while the Prime Minister would have tackled domestic issues. But the hardly compatible political stances of the two arose many difficulties and disagreements: the most famous example of the latter being the Devaquet bill, a reform on universities to make them more selective in their acceptance procedure. Said reform was openly opposed by the President, as well as the students. In 1986, a highly participated student protest was violently repressed by the police, leading to the death of Malik Oussekin, causing an outrage in French society¹⁸⁵, and a scandal for the government. In two days, the law proposal was retired, and minister Devaquet resigned. This scandal would have been one of the strengths supporting Mitterrand's fourth presidential campaign two years later, in 1988.

As per foreign policy, on one hand, Mitterrand maintained some of his predecessors' stances, for example, regarding the European Union, while on the other hand, went completely in the opposite direction. On the European subject, while firstly opposed to further integration, Mitterrand ended up working closely with German Chancellor Helmut Kohl to strengthen the Franco-German partnership, which played a crucial role in advancing European integration. This advancement was later enshrined with the signing of the Maastricht Treaty in 1992, which led to the creation of the European Union. In addition, Mitterrand was a firm advocate for the extension of membership to more States, as exemplified by his speech before the European Parliament in January 1995.

“ (...)

Deuxième impératif : il faut se préparer aux élargissements ultérieurs de l'Union. Il y a entre ces deux impératifs un lien logique : plus l'Europe s'affirme sur le plan interne et plus sa force d'attraction s'exerce sur les autres pays démocratiques d'Europe. Encore faut-il que ces deux objectifs ne se contredisent pas. Et c'est là la difficulté, car il faut élargir, mais il faut renforcer l'Union existante. Il ne faut pas que l'élargissement affaiblisse ce qui existe. Et il ne faut pas que ce qui existe empêche l'élargissement de l'Union aux limites de l'Europe démocratique.”¹⁸⁶

“(…)”

¹⁸⁴ The Editors of Encyclopaedia Britannica. (2023, December 22). *Jacques Chirac | Biography & Facts*. Encyclopedia Britannica. <https://www.britannica.com/biography/Jacques-Chirac>

¹⁸⁵ Sa'adah, A. (2003). *Contemporary France: A Democratic Education*. Rowman & Littlefield.

¹⁸⁶ Mitterrand, F. (1995, January 17). *Discours de M. François Mitterrand, Président de la République, sur le programme de la présidence française de l'Union européenne, notamment en matière d'élargissement, d'union économique et monétaire, d'organisation de l'Europe sociale, d'identité culturelle et de sécurité, devant le Parlement européen à Strasbourg le 17 janvier 1995*.

Second imperative: to prepare for future enlargements of the Union. There is a logical link between these two imperatives: the more Europe asserts itself internally, the greater its attraction for the other democratic countries of Europe. But these two objectives must not contradict each other. And that is where the difficulty lies, because we need to enlarge, but we also need to strengthen the existing Union. Enlargement must not weaken what already exists. And what already exists must not prevent the enlargement of the Union to the limits of democratic Europe.”

A point of rupture with the past was the reintegration of France into NATO. While De Gaulle had inaugurated the Fifth Republic with the retirement of French troops from the military integrated command – as seen in the section on De Gaulle’s presidency – Mitterrand in 1983 stressed the need for cooperation between the United States and France. In fact, France had not broken up with the Atlantic Alliance: it had been rather a soft estrangement, exemplified by the transferring of the NATO headquarters to Brussels in 1966.¹⁸⁷ Not surprisingly, Mitterrand’s stance on the alliance with the United States – a country notably not fond of Socialists – made both national and international news. “Mitterrand said” the Washington Post wrote in 1983 “he wished to “restate” France’s loyalty to NATO as an alliance of “16 free nations, rich in their diversity.” He again expressed support for the deployment of U.S. cruise and Pershing II missiles in Europe if negotiations in Geneva over the removal of Soviet SS20s fail.”¹⁸⁸

This reconciliation of France with the active life of the Western bloc cost the Socialists to drift away from the Soviet Union: this is testified not only by France’s open opposition to the USSR presence in Afghanistan, but also by the proper expulsion from the country of 42 Soviet diplomats accused of espionage.¹⁸⁹ It is worth of reminding how close, at this point, we are to the fall of the Berlin Wall and the subsequent Soviet Collapse, which would eventually happen during Mitterrand’s second term as President of France.

In 1988, French voters witnessed the opposition in the electoral arena of two political rivals whom they knew very well. This time fighting for the Presidential chair, Mitterrand and Chirac once again opposed each other. The outgoing president’s hope of re-election was deeply rooted in the unpopularity with the people of Chirac’s abolition of the ISF, and of the handing of the protests against the Devaquet bill.

Between the two opposite poles, a third option seemed to be offered by Raymond Barre, exponent of the UDF (*Union pour la Democratie Française*), who challenged Chirac’s approval rating in polls. A strong argument posed by Barre was the apparent “unconstitutionality” of the cohabitation principle. Nonetheless, Barre’s competition did not last long, but Chirac did not manage to sit in the Presidential chair: strong of the mistakes of his opponent a Prime Minister, and of the economic growth that the beginning of the 80s had

¹⁸⁷ Dobbs, M. (1983, June 10). *Mitterrand affirms French role in NATO*. Washington Post. <https://www.washingtonpost.com/archive/politics/1983/06/10/miterrand-affirms-french-role-in-nato/bffe6a80-f555-4a64-9d08-d9e499d15f20/>

¹⁸⁸ Idem

¹⁸⁹ Idem

brought to France, Mitterrand won by 10% against Chirac on the second round.¹⁹⁰ Upon his elections, Mitterrand nominated Michel Rocard as Prime Minister, indulging in a moderate Socialist program, and called upon the legislative elections of the same year. Following the same strategy of the presidential campaign, the socialists aggressively opposed the right wing, and successfully so. With 45.31% of the ballots, the Socialist Party managed to secure 262 seats in the National Assembly.¹⁹¹

The second term for Mitterrand was a troubled one, especially when it came to Prime Ministers. With Rocard failing to implement correctly the Socialist program, Mitterrand decided to dismiss him in 1991, nominating Edith Cresson – the first woman Prime Minister in the history of France – as his successor. But she did not prove fit for the role neither. In 1992, the weight of her unpopularity due to racist and homophobic remarks, coupled with the disaster of the regional elections that same year, made her resign.¹⁹² After Cresson came Pierre Bérégovoy, who promised to fight unemployment and corruption. It was 1993, and the legislative elections were around the corner. That year marked a significant defeat for the Socialist party, who did not manage to replicate the success of 1988: this was due to internal divisions and rivalry concerning Mitterrand's successor, the leadership of the party, and scandals that had gravitated around the PS.

In 1993, out of the 577 seats available in the National Assembly, the Socialists were able to secure only fifty-seven.¹⁹³ This took a heavy toll on Bérégovoy's mental health, eventually leading to his suicide not much later. While there is no certainty of the motives behind this act, it was also speculated that the 1993 elections were to be coupled with the uncovering of various scandals of financial nature that were rising around the Prime Minister's figure. "Many politicians have linked his death to depression following the defeat of the Socialist Party in the March general elections." The New York Times wrote "But above all they have pointed to the allegations that Mr. Beregovoy, a man of impeccable reputation who had taken a tough stand on corruption, had himself committed an impropriety."¹⁹⁴

Following this shock, Mitterrand had no choice to surrender to a second cohabitation. Shortly after Bérégovoy's death, he appointed Edouard Balladur, who came from the RPR/UDF coalition. This second cohabitation, however, proved more functioning than the first. Balladur stayed on the 1986 tracks of privatization but did not dare to remove the ISF. Notably, Balladur conducted his cabinet with the so-called "Balladur Jurisprudence", i.e., a non-written rule according to which a Minister who had been indicted for

¹⁹⁰ *Décision n° 88-60 PDR du 11 mai 1988*. (n.d.). Conseil Constitutionnel. <https://www.conseil-constitutionnel.fr/decision/1988/8860PDR.htm>

¹⁹¹ International Parliamentary Union. (1988). *France: Parliamentary Elections of 5 June 1988*. Retrieved from http://archive.ipu.org/parline-e/reports/arc/France_1988_E.PDF

¹⁹² Tempest, R. (2019, March 9). *Culture : Edith Cresson's Answer to TV Spoof: Hush Puppet! : France's brutally frank premier says her caricature on one of the nation's most popular shows is sexist, unfair*. - Los Angeles Times. Los Angeles Times. <https://www.latimes.com/archives/la-xpm-1991-07-23-wr-223-story.html>

¹⁹³ *Législatures*. (n.d.). <https://www.assemblee-nationale.fr/histoire/leg5repnew.asp>

¹⁹⁴ Simons, M. (1993, May 4). *In French Ex-Premier's suicide, cries of "J'Accuse"*. The New York Times. <https://www.nytimes.com/1993/05/04/world/in-french-ex-premier-s-suicide-cries-of-j-accuse.html>

judicial affairs should resign.¹⁹⁵ This rule was already present in Beregovoy's government but became more established because of the number of the political figures that were "forced" to resign under Balladur's rule. The second term of François Mitterrand and his second cohabitation did not lead to substantial changes in his political approach, and the priorities in domestic and foreign policy remained approximately the same. However, a major change in the geopolitical situation of the world was the fall of the Berlin Wall in 1989 and the collapse of the Soviet Union in 1991: "The unexpected collapse of the Berlin Wall and the German – German sprint towards unification foisted upon world leaders a dual mission to resolve both the German problem and the Russia question quickly, simultaneously and judiciously".¹⁹⁶

Mitterrand, who had been a strong advocate for European integration, had cautioned about the relations with the USSR, stressing the importance of its European inclusion. However, as Julie Marie Newton points out, the diplomatic talks with Gorbachev in the last moments of the USSR on the topics of Pan-Europeanism only reflected Mitterrand's real interest: the transformation of the EEC in a community integrated also at the political and military level. In other words, a federation.¹⁹⁷

Nonetheless, the Soviet Union collapsed in front of its neighbours' eyes, while the French spotlights were pointing at the German Reunification. Mitterrand's mandate was coming to an end, at this point. And, when 1995 came, he was an eighty-year-old man affected by late-stage cancer, thus having sufficient reasons not to run again for President (he would, eventually, die only a year later, in 1996).

In 1995, the presidential elections saw the presentation by the Socialist Party of candidate Lionel Jospin, as well as the candidacy of Balladur, who had promised Jacques Chirac not to run but changed his mind after positive feedback in polls, and Chirac himself. Ironically, it was the Prime Minister that had been in conflict for so long with his President who ended up taking his place. On the 12th of May, 1995, the *Conseil Constitutionnel* proclaimed Jacques Chirac Président de la République Française.¹⁹⁸

¹⁹⁵ *La jurisprudence Bérégovoy-Balladur*. (1999, November 3). Libération.fr. https://archive.wikiwix.com/cache/index2.php?url=https%3A%2F%2Fwww.liberation.fr%2Fevenement%2F1999%2F11%2F03%2Fla-jurisprudence-beregovoy-balladur_289624#federation=archive.wikiwix.com&tab=url

¹⁹⁶ NEWTON, J. M. (2013). Gorbachev, Mitterrand, and the Emergence of the Post-Cold War Order in Europe. *Europe-Asia Studies*, 65(2), 290–320. <http://www.jstor.org/stable/23438676>

¹⁹⁷ Idem, p.5

¹⁹⁸ Conseil Constitutionnel. (1995, 12 May). *Proclamation présidentielle 1995 du 12 mai 1995*. Conseil Constitutionnel. <https://web.archive.org/web/20110808211709/http://www.conseil-constitutionnel.fr/conseil-constitutionnel/francais/les-decisions/acces-par-date/decisions-depuis-1959/1995/proclamation-presidentielle-1995/decision-proclamation-presidentielle-1995-du-12-mai-1995.10689.html>

5.5 Jacques Chirac (1995-2007)

In the previous sections of this chapter, the name of Jacques Chirac has appeared multiple times, for different reasons and in different roles. From the early political years of the Communist militancy, Chirac had transformed his political stances already under suggestion of Pompidou, becoming a fervent Gaullist and founding, in 1976, the RPR (*Rassemblement pour la République*). The 1995 elections were the realisation of years that Chirac had spent under other presidents, and the historical conjunctions were now in his favour. The left was not doing well among the public opinion of France, especially after the disaster of the 1993 and the suicide of Beregovoy, with everything that had implied, and Mitterrand did not want to run for a third term due to his age and his health conditions: the Socialists needed a new face. Lionel Jospin, a former leader of the party and education minister, was selected by members of the PS in a primary election where he competed against Emmanuelli, also of the PS. Jospin pledged to rejuvenate the credibility and ethical standing of his party after the scandals that it had suffered: Jospin chose to address, in his campaign, the “negative” points of the years of Mitterrand.¹⁹⁹

On the other hand, Chirac presented himself again as an alternative to the failures of the left. Chirac leads his campaign with a programme in form of a book, “La France pour tous,” who rapidly becomes widespread and appreciated by the public. His campaign was centred around a more conservative tone, but still conveying an image that was close to the French people, something that, for example, Balladur failed to achieve. “On the campaign trail, Chirac was a bulldozer, “going toe-to-toe” with the voters, privately trumpeting, “I’m going to amaze you with my demagoguery”. Balladur was aloof, campaigning with “his leather gloves on”, pretending to be a realist. His declaration of candidacy, set against the golden backdrop of the Hôtel Matignon, was moody. “Balladur found himself in a foreign land in this campaign”, said one speaker.”²⁰⁰

The polls of May 1995 spoke clearly. On the second turn, when it came down only to Chirac and Jospin, 52,64% of the French expressed preference for the Gaullist candidate.²⁰¹

In his investiture speech, he addressed his new role as follows.

“(…) Je ferai tout pour qu'un Etat impartial, assumant pleinement ses missions de souveraineté et de solidarité, soit pour les citoyens le garant de leurs droits et le protecteur de leurs libertés.

¹⁹⁹ Virot, P. (1995, April 10). *Jospin dresse le bilan positif et négatif des années Mitterrand*. Libération. https://www.liberation.fr/france-archiv/1995/04/10/jospin-dresse-le-bilan-positif-et-negatif-des-annees-mitterrand_130721/

²⁰⁰ Barraco, F. (2017, March 23). Chirac-Balladur: amis de trente ans, ennemis de printemps. Le Point. https://www.lepoint.fr/politique/chirac-balladur-amis-de-trente-ans-ennemis-de-printemps-23-03-2017-2114099_20.php#11

²⁰¹ Conseil constitutionnel. (1995). *Décision n° 95-81 PDR du 12 mai 1995: Proclamation des résultats de l'élection du Président de la République*.

Je ferai tout pour que notre démocratie soit affermie et mieux équilibrée, par un juste partage des compétences entre l'exécutif et le législatif, ainsi que l'avait voulu le Général de Gaulle, fondateur de la Vème République. Le Président arbitrera, fixera les grandes orientations, assurera l'unité de la Nation, préservera son indépendance. Le Gouvernement conduira la politique de la Nation. Le Parlement fera la loi et contrôlera l'action gouvernementale. Telles sont les voies à suivre.

Je veillerai à ce qu'une justice indépendante soit dotée des moyens supplémentaires nécessaires à l'accomplissement de sa tâche.

Surtout, j'engagerai toutes mes forces pour restaurer la cohésion de la France et renouer le Pacte Républicain entre les Français. L'emploi sera ma préoccupation de tous les instants. La campagne qui s'achève a permis à notre pays de se découvrir tel qu'il est, avec ses cicatrices, ses fractures, ses inégalités, ses exclus, mais aussi avec son ardeur, sa générosité, son désir de rêver et de faire du rêve une réalité.

(...)

Avec l'aide des hommes et des femmes de bonne volonté, conformément à l'esprit et à la lettre de nos institutions, et aussi à l'idée que je me fais de ma mission, je serai auprès des Français, garant du bien public, en charge des intérêts supérieurs de la France dans le monde et de l'universalité de son message.

- Vive la République !

- Vive la France ! ”²⁰²

“(…) I will do my utmost to ensure that an impartial State, fully assuming its role of sovereignty and solidarity, is the guarantor of citizens' rights and the protector of their freedoms.

I will do my utmost to ensure that our democracy is strengthened and better balanced, through a fair division of powers between the executive and the legislature, as intended by General de Gaulle, the founder of the Fifth Republic. The President will arbitrate, set the broad guidelines, ensure the unity of the Nation, and preserve its independence. The Government will conduct the Nation's policy. Parliament will make laws and oversee government action. These are the paths to follow.

I will ensure that an independent judiciary is given the additional resources it needs to do its job.

²⁰² Chirac, J. (1995, May 17). *Discours de M. Jacques Chirac, Président de la République, sur son rôle en tant que Président de la République, à l'Élysée*. Vie-publique.fr. <https://www.vie-publique.fr/discours/203802-discours-de-m-jacques-chirac-president-de-la-republique-sur-son-role>

Above all, I will do my utmost to restore France's cohesion and renew the Republican Pact between the French people. Employment will be my constant concern. The campaign that is drawing to a close has enabled our country to discover itself as it is, with its scars, its fractures, its inequalities, its outcasts, but also with its ardour, its generosity, its desire to dream and to make dreams a reality. (...)

With the help of men and women of goodwill, in accordance with the spirit and the letter of our institutions, and also with the idea I have of my mission, I will be with the French people, the guarantor of the public good, in charge of France's higher interests in the world and the universality of its message.

- Long live the Republic!

- Long live France!”²⁰³

At first glance, one of the main points that emerge from his first discourse is the name of Charles de Gaulle and his recognition, from Chirac, as the father of modern France. Secondly, the speech outlines the presidential role that the presidency of Chirac declares to assume, i.e., the “arbitrator.” Chirac also seems to remind the audience, in his solemn speech, of the functioning of the French State as per the Fifth Republic Constitution: “The President will arbitrate, set the broad guidelines, ensure the unity of the Nation, and preserve its independence. The Government will conduct the Nation's policy. Parliament will make laws and oversee government action”²⁰⁴: in these words, the President’s role seems to retrocede into a softer one, giving their designated space to the Government and the Parliament. This also appears to be a stark opposition to Gaullism, or, at least, to the style of presidency of Charles de Gaulle.

Chirac was elected by the French people on the account of his conservative programme, which was centred on tax reductions and employment initiatives, as he also announced in his speech. However, his initial months as president saw little alleviation of labour strikes. Domestically, the implementation of neo-liberal economic austerity measures by Chirac and his conservative prime minister, Alain Juppé, including budgetary reductions, encountered popular disapproval, securing him a place at the table of the most hated politicians of France, together with Edith Cresson. By the end of his first year in office, Chirac was confronted by substantial students’ and workers’ strikes that escalated into a major general strike between November and December 1995. This general strike would become among the largest since the protests of May 1968.

Juppé’s Plan responded to the incumbent formation of the Eurozone, which had to be realized by minimizing the deficit of the State: in order to do so, the Prime Minister had announced a “pay freeze”²⁰⁵, i.e.,

²⁰³ Translation

²⁰⁴ Chirac, J. (1995). *Discours de M. Jacques Chirac, sur son rôle en tant que Président de la République*.

²⁰⁵ You, D. S. (2015, January 2). *French public sectors strike against the Juppe Plan, 1995*. In Global Nonviolent Action Database. <https://nvdatabase.swarthmore.edu/content/french-public-sectors-strike-against-jupp%C3%A9-plan-1995>

a situation in which an employer decides to temporarily or permanently halt salary increases for employees²⁰⁶. This was enough to cause an uproar amongst the French, who had elected Chirac in the hope of a better turn of the economic situation of the country, which was suffering from rising unemployment. The strikes were highly participated, with figures of 6 million strike days (i.e., the sum of every individual decision to go on strike, making it count like a day of strike).²⁰⁷ According to polls, 62% of the French public expressed support for the strikes, and additional survey data indicated that the public held Chirac responsible for the ongoing strikes. Despite some citizen groups protesting the disruptive strikes their primary focus was urging immediate negotiations between the government and the unions rather than undermining the strikes themselves. Sensing the escalating threat, Juppé called for an emergency cabinet meeting on the first week of December and enlisted a mediator to facilitate an agreement with the railroad workers. By the second week of December, postal, telephone, hospital, and gas workers joined the protest. Teachers and airline employees also participated, with unions estimating that almost one million workers engaged in the strike on December 12. Acknowledging the threat that the strikes represented for his government, Juppé agreed to direct negotiations with union leaders and abandoned his plans to alter the pension system. When the government also agreed to compensate the striking workers, most rail workers became satisfied and voted to resume work on December 16. While protests continued among other public sector employees, the government made no further significant concessions, and the Juppé Plan remained largely intact, with minor adjustments aimed at appeasing the railroad workers.²⁰⁸ The end of the protests were not enough to save Juppé's position in the Hotel de Matignon. The strikes and the wide malcontent towards his Plan had hurt deeply his image, ultimately resulting in his removal from office.

In 1997, an attempt to regain support for his economic programme after the failure of Juppé made President Chirac call for early elections. However, the surprise effect that he had hoped to pull on the left did not find it unprepared: the left-wing parties had formed the *Gauche Plurielle*, the “Pluralist Left” composed by the Socialist Party, the Communist Party, the Greens, the Left Radical Party (*Parti radical de gauche*, PRG), and the Citizens' Movement (*Mouvement des citoyens*, MDC).²⁰⁹ And, much to Chirac's surprise, the GP not only won the Assembly Majority, but is also won over the right with an overwhelming majority. In fact, following the initial election round, Prime Minister Juppé, had come to terms with his diminished popularity, and declared his intention to step down from his position, regardless of the eventual election outcome.²¹⁰

The Socialist party ended up leading the parliamentary majority with 38.6% of the seats, with the RPR gaining only 22.7%.²¹¹ The elections outcome represented, for the first time, a failure of the Presidency: it was,

²⁰⁶ Cambridge University Press. (n.d.). *Pay freeze*. In Cambridge English Dictionary. <https://dictionary.cambridge.org/dictionary/english/pay-freeze>

²⁰⁷ Le Web de l'Humanité: *Six fois plus de jours de grève en 1995* - Article paru le 16 novembre 1996. (1996, November 16). <https://web.archive.org/web/20050620131425/http://www.humanite.presse.fr/journal/1996-11-16/1996-11-16-765338>

²⁰⁸ You, D. S. (2015). Global Nonviolent Action Database.

²⁰⁹ Boy, D., Platone, F., Rey, H., Subileau, F., Ysmal, C. (2003). *C'était la gauche plurielle*. Presses de Sciences Po. <https://doi.org/10.3917/scpo.boy.2003.01>

²¹⁰ Assemblée nationale. (1997). *Elections held in 1997*. Inter-Parliamentary Union. http://archive.ipu.org/parline-e/reports/arc/2113_97.htm

²¹¹ Idem

in fact, the first time in the history of the Fifth Republic, that a president had lost the election called in advance, which is a tool often used to re-mix the parliamentary composition and renew the strength of the presidential majority. Lionel Jospin, former rival of Chirac, was then called to step in the Prime Minister shoes, de facto starting a new period of cohabitation, the third of the history of the Fifth Republic.

Jospin proved to be the exact contrary of his predecessor. In his investiture speech, he addressed the need of renewal for France, and also the European feeling that was coming increasingly into being in 1997.

“ (...)

Aux Françaises et aux Français que vous représentez ici et qui, au-delà de cette enceinte, nous écoutent, je veux dire ceci : faisons un pacte.

-Un pacte républicain.

-Un pacte de développement et de solidarité.

I- Je propose d'abord de nouer avec les Français un nouveau pacte républicain.

Il sera fondé :

- sur le retour aux sources de notre République,

- sur la modernisation de notre Démocratie.

(...)

De la base au sommet de l'Etat, du fonctionnaire au ministre, une seule façon d'être et d'agir, une seule façon de décider, doit prévaloir : celle du service de la Nation.

Nous sommes des citoyens responsables de l'Etat au service des citoyens nous leur devons compte, nous leur rendrons compte.

C'est ainsi que l'Etat peut être véritablement l'expression de la Nation.

La Nation est non seulement la réalité vivante à laquelle nous sommes tous attachés, mais surtout le lieu où bat le coeur de la démocratie, l'ensemble où se nouent les solidarités les plus profondes. Elle reste le cadre naturel des réformes essentielles dont notre pays a besoin.

Voilà pourquoi nous ne voulons plus de ce "jeu de défausse" qui a trop souvent consisté à se décharger sur l'Europe de tâches qui auraient dû être assumées dans le cadre national, à imputer à l'Union européenne des défaillances qui procédaient souvent de nos propres insuffisances. Pour moi, l'Europe doit être un espace supplémentaire de démocratie, doit ouvrir des perspectives nouvelles pour la citoyenneté. Elle ne saurait se substituer à la Nation, mais la prolonger, l'amplifier.

(...)

La France, vieux pays d'intégration républicaine, s'est construite par sédimentations, creuset donnant naissance à un alliage d'autant plus fort que ses composants étaient divers et nombreux. C'est pourquoi le droit du sol est

consubstantiel à la nation française. Nous le rétablirons. Rien n'est plus étranger à la France que le discours xénophobe et raciste. La France doit définir une politique d'immigration ferme et digne, sans renier ses valeurs, sans compromettre son équilibre social.

L'immigration est une réalité économique, sociale et humaine qu'il faut organiser, contrôler et maîtriser au mieux, en affirmant les intérêts de la Nation et en respectant les droits de la personne.

Une politique d'intégration républicaine, déterminée et généreuse, propre à recueillir l'assentiment de nos concitoyens, sera mise en oeuvre. La République accueille ses hôtes selon ses lois, qui doivent être claires et précises.

L'immigration irrégulière et le travail clandestin -dont je sais qu'il n'est pas le seul fait des étrangers- seront combattus sans défaillance parce que l'un et l'autre compromettent l'intégration et parce qu'ils sont contraires à la dignité des immigrés.

La politique de coopération avec les Etats d'émigration prendra en compte l'objectif de la maîtrise des flux migratoires.

La législation sur la nationalité, le droit des étrangers et l'immigration, rendue complexe et parfois incohérente par trop de modifications successives, fera l'objet d'un réexamen d'ensemble. Une mission interministérielle, (...) présentera ses conclusions d'ici deux mois. Un projet de loi sera présenté à la prochaine session du Parlement.

(...)

Dans la Nation, faire vivre la République, c'est s'assurer d'un État qui inspire le respect, qui redevienne impartial, qui se conforme au droit.

Les responsabilités de l'Etat doivent être assumées sans défaillance.

Au premier rang de celles-ci, il y a la Justice.

(...)

Le respect du droit est fondamental pour la République et la Démocratie. Sans lui, le lien social se dissout et les institutions sont discréditées. Aussi la Justice doit-elle être indépendante et impartiale.

La responsabilité d'un exercice équitable et non partisan de l'Action Publique se trouve ainsi remise aux procureurs généraux et procureurs qui en seront comptables devant les citoyens.

Je m'engage également à prendre des mesures permettant aux autorités judiciaires d'exercer effectivement le contrôle et l'évaluation de l'activité des services chargés de la police judiciaire.

Assurer la sécurité est un autre devoir primordial de l'État.

(...)

Dans un Etat républicain, il est aussi indispensable de garantir le respect par la force publique d'une déontologie. Je proposerai au Parlement un projet de loi portant création d'une instance indépendante chargée de contrôler le respect des règles déontologiques par les services responsables de la sécurité publique. (...)

Dans la République, il n'y a pas de place pour une police politique.

(...)

L'Etat doit être impartial.

Cet impératif s'appliquera aux nominations individuelles qui seront décidées, mais, au-delà, il inspirera l'ensemble des comportements individuels et collectifs des responsables publics.

L'Etat doit être plus proche des citoyens, plus accessible, plus efficace.

L'Etat de droit ne doit pas souffrir d'exception.

(...)

Comme je m'y suis engagé, je proposerai que les mandats électifs soient harmonisés sur une base de cinq ans.

Incarnation de la souveraineté nationale, le Parlement doit pleinement exercer son rôle éminent au sein de nos institutions. Associer étroitement la majorité à la conception de la politique suivie, respecter les droits de l'opposition, impliquer davantage le Parlement dans la construction européenne sont les trois objectifs que mon Gouvernement poursuivra.

(...)

La parole de la France avait été donnée sur le pacte de stabilité.

L'engagement que j'ai pris n'est évidemment pas épuisé avec ce premier résultat. Il nous faut poursuivre dans cette voie avec persévérance. La politique que j'entends conduire en matière européenne, dans le cadre des compétences qui sont les miennes, ira dans le sens d'un renforcement de l'Union, à condition que celle-ci soit d'abord au service des peuples qui la composent.

Nous irons vers une Europe plus sociale, garante de progrès, de paix et d'indépendance.

(...)

Le Gouvernement sera toujours prêt au dialogue, toujours attentif aux critiques d'où qu'elles viennent, pourvu qu'elles soient inspirées par l'intérêt national. Il négociera sa route mais il ne se laissera pas dévier de son but.

Le Gouvernement détermine et conduit la politique de la nation. Le Premier ministre dirige l'action du Gouvernement. Telles sont les prescriptions claires et précises de la Constitution. Elles seront mises en oeuvre.”²¹²

“(…)

To the French men and women, you represent here and who are listening to us from beyond this Chamber, I want to say this: let us make a pact.

-A republican pact.

-A pact for development and solidarity.

I- First of all, I propose to forge a new republican pact with the French people.

It will be based on:

- a return to the roots of our Republic,

- on modernising our democracy.

(…)

From the bottom to the top of the State, from civil servant to minister, a single way of being and acting, a single way of deciding, must prevail that of serving the Nation. We are responsible citizens of the State at the service of the citizens; we are accountable to them, and we will be accountable to them.

This is how the State can truly be the expression of the Nation.

The Nation is not only the living reality to which we are all attached, but above all the place where the heart of democracy beats, the place where the deepest bonds of solidarity are forged. It remains the natural framework for the essential reforms our country needs.

That is why we no longer want this "blame game" that has too often consisted of offloading onto Europe tasks that should have been carried out at national level, of blaming the European Union for failings that were often the result of our own shortcomings. For me, Europe must be an additional space for democracy, must open up new prospects for citizenship. It should not replace the Nation, but rather extend and amplify it.

(…)

France, an old country of republican integration, was built by sedimentation, a melting pot giving rise to an alloy that was all the stronger for the diversity and number of its components. That is why the right of citizenship is consubstantial with the French nation. We will reinstate it. Nothing is more alien to France than

²¹² Jospin, L. (1997, June 19). *Déclaration de politique générale de M. Lionel Jospin, Premier ministre, sur les axes de travail du gouvernement, à l'Assemblée nationale le 19 juin 1997, parue dans "La Lettre du Gouvernement" du 24 juin 1997.* Vie Publique. <https://www.vie-publique.fr/discours/163833-declaration-de-politique-generale-de-m-lionel-jospin-premier-ministre>

xenophobic and racist rhetoric. France must define a firm and dignified immigration policy, without denying its values or compromising its social balance.

Immigration is an economic, social, and human reality that needs to be organised, controlled, and managed as effectively as possible, while upholding the interests of the nation and respecting human rights.

A determined and generous republican integration policy will be implemented, which will win the approval of our fellow citizens. The Republic welcomes its guests according to its laws, which must be clear and precise. Illegal immigration and illegal employment - which I know are not the sole responsibility of foreigners - will be combated without fail, because both jeopardise integration and are contrary to the dignity of immigrants.

The policy of cooperation with countries of emigration will take into account the objective of controlling migratory flows.

Legislation on nationality, the law on foreigners and immigration, which has become complex and sometimes incoherent as a result of too many successive amendments, will be subject to an overall review. An interministerial mission (...) will present its conclusions within two months. A bill will be presented to the next session of Parliament.

(...)

For the nation, keeping the Republic alive means ensuring that the State inspires respect, becomes impartial and complies with the law.

The responsibilities of the State must be fulfilled without fail.

At the forefront of these is Justice.

(...)

Respect for the law is fundamental to the Republic and democracy. Without it, the social bond dissolves and institutions are discredited. Justice must therefore be independent and impartial.

Responsibility for the fair and non-partisan exercise of public action is thus handed over to the public prosecutors, who will be accountable to the public.

I am also committed to taking measures to enable the judicial authorities to effectively monitor and evaluate the activities of the criminal investigation departments.

Ensuring security is another essential duty of the State.

(...)

In a republican state, it is also essential to ensure that the police comply with a code of ethics. I will be proposing to Parliament a bill to create an independent body

responsible for monitoring compliance with ethical rules by public security services. (...) In the Republic, there is no place for a political police force.

(...)

The State must be impartial.

This imperative will apply to the individual appointments that will be made, but beyond that it will inspire all the individual and collective behaviour of public officials.

The State must be closer to its citizens, more accessible and more efficient.

There must be no exceptions to the rule of law.

(...)

As I have undertaken to do, I will be proposing that elected terms be harmonised on the basis of five years.

As the embodiment of national sovereignty, Parliament must fully exercise its eminent role within our institutions. Involving the majority closely in devising policy, respecting the rights of the opposition, and involving Parliament more closely in European integration are the three objectives that my Government will pursue.

(...)

France gave its word on the Stability Pact.

The commitment I made is clearly not exhausted with this first result. We must persevere on this path. The policy that I intend to pursue in European affairs, within the framework of my own powers, will be to strengthen the Union, provided that it is first and foremost at the service of the peoples who make it up.

We will move towards a more social Europe that guarantees progress, peace, and independence.

(...)

The Government will always be ready for dialogue, always attentive to criticism wherever it comes from, as long as it is inspired by the national interest. It will negotiate its way forward, but it will not allow itself to be diverted from its goal.

The Government determines and conducts the nation's policy. The Prime Minister directs the actions of the Government. These are the clear and precise prescriptions of the Constitution. They will be implemented.”²¹³

One of the main take outs of the first speech of Jospin as Prime Minister, is the reinforcement of the functioning of the French State, and the emphasis on the importance and relevance of the government.

²¹³ Translation

Furthermore, Jospin highlighted the more “social” approach of the newly formed government, which would have been later exemplified with the policies enacted by him. The 35-hour workweek was introduced²¹⁴, the social security system was expanded²¹⁵, created the PACS, a civil partnership or union between two people of any gender, and made health care in France a universal right by creating *Couverture maladie universelle*.²¹⁶ Furthermore, the minimum wage provision is worth of notice.

In general, the government of the cohabitation improved the social conditions of the French people, in stark contrast to the conservative view of the president, and the failed attempt of his right-hand man. “Jospin’s government has displayed pragmatism in adjusting to new realities” Ben Clift writes “but also the ability to exploit new, quasi-dirigiste means to carve out an activist role for the state, in both restructuring French capitalism and preserving French public services.”²¹⁷

Jospin’s ministry weakened the strength of Chirac’s Presidency, especially given the success of the left-wing policies. But the other novelty introduced by the Jospin government also contributed to the (apparent) weakening of the role of the president. In 2000, five years into Chirac’s presidency, a referendum called the French people to vote on the reduction of the presidential term from seven years to five years. In reality, the proposition of said reduction benefitted the President above all: for this reason, Jacques Chirac campaigned actively for the “yes.”

As we delved into the analysis of the Constitution in the second section of the previous chapter, we mentioned how the mandates of the President and of the Assembly did not coincide, with the presidency spanning seven years, and the legislation covering five years. Often enough, the elections of the two organs did not meet the same time requirements, and the changes in politics were reflected by the shift of the parliamentary majority. This, for example, is the main reason behind the *cohabitation* phenomenon, and this solution to reduce the risk of two different currents of political thought ruling France was already being discussed for decades before being set into stone at the beginning of the new millennium. The 2000 referendum was called invoking article 89 of the Constitution, as per official instructions.

ARTICLE 89.

²¹⁴ Vail, M. (2009). *Recasting Welfare Capitalism*. Temple University Press. <https://www.perlego.com/book/2034551/recasting-welfare-capitalism-economic-adjustment-in-contemporary-france-and-germany-pdf>

²¹⁵ Issa. (n.d.). *Reforms* - ISSA. <https://web.archive.org/web/20120606142539/http://www.issa.int/Observatory/Country-Profiles/Regions/Europe/France/Reforms2>

²¹⁶ Jospin, L. (1999, June 30). *Déclaration de M. Lionel Jospin, Premier ministre, sur la nécessité d'une réelle égalité dans l'accès aux soins et la mise en oeuvre de la couverture maladie universelle, la promotion d'une médecine plus humaine, la réforme des études médicales et l'importance de la sécurité sanitaire, de la prévention et de l'éducation pour une meilleure politique de la santé, Paris le 30 juin 1999*. Vie Publique. <https://www.vie-publique.fr/discours/207752-declaration-de-m-lionel-jospin-premier-ministre-sur-la-necessite-dun>

²¹⁷ Clift, B. (2001). *The Jospin Way*. *The Political Quarterly*, 72(2), 170-179. <https://doi.org/10.1111/1467-923X.00372>

“L’initiative de la révision de la Constitution appartient concurremment au Président de la République sur proposition du Premier ministre et aux membres du Parlement.

Le projet ou la proposition de révision doit être examiné dans les conditions de délai fixées au troisième alinéa de l’article 42 et voté par les deux assemblées en termes identiques. La révision est définitive après avoir été approuvée par référendum.

*Toutefois, le projet de révision n’est pas présenté au référendum lorsque le Président de la République décide de le soumettre au Parlement convoqué en Congrès ; dans ce cas, le projet de révision n’est approuvé que s’il réunit la majorité des trois cinquièmes des suffrages exprimés. Le bureau du Congrès est celui de l’Assemblée nationale.”*²¹⁸

(...)

“The initiative to revise the Constitution lies concurrently with the President of the Republic on the proposal of the Prime Minister and with the Members of Parliament.

The draft or proposed revision must be examined within the timeframe set out in the third paragraph of Article 42 and voted on by both Houses in identical terms. The revision is definitive once it has been approved by referendum.

However, the draft amendment is not submitted to a referendum if the President of the Republic decides to submit it to Parliament convened in Congress; in this case, the draft amendment is only approved if it receives a majority of three-fifths of the votes cast. The bureau of the Congress is that of the National Assembly.

(...)”²¹⁹

In the eye of the scrutiny, with the *septennat*, was the question of the renewability. While two terms of a single president do not seem to be excessively harmful, can the same be said if the term of a single person goes over a decade? For instance, as happened with François Mitterrand, for fourteen years?

²¹⁸ French Constitution. (1958). *Constitution de la République française*, art.89.

²¹⁹ Translation

The public opinion was divided, and President Chirac himself was initially opposed to the reduction of the presidential mandate. The right and conservative wings opted more in favour of a non-renewable seven-year term, as Chirac dreaded the “presidentialisation” of France. Lionel Jospin, on the other hand, strongly advocated for the *quinquennat*, as he explained to Le Monde: "That was my conviction (...) I thought that the seven-year term was the survival of a monarchical spirit and that (the *quinquennat*, ndr) was desirable for the people to express themselves more often".²²⁰ Furthermore, the French people were largely in favour of the reform, with opinion polls registering a rate of approval of 78%.²²¹

Former President Valéry Giscard d'Estaing deposed the proposition of law on May 15 2000, calling upon a referendum on the proposal of a *quinquennat* renewable only one time.²²² It didn't take long for Chirac to back the reform, and this is due to different factors: first, as Nicolas Sarkozy reminded him, "In 2002, you will be 69 years old. At the end of a seven-year term, you'll be 76. People do the math: it will be impossible for you to be re-elected."²²³ Second, the strong positive sentiment of the people towards the reform posed a threat of the President stance, or at least of his public persona. 78% of approval for a reform widely endorsed by his Prime Minister in cohabitation meant losing the credibility vis-à-vis that same percentage of electors, potentially losing their support in case of a second term elections.

Chirac had no intention of handing over the reins of power for a reform that affected the core of his office to Parliament and his erstwhile rival. Thus, he and Lionel Jospin reached an agreement on a constitutional bill that would be submitted by the head of state "in the name" of the president. This made it possible for the two rivals to take joint credit for the reform's creation.²²⁴ When it was finally down the ballots, the French people voted with a striking majority: with 73.2%, the people approved the Constitutional change.²²⁵ However, it is also important to note that the turnout was significantly low, with merely 30% of voters registered.²²⁶ According to The Guardian, one of the reason behind this high abstentionism is due to the fact that many people disapproved of the way President Jacques Chirac voted to approve the change. It is possible for the upper and lower houses of parliament to hold a special joint congress to amend the French constitution: it was deemed almost “inappropriate” to bring such a complex matter before the general public. Secondly, the low turnout is majorly justified by the fact that the majority of French citizens were more worried

²²⁰ De Royer, S. (2020, September 23). *Quinquennat : en 2000, après cinquante jours de bras de fer, Giscard d'Estaing et Jospin font plier Chirac*. Le Monde.fr. https://www.lemonde.fr/politique/article/2020/09/23/quinquennat-en-2000-apres-cinquante-jours-de-bras-de-fer-giscard-d-estaing-et-jospin-font-plier-chirac_6053287_823448.html

²²¹ Courtois, G. (2000, June 5). *L'opinion approuve la réforme mais ne la juge pas prioritaire*. Le Monde.fr. https://www.lemonde.fr/archives/article/2000/06/06/l-opinion-approuve-la-reforme-mais-ne-la-juge-pas-prioritaire_3605659_1819218.html

²²² La-Croix.com. (2000, June 19). *FRANCE*. La Croix. https://archive.wikiwix.com/cache/index2.php?url=https%3A%2F%2Fwww.la-croix.com%2FArchives%2F2000-06-20%2FFRANCE-_NP_-2000-06-20-110901#federation=archive.wikiwix.com&tab=url

²²³ De Royer, S. *Quinquennat: Giscard d'Estaing et Jospin font plier Chirac*. Le Monde.fr. https://www.lemonde.fr/politique/article/2020/09/23/quinquennat-en-2000-apres-cinquante-jours-de-bras-de-fer-giscard-d-estaing-et-jospin-font-plier-chirac_6053287_823448.html

²²⁴ Idem

²²⁵ Nohlen, D., & Stöver, P. (2010). *Elections in Europe: A data handbook*. Nomos Verlagsgesellschaft.

²²⁶ Henley, J. (2000, September 26). *French poll sounds alarm to political elite*. The Guardian. <https://www.theguardian.com/world/2000/sep/26/jonhenley1>

about more pragmatic matters like the rising petrol prices, a hefty tax burden, and the ongoing scandal of political class corruption.²²⁷

The first term of Jacques Chirac was a troubled one indeed, as Juppé failure and the caving to the pressure of the reform of the presidential term also met with ongoing scandals internal to the ruling class, involving also his persona. For instance, he was prosecuted for embezzling public funds, abuse of trust and illegal conflict of interest referring to his time spent as mayor of Paris (1977-1995)²²⁸, coupled with accusation of public contracts being awarded in exchange for kickbacks that were used to fund Chirac's political party.²²⁹ Chirac was never prosecuted, at least, not while he was in office, as a controversial judicial decision established.²³⁰

2002 witnessed a second run to the presidential chair, but the candidates were not the ones expected. Much to everyone's surprise, the main opposer of the incumbent president was not his Prime Minister, who never made it to the second term, but the far-right politician Jean Marie Le Pen of the Front National.²³¹ Jean Marie Le Pen's success in the first turn was, to some extent, the reason for the re-election of Jacques Chirac in 2002. The president was indeed under serious accusations and had yet to be really prosecuted because of his immunity, but the public opinion of France was quick to rally behind him, if it meant to oppose the far right Front National that, with his nationalist, anti-immigration, and xenophobic ideology, had gained a reputation of neofascist.²³² "Votez escroc, pas facho!" (i.e., "vote for the crook, not for the fascist"), became a popular slogan among the left.²³³ After vastly participated rallies and protests against Le Pen²³⁴, the second electoral turn reconfirmed Jacques Chirac as President of the Republic, with a striking 82.2% majority.²³⁵

At 69, Jacques Chirac begun his second term, this time set at five years. His second mandate was characterised by more conservative reforms than the ones enacted by Jospin during their cohabitation. The pension age was raised for the public sectors employees under the cabinet of Prime Minister Raffarin, which was ill-received by the people, who took the streets in the summer of 2003.²³⁶ Furthermore, the first government of the Chirac II reduced income taxes and held back the rise in the minimum wage, but proceeded

²²⁷ Idem

²²⁸ Associated Press in Paris (2011, December 15). *Jacques Chirac found guilty of corruption*. The Guardian. <https://www.theguardian.com/world/2011/dec/15/jacques-chirac-guilty-corruption>

²²⁹ The Editors of Encyclopaedia Britannica. (2023b, December 22). *Jacques Chirac | Biography & Facts*. Encyclopedia Britannica. <https://www.britannica.com/biography/Jacques-Chirac>

²³⁰ Voa. (2009, October 28). *French court confirms Chirac immunity - 2001-10-10*. Voice of America. <https://www.voanews.com/a/a-13-a-2001-10-10-23-french-66951812/377917.html>

²³¹ The Editors of Encyclopaedia Britannica. (2023b). *Jacques Chirac*. Encyclopedia Britannica.

²³² Ray, M. (2024, January 17). *National Rally*. Encyclopedia Britannica. <https://www.britannica.com/topic/National-Rally-France>

²³³ «Votez escroc, pas facho!». (n.d.). www.liberation.fr.

<https://web.archive.org/web/20130614015220/https://www.liberation.fr/evenement/0101410636-votez-escroc-pas-facho/>

²³⁴ Institut national de l'audiovisuel. (n.d.). *28 avril 2002: la gauche appelle les Français à faire barrage au FN*. ina.fr. <https://www.ina.fr/ina-eclaire-actu/28-avril-2002-la-gauche-appelle-les-francais-a-faire-barrage-au-fn>

²³⁵ Conseil Constitutionnel. (2002). *Décision n° 2002-111 PDR du 8 mai 2002: Décision du 8 mai 2002 portant proclamation des résultats de l'élection du Président de la République*. Retrieved from <https://www.conseil-constitutionnel.fr/decision/2002/2002111PDR.htm>.

²³⁶ Tabard, G. (2023, March 7). *2003: comment Jean-Pierre Raffarin a-t-il imposé sa réforme des retraites face aux fonctionnaires?* Le Figaro. <https://www.lefigaro.fr/politique/2003-comment-jean-pierre-raffarin-a-t-il-impose-sa-reforme-des-retraites-face-aux-fonctionnaires-20230307>

extremely cautiously with civil service layoffs, and the partial privatisation of state utilities.²³⁷ Despite the general malcontent of the French, Raffarin only resigned in 2005, when the referendum on the European Constitution reported a majority of negative votes.²³⁸ President Chirac was a strong advocate of this referendum, as evident from his public address three days before the voting date, i.e., May 29th.

“ (...) J'ai voulu ce référendum. C'est l'honneur et la vitalité de notre démocratie. Vous vous êtes informés, vous avez écouté, dialogué, pesé les arguments pour comprendre et apprécier les enjeux du Traité.

(...)

Le Traité rend-il la France plus forte en Europe ? Oui, notre pays sera plus influent. Le nombre de voix dont nous disposerons dans les Conseils européens va augmenter de 50 %. C'est un grand atout pour permettre à la France de défendre ses intérêts et de rester l'un des moteurs de l'Europe.

(...)

A l'heure de la décision, il est aussi de mon devoir de vous dire les conséquences d'un non pour l'Europe et pour la France.

Le rejet du traité serait vécu par les Européens comme un non à l'Europe. Il ouvrirait une période de divisions, de doutes, d'incertitudes (...)”²³⁹

“ (...) I wanted this referendum. It is the honour and vitality of our democracy. You have been informed, you have listened, you have engaged in dialogue, you have weighed up the arguments to understand and appreciate what is at stake in the Treaty.

(...)

Does the Treaty make France stronger in Europe? Yes, our country will have more influence. The number of votes we will have in European Councils will increase by 50%. This is a major advantage that will enable France to defend its interests and remain one of Europe's driving forces.

(...)

Now that the decision has been taken, it is also my duty to tell you what the consequences of a no vote would be for Europe and for France.

²³⁷ Buchan, D. (2023, July 30). *Jean-Pierre Raffarin*. Encyclopedia Britannica. <https://www.britannica.com/biography/Jean-Pierre-Raffarin>

²³⁸ EUbusiness (n.d.). *French lawmakers vote opens way for referendum on EU constitution*. <https://web.archive.org/web/20050302005428/http://www.eubusiness.com/afp/050228152840.k0qnri6d>

²³⁹ Chirac, J. (2005, May 26). *Déclaration de M. Jacques Chirac, Président de la République, sur les apports de la Constitution européenne à la construction d'une Europe compétitive, sociale et démocratique, à Paris le 26 mai 2005*. International. Retrieved [<https://www.vie-publique.fr/discours/146877-declaration-de-m-jacques-chirac-president-de-la-republique-sur-les-ap>]

A rejection of the Treaty would be seen by Europeans as a no to Europe. It would usher in a period of division, doubt, and uncertainty. (...)”²⁴⁰

However, due to a more effective campaign of the anti-European groups, and their better use of the internet²⁴¹, 54,68% of the French people voted against.²⁴²

After the resignation of Jean Pierre Raffarin, Chirac appointed Dominique de Villepin, whose first priority was to curb the unemployment that was rising, especially among young people, accounting for 20%²⁴³. A noticeable fact about Villepin’s nomination was that he was not the first choice of the President, who favoured Michèle Alliot-Marie: however, as de Villepin himself declared, he had pressured Chirac to choose him instead. “ Je me suis imposé Premier ministre” he recalled “Chirac n'a pas eu le choix, c'est moi qui ai décidé !”.²⁴⁴ In his declaration of politique Générale, de Villepin addressed the need to combat the unemployment, and did so via the controversial reform of the CPE, or Contrat Première Embauche (First Employment Contract). Introduced with the intention of making it easier for employers to hire young workers, the CPE included several key provisions, such as the incorporation of a probationary period, during which employers could terminate the employment of workers under the age of twenty-six without being obligated to provide a specific reason. The contract had an initial duration of two years, granting employers the flexibility to end employment within this period without being bound by the usual labour law restrictions²⁴⁵. The CPE sparked serious controversy that soon blurted into riots and clashes with civil society.

For instance, on the aftermath of its announcement, the CPE immediately encountered the strong opposition of student organisations and high school students. They succeeded in bringing together the labour unions, who had up until that point been unable to come together due to the government's reforms, in just a matter of days. De Villepin hurried through the National Assembly's agenda to add his text up for discussion and attempt to get ahead of the mobilisation, having decided on the measure without consulting anyone beforehand. The Left responded by pursuing a policy of proper parliamentary harassment.²⁴⁶ So that the Prime Minister decided to make use Article 49-3 of the Constitution:

²⁴⁰ Translation

²⁴¹ Souzeau, M. (2006, March 15). *Les opposants au traité européen ont mieux utilisé Internet*. Le Monde.fr.

https://www.lemonde.fr/societe/article/2005/07/09/les-opposants-au-traite-europeen-ont-mieux-utilise-internet_671222_3224.html

²⁴² Ministère de l'Intérieur. (n.d.). *Résultats officiels des référendums en France*. Retrieved from https://www.archives-resultats-elections.interieur.gouv.fr/resultats/referendum_2005/000/000.php.

²⁴³ De Villepin, D. (2005, June 8). *Déclaration de politique générale de M. Dominique de Villepin, Premier ministre, sur la politique de l'emploi, la justice sociale et sur la décision du gouvernement de procéder par voie d'ordonnances, à l'Assemblée nationale*. Vie Publique. Retrieved from <https://www.vie-publique.fr/discours/149597-declaration-de-politique-generale-de-m-dominique-de-villepin-premier-m>.

²⁴⁴ Cabana, A. (2010, July 29). *Villepin se rêve un destin à sa mesure*. Le Point. https://lepoint.fr/societe/villepin-se-reve-un-destin-a-sa-mesure-29-07-2010-1222364_23.php#11

²⁴⁵ Roux, G. (2016, March 9). *C'était quoi le CPE?* Franceinfo. https://www.francetvinfo.fr/societe/education/c-etait-quoi-le-cpe_1709033.html

²⁴⁶ Le Monde (2016, March 10). *Il y a dix ans, les jeunes obtenaient le retrait du CPE*. Le Monde.fr.

https://www.lemonde.fr/campus/article/2016/03/09/il-y-a-dix-ans-les-jeunes-obtenaient-le-retrait-du-cpe_4879453_4401467.html

*“Le Premier ministre peut, après délibération du conseil des ministres, engager la responsabilité du Gouvernement devant l'Assemblée nationale sur le vote d'un projet de loi de finances ou de financement de la sécurité sociale. Dans ce cas, ce projet est considéré comme adopté, sauf si une motion de censure, déposée dans les vingt-quatre heures qui suivent, est votée dans les conditions prévues à l'alinéa précédent.”*²⁴⁷

“The Prime Minister may, after deliberation by the Council of Ministers, commit the responsibility of the Government before the National Assembly for the vote on a Finance Bill or a Social Security Financing Bill. In this case, the Bill is deemed to have been adopted, unless a motion of censure, tabled within the following twenty-four hours, is passed in accordance with the conditions set out in the previous paragraph.”²⁴⁸

On March 9th, the CPE was ratified, and the public uproar began. On March 28th, around 1,055,000 protesters according to the police, and three million according to the *Force Ouvrière* and the *Confédération générale du travail*.²⁴⁹ As *Le Monde* wrote at the time, “A total of 250 demonstrations took place across France. Between 25,000 and 60,000 people marched in Lille, more than double the number on 18 March. Nancy saw the biggest turnout since the anti-Le Pen marches after the first round of the 2002 presidential election, with between 23,000 and 50,000 demonstrators. In Metz, between 10,000 and 20,000 people took part in the largest demonstration since November 1995. Between 8,500 and 15,000 people marched in Strasbourg, a sharp increase on the March 18 demonstration, which drew between 4,500 and 10,000 people. In Bordeaux, there were between 31,000 and 100,000 demonstrators, and between 18,000 and 50,000 in Toulouse, according to provisional estimates.”²⁵⁰

The public unrest had the desired effect of throwing the government into a crisis, a situation that did not leave President Chirac unconcerned. While he had, on March 31st, initially endorsed the CPE and had decided to sign it off for approval²⁵¹, the protests and the mediatic resonance that they had not only in France, but in Europe as well, forced Chirac to backtrack the approval of the law. On April 10th, the President and his Prime Minister declared the retirement of the CPE, and, in his place, the replacement of art.8 f the Equal

²⁴⁷ French Constitution. (1958). *Constitution de la République française*, art.49

²⁴⁸ Translation

²⁴⁹ Reuters, L. M. a. a. E. (2006, March 28). *La mobilisation contre le CPE atteint une ampleur inégalée*. *Le Monde.fr*. https://www.lemonde.fr/international/article/2006/03/27/la-mobilisation-contre-le-cpe-atteint-une-ampleur-inegalee_755248_3210.html

²⁵⁰ Idem

²⁵¹ Stampa, L. (2006, March 31). *Chirac firma la legge sul contratto di primo impiego*. *La Stampa*.

<https://www.lastampa.it/esteri/2006/03/31/news/chirac-firma-la-legge-sul-contratto-di-primo-impiego-1.37159742/>

Opportunities Act with a clause on the integration in the workforce of young people with difficulties²⁵², de facto listening to the people's voiced malcontent.

As per foreign policy, the two mandates of Jacques Chirac responded to a mix of pragmatism, French national interests, and a desire for an independent French role on the international stage. As was highlighted in the passage on the 2005 the European Constitution referendum, Chirac's foreign policy was also marked by a view of Europeanism, as evinced by the aforementioned speech in support of the "yes" campaign.

Chirac started a rapprochement with NATO after the end of François Mitterrand's term in 1995. He joined the Military Committee and tried to negotiate a return to integrated military command, but his efforts were unsuccessful because France's demand for parity with the US was not fulfilled. Any chance of another attempt was not well seen during the Jospin cohabitation from 1997 to 2002, and with the French UN veto threat over Iraq in 2003 preventing the direct authorisation of the use of military intervention, the relations between France and the United States were strained.²⁵³ However, this same approach was not to be found in 2006, when the president declared the legitimacy of nuclear strikes against any country that sponsored a terrorist attack against French interests²⁵⁴: such position was taken, alongside Great Britain, Germany, and the United States, in the attempt to dissuade Iran from developing, by testing, their nuclear arsenal. However, scholars and researchers harshly criticised this approach, deeming it irresponsible and risky.²⁵⁵

From the 1990s, France was also part of the G8, or the "Group of Eight", an international, inter-governmental political forum born with the incorporation of Russia in the G7, an intergovernmental forum for politics and economics made up of the United States, Canada, Japan, France, Germany, Italy, and the United Kingdom²⁵⁶: the French presidency actively fostered cooperation with the partner countries and setting the difference aside in the case of the relations with the United States.²⁵⁷

The two terms of Jacques Chirac's marked significant changes for France, but also for his popularity in the wake of the 2007 elections, which marked the end of the first five-year term of the Fifth Republic. The "spectacular" failures of some of his Prime Ministers, and the scandals surrounding him – and that had yet to reach him, conviction wise – had stained his reputation. Furthermore, he had gained a spot in the popular culture of France, being satirically included in various media, including the famous Asterix and Obelix comic strips. Old, and suffering from a heart condition, in 2007 he announced that he did not want to run for a third term and invited the French electors not to vote for Jean Marie Le Pen in the incumbent elections.²⁵⁸ While he did not support him directly, he had advised Nicolas Sarkozy, future candidate, not to pivot his campaign

²⁵² Reuters, L. M. a. a. E. (2006b, April 10). MM. *Chirac et de Villepin retirent le CPE, les opposants se déclarent satisfaits*. Le Monde.fr. https://www.lemonde.fr/international/article/2006/04/10/mm-chirac-et-de-villepin-retirent-le-cpe_759910_3210.html

²⁵³ Black, I. in Brussels, & White, M. (2003, February 18). *France's opposition to war in Iraq*. The Guardian. <https://www.theguardian.com/world/2003/feb/18/iraq.france>

²⁵⁴ *Chirac: Nuclear response to terrorism is possible*. (2006, January 19). <https://www.washingtonpost.com/wp-dyn/content/article/2006/01/19/AR2006011903311.html>

²⁵⁵ Idem

²⁵⁶ Mingst, K. (2024, January 19). *Group of Eight*. Encyclopedia Britannica. <https://www.britannica.com/topic/Group-of-Eight>

²⁵⁷ Wells, P. (2003). *Setting differences aside: At the G8 and in the Mideast, Bush covered a lot of territory*. Maclean's, 116.

²⁵⁸ Leicester, J. (2007, March 11). *Chirac leaving stage admired and scorned*. The Associated Press. <https://www.washingtonpost.com/wp-dyn/content/article/2007/03/11/AR2007031101091.html>

towards similar themes as Le Pen, if he wanted to win the presidential run.²⁵⁹ And, as history would have proved, this strategy worked. The person that Chirac left the Elysée to in 2007 was, in fact, Nicolas Sarkozy.

²⁵⁹ Idem

5.6 Nicolas Sarkozy (2007-2012)

As it happened already for many of his predecessors, Nicolas Sarkozy's face was not a new one for the French electors. Born of Greek and Hungarian immigrants, alumnus of the *Institut d'Études Politiques*, Sarkozy was elected in 1983 mayor of Neuilly-sur-Seine. But his first significant breakthrough came in 1993 when he was appointed minister of the budget and prime minister Édouard Balladur's official spokesman.²⁶⁰ In fact, he was behind the decision of Balladur to run for president in 1995, the decision that would have gained him the enmity of Chirac, as we have seen in the previous section. When Chirac defeated Balladur, Sarkozy was excluded from the subsequent centre-right administration of 1995–1997.²⁶¹ But the early 2000s were the years in which his public figure became more prominent.

In 2002, he was appointed Minister of the Interior, in the Raffarin Cabinet, and in 2004 he moved to the Ministry of Finance, a time during which he managed to dodge controversial matters such as the ISF, that was opposed by the liberals but supported by the left.²⁶² However, this term was short lived, as he resigned immediately after his appointment as leader of the UMP, *Union pour un Mouvement Populaire*: the UMP was a liberal-conservative political party, vastly inspired by Gaullist ideologies, advocating for conservative economic policies, social values, and a strong stance on law and order. The UMP supported free-market principles, fiscal responsibility, and often took a strong stance on issues such as immigration and national security. Sarkozy openly spoke about the fact that France was in need of renewal on these matters.²⁶³

Between 2002 and 2007, Sarkozy alternated governmental positions with the leadership of the UMP, as proven by his second term as Minister of the Interior beginning in 2005, which he would resign in 2007 to focus on his campaign for the role that he had aspired to: President of the Republic. In speaking of his political stances, in 2005 he had released an interview with *Le Monde*, in which his views on France and what, according to him, it necessitated, were already clear. “I am not reducible to the liberal doctrine alone, or even to the right alone.” he declared “If the Socialist Party were still a force for progress, it would long ago have defended positive discrimination. If it had any backbone at all, it would long ago have had the courage to abolish double jeopardy before I did. A long time ago, a man of the left should have stood up and said that France is not just Catholic but multifaceted. My convictions are simple: no inertia, pragmatism, no hexagonal

²⁶⁰ Buchan, D. (2024, January 11). *Nicolas Sarkozy*. Encyclopedia Britannica. <https://www.britannica.com/biography/Nicolas-Sarkozy>

²⁶¹ Idem

²⁶² *Le Nouvel Observateur* (2004, May 20). *Economie, ISF, la tentation des députés*. <https://web.archive.org/web/20050208204557/http://www.nouvelobs.com/articles/p2063/a241461.html>

²⁶³ Van Eeckhout, P. R. P. R. P. S. E. L. (2006, April 27). *Pour Nicolas Sarkozy, “l’immigration choisie est un rempart contre le racisme.”* *Le Monde.fr*. https://www.lemonde.fr/societe/article/2006/04/27/pour-nicolas-sarkozy-l-immigration-choisie-est-un-rempart-contre-le-racisme_765946_3224.html

vision, efficiency to reduce injustice. On this, I will go all the way, without compromise.”²⁶⁴ And, when asked about the previous thirty years of government and his participation in politics, he replied: “What do you want me to say? That I am jointly responsible? Well, yes. I am not exonerating myself from my responsibilities, but you cannot reproach me for saying "be careful". I do not want to be the lowest common denominator of the UMP. I have the freedom and the duty to think and prepare for the battles of 2007 for the family that I chair. There is no contradiction between that and my role as minister.”²⁶⁵

In 2007, when Chirac’s mandate terminated, the horizon of the candidates for the French presidency were as follows: for the Socialists, Ségolène Royal; unanimously from the UMP, Nicolas Sarkozy; François Bayrou for the centrist Union for French Democracy (UDF); and again, on the far right, Jean Marie Le Pen and the National Front.²⁶⁶ The first turn concluded that the main two opponents for the presidential chair were Royal and Sarkozy, who respectively gained 25.87% and 31.18% of the suffrages.²⁶⁷ The high turnout, unprecedented since 1965, was explained by observers in many ways, notably, by the desire of the French people to choose the “useful vote”, and oppose some of the favoured candidate, such as Le Pen and Sarkozy himself. The good results obtained especially by Royal, were the fruits of the leftist labour, who urged electors to follow the mantra “anyone but Sarkozy”²⁶⁸. Conversely, the low percentage of voters who had casted the ballot for Le Pen has been explained by the “temptation”²⁶⁹ for right wing electors to prefer “the bling bling” – as Sarkozy was nicknamed by the papers and the tabloids because of his expensive attires and very public personal life.²⁷⁰

On the second turn, the tête-à-tête between Royal and Sarkozy polarised deeply the voting for the centre.²⁷¹ As Eric Dupin wrote at the time, the conventional self-positioning scale of right-left orientation continues to hold significance, with 91% of voters identifying as "centre-left" supporting Royal and 92% of those identifying as "centre-right" opting for Sarkozy. This led to a division in François Bayrou's electorate, with an equal portion aligning themselves with either the left or the right.²⁷² Nonetheless, the results expressed an inclination of the electorate towards the right: with the 53.06% of the votes expressed, on May 10th, 2007, Nicolas Sarkozy was declared President of the Republic, beating Ségolène Royale by 13%.²⁷³ However, the

²⁶⁴ Vie Publique. (n.d.). *Interview de M. Nicolas Sarkozy, ministre de l'Intérieur et de l'Aménagement*. Vie Publique. <https://www.vie-publique.fr/discours/149660-interview-de-m-nicolas-sarkozy-ministre-de-linterieur-et-de-lamenage>

²⁶⁵ Idem

²⁶⁶ Conseil constitutionnel. (2007). *Décision du 19 mars 2007 arrêtant la liste des candidats à l'élection présidentielle* (Décision n° 2007-133 PDR).

²⁶⁷ Conseil constitutionnel. (2007). *Déclaration du 25 avril 2007 relative aux résultats du premier tour de scrutin de l'élection du Président de la République* (Décision n° 2007-139 PDR).

²⁶⁸ Dupin, É. (2007, May 8). *Un clivage droite-gauche renforce*. Le Figaro. http://www.lefigaro.fr/election-presidentielle/2007/20070508.FIG000000070_un_clivage_droite_gauche_renforce.html

²⁶⁹ RFI (2006, April 24). *Immigration - Sarkozy et les immigrés «qui n'aiment pas» la France*. http://www1.rfi.fr/actufr/articles/076/article_43254.asp

²⁷⁰ Raymond, G. (2013). *The Sarkozy Presidency*. Palgrave Macmillan UK. <https://www.perlego.com/book/3484842/the-sarkozy-presidency-breaking-the-mould-pdf>

²⁷¹ Dupin, É. (2007, May 8). *Un clivage droite-gauche renforce*. Le Figaro. http://www.lefigaro.fr/election-presidentielle/2007/20070508.FIG000000070_un_clivage_droite_gauche_renforce.html

²⁷² Idem

²⁷³ Conseil constitutionnel. (2007). *Décision du 10 mai 2007 portant proclamation des résultats de l'élection du Président de la République* (Décision n° 2007-141 PDR).

French youth did not take the defeat well, and on May 7th, the day after the second turn results were announced, thousands of young people took the street to protest the election of “Sarkozy Fascist”.²⁷⁴ During the presidential run to the second turn, young people across France had generally demonstrated support for Royale, openly protesting and ill-receiving the conservative policies proposed by Sarkozy, such as the ones tackling immigration with right-flavoured proposals, or even by the laws undermining strike rights for certain categories.²⁷⁵ The clashes lasted for days, but they did not stop Sarkozy from eventually sitting in the Elysée, and pronouncing his investiture speech on May 29th.

“(…)

Pour ce premier discours, je voulais être parmi les travailleurs, les ouvriers, les marins, je voulais partager avec eux les sentiments et les espoirs qui sont ceux de tous les Français.

“(…)

Le silence de la politique face à la lourdeur, à la dureté, à la difficulté croissantes de la vie, vous le ressentiez au mieux comme de l'indifférence, au pire comme du mépris. Ce sentiment d'indifférence et de mépris nourrissait le désespoir et la révolte de beaucoup d'entre vous.

La France qui souffre parce qu'elle a le sentiment que quoi qu'elle fasse elle ne pourra pas s'en sortir.

“(…)

La France qui souffre de l'injustice, de la pauvreté ou de la discrimination.

“(…)

La France qui est condamnée aux bas salaires et qui est démoralisée par l'assistanat.

“(…)

La France qui souffre de ne pas pouvoir réussir, de ne pas pouvoir entreprendre, de ne pas pouvoir créer et qui est découragée, qui ne supporte plus de ne pas être soutenue, de ne pas être valorisée, qui souffre de ne pas pouvoir donner la mesure de son talent et qui est découragée.

La France de la jeunesse qui a le sentiment qu'on lui vole ses rêves.

La France des plus âgés qui ont travaillé toute leur vie, qui ont élevé leurs enfants le mieux possible, qui ont toujours fait leur devoir et qui ressentent comme une cruelle injustice d'être souvent oubliés de tous, condamnés parfois à l'indifférence et à la solitude.

²⁷⁴ Smith, C. S. (2007, May 7). *Violent Protests Greet Sarkozy's Election in France*. The New York Times.

²⁷⁵ Idem

(...)

Il fallait que la politique cessât d'opposer les Français les uns aux autres et retrouvât le sens de l'intérêt général.

Il fallait que la politique cherchât de nouveau à rassembler et non plus à diviser.

(...)

La pensée unique veut interdire de parler de la monnaie. Je continuerai à parler de la monnaie, (...) parce que lorsqu'on surévalue la monnaie on dévalue le travail.

La pensée unique ne veut pas entendre parler de protection. (...) Je revendique le droit d'être pour la protection sans être protectionniste.

La pensée unique s'oppose à l'exonération des charges et des impôts pour les heures supplémentaires. Cette exonération je l'ai promise et je la ferai. (...) Parce que je crois que c'est le travail qui crée le travail.

(...)

La pensée unique récuse le bouclier fiscal à 50% y compris la CSG et la CRDS. Ce bouclier fiscal je l'ai promis et je l'instaurerai. Parce qu'il vaut mieux que les capitaux français créent des emplois et payent des impôts en France plutôt qu'à l'étranger.

(...)

La pensée unique ne croyait pas au traité simplifié. Et pourtant cette idée progresse et j'irai jusqu'au bout parce qu'elle est la seule à pouvoir sortir l'Europe de la situation de blocage dans laquelle elle se trouve.

(...)

Il ne s'agit pas d'égrener des mesures une par une, dans le désordre. Il s'agit d'avoir une stratégie, d'avoir une cohérence. Il s'agit de comprendre que tout se tient, que tout doit être lié : l'offre et la demande ; la politique européenne, la politique économique et la politique sociale ; la politique industrielle, la politique énergétique, la recherche, la formation...

(...)

Je serai un Président qui gouverne. Je le serai avec le souci de préserver l'autorité de la fonction présidentielle.

Je le serai avec le souci de rester au-dessus des partis et de conserver ce rôle de rassembleur qui est l'essence même de la fonction présidentielle.

Mais je le serai.

J'ai dit que je voulais une République réelle et une démocratie irréprochable.

Dès après les élections législatives je prendrai des initiatives dans ce sens.

J'ai dit que je voulais un Etat impartial. Il le sera, et les nominations aux postes les plus importants seront soumises à l'approbation du Parlement.

(...)

Je dirai ce que sera le plan d'action du gouvernement. J'indiquerai quels sont la portée, la logique et les moyens de ce plan. Je fixerai la stratégie budgétaire pour les cinq ans à venir; de sorte qu'à l'échéance du quinquennat nos finances publiques soient rétablies.

Je convoquerai alors le Parlement en session extraordinaire pour que soient votées au plus tôt les mesures les plus urgentes, celles qui sont les plus susceptibles de rétablir la confiance et d'entraîner la croissance.

Il vous faut maintenant désigner la nouvelle Assemblée.

De deux choses l'une : ou bien une majorité présidentielle qui a choisi de me soutenir est élue et le projet que vous avez approuvé lors de l'élection présidentielle pourra être mis en oeuvre.

Ou bien la majorité qui s'installe à l'Assemblée Nationale s'oppose à ce projet, et alors commence une cohabitation avec son cortège de conflits larvés et de paralysie.

Françaises, Français, je vous demande de donner une majorité à la France pour qu'elle puisse avancer. Elle ne peut plus attendre cinq ans de plus dans l'immobilisme.

(...)"²⁷⁶

“For this first speech, I wanted to be among the workers, the labourers, the sailors, I wanted to share with them the feelings and hopes of all French people.

(...)

The silence of politics in the face of the increasing heaviness, hardship, and difficulty of life, you felt at best as indifference, at worst as contempt. This feeling of indifference and contempt fuelled the despair and revolt of many of you.

France is suffering because it feels that no matter what it does it will not be able to get out of it.

(...)

France suffering from injustice, poverty, and discrimination.

(...)

²⁷⁶ Sarkozy, N. (2007, May 29). *Déclaration de M. Nicolas Sarkozy, Président de la République, sur la mise en œuvre de son projet présidentiel et la nécessité de disposer d'une large majorité présidentielle à l'Assemblée nationale, Le Havre le 29 mai 2007*. Vie Publique. <https://www.vie-publique.fr/discours/166769-declaration-de-m-nicolas-sarkozy-president-de-la-republique-sur-la-mi>

A France condemned to low wages and demoralised by welfare.

(...)

The France that suffers from not being able to succeed, not being able to undertake, not being able to create and that is discouraged, that can no longer stand not being supported, not being valued, that suffers from not being able to give the measure of its talent and that is discouraged.

Young people in France who feel that their dreams are being stolen from them.

The France of older people who have worked all their lives, who have brought up their children as well as possible, who have always done their duty and who feel that it is a cruel injustice that they are often forgotten by everyone, sometimes condemned to indifference and solitude.

(...)

Politics had to stop pitting the French against each other and rediscover a sense of the general interest.

Politics had to once again seek to bring people together rather than divide them.

(...)

The pensée unique wants to ban any talk of money. I will continue to talk about money, (...) because when you overvalue money you devalue work.

The pensée unique does not want to hear about protection. (...) I claim the right to be in favour of protection without being protectionist.

The pensée unique is opposed to tax and social security exemptions for overtime. I promised this exemption and I will do it (...) Because it is work that creates work.

(...)

The pensée unique rejects the 50% tax shield, including CSG and CRDS. I promised this tax shield and I will introduce it. Because it is better for French capital to create jobs and pay tax in France than abroad.

(...)

The pensée unique did not believe in the simplified treaty. And yet this idea is making headway, and I am going all the way because it is the only one that can get Europe out of the stalemate it finds itself in.

(...)

It is not a question of churning out measures one by one, in no particular order. It is about having a strategy, a coherent approach. It is about understanding that everything is connected, that everything must be linked: supply and demand;

European policy, economic policy, and social policy; industrial policy, energy policy, research, training, etc.

(...)

I will be a President who governs. I will do so with a concern to preserve the authority of the presidential office.

I will do so while remaining above party politics and preserving the unifying role that is the very essence of the presidential office.

But I will do it.

I have said that I want a real Republic and an irreproachable democracy.

As soon as the legislative elections are over, I will be taking initiatives in this direction.

I said I wanted an impartial State. It will be, and appointments to the most important posts will be subject to parliamentary approval.

(...)

I will say what the government's action plan will be. I will indicate the scope, logic and means of this plan. I will set out the budgetary strategy for the next five years, so that by the end of the five-year term our public finances will be back on track.

I will then call an extraordinary session of Parliament so that the most urgent measures, those most likely to restore confidence and stimulate growth, can be voted on as soon as possible.

You now have to appoint the new Assembly.

One of two things is possible: either a presidential majority that has chosen to support me is elected and the project that you approved during the presidential election can be implemented.

Or the majority that is installed in the National Assembly opposes this project, and then begins a cohabitation with its trail of latent conflicts and paralysis.

French men and women, I ask you to give France a majority so that it can move forward. It can no longer wait in immobility for another five years.

(...)”²⁷⁷

When discourses have been used by former presidents to expose to the people the general lines of the politics that they would have put into place, or even more specific objectives, the first speech of Nicolas Sarkozy as president of France stands out for various reasons. The first one being the mentions of the youth, which might be deemed unexpected, or perhaps unfitting, given the youth’s reaction to his elections. But even in that case, Sarkozy paints his persona as the one who can reunite the French under the big umbrella of the

²⁷⁷ Translation

general interest – although his election was extremely divisive. But, aside from allocutions, what is certainly interesting about his first speech is the adamant refusal of the institution of the cohabitation, accused of being “paralyzing” for the country. The point in the speech is simply put: either the French would have voted for the presidential majority and had their hopes and dreams attained, or they would have voted for a different majority, thus putting France in a static phase. Although French presidents never demonstrated particular preferences for the cohabitation, this explicit refusal, coupled with what seems to be a value judgement and the subsequent invitation to vote to prevent this situation, indeed constitutes a novelty.

Finally, it is interesting to remark the emphasis put by Sarkozy on the presidential figure, and the importance of preserving the “authority of the presidential office” by “remaining above party politics and preserving the unifying role that is the very essence” of it.²⁷⁸

The legislative elections fulfilled the newly elected president’s wishes and granted him a *majorité présidentielle* in the National Assembly, and the first government of the Sarkozy presidency saw the appointment of François Fillon, exponent of the Republicans, the new name and guise of the UMP. Interestingly, though, the president composed the ministerial cabinet with several ministers from the left, including the Foreign Minister, Bernard Kouchner, from the Socialist Party.²⁷⁹

On the domestic area, the policies implemented mirrored perfectly what was promised in his campaign. For instance, in 2008 the *loi de modernisation de l’économie* was put in act. A key objective of the LME was to inject greater dynamism into the French economy by promoting competition in business. Recognizing the need for a more competitive marketplace, the law implemented measures to open up sectors that had traditionally faced limited competition, for instance, by facilitating the entry of new businesses and encouraging a more competitive environment. The LME also included market labour regulations that privileged the employers and their businesses’ growth, providing them with flexibility in bureaucracy.²⁸⁰ The law was met with great controversy, especially because of the lack of guarantees for workers in the law project. However, 2008 was the year of the great financial crisis that shook the whole world and provoked a long recession in most of the world’s economies.

Consequently, the laissez-faire politics that had characterised the *bling bling* president’s campaign – even long before his election – had to be put aside in favour of a more dirigiste approach. In response to the crisis, Sarkozy established a “strategic national investment fund” to acquire stakes in French companies, protecting them from potential foreign acquisition attempts. As per the banks, in they their loans to businesses were not increased Fillon speculated on the possibility to nationalize said banks. Furthermore, Sarkozy had committed to creating 100,000 state-supported jobs, mirroring the specific type of employment that was the trademark of the previous socialist administration, the same policy that he had strongly opposed during his presidential

²⁷⁸Idem

²⁷⁹ Larousse. (n.d.). *Bernard Kouchner*. In Encyclopédie Larousse. Retrieved from https://www.larousse.fr/encyclopedie/personnage/Bernard_Kouchner/127950.

²⁸⁰ *Loi n° 2008-776 du 4 août 2008 de modernisation de l’économie* (2008).

campaign. The shift in policies was so abrupt that, in the same year, titles such as “Is Sarkozy a closet socialist?” started to appear in economics newspapers and magazines.²⁸¹

Law and order were other points of the Sarkozy administration that were tackled in harmony with what promised during the campaign, or in many ways even in a harsher fashion. For example, Sarkozy proposed the biometric recognition and registration in databases of voyagers through French airports, a proposal that was openly criticised by the *Commission nationale de l'informatique et des libertés* (CNIL): the commission criticized the lack of clarity in the usage of the data (provided on a voluntary basis) and called upon the government to provide reports on the results of the procedures.²⁸²

Another great controversy of the Sarkozy presidency was the undertones, sometimes more evident than others, of xenophobia and racism. This had already come into light before his elections, but the accusations grew in 2010, when he proposed to strip “foreign-born French citizens of their citizenship if they are convicted of threatening the life of a police officer or other serious crimes”.²⁸³ This caused considerable indignation in the public opinion: at the international level, this move was sourly criticized by *The New York Times*, which in an article denounced the immorality of this stance, along others such as destroying the camps of the Roma in France and “send them back to where they came from”²⁸⁴, and preventing foreign-born individuals with a history of juvenile delinquency from being granted automatic French citizenship.²⁸⁵

At the national level, prominent figures such as Robert Banditer, lawyer, politician, and promoter of the law for the abolition of the death penalty, publicly called out the President for his unconstitutionality: what Sarkozy had proposed, he said was a “political error” and an act against the republican spirit.²⁸⁶ These controversies were not helpful to the public image of the President. As was not the Constitutional reform of 2008, which was seen by the public scrutiny as a way to reinforce the presidential powers: this was largely due to the modification allowing the President to address the Parliament in a joint session at the Palace of Versailles provided a platform for direct communication.²⁸⁷ Before, the President could only address the Parliament via written notes, limiting the confrontation’s impact. This move – more or less directly – basically allowed the President to articulate key policy directions and national priorities directly to both houses of Parliament, potentially influencing the political agenda. Socialist Bernard Frimat, addressing the lawmakers

²⁸¹ The Economist. (2008, December 4). *Is Sarkozy a closet socialist?* The Economist.

<https://www.economist.com/europe/2008/11/13/is-sarkozy-a-closet-socialist>

²⁸² *Délibération n° 2007-094 du 3 mai 2007 portant avis sur un projet de décret portant création d'un traitement automatisé de données à caractère personnel relatives à des passagers des aéroports français franchissant les frontières extérieures des Etats parties à la convention signée à Schengen le 19 juin 1990* (demande d'avis n° 1205636) - Légifrance. (n.d.).

<http://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000000825784&dateTexte=>

²⁸³ The New York Times. (2010, August 5). *Xenophobia: Casting Out the Un-French*.

https://www.nytimes.com/2010/08/06/opinion/06fri2.html?_r=1&ref=nicolas_sarkozy

²⁸⁴ Idem

²⁸⁵ Idem

²⁸⁶ Le Monde with AFP. (2010, August 2). *Badinter rappelle à Sarkozy l'égalité de tous les Français devant la loi*. Le Monde.

https://www.lemonde.fr/politique/article/2010/08/02/badinter-rappelle-a-sarkozy-l-egalite-de-tous-les-francais-devant-la-loi_1394701_823448.html

²⁸⁷ La Rédaction. (2019, July 26). *La réforme de 2008 sur la modernisation des institutions*. Vie Publique. <https://www.vie-publique.fr/eclairage/268318-la-reforme-de-2008-sur-la-modernisation-des-institutions>

before the vote, accused Sarkozy of trying to establish a “monocracy.”²⁸⁸ As Debbasch writes, “This reform, which somewhat bypasses the Prime Minister, introduces a certain ambiguity. Either the President has a majority in the Assembly, in which case his words will be redundant in relation to those of the head of government, or we find ourselves in a situation of cohabitation, in which case there is a risk that parliamentarians will be tempted to challenge the President despite his lack of responsibility.”²⁸⁹ However, the President had promised that the reform would have, in fact, reinforce the powers of the Parliament. And in some ways, the reform proposals reflected this intention. For instance, one of the novelties included in the reform proposal was the sharing of the agenda between the executive and the legislature. Before, it was up to the government to determine the list and the order in which it wanted each assembly to consider bills and proposed legislation. According to the proposal, instead, the government would have had control over the agenda 15 days a month, the parliamentary majority 14 days, and the opposition one day.²⁹⁰ Furthermore, the Parliament saw a reinforcement of his role in scrutinizing executive actions: specifically, parliamentary prerogatives were expanded to encompass the reevaluation of governmental policies through dedicated question sessions. This empowerment of the Assembly was intended to fortify checks and balances within the political system.²⁹¹

Whitin other novelties introduced by the 2008 reform, the presidential mandates were maintained on the five years, but with the limitations of two mandates per president²⁹², which somehow attenuated the accusations of monocracy towards the President. In any case, the new constitutional asset was approved by the Assembly just one vote over the majority required for approval, with a result of 539 in favour and 357 against.²⁹³

For what concerns the foreign policy during the Sarkozy time, the years of his presidency were marked by the rapprochement of France to the United States, in order to foster the mutual cooperation that had seen a light drift under the previous presidents.²⁹⁴ Furthermore, at the European level, Sarkozy was a strong advocate for a cohesive and influential European Union. This was, in 2008, enshrined by the signing of the Lisbon Treaty, which reformed the EU's institutional framework, and by the President's push towards European cooperation on multiple fronts, including defence, energy, and immigration. On the other hand, his meeting with the Dalai Lama provoked an outrage of the Chinese government, which called off a China-EU summit in

²⁸⁸ BBC News. (2008, July 21). *France backs constitution reform*.

<https://web.archive.org/web/20090112104431/http://news.bbc.co.uk/1/hi/world/europe/7517505.stm>

²⁸⁹ Debbasch, C. (2016). *La France des années Sarkozy*. Editions L'Harmattan. <https://www.perlego.com/book/3079703/la-france-des-annes-sarkozy-chronique-dun-quinquennat-pdf>

²⁹⁰ Vie Publique. (2019, July 26). *La réforme de 2008 sur la modernisation des institutions*. <https://www.vie-publique.fr/eclairage/268318-la-reforme-de-2008-sur-la-modernisation-des-institutions#lerenforcement-des-pouvoirs-du-parlement>

²⁹¹ Idem

²⁹² Idem

²⁹³ National Assembly. (2008, July 21). *Séance due 21/07/2008: Scrutin public sur le projet de loi constitutionnelle de modernisation des institutions de la Ve République*. <https://www.assemblee-nationale.fr/13/scrutins/jo9001.asp>

²⁹⁴ Lepry, C. (2010). *Le paradoxe américain du président Sarkozy*. *Revue internationale et stratégique*, 77, 121-127. Éditions IRIS éditions.

France and threatened to jeopardise multibillion-dollar bilateral trade agreements between China and France.²⁹⁵

Another important stance that France took during the Sarkozy's Presidency was the intervention in Libya during the Arab uprisings in 2011, just around the corner of the end of the mandate. Although Muammar Gaddafi had paid official visit to Nicolas Sarkozy in 2007, a visit that angered the French and had provoked another wave of contestations in the streets, the situations that led to the Libyan civil war swung the Elysée in a different direction. When the violences in Libya escalated, France was among the first European countries to call for the resignation of its leader, who was regarded by the whole world watching as a dictator. With the United Nations General Assembly Resolution 65/265, the participation of Libya in the Human Rights Council was suspended²⁹⁶, with the favourable vote of France: furthermore, with the Security Council Resolution 1973, a military intervention in Libyan territory was authorised.²⁹⁷ While this French stance, further carried out by welcoming in the Elysée of exponents of the National Transitional council was generally well received by the French public opinion, it also attracted various critiques by the opposition, notably by Jospin, who accused him of "opportunism", given the slow response of France in Tunisia and Egypt.²⁹⁸ On the international level, scepticism ran from the German leader Angela Merkel to the United States, while the United Kingdom aligned itself with the French president.²⁹⁹

In conclusion, Nicolas Sarkozy's presidency from 2007 to 2012 was marked by a transformative foreign policy that departed from traditional French approaches, and, especially, it resonated with the president's desire to have France gain a more prominent position in the centre stage of global politics. Nicolas Sarkozy's figure was, indeed, a controversial and divisive one. His constant presence in the spotlights almost gave him a celebrity status: his marriage to model Carla Bruni granted the president front page in many French tabloids, but this was not the only succulent story that the media of the *hexagone* caught up on. Many in France criticised Sarkozy for creating a flashy persona to divert attention away from the unfavourable aspects of his presidency.³⁰⁰

When 2012 came, the sun was setting on the *quinquennat* begun in 2007: and with time decreasing, the dissatisfaction of people with the conservative policies proposed and enacted by Sarkozy in a time of unemployment and uncertainty derived from the – still relevant – crisis of 2008 increased. Nicolas Sarkozy decided nonetheless to put himself again the presidential run, with promises echoing his first campaign of 2007, with proposals regarding stricter border control, immigration reduction and many other provisions that

²⁹⁵ AFP. (2008, December 6). *France's Sarkozy meets Dalai Lama as China fumes*. Google News. <https://web.archive.org/web/20090205094159/http://www.google.com/hostednews/afp/article/ALeqM5hm4uz6lCdhPdwJhNTI63SxPrkKhA>

²⁹⁶ United Nations General Assembly. (2011). *Resolution 65/265: Suspension of the rights of membership of the Libyan Arab Jamahiriya in the Human Rights Council*.

²⁹⁷ United Nations Security Council. (2011, March 17). *Resolution 1973 (2011)*.

²⁹⁸ Vergnaud, V. (2011, March 18). *La Libye, un véritable succès diplomatique pour Sarkozy*. Le Journal du Dimanche. <http://www.lejdd.fr/International/Actualite/La-Libye-un-veritable-succes-diplomatique-pour-Sarkozy-285403/>

²⁹⁹ Idem

³⁰⁰ Buchan, D. (2024, January 24). *Nicolas Sarkozy*. Encyclopedia Britannica. <https://www.britannica.com/biography/Nicolas-Sarkozy>

were extremely mouth-watering to the right. But another figure was constantly getting ahead of him in opinion polls: François Hollande.

5.7 François Hollande (2012-2017)

If French people wanted to cast away the celebrity presidency, the tabloid cult, the charismatic and almost “monarchic” aura that the figure of Nicolas Sarkozy had exuded during his rise to the Elysée, they would not have to look further than François Hollande. Starting his career as special advisor to President Mitterrand right after his election, becoming deputy of the National Assembly in 1988, Hollande gained more popularity when he was elected in 1997 as First Secretary of the Socialist Party when Lionel Jospin was called to serve President Chirac as Prime Minister.³⁰¹ Other than that, Hollande’s political career was quite smooth, compared to the ones of his predecessors: he was not involved in scandals, nor controversies, and the only scoops around him were related to his relations to former presidential candidate Ségolène Royal, with whom he had been in a long and public relationship that ended in 2007 right after the win of Sarkozy.

Interestingly, the only scandal that impacted his decision to run for president was a scandal that didn’t even involve him: in 2011, the world of international organisations – and international law – was shook when Dominique Strauss-Kahn, socialist economist who was then at the head of the International Monetary Fund, was accused of sexual assault.³⁰² Strauss-Kahn, before the “maid scandal” was the first choice of the Socialist Party to oppose Nicolas Sarkozy, who had planned to run again for president in the elections of 2011. Before Strauss-Kahn’s arrest, for the first time in their history, the Socialists decided to hold open elections in order to nominate the candidate to put forward in the upcoming elections: and, while at first Holland only seemed to trail Strauss-Kahn, the scandal bolted Hollande on top of the polls. In October 2011, Hollande was elected against Martine Aubry as the official Socialist candidate.³⁰³

The electoral campaign of François Hollande was centred around a simple point: that he was “a normal man,” gaining the nickname of “Monsieur Normale.”³⁰⁴ This was in abrupt rupture with Sarkozy’s style, driven by personal charisma and the personalisation of politics, to the point that the socialists had commented, during the debate on the constitutional reform, that they might as well had called him “king.” As John Gaffney writes, “During the campaign, the only real issue had been whether the French were exasperated enough with Nicolas Sarkozy to allow Hollande into the presidency, someone who, up until – and including – his election,

³⁰¹ Ray, M. (2023, December 22). *François Hollande*. Encyclopedia Britannica. <https://www.britannica.com/biography/Francois-Hollande>

³⁰² BBC News. (2011, July 25). *Dominique Strauss-Kahn accuser gives first interview*. BBC News. <https://www.bbc.com/news/world-us-canada-14271114>

³⁰³ Love, B. (2011, October 17). *French left sends Hollande into presidential battle*. Reuters. <https://www.reuters.com/article/idUSTRE79G0J3/>

³⁰⁴ Willsher, K. (2017, December 2). *François Hollande: what became of dull Mr Normal?* The Guardian. <https://www.theguardian.com/theobserver/2014/jan/18/francois-hollande-first-lady-france-affair>

they had little true enthusiasm for, and until a few months before, had been relatively unknown, and before the Dominique Strauss-Kahn (DSK) affair, never considered as a likely President.”³⁰⁵

It very much became a battle of personality. On one hand, the champion of the normal people, the normal man; on the other, the Napoleon of modern times. Moreover, stronger personalities were “stealing” Hollande’s thunder, such as Marine Le Pen and Jean-Luce Mélenchon. It was the rising popularity – at least in the opinion polls – of the latter, exponent of the far-left, that made Hollande remodulate his programme in a more leftist fashion. For example, his electoral proposals included the increase in the minimum wage and the 75% tax on extremely high incomes³⁰⁶, the revert to a 0% GDP deficit in 2017³⁰⁷. As per European politics, Hollande envisioned a strengthened Franco-German partnership, thus proposing initiatives such as a joint civic service, a research office, an industrial fund, and a shared military headquarters.³⁰⁸ However, Hollande was a firm critic of how Brussels had managed the 2008 crisis, criticizing the lack of decisive economic models for Europe, who had failed both in renewing after the post-war model and in being recognisable as either social-democratic or liberal market – Europe, in Hollande’s words, no longer represented nor built anything.³⁰⁹ The public opinion was ambivalent towards Hollande, considered at time weak and indecisive. However, regardless of the charisma of his opponents, the Socialist Party lived to see another President sitting on the presidential chair: in the second round, when it came down to him and the incumbent president, Nicolas Sarkozy garnered 48.36% of the vote, while François Hollande received 51.64% of the vote³¹⁰, making him the second Socialist president in the history of France.³¹¹

The investiture speech of Hollande as well was, somehow, less “spectacular” than the speech rendered by his antagonist, but kept on more broad and generic undertones, with little to no exaggeration.

“(…)

Je mesure le poids des contraintes auxquelles nous faisons face : une dette massive, une croissance faible, un chômage élevé, une compétitivité dégradée et une Europe qui peine à sortir de la crise.

La première condition de la confiance retrouvée, c'est l'unité de la Nation. Nos différences ne doivent pas devenir des divisions. Nos diversités des discordes. Le pays a besoin d'apaisement, de réconciliation, de rassemblement. C'est le rôle du

³⁰⁵ Gaffney, J. (2015). *France in the Hollande Presidency*. Palgrave Macmillan UK.

<https://www.perlego.com/book/3489634/france-in-the-hollande-presidency-the-unhappy-republic-pdf>

³⁰⁶ Idem, p.10

³⁰⁷ Le Figaro. (2012, January 26). “2% de croissance”: Hollande s’explique. <https://www.lefigaro.fr/flash-eco/2012/01/26/97002-20120126FILWWW00727-hollande-equilibre-impossible-sans-croissance.php>

³⁰⁸ Euractiv. (2012, February 27). *François Hollande and the European New Deal*. <http://www.euractiv.com/elections/fran-ois-hollande-european-new-deal-news-511108>

³⁰⁹ Idem

³¹⁰ French Ministry of the Interior. (2012, May 6). *Results of the 2012 Presidential Election*. <https://www.archives-resultats-elections.interieur.gouv.fr/resultats/PR2012/index.php>

³¹¹ Conseil Constitutionnel. (2012, May 10). *Décision n° 2012-154 PDR du 10 mai 2012: Décision du 10 mai 2012 portant proclamation des résultats de l’élection du Président de la République*. <https://www.conseil-constitutionnel.fr/decision/2012/2012154PDR.htm>

président de la République d'y contribuer. Faire vivre ensemble tous les Français sans distinction, autour des mêmes valeurs, celles de la République. Tel est mon impérieux devoir. Quel que soit notre âge, quelles que soient nos convictions, où que nous vivions (...) nous sommes la France.

Président de la République, j'assumerai pleinement les responsabilités exceptionnelles de cette haute mission. Je fixerai les priorités mais je ne déciderai pas de tout ni à la place de tous. Conformément à la Constitution, le gouvernement déterminera et conduira la politique de la Nation. Le Parlement sera respecté dans ses droits. La justice disposera de toutes les garanties de son indépendance. Le pouvoir d'Etat sera exercé avec dignité mais simplicité. Avec une grande ambition pour le pays. Et une scrupuleuse sobriété dans les comportements. L'Etat sera impartial parce qu'il est la propriété de tous les Français et qu'il n'appartient donc pas à ceux qui en ont reçu la charge. Les règles de nomination des responsables publics seront encadrées.

Je crois en la démocratie locale et j'entends la revivifier par un nouvel acte de décentralisation susceptible de donner de nouvelles libertés pour le développement de nos territoires.

Je crois en la démocratie sociale, et de nouveaux espaces de négociation seront ouverts aux partenaires sociaux, que je respecterai, aussi bien les représentants des salariés que les organisations professionnelles.

(...)

Pour surmonter la crise qui la frappe, l'Europe a besoin de projets. Elle a besoin de solidarité. Elle a besoin de croissance. A nos partenaires, je proposerai un nouveau pacte qui allie la nécessaire réduction des dettes publiques avec l'indispensable stimulation de l'économie. Et je leur dirai la nécessité pour notre continent de protéger, dans un monde si instable, non seulement ses valeurs mais ses intérêts, au nom du principe de réciprocité dans les échanges.

La France respectera tous les peuples ; elle sera, partout, fidèle à sa vocation qui est de défendre la liberté des peuples, l'honneur des opprimés, la dignité des femmes.

En cet instant où je suis chargé de présider aux destinées de notre pays et de le représenter dans le monde, je salue mes prédécesseurs, tous ceux qui avant moi ont eu la responsabilité de conduire la République, Charles de Gaulle qui mit son prestige au service de la grandeur et de la souveraineté de la France, Georges Pompidou qui fit de l'impératif industriel un enjeu national, Valéry Giscard d'Estaing qui relança la modernisation de la société, François Mitterrand qui fit

tant avancer les libertés et le progrès social, Jacques Chirac qui marqua son attachement aux valeurs de la République ; Nicolas Sarkozy à qui j'adresse mes vœux pour la nouvelle vie qui s'ouvre devant lui."³¹²

“(…)

I understand the weight of the constraints we face: massive debt, low growth, high unemployment, degraded competitiveness, and a Europe struggling to emerge from the crisis. The first condition for restored confidence is the unity of the nation. Our differences must not turn into divisions, and our diversities must not lead to discord. The country needs reassurance, reconciliation, and unity. It is the role of the President of the Republic to contribute to this—to bring together all French citizens without distinction, around the same values, those of the Republic. This is my imperative duty. Regardless of our age, convictions, or place of residence, we are France.

As President of the Republic, I will fully assume the exceptional responsibilities of this high mission. I will set priorities, but I will not decide everything or on behalf of everyone. According to the Constitution, the government will determine and lead the nation's policy. Parliament will be respected in its rights. Justice will have all the guarantees of its independence. State power will be exercised with dignity but simplicity, with great ambition for the country, and meticulous modesty in behaviour. The state will be impartial because it belongs to all French citizens and is not the property of those who have been entrusted with it. The rules for appointing public officials will be regulated.

I believe in local democracy, and I intend to revitalize it through a new act of decentralization that can provide new freedoms for the development of our territories.

I believe in social democracy, and new negotiation spaces will be opened to social partners, whom I will respect, both employee representatives and professional organizations.

(…)

To overcome the crisis that afflicts it, Europe needs projects. It needs solidarity. It needs growth. I will propose to our partners a new pact that combines the necessary reduction of public debts with the essential stimulation of the economy. I will tell them about the necessity for our continent to protect, in such an unstable world, not

³¹² Hollande, F. (2012, May 15). *Déclaration de M. François Hollande, Président de la République, sur son projet pour la France.* <https://www.vie-publique.fr/discours/185063-francois-hollande-15052012-projet-pour-la-france>

only its values but its interests, in the name of the principle of reciprocity in exchanges. France will respect all peoples; it will be faithful everywhere to its vocation, which is to defend the freedom of peoples, the honour of the oppressed, and the dignity of women.

At this moment when I am entrusted with presiding over the destinies of our country and representing it in the world, I salute my predecessors, all those who before me had the responsibility of leading the Republic—Charles de Gaulle, who put his prestige in the service of the greatness and sovereignty of France; Georges Pompidou, who made industrial imperatives a national issue; Valéry Giscard d'Estaing, who relaunched the modernization of society; François Mitterrand, who advanced liberties and social progress; Jacques Chirac, who expressed his attachment to the values of the Republic; and Nicolas Sarkozy, to whom I send my wishes for the new life opening before him.”³¹³

Once again, the investiture speech delivers a precious insight on the President’s attitude towards the presidential role. While other figures, notably Charles de Gaulle and Nicolas Sarkozy, had presented the figure of the president as somewhat stronger than the Parliament and the government – though never expressed explicitly – Hollande’s speech seems demurer. In essence, the investiture speech becomes a revealing canvas upon which Hollande paints a picture of a presidency that seeks balance, cooperation, and a departure from the perceived unilateral authority of some of his predecessors: this is explicated by phrasing “As President of the Republic, I will fully assume the exceptional responsibilities of this high mission. I will set priorities, but I will not decide everything or on behalf of everyone.”³¹⁴

The 2012 legislative elections – held in conjunction with the presidential ones as per the reform of 2002 – also resulted in a great success for the Socialist Party, who was able to lead the *majorité présidentielle* in the National Assembly gaining 22 seats on the first round and 258 on the second round, for a total of 280 seats: in percentage, the PS had won 48.53% of the Assembly. The majoritarian group in the Assembly was also backed by the Miscellaneous Left (3.81%), the Radical Party of the Left (2.08%) and the Greens (2.95%).³¹⁵

In domestic policies, Hollande’s popularity as the anti-Sarko did not last for long. For instance, To enhance France's global competitiveness, Hollande pursued labour reforms in ways more similar to his predecessors than his electors might have predicted: the first, massive pack of reforms of the labour sector contained a number of provisions aimed at simplifying job transitions for employees and facilitating the termination of staff members for employers. Notably, during economic challenges, one key provision

³¹³ Translation

³¹⁴ Idem

³¹⁵ Ministère De L’Intérieur Et Des Outre-mer. (n.d.-c). *Les archives des élections en France*. <https://www.archives-resultats-elections.interieur.gouv.fr/resultats/LG2012/FE.php>

empowered employers to temporarily adjust employee pay or working hours, drawing inspiration from Germany's successful use of furloughs (i.e., “a period of time when a company stops employing someone, usually temporarily, because the company does not have enough money or enough work”³¹⁶) to help businesses navigate tough times without resorting to widespread layoffs.³¹⁷ This, according to national observers, put Hollande substantially in the same position as Sarkozy, given the similarities with the laws proposed by the latter.³¹⁸ This, of course, was not met with sympathy by the French workers, who widely protested the new pack of reforms already in April when the law on the employment was still in the process of being voted in the Assembly. The pack was also strongly opposed by the Communist Party (PCF).³¹⁹

The pension system was also reformed within the first year of Hollande’s presidency, and the beginning of 2014. While the pensionable age, 62, was not changed from the previous establishment, controversial novelties were introduced. Under the reform, employees in the private sector in France would have seen a relatively small increase in the amount and duration of their pension contributions, while their retirement benefits remained largely unchanged.³²⁰ In detail, instead of raising the general social contribution (CSG), the government had chosen to raise employer and employee contributions by 0.15 points in 2014, 0.05 points in 2015, 2016 and 2017, and 0.3 points overall for both groups in 2017.³²¹ This reform as well did not meet the favour of the public eye: this time, heavily involving in its critiques, parties from both left and right, to the point that Hollande was accused of putting in place rightist reforms by Olivier Besancenot of the Nouveau Parti Anticapitaliste.³²² And, as per French tradition, the popular malcontent was shaped into social unrest and mobilisation. According to the French news of the late summer and early autumn of 2013, thousands and thousands of people took the streets of Paris and other major cities of the *hémisphère*: Franceinfo reported that between 155,000 and 370,000 people demonstrated against the reform only on September 10th.³²³

While some novelties in the legislative landscape of France represented improvements and advancement – for instance, it was under Hollande’s presidency that same sex marriage was legalised and

³¹⁶ Cambridge Dictionary. (n.d.). *Furlough*. Retrieved 27/01/2024, from <https://dictionary.cambridge.org/it/dizionario/inglese/furlough>.

³¹⁷ Vie Publique. (n.d.). *Loi du 14 juin 2013 relative à la sécurisation de l'emploi*. Retrieved 27.01.2024, from <https://www.vie-publique.fr/loi/20665-securing-de-lemploi>.

³¹⁸ Laurent, S. (2013, March 6). *L'accord sur l'emploi est-il identique à ce que proposait Sarkozy?* Le Monde. https://www.lemonde.fr/politique/article/2013/03/06/l-accord-sur-l-emploi-est-il-identique-a-ce-que-proposait-sarkozy_1843128_823448.html

³¹⁹ *Des milliers de manifestants contre l'accord sur l'emploi*. (2013, April 9). Le Monde. https://www.lemonde.fr/emploi/article/2013/04/09/manifestation-attendue-a-l-occasion-du-vote-de-la-loi-sur-l-emploi_3156311_1698637.html

³²⁰ Légifrance. (2014). *LOI n° 2014-40 du 20 Janvier 2014 garantissant l'avenir et la justice du système de retraites*. Légifrance. <https://www.legifrance.gouv.fr/loda/id/JORFTEXT000028493476>

³²¹ Le Monde with AFP. (2013, August 27). *La réforme des retraites sera dévoilée à 19 heures*. Le Monde. https://www.lemonde.fr/politique/article/2013/08/27/la-reforme-des-retraites-sera-devoilee-a-19-heures_3467250_823448.html

³²² Desmoulières, R. B. (2013, August 28). *Besancenot: “Les retraites, une réforme typiquement de droite.”* Le Monde.fr. https://www.lemonde.fr/politique/article/2013/08/28/besancenot-les-retraites-une-reforme-typiquement-de-droite_3467492_823448.html

³²³ Franceinfo. (2013, September 10). *Retraites: la plus forte mobilisation syndicale depuis l'élection de Hollande*. Franceinfo. https://www.francetvinfo.fr/economie/retraite/reforme-des-retraites/video-mobilisation-modeste-contre-la-reforme-des-retraites_408103.html

recognised by the French law³²⁴- the socialist president registered the lowest approval rate in the whole history of the Fifth Republic.³²⁵ According to John Gaffney, it mostly had to do with the perception that, for a person to be perceived as a valuable political figure – in this case, President – one should tick some characteristics out of certain boxes. For example, “Characterial capital traits. i.e. what is expected: competence, good/happy to be President, reflective, and with a sense of direction. It is the case, as we have seen, that Hollande was barely perceived as possessing any of these traits, not because he might not have them, but because he was unknown.”³²⁶ Furthermore, Gaffney argues that Hollande did not seem to grasp the meaning of his own presidency: in his book, “France under Hollande’s Presidency”, the “sacking” practice of the French presidents before Hollande is recalled. “De Gaulle’s sacking of Pompidou, Pompidou’s sacking of Chaban-Delmas, Giscard’s sacking of Chirac (although making his position untenable is more accurate in this case), Mitterrand’s sacking of Rocard were all acts of this kind.” But, in Hollande’s meticulously curated cabinet, “Arnaud Montebourg, the Economy Minister (and a rival in the primaries) made a continual stream of comments and complaints, often about the Prime Minister and sometimes about the President himself. Hollande’s failure to impose himself appeared like a real weakness.”³²⁷ The relations with his Prime Ministers were also not characterised by the “palace schemes” that had been a pattern to many other presidents. Following his rise to power at the Elysée, Hollande had appointed Jean-Marc Ayrault (PS) to be his Prime Minister. Ayrault, as reported by the major French and international news outlet, was already known for being a fervent ally and loyalist to the newly elected president. “For 15 years” The Guardian reported “Ayrault and Hollande sat next to each other on the benches of the French parliament and are known to trust each other. Hollande had said during the campaign that it was important to govern with someone he gets on with. But Ayrault, like Hollande has no ministerial experience and has never served in government.”³²⁸ They had a long personal history and generally were seen as a harmonious working couple. The Ayrault government was the one backing the laws that we mentioned previously in this section, and no significant controversy or litigation arose with the President. In fact, as Gaffney notes, the only minister that was sacked from the Ayrault government was Delphine Batho, Minister of the Environment, over budget debacles.³²⁹

However, the declining popularity of the President had a significant impact on the government when the Municipal Elections took place in 2014, which resulted in a major defeat for the Socialists, a return to centre stage for the UMP and a troubling rising of the consensus of the National Front.³³⁰ The need of a reshuffle was dire, not because the relations of the Prime Minister and the President were strained, but because

³²⁴ Légifrance. (2013). *LOI n° 2013-404 du 17 mai 2013 ouvrant le mariage aux couples de personnes de même sexe*. <https://www.legifrance.gouv.fr/loda/id/JORFTEXT000027414540>

³²⁵ Le Monde. (2014, September 4). *François Hollande devient officiellement le président le plus impopulaire*. Le Monde. https://www.lemonde.fr/les-decodeurs/article/2014/09/04/francois-hollande-devient-officiellement-le-president-le-plus-impopulaire_4482376_4355770.html

³²⁶ Gaffney, J. (2015). *France in the Hollande Presidency*.

³²⁷ Idem, p. 14

³²⁸ Chrisafis, A. (2012, May 15). *Jean-Marc Ayrault named as France’s new prime minister*. The Guardian. <https://www.theguardian.com/world/2012/may/15/france-prime-minister-named-ayrault>

³²⁹ Gaffney, J. (2015). *France in the Hollande Presidency*.

³³⁰ Kuhn, R. (2014, July 1). *The French municipal and European elections, 2014*. Representation, 50. <https://doi.org/10.1080/00344893.2014.953803>

the electoral fiasco of that year further aggravated the image of Hollande, already suffering from low approval. The main issue used against him was that he had not been able to put together a set of measures to support the suffering French economy. For more than two years, growth had been stuck between 0% and 1% and unemployment has stayed at approximately 11%.³³¹ For this reason, when Ayrault resigned his post as Prime Minister, Hollande sought to revitalise his image by appointing his most popular minister, Manuel Valls, in what Gaffney calls a “inverted imperium”³³², i.e., a situation in which the President almost seems “subordinate” to the Prime Minister and is humiliated.

Valls was a more prominent figure than his predecessor and proved to be of rupture when aligns himself – shocking the Socialists – with the enterprises. But the Valls’s popularity was destined to be a flash in the pan with the tragic events of 2015, and with the conflict that shaped almost the entire foreign policy of France during the 2012-2017 *quinquennat*.

The self-imposition of the Islamic State in Iraq and Syria (ISIS) on the international political scene preoccupied the leaders of the worlds. ISIS, who wished to counter Bashar al-Assad’s regime in Syria, made great use of terror tactics such as demolition of archaeological importance, kidnapping of journalists, activists, and diffusion of footage of their brutal murders – mainly by decapitation – through social media channels.

France represented an ideal target for ISIS, for several reasons. In foreign matters Hollande participated in various operations directly against Islamic extremist. The “anti-terrorism crusades” in the Hollande presidency traced back to the beginning of the mandate, notably, with the French support for Operation Serval³³³ in Mali to combat Islamist extremists, and with the in broader counterterrorism efforts in the Sahel region under Operation Barkhane, the successor of Serval.³³⁴ Furthermore, France's participated in the international coalition against ISIS in Iraq and Syria, which also included the United States. France's involvement in the coalition turned military when President Hollande announced France's September 2014 military action against ISIS in Iraq as "aerial protection operations" in support of Iraqi authorities.³³⁵ Additionally, extremists associated with ISIS sought to exploit existing social and political tensions within France, contributing to their motivation to carry out attacks on French territory: the differences of life conditions in the *banlieus* of cities like Paris, the rising xenophobia that Sarkozy’s presidency brought upon France, trailed by the violent political messages of the National Front had further exacerbated the resentment that the offspring of immigrants cultivated towards a state that they felt had abandoned them. With the “internet-ification” of terrorism, and with the radical political messages that Daesh had put as their calling card, second generations were the ideal pawns for what would ensue from the very start of 2015.

³³¹ Rubin, A. J. (2014, March 25). *Left fares poorly in first round of France’s municipal elections*. The New York Times. <https://www.nytimes.com/2014/03/25/world/europe/low-voter-turnout-in-first-round-of-frances-municipal-elections.html>

³³² Gaffney, J. (2015). *France in the Hollande Presidency*.

³³³ BBC News. (2013, January 12). *Mali and France “push back Islamists.”* BBC News. <https://www.bbc.com/news/world-africa-20991723>

³³⁴ Barluet, A. (2014, July 13). *Au Sahel, l’opération «Barkhane» remplace «Serval»*. Le Figaro. <https://www.lefigaro.fr/international/2014/07/13/01003-20140713ARTFIG00097-au-sahel-l-operation-barkhane-remplace-serval.php>

³³⁵ Dworkin, A. (2016, October). *Europe's new counter-terror wars*. European Council on Foreign Relations. Retrieved from <https://www.ecfr.eu>.

Charlie Hebdo, a notorious and ruthless satirical weekly magazine, was the first target: two French-born Algerian Muslim brothers, Saïd Kouachi and Chérif Kouachi, entered the premises of the magazine armed with rifles and shot the journalists in a violent attack that resulted in the death of 12 people and the injury of 11.³³⁶ The magazine had been watched by extremists for years for their often politically incorrect religious satire – so that Stéphane Charbonnier, editor in chief since 2009, had been under police protection since 2011.³³⁷ The Charlie Hebdo attack was later claimed by ISIS. Ironically, the tragedy of “jesuisCharlie” worked wonders for the reputation of Hollande. In the aftermath of the attacks, the French public opinion rallied around him and his approval rate almost doubled.³³⁸ To respond to the attacks, Hollande declared on September 7, 2015, that the French air force would attack targets within Syria, as France’s was now contrasting both Assad’s regime and the Islamic State.³³⁹ And, unfortunately, this decision signified another tragedy for France. On November 13, 2015, seven coordinated attacks targeted various places in Paris: in the evening, three suicide bombers attacked outside the Stade de France, while more attackers opened fire on packed Parisian cafés and restaurants; a third group carried out a second mass shooting and took hostages at the Bataclan theatre, which was hosting a concert with 1,500 spectators; other groups targeted restaurants, bars and other popular spots.³⁴⁰ The death toll was dramatic, with the total amounting to 130 lives claimed.³⁴¹

Hollande declared the State of Emergency immediately after the Paris attacks: “La France est en guerre”, he stated in his speech before the joint session of the Parliament.³⁴² Acting further, the President decided to invoke art.42(7) of the Lisbon Treaty of 2008, which stated that “If a Member State is the victim of armed aggression on its territory, the other Member States shall have towards it an obligation of aid and assistance by all the means in their power, in accordance with Article 51 of the United Nations Charter. (...)”³⁴³. The invocation of this clause was aimed at seeking military assistance from other EU member states. In response, the UK, Germany, Denmark, and the Netherlands announced their commitment to either participate in airstrikes in Syria or provide direct support to French military efforts.³⁴⁴

The escalations of violences between ISIS and the military responses resulted in another attack in 2016, this time targeting the south of France. On the evening of the 14th of July, the national holiday of Bastille Day, a cargo truck crashed through the *Promenade des Anglais*, unleashing terror and claiming the lives of eighty-

³³⁶ Seelow, S. (2022, March 14). *You are going to pay for insulting the Prophet*. Le Monde. Retrieved from https://www.lemonde.fr/en/archives/article/2022/03/14/you-are-going-to-pay-for-insulting-the-prophet_5978452_113.html.

³³⁷ Penketh, A. (2015, January 8). *Cartoonists and other victims of the Charlie Hebdo attack*. The Guardian. <https://www.theguardian.com/world/2015/jan/07/cartoonists-victims-charlie-hebdo-attack>

³³⁸ IFOP. (2018, May 24). *Le tableau de bord politique - Janvier 2015 - IFOP*. <https://www.ifop.com/publication/le-tableau-de-bord-politique-paris-match-sud-radio-ifop-fiducial-janvier-2015/>

³³⁹ *France’s Diplomacy and the War in Syria: A Strategic Inflection, not a Political Turnaround* | ISPI. (2022, December 9). ISPI. <https://www.ispionline.it/en/publication/frances-diplomacy-and-war-syria-strategic-inflection-not-political-turnaround-13939>

³⁴⁰ Ray, M. (2023, December 28). *Paris attacks of 2015*. Encyclopedia Britannica. <https://www.britannica.com/event/Paris-attacks-of-2015>

³⁴¹ Idem

³⁴² Hollande, F. (2015, November 16). *Déclaration de M. François Hollande, Président de la République, devant le Parlement réuni en Congrès à la suite des attaques terroristes perpétrées à Paris et en Seine-Saint-Denis, Versailles le 16 novembre 2015*. Vie Publique. <https://www.vie-publique.fr/discours/196856-declaration-de-m-francois-hollande-president-de-la-republique-devant>

³⁴³ European Union. (2008). *Consolidated version of the Treaty on European Union*.

³⁴⁴ Dworkin, A. (2016, October). *Europe’s new counter-terror wars*.

six people and injuring 450 more.³⁴⁵ The public outcry went behind national borders as the targeting of a renowned city such as Nice resonated with the international audience. Hollande, once again, rendered public his stances of the need for national unity, while also expressing the necessity of reinforcing the police corps and of further extending the state of emergency³⁴⁶ under art.16 of the Constitution.³⁴⁷

In these times of terror, Manuel Valls' cabinet was not navigating with steadiness. While speeches regarding the Paris Attacks had received approval – notably, he gained this consensus by saying that France was not at war with Muslims, but with extremism³⁴⁸ - his attitude towards the Nice attacks was ill-received by the French public opinion. The anger and anguish were circulating amongst the people, who felt more and more disillusioned towards the government and its inability to protect its citizens, with the 2016 attack representing yet another failure of the Hollande presidency and its cabinets. These feelings went to the extent that, a few days after the Bastille Day attacks, Vall was booed, called “murderer,” and exhorted to resign during the minute of silence of the ceremony of remembrance held in Nice.³⁴⁹

This was the last straw for Hollande's reputation within his own country. As reported by the Financial Times, “More than two-thirds of French people polled in the wake of the Nice attacks “do not trust” President François Hollande and his government to combat terrorism effectively, according to an IFOP survey in Le Figaro. After the 2015 terror assaults, the majority of people expressed the opposite view.”³⁵⁰ So, it did not come as a surprise that, on December 1st, 2016, Hollande declared he would not run for re-election, becoming the first president in the history of the Fifth Republic to not seek a second term.³⁵¹

³⁴⁵ Rubin, A. J., & Breeden, A. (2017, July 17). *France remembers the Nice attack: 'We will never find the words.'* The New York Times. <https://www.nytimes.com/2017/07/14/world/europe/nice-attack-france-bastille-day.html>

³⁴⁶ France. (2016). *LOI n° 2016-1767 du 19 décembre 2016 prorogeant l'application de la loi n° 55-385 du 3 avril 1955 relative à l'état d'urgence.*

³⁴⁷ French Constitution. (1958). *Constitution de la République française*, art.16.

³⁴⁸ Monde, L. (2015, January 13). *Manuel Valls: « Oui, la France est en guerre contre le terrorisme ».* Le Monde.fr. https://www.lemonde.fr/politique/article/2015/01/13/manuel-valls-oui-la-france-est-en-guerre-contre-le-terrorisme_4555301_823448.html

³⁴⁹ Brunnsden, J., & Chassany, A.-S. (2016, July 18). French PM Valls booed as he attends tribute to Nice victims. Financial Times. <https://www.ft.com/content/9b87ee2a-4cd5-11e6-88c5-db83e98a590a>

³⁵⁰ Idem

³⁵¹ Ray, M. (2023, December 22). *François Hollande*. Encyclopedia Britannica. <https://www.britannica.com/biography/Francois-Hollande>

6. Macron and Semi-Presidentialism: peril or opportunity?

Once we have analysed the impact of the seven former presidents of France, a separate examination needs to be accorded to the current president, Emmanuel Macron. Not only because, not so differently from François Hollande, he found himself in a particular historical conjunction such as the COVID-19 pandemic, which, as we will elaborate further on, had strong repercussions on global economics and societies, France included. But also, because the recent events such as the unrest in the major cities, the pension reform have seen considerable outcry in the public opinion, as testified not only by the formation of the *Gilet Jaunes* movement in 2018, but by the calls for resignation that have characterised the latest protests alongside with accusation of “monarchisation” of the Presidency – much like the appellatives that Sarkozy received during his term.

In this chapter we will analyse his Presidency with the same methodology that we utilise in the previous chapter for the other seven presidents, narrating his rise to power, commenting on his public speeches and personal stances, analysing the most relevant policies in both the domestic and the foreign domains; however, we will concentrate on the reception of his figure, and how his usage of the Presidential powers may give rise to concerns regarding the very nature of the French system.

Is Emmanuel Macron the practical demonstration that presidential powers are excessively draconian? Semi-presidentialism could degenerate in more of an authoritarian system? To what extent does this pose a tangible risk, and which constitutional provisions might be accountable for such a transformation?

6.2 Macron's Presidency

Emmanuel Macron's election marked a series of firsts for France. For instance, he is the first President in the history of the Fifth Republic to have conquered the Elysée without belonging to the Socialist party nor the Gaullist faction.³⁵² In fact, his party, *La République en Marche!* (from now on addressed as *En Marche!*) saw the light in 2016, merely a year before the presidential elections. However, the political involvement of Macron began earlier: he graduated from the IEP of Sciences Po Paris, a time during which he had been registered to the Socialist Party.

He remained relatively unknown until he made a name for himself in banking and broking, capturing François Hollande's attention: this resulted in him calling to assist his cause in the presidential nomination of the Socialist Party prior to the 2012 election. The success of Hollande's presidential campaign and his election to the Elysée meant for Macron a rapid rise to government. First, he was appointed as Deputy Chief of Staff and Advisor on Economics; then, in 2014, stepped into the role of Minister for Economy, Industry and Digital Affairs.³⁵³ Under the Valls cabinet, he proposed the *loi Macron* discussed in the previous chapter – the very same law that required the invoking of art.49 of the Constitution, the one that allows a law to be approved without the Assembly's approval, provided that the government is then put to a vote of confidence.³⁵⁴

The constant drop in popularity of President Hollande was the political momentum for a new, fresh figure to emerge – and that momentum was largely exploited by Emmanuel Macron. To some extent, political commentators have given him the appellation of “Machiavellian,” which is a concept that will be examined more in depth in the next section. But in this case, it is relevant to mention this attitude, given the fact that, the declaration of Macron's intention to run for president with his newly founded party was rendered even before Hollande could express his will not to run for a second term.³⁵⁵

What is certain it that *En Marche!* represented a political novelty for the electors that were on the verge of forming their opinion on who to vote. Macron announced a revolution, when and if he had risen to power. These were the contents of his own book and political programme of 2016, titled *Révolution*. However, according to Charles Develennes, this is to be considered an “overstatement.” “Macron's reforms and ideals” he writes in *The Macron Régime - The Ideology of the New Right in France* “taken individually, have roots that make them, at best, incremental changes in focus. Nicolas Sarkozy had already insisted on security as a core value, the French educational system is notoriously highly meritocratic and the pride of politicians on

³⁵² Ray, M. (2024, January 26). *Emmanuel Macron*. Encyclopedia Britannica. <https://www.britannica.com/biography/Emmanuel-Macron>

³⁵³ *Emmanuel Macron*. (n.d.). elysee.fr. <https://www.elysee.fr/en/emmanuel-macron>

³⁵⁴ French Constitution. (1958). *Constitution de la République française*, art.49

³⁵⁵ Lefebvre, A. (2023). *Macron Unveiled* (1st ed.). Histria Books. <https://www.perlego.com/book/3738444/macron-unveiled-the-prototype-for-a-new-generation-of-world-leaders-pdf>

both sides of the political spectrum, and the rise of the entrepreneur as a figure of hope did not wait for the rise of centrism as a political force.”³⁵⁶

Nonetheless, the packaging of these re-heated ideas was what really sold the image of this newcomer, semi-unknown and youthful figure. On April 2016, upon the foundation of his new party, he declared: "I am part of a left-wing government and I fully accept that, with the values in which I believe, and which characterise me. But I also want to work with people who feel themselves to be on the right today".³⁵⁷

The program of *En Marche!* was substantially centrist. Economically speaking, Macron advocated for a pro-business agenda, proposing a reduction in corporate taxes and a streamlining of public spending to invigorate economic growth. His focus on labour market reforms sought to provide a balance between flexibility for employers and job security for employees, with the overarching goal of tackling France's persistently high unemployment rates³⁵⁸ – the bane of many presidents of the Fifth Republic's mandates. As per social policies, Macron promised substantial investments in education and vocational training to equip the workforce with the skills needed for a rapidly evolving job market, with contents related to gender equality and commitment anti workplace discrimination. Domestic issues such as climate change and renewable energy pledges were included in the 2017 program, as well as a growing investment in the defence sector.³⁵⁹ In summary, it was a programme that could lure in both left and right electors, which, in the political climate that climaxed in 2017, it would prove to be the best decision.

As we have seen in the previous chapter, in the section regarding François Hollande, the popularity of the left had plummeted radically in the last year of his presidency, especially after the 2016 truck attack in Nice. The population's malcontent towards the Socialist President had soon transformed in malcontent towards his political party. Furthermore, with the rising terror caused by the 2015 and 2016 attacks, the far right was gaining popularity, to the point that Marine Le Pen not only managed to figure among the official candidates for the presidential election – which requires 500 signatures, also known as *parrainages*, from national or local elected officials from at least 30 different departments or overseas communities³⁶⁰, but succeeded in battling several candidates in the first round: François Fillon, Sarkozy's ex-Prime Minister, Jean Luc Melenchon (France Insoumise, left), Benoît Hamon of the Socialist Party, and many others did not make it to the second round.³⁶¹ At the end of April 2017, France was called to vote between Emmanuel Macron and Marine Le Pen.

³⁵⁶ Devellennes, C. (2022). *The Macron régime*. In Policy Press eBooks. <https://doi.org/10.1332/policypress/9781529227086.001.0001>

³⁵⁷ Le Monde. (2016, April 6). *Emmanuel Macron lance un mouvement politique nouveau baptisé "En Marche"*. Le Monde. lemonde.fr/politique/article/2016/04/06/emmanuel-macron-lance-un-mouvement-politique-nouveau-baptise-en-marche_4897274_823448.html

³⁵⁸ En Marche!. (2017). *Programme Emmanuel Macron* [PDF]. <https://storage.googleapis.com/en-marche-fr/COMMUNICATION/Programme-Emmanuel-Macron.pdf>

³⁵⁹ Idem

³⁶⁰ Conseil constitutionnel. (1981, February 24). *Décision n° 81-30 ORGA*. Journal Officiel de la République Française, 0052, March 3, 1981.

³⁶¹ Conseil constitutionnel. (2017, April 26). *Décision n° 2017-169 PDR. Déclaration relative aux résultats du premier tour de scrutin de l'élection du Président de la République*.

The former had gained an unexpected support from the masses, scoring 23.99% of the total of suffrages; the latter followed closely, with 21.32%.³⁶² That was a fortunate conjunction for Macron.

As it had already happened during Chirac's time, everyone seemed to be against the elections of the representative of extremely rightist stances – also considering how the xenophobic and Islamophobic rhetoric of the National Front thrived with the terrorist attacks. The echoes of the public cries of “Votez escroc, pas facho!” that bystanders could hear in the anti Le Pen rallies³⁶³ heavily influenced the mobilisation for the second turn. Not surprisingly, some of the defeated candidates advocated for Macron, like Fillon and Hamon, while others did not declare instructions to their electorate, like Mélenchon. The anti Le Pen faction addressed harshly the right-wing candidate, with Hamon declaring “I make a clear, total distinction between a political adversary and an enemy of the Republic.”³⁶⁴ Anti-Macron factions emerged as well, with Philippe Poutou (New Anti-Capitalist Party) stating: “If we are to reverse this threat in the long term, there is no other solution than to take to the streets again, against the far right, but also against all those who, like Macron, have introduced or want to impose anti-social measures.”³⁶⁵

The electors also were divided on the second round. For example, approximately 25% of French voters chose not to vote at all, marking the highest level of voter non-participation in almost 50 years, while over four million voters purposefully filled out blank or spoiled ballots.³⁶⁶

Nonetheless, on April 7th, when the second round of voting took place, the results were adamant: with 66.10% of the suffrages expressed, Emmanuel Macron was the new President of France³⁶⁷ – the first born after the birth of the Fifth Republic, and the youngest chief of state since Napoleon I.³⁶⁸ A week later, on May 14th, 2017, he officially took office as Hollande stepped down from the presidential chair. Macron's character and the manner in which he would later express his presidential stature can already be observed in his inaugural speech.

“Le monde et l'Europe ont aujourd'hui, plus que jamais, besoin de la France. Ils ont besoin d'une France forte et sûre de son destin. Ils ont besoin d'une France qui porte haut la voix de la liberté et de la solidarité. Ils ont besoin d'une France qui sache inventer l'avenir.

(...)

³⁶² Idem

³⁶³ “Votez escroc, pas facho!” (n.d.). Liberation.fr.

³⁶⁴ Franceinfo. (2017, April 25). *Fillon, Mélenchon, Hamon, Poutou. . . Quelle est la consigne de vote des neuf éliminés en vue du second tour ?* Franceinfo. https://www.francetvinfo.fr/elections/presidentielle/fillon-melenchon-hamon-poutou-quelle-est-la-consigne-de-vote-des-neuf-elimines-en-vue-du-second-tour_2158950.html

³⁶⁵ Idem

³⁶⁶ Ray, M. (2024, January 30). *Emmanuel Macron*. Encyclopedia Britannica.

³⁶⁷ Ministère de l'Intérieur. (2017, May 8). *Resultats globaux du second tour de l'élection du Président de la République 2017*. Archives du Ministère de l'Intérieur. <https://mobile.interieur.gouv.fr/Archives/Archives-elections/Election-presidentielle-2017/Resultats-globaux-du-second-tour-de-l-election-du-President-de-la-Republique-2017>

³⁶⁸ Rose, M. (2017, May 7). *Macron: From political novice to president*. Reuters. <https://www.reuters.com/article/us-france-election-macron-profile-idUSKBN1830XP>

Or, depuis des décennies, la France doute d'elle-même. Elle se sent menacée dans sa culture, dans son modèle social, dans ses croyances profondes. (...)

Voilà pourquoi mon mandat sera guidé par deux exigences. La première sera de rendre aux Français cette confiance en eux, depuis trop longtemps affaiblie. (...)

Il m'appartiendra de convaincre les Françaises et les Français que notre pays, qui aujourd'hui semble mis à mal par les vents parfois contraires du cours du monde, porte en son sein toutes les ressources pour figurer au premier rang des nations. Je convaincrai nos compatriotes que la puissance de la France n'est pas déclinante, mais que nous sommes à l'orée d'une extraordinaire renaissance, parce que nous tenons entre nos mains tous les atouts qui feront et qui font les grandes puissances du XXI^e siècle. Pour cela, je ne céderai sur rien des engagements pris vis-à-vis des Français. Tout ce qui concourt à la vigueur de la France et à sa prospérité sera mis en œuvre : le travail sera libéré, les entreprises seront soutenues, l'initiative sera encouragée.

Tout ce qui fait de la France un pays sûr, où l'on peut vivre sans avoir peur, sera amplifié. La laïcité républicaine sera défendue, nos forces de l'ordre, notre renseignement, nos armées, réconfortés.

L'Europe, dont nous avons besoin, sera refondée, relancée, car elle nous protège et nous permet de porter dans le monde nos valeurs. Le monde nos valeurs.

Nos institutions, décriées par certains, doivent retrouver aux yeux des Français l'efficacité qui en a garanti la pérennité. Car je crois aux institutions de la V^e République et ferai tout ce qui est en mon pouvoir pour qu'elles fonctionnent selon l'esprit qui les a fait naître. Pour cela, je veillerai à ce que notre pays connaisse un regain de vitalité démocratique. Les citoyens auront voix au chapitre. Ils seront écoutés.

Je songe au Général de Gaulle, qui œuvra pour redresser la France et lui rendre son rang dans le concert des nations. Je songe à Georges Pompidou, qui fit de notre pays une puissance industrielle majeure. À Valéry Giscard d'Estaing, qui sut faire entrer la France et sa société dans la modernité. À François Mitterrand, qui accompagne la réconciliation du rêve français et du rêve européen. À Jacques Chirac, nous donnant le rang d'une nation sachant dire non aux prétentions des va-t-en-guerre. À Nicolas Sarkozy, ne comptant pas son énergie pour résoudre la crise financière qui avait si violemment frappé le monde. Et je songe bien sûr à François Hollande, faisant œuvre de précurseur avec l'Accord de Paris sur le climat et protégeant les Français dans un monde frappé par le terrorisme.

(...)

La mission de la France dans le monde est éminente. Nous prendrons toutes nos responsabilités pour apporter chaque fois que cela sera nécessaire une réponse pertinente aux grandes crises contemporaines. Qu'il s'agisse de la crise migratoire, du défi climatique, des dérives autoritaires, des excès du capitalisme mondial, et bien sûr du terrorisme ; plus rien désormais ne frappe les uns en épargnant les autres. Nous sommes tous interdépendants. Nous sommes tous voisins. La France veillera toujours à être aux côtés de la liberté, des droits de l'Homme, mais toujours pour construire la paix dans la durée. Nous avons un rôle immense : corriger les excès du cours du monde, et veiller à la défense de la liberté. C'est là notre vocation. Pour ce faire, nous aurons besoin d'une Europe plus efficace, plus démocratique, plus politique, car elle est l'instrument de notre puissance et de notre souveraineté. J'y œuvrerai.

(...)

Rien ne sera concédé à la facilité ni au compromis. Rien n'affaiblira ma détermination. Rien ne me fera renoncer à défendre en tout temps et en tout lieu les intérêts supérieurs de la France. J'aurai, dans le même temps, la volonté constante de réconcilier et rassembler l'ensemble des Français.

(...)

Dans ces instants où tout peut basculer, le peuple français a toujours su trouver l'énergie, le discernement, l'esprit de concorde pour construire le changement profond. Nous en sommes là. C'est pour cette mission qu'humblement je servirai notre peuple."³⁶⁹

"The world and Europe today, more than ever, need France. They need a strong France sure of its destiny. They need a France that proudly advocates for freedom and solidarity. They need a France that can invent the future.

(...)

However, for decades, France has doubted itself. It feels threatened in its culture, its social model, and its deep beliefs. (...)

That is why my mandate will be guided by two requirements. The first will be to restore confidence in the French people, weakened for too long. (...)

It will be my responsibility to convince the French men and women that our country, which today seems challenged by the sometimes-contrary winds of the world, holds within itself all the resources to stand at the forefront of nations. I will persuade our

³⁶⁹ Macron, E. (2017, May 15). *Discours d'investiture du président de la République*. Élysée. <https://www.elysee.fr/emmanuel-macron/2017/05/15/discours-d-investiture-du-president-de-la-republique>

compatriots that France's power is not declining but that we are on the verge of an extraordinary rebirth because we hold in our hands all the assets that will make and have made great powers of the 21st century. For this, I will not compromise on any commitments made to the French. Everything that contributes to the strength and prosperity of France will be implemented: work will be liberated, businesses will be supported, and initiative will be encouraged.

Everything that makes France a safe country, where one can live without fear, will be amplified. Republican secularism will be defended, our law enforcement, intelligence, and armed forces will be reinforced.

The Europe we need will be re-founded and revitalized because it protects us and allows us to carry our values into the world.

Our institutions, criticized by some, must regain in the eyes of the French the efficiency that has guaranteed their continuity. Because I believe in the institutions of the Fifth Republic and will do everything in my power to ensure they function in the spirit that gave them birth. For this, I will ensure that our country experiences a renewal of democratic vitality. Citizens will have a say. They will be listened to.

I think of General de Gaulle, who worked to restore France and restore its rank in the concert of nations. I think of Georges Pompidou, who made our country a major industrial power. Valéry Giscard d'Estaing, who brought France and its society into modernity. François Mitterrand, who accompanies the reconciliation of the French dream and the European dream. Jacques Chirac, giving us the rank of a nation that knows how to say no to the claims of warmongers. Nicolas Sarkozy, not sparing his energy to solve the financial crisis that had violently struck the world. And of course, François Hollande, acting as a pioneer with the Paris Agreement on climate and protecting the French in a world struck by terrorism.

(...)

France's mission in the world is eminent. We will take all our responsibilities to provide a relevant response whenever necessary to the great contemporary crises. Whether it be the migration crisis, the climate challenge, authoritarian drifts, the excesses of global capitalism, and of course, terrorism; nothing now strikes some without sparing others. We are all interdependent. We are all neighbours. France will always strive to be alongside freedom, human rights, but always to build lasting peace. We have an immense role: to correct the excesses of the world and ensure the defence of freedom. That is our vocation. To do this, we will need a more effective, democratic, and political Europe because it is the instrument of our power and sovereignty. I will work towards that.

(...)

Nothing will be conceded to ease or compromise. Nothing will weaken my determination. Nothing will make me give up defending at all times and in all places the highest interests of France. At the same time, I will have the constant will to reconcile and bring together all French people.

(...)

In these moments where everything can tip, the French people have always known how to find the energy, discernment, and spirit of harmony to build profound change. We are at that point. It is for this mission that I will humbly serve our people."³⁷⁰

This speech is at the same time different and similar to inaugural speeches that French Presidents had rendered at the Elysée. The similarities of course may be found in the general positive spirit that the newly appointed figure must exude, but at the same time, if we compare it with the precedent personas such as Hollande, but also Sarkozy, we can observe a vaguer the approach – there is a lack of numbers, concrete objectives and landmarks, especially in regard to the European Union and to the fight against terrorism. What is present, however, is a strong national sentiment, as evidenced by the constant recalling of the importance of France at the global level.

Another difference worth considering is that, while other Presidents described in detail what use they would have made of their powers, and many had outlined the safeguard of the checks and balances provided by the Constitution, the speech of Macron does not – limiting the address to the functioning of the institutions laid out. Whether this is intentional or not, it is merely relevant, but it surely shed light on the character of the Presidency that does not, on his very first official appearance give away pragmatic details.

As customary, the legislative elections took place shortly after the Presidential ones and, for the occasion, *En Marche!* was rebranded as “*La République en Marche*” (from now on addressed as LREM). What it interesting to note of the legislative elections of 2017 is that, of the candidates brought forward by LREM, a considerable number belonged to the PS, which was abandoned in favour of the presidential party.³⁷¹ As per the presidential ones, the legislative elections resulted in extremely polarising outcomes: in fact, out of the 577 seats of the National Assembly, LREM gained a total of 308 seats which, combined with the MoDem – a centre-right party which was founded to succeed the UDF and that had rallied around LREM – total number of 42 seats, rendered an astonishing presidium of 350 deputies for the presidential majority.³⁷² The right-wing group, composed by The Republicans, Union of Democrats and Independents, and Miscellaneous right came

³⁷⁰ Translation

³⁷¹ MR, W. G. É. P. (2017, April 26). *Élections législatives : un comité d'investiture déjà à l'oeuvre dans le camp d'En Marche!* Europe 1. <https://www.europe1.fr/politique/elections-legislatives-un-comite-dinvestiture-deja-a-loeuvre-dans-le-camp-den-marche-3311846>

³⁷² Ministère de l'Intérieur. (2017, June 11 & June 18). *Résultats des élections législatives 2017*. Archives du Ministère de l'Intérieur. <https://www.archives-resultats-elections.interieur.gouv.fr/resultats/legislatives-2017/FE.php>

second place, gaining a total of 136 seats³⁷³: the other parties were left with 91 seats, and 46 of them went to the Parliamentary left, composed by the Socialist Party, Miscellaneous left, Radical Party of the Left. Jean-Luc Melenchon's part, *La France Insoumise*, gained merely seventeen seats.³⁷⁴ The new composition of the Assembly gave away a prominent alignment with the President, who could then nominate one of his people as Prime Minister. Interestingly enough, the choice fell upon Edouard Philippe, who was not a member of LREM, but of the Republicans.

The first domestic policies of the Macron presidency were adherent to his electoral programme. Firstly, an extensive reform of the labour market was implemented. Macron aimed to enhance flexibility by introducing changes to collective bargaining, streamlining hiring processes, and facilitating employee transitions. These measures were driven by the belief that a more adaptable labour market would stimulate economic growth and competitiveness, an issue that had plagued many of the administrations before, especially since the 2008 recession.³⁷⁵ And, as many observers noted, this was the first step towards the rusting of Macron's popularity. First of all, the labour reform set out plans that include greater focus on internal labour negotiations between the employers and the workers, in a way that implied that they would be free to do so within the boundaries of a single company, and that in case of economic difficulties such as a recession, simplified negotiations between employees, unions and employers would take place. Secondly, the new labour provisions regarded cutting the costs by regrouping the health, safety, and work councils in firms with more than fifty employees – a move than largely benefitted the boards. Thirdly, and this is the point which caused more controversy, in case of unjust a termination, a company must pay damages based on a prescribed scale, commencing at three months' salary for every two years of service. prior to the reform, each professional sector had its own guidelines for such events, often leading to substantial and “mass” payments through arbitration, a condition that most companies found unpredictable and inconvenient. Another key point of the reform was the introduction of the arbitrary duration of the contracts for each sector, as opposed to decided by national law.³⁷⁶ The substantial consequence of the reform, i.e., the facilitation of firms to fire and hire staff on a cheaper level, were not well met by the public opinion. Towards the end of summer 2017, unions, associations and citizens in general took the streets to protest against the labour law³⁷⁷, especially towards at the beginning of September.

Nonetheless, the National Assembly and the Senate approved the project of the law, and the labour law was signed towards the end of September 2017.³⁷⁸ As mentioned above, this was the first step that Macron moved in the direction of turning the French people nose's up. The contents of the reform were not the only factors that contributed to such occurrence: another issue that the labour reform failed was the fact that it was

³⁷³ Idem

³⁷⁴ Idem

³⁷⁵ Vinocur, N. (2017, September 13). *5 key points from Macron's big labor reform*. POLITICO. <https://www.politico.eu/article/macron-labor-reform-5-key-points/>

³⁷⁶ Idem

³⁷⁷ BBC News. (2017, September 22). *France's Macron signs labour reforms in law, defying protests*. BBC News. <https://www.bbc.com/news/world-europe-41358850>

³⁷⁸ Idem

mostly discussed and negotiated in public. The reason for this secrecy was to prevent Jean-Luc Mélenchon and Marine Le Pen, and their far-left and far-right factions, from becoming more vocal in their criticism. Even though he has chosen not to collaborate with unions, Mélenchon in particular had the opportunity to draw sizable crowds to demonstrations, which was not desired by the government and the Elysée.³⁷⁹

Other criticisms were met in the sour handling of the fight of terrorism. The law of October 30th, 2017, raised concerns related to the powers, given to prefects, to establish protection perimeters similar to those in the state of emergency, regulating access, circulation, and parking within areas deemed at risk of terrorist acts; and, even more controversially, the prefect has the faculty to decide to close places of worship for promoting or provoking terrorism for a maximum of six months.³⁸⁰ This, given the Islamic nature of the Paris and Nice attacks, fell especially on mosques. Other provisions of the law included an increased regime of surveillance on borders, on wireless communications (operated by the intelligence services), on electronic devices by declaring subscription numbers and technical identifiers for electronic communication, and the imposition of surveillance measures on individuals posing a serious threat to public security, including restricting their movement within a specified geographic area.³⁸¹ Soon enough, some of the measures implemented faced harsh criticism, especially because of concerns regarding civil liberties. UN Special Rapporteur Fionnuala Ní Aoláin stressed her preoccupation with a potential erosion of fundamental rights with the pretences of acting under the emergency powers³⁸² (the law of October 2017, went to replace the State of Emergency that had been declared by President Hollande after the 2015 attacks). “Exceptional powers are not meant to be made permanent” Ní Aoláin argued “and doing so places a grave burden on the full enjoyment of human rights by all citizens equally and may undermine the very spirit of the rule of law.”³⁸³ Furthermore, she continued on arguing that France had, indeed “a deep reservoir of capacity in its ordinary law and within the four corners of its constitution which should be fully and completely engaged, before resort to the permanent exception is made an integral part of ordinary law.”³⁸⁴

Also, the risk of abuse of powers was concrete. One striking example was represented by the fact that, under the State of Emergency, prefects had largely made use of their powers to arbitrary searches: about 5,000 prefectural orders, which could last up to 24 hours, were issued between July 2016 and November 2017, the month the state of emergency ended, allowing these inspections, raising suspicions on the true effectiveness of such measures.³⁸⁵ So much that, on December 2017, the Conseil Constitutionnel declared that the identity

³⁷⁹ Vinocur, N. (2017a, September 1). *Emmanuel Macron faces down French sacred cow*. POLITICO.

<https://www.politico.eu/article/emmanuel-macron-faces-down-french-sacred-cow/>

³⁸⁰ *Loi n° 2017-1510 du 30 octobre 2017 renforçant la sécurité intérieure et la lutte contre le terrorisme (2017)*. Journal Officiel de la République Française. <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000035932811/>

³⁸¹ Idem

³⁸² Aoláin, F. N. (2017, December 14). *France: The dangers of permanent Emergency Legislation - Just security*. Just Security.

<https://www.justsecurity.org/45263/france-dangers-permanent-emergency-legislation/>

³⁸³ Idem

³⁸⁴ Idem

³⁸⁵ Pascual, J. (2017, December 2). *Les contrôles d'identité et les fouilles de l'état d'urgence déclarés contraires à la Constitution*. Le Monde.fr. https://www.lemonde.fr/police-justice/article/2017/12/01/les-contrôles-d-identite-et-les-fouilles-de-l-etat-d-urgence-declares-contraires-a-la-constitution_5223038_1653578.html

checks and searches were “unconstitutional”.³⁸⁶ As we have mentioned above, the instance on the closure of places of worship, while not specifically targeting the Muslim communities across France, de facto was implemented mostly on Mosques. For example, at the beginning of 2018, the As-Sounna mosque in Marseille, under the accusation of extremism due to the fact that a considerable number of its members had joined the Iraqi Syrian zones of combat. Other accusations were related to alleged hate messages spread during the of the Imam, who also faced the threat of expulsion.³⁸⁷ The lawyers of the As-Sounna responded by pointing at the “extremely extensive” reading of the law of October 30th.

In 2018, the once regarded as a dynamic and transformative leader further faced a decline in popularity, with the partial lifting of ISF, the solidarity tax on wealth – which had gained him the nickname of “the rich’s president”³⁸⁸, and the proposal of a fuel tax which met the high resistance of the new born social movement of the gilet jaunes.³⁸⁹ With their *rondpoints* protests and vast following, the group exercised enough pressure to force the government to put the tax aside. However, Macron’s popularity which was unexpectedly turned around with the tragic events of the Notre Dame fire of 2019: after the devastating fire, the President started a fundraising effort that raised hundreds of millions of dollars to restore and reconstruct the famous Parisian landmark.³⁹⁰

Another challenge was posed by the SARS-COVID 19 pandemic that spread in 2020. In the wake of the spread of the virus in the Europeans countries such Italy, who was among the first to go on lockdown, Macron implemented strict nationwide lockdown measures to contain the spread of the virus, emphasizing the importance of social distancing and individual responsibility. In his allocution of March 12th, 2020, he took the stand to announce the measures, and to invite the citizen collectively to respect the rules and to protect the fragile categories, as well as addressing the need for European measures. The discourse was not free from nationalist stances, especially when it comes to the market regulations and certain sectors.

“Ce que révèle d'ores et déjà cette pandémie, c'est que la santé gratuite sans condition de revenu, de parcours ou de profession, notre Etat-providence ne sont pas des coûts ou des charges mais des biens précieux, des atouts indispensables quand le destin frappe. Ce que révèle cette pandémie, c'est qu'il est des biens et des services qui doivent être placés en dehors des lois du marché. Déléguer notre alimentation, notre protection, notre capacité à soigner notre cadre de vie au fond à d'autres est une folie. Nous devons en reprendre le contrôle, construire plus encore que nous ne le faisons déjà une France, une Europe souveraine, une France

³⁸⁶ Idem

³⁸⁷ Vincent, E. (2018, January 31). *La fermeture d'une mosquée salafiste marseillaise confirmée par le Conseil d'Etat*. Le Monde.fr. https://www.lemonde.fr/police-justice/article/2018/01/31/la-fermeture-d-une-mosquee-salafiste-marseillaise-confirmee-par-le-conseil-d-etat_5249810_1653578.html

³⁸⁸ Willsher, K. (2019, March 20). *Macron scraps fuel tax rise in face of gilets jaunes protests*. The Guardian. <https://www.theguardian.com/world/2018/dec/05/france-wealth-tax-changes-gilets-jaunes-protests-president-macron>

³⁸⁹ Idem

³⁹⁰ Ray, M. (2024, January 30). *Emmanuel Macron*. Encyclopedia Britannica.

et une Europe qui tiennent fermement leur destin en main. Les prochaines semaines et les prochains mois nécessiteront des décisions de rupture en ce sens. Je les assumerai.”³⁹¹

“What this pandemic has already shown is that free healthcare, regardless of income, background or profession, and our welfare state, are not costs or burdens but precious assets, indispensable when fate strikes. What this pandemic reveals is that there are goods and services that must be placed outside the laws of the market. It is madness to delegate our food, our protection, and our ability to care for our living environment to others. We must regain control, and build a sovereign France and a sovereign Europe, a France and a Europe that are firmly in control of their own destiny. In the coming weeks and months, we will have to take groundbreaking decisions in this direction. I will take them.”³⁹²

In other words, Macron declared that France was at war. The President, shortly after the national allocution, declared a stringent complete lock-down that would take effect on March 18.³⁹³ In the first instance, the government rolled out comprehensive economic support packages to mitigate the socio-economic impact of the pandemic, particularly on businesses and workers. Macron prioritized scientific expertise, frequently consulting with health officials and experts, and maintained transparent communication with the public through regular addresses, updating citizens on the evolving situation and government responses. Additionally, under his leadership, France actively participated in international collaborations, contributing to research efforts and vaccine development initiatives. This was not put into practice without controversy. Political decisions were made quickly, even too quickly according to part of the public opinion, which also meant that interested parties were not consulted or the decision-making process was not transparent. After the first lock-down ended on May 11, 2020, there were calls for increased accountability for the government's actions during the pandemic's initial wave.³⁹⁴

Furthermore, the lift of the strict lockdown and the introduction of the Pass Sanitaire provoked a high level of malcontent in France. Notably, a proper social movement was established, as the gilet jaunes already was, contesting the new rules for social life. The Pass Sanitaire was a QR given with first or second dose vaccines, or a negative COVID test not over the 24 hours.³⁹⁵ Such document was required for access to certain

³⁹¹ Elysée. (2020, March 12). *Adresse aux Français, 12 mars 2020*. Élysée. <https://www.elysee.fr/emmanuel-macron/2020/03/12/adresse-aux-francais#:~:text=Je%20veux%20aussi%2C%20ce%20soir,col%3%A8re%2C%20ni%20%20C%3%A0%20la%20panique>.

³⁹² Translation

³⁹³ Or, Z., Gandré, C., Durand Zaleski, I., & Steffen, M. (2022). *France's response to the Covid-19 pandemic: between a rock and a hard place*. *Health economics, policy, and law*, 17(1), 14–26. <https://doi.org/10.1017/S1744133121000165>

³⁹⁴ Idem

³⁹⁵ « *Pass sanitaire* » : *toutes les réponses à vos questions* | gouvernement.fr. (n.d.). [gouvernement.fr. https://www.gouvernement.fr/actualite/pass-sanitaire-toutes-les-reponses-a-vos-questions](https://www.gouvernement.fr/actualite/pass-sanitaire-toutes-les-reponses-a-vos-questions)

venues and activities, such cultural and leisure venues, restaurants, gyms, and so on. The overall goal of the Pass Sanitaire was to encourage vaccination and create safer environments in settings where the risk of virus transmission was deemed higher. The rise of the anti-pass movements was confusing for the French political class. Not only because, much as the gilet jaunes, it was a horizontal movement without proper leadership, but also because many opposition parties sought this general malcontent as a political opportunity to gather more and more disillusioned *macronists* – an example certainly represented by the former member of LREM, Florian Philippot, who participated actively in the protests.³⁹⁶

In October 2020, the second COVID wave hit Europe, and France as well: the French government faced mounting pressure to address a significant surge in COVID-19 cases and hospitalizations, which resulted in a renewal of the stringent measures, now in the shape of curfew hours as early as 9 pm, in order to avoid contagions due to social activities. Despite these efforts, cases continued to rise, leading to a nationwide lockdown announced on November 4, 2020, lasting for one month. Unlike the previous lockdown, essential services remained open, and the government proved to be more flexible for work conditions, especially when it came to remote working, allowing commuting only under specific circumstances. Supportive measures for small suffering businesses of approximately €20 billion were introduced to alleviate their economic strain, also acknowledging their anger and distress.³⁹⁷

Nonetheless, President Macron declared his intention of continuing the line of the pension reforms. As we have had the opportunity to observe in the previous chapter, the rise of national debt for France was largely correlated to the pension system, and the president had already laid his eyes on a possible reform already in his electoral program of 2017: in the document, *En Marche!* had advocated for the end of injustices in the pension systems.³⁹⁸ However, the president had also promised not to modify the age of pension, which, as we will see shortly, would prove to be an unattained promise. The COVID pandemic had slowed down the pension reform, but in 2021, talks were again on the table. The original proposal, prior to the pandemic, did not raise the 62-year-old legal retirement age; instead, it would have replaced 42 distinct pension schemes with a universal, points-based system that offered incentives to retire later – a change not welcomed by unions, and which had provoked public demonstrations that were stopped by the lockdown measures of 2020.³⁹⁹ Still, the call for a revival of the reform coincided conveniently with the preparation of the 2022 presidential elections, and Macron left unclear the frame of the reform.

The 2022 presidential elections were depressingly lowly participated, and highly influenced by the Russian invasion of Ukraine at the beginning of the same year. Confronted once again with Marine Le Pen, Macron saw a rise in preferences between the electors – and the public opinion in general – because of

³⁹⁶ Mestre, A., & Laurent, S. (2021, September 4). *Les anti-passe sanitaire, un mouvement d'opposition aux multiples visages*. Le Monde.fr. https://www.lemonde.fr/politique/article/2021/09/04/les-anti-passe-sanitaire-un-mouvement-proteiforme-sans-leader_6093368_823448.html

³⁹⁷ Or, Z., Gandré, C., Durand Zaleski, I., & Steffen, M. (2022). *France's response to the Covid-19 pandemic: between a rock and a hard place*. Health economics, policy, and law, 17(1), 14–26. <https://doi.org/10.1017/S1744133121000165>

³⁹⁸ *En Marche!* (2017). *Programme Emmanuel Macron*.

³⁹⁹ Rfi, S. E. W. (2021, July 13). *Macron to revive controversial pension overhaul once Covid is under control*. RFI. <https://www.rfi.fr/en/france/20210713-macron-to-revive-controversial-pension-overhaul-once-covid-is-under-control>

Macron's talks with Putin, which gave away an idea of president committed to peace,⁴⁰⁰ and because of Le Pen's past approval comments towards the Russian Federation president.⁴⁰¹ The negative covering of the National Front packaged the 2022 elections in the shape of "the most unexciting presidential election in living memory", as commented by Pierre Haski.⁴⁰² Predictably, Macron won, but with a less poignant majority than in 2017: in fact, his victory was granted by 58,55% of the suffrages expressed, while Le Pen gained 41,45%.⁴⁰³ It should be remarked, however, that the 2022 elections were among the less participated in the history of the Fifth Republic, with turnout rates going as low as 38,52%.⁴⁰⁴ A win is a win, but in this case, it was a sour one, given the harsh difference between the numbers of the first elections. Furthermore, one month into Macron II, the legislative elections took place, and confirmed the declining trend of the president's approval. In fact, the Ensemble regrouping Renaissance (new name of LREM), the Democratic Movement, Horizons, the Radical Party, *En Commun*, the Progressive Federation and the Republican Refoundation, only gained a total of 245 seats, 105 less than in the 2017 legislative elections.⁴⁰⁵

The Macron II was not born under lucky stars, and it is proven by the numerous challenges faced by the President and by the cabinet lead by Élisabeth Borne, the first one being the lack of an Assembly majority, which posed an absolute novelty for a political asset without cohabitation. Furthermore, the failure to secure a parliamentary majority resulted in Borne, who was already in office at the time of the legislative elections, resigning her role in order to be re-appointed, an unwritten rule that had been largely used since the birth of the Fifth Republic – but her resignations were dismissed, and Macron urged her to reshuffle the government instead, successfully giving France's politics a new first. On her *politique Générale* address after the legislative elections and the minority government formation, Borne addressed this issue, as well as the plague of abstention.

“Ensemble, nous répondrons à l'écho de l'abstention. Elle est le signe d'une démocratie malade, d'un désarroi de la jeunesse, d'une perte de confiance dans notre capacité à changer des vies. Ensemble, nous répondrons à la demande d'action.

⁴⁰⁰ Schofield, B. H. (2022, March 19). *French elections: Putin's war gives Macron boost in presidential race*. BBC News. <https://www.bbc.com/news/world-europe-60793320>

⁴⁰¹ Jack, V. (2022, February 26). *Putin's European pals have to eat their words*. POLITICO. <https://www.politico.eu/article/vladimir-putin-european-pals-eat-their-words-marine-le-pen-eric-zemmour-matteo-salvini-milos-zeman-alex-salmond-gerhard-schroder-boris-johnson-jean-luc-melenchon-francois-fillon-viktor-orban/>

⁴⁰² Schofield, B. H. (2022). *Putin's war gives Macron boost in presidential race*. BBC News.

⁴⁰³ Ministère de l'Intérieur. (2022, April 10 & April 24). *Résultats de l'élection présidentielle 2022*. Mobile Interieur. [https://mobile.interieur.gouv.fr/Elections/Les-resultats/Presidentielles/elecresult__presidentielle-2022/\(path\)/presidentielle-2022/FE.html](https://mobile.interieur.gouv.fr/Elections/Les-resultats/Presidentielles/elecresult__presidentielle-2022/(path)/presidentielle-2022/FE.html)

⁴⁰⁴ Martin, C. (2022, April 24). *Extrême droite au plus haut, abstention record depuis 1969. . . Les enseignements du second tour*. BFMTV. https://www.bfmtv.com/politique/elections/presidentielle/extreme-droite-au-plus-haut-abstention-record-depuis-1969-les-enseignements-du-second-tour_AN-202204240483.html

⁴⁰⁵ Ministère de l'Intérieur. (2022, June 12 & June 19). *Résultats des élections législatives 2022*. Archives du Ministère de l'Intérieur. <https://www.archives-resultats-elections.interieur.gouv.fr/resultats/legislatives-2022/index.php>

*C'est celle qui s'exprime le plus fortement dans le vote des Français. Nous ne pouvons pas décevoir. Ensemble, nous répondrons à l'exigence de responsabilité. Les Français ont élu une Assemblée sans majorité absolue. Ils nous invitent à des pratiques nouvelles, à un dialogue soutenu et à la recherche active de compromis. Le contexte nous oblige.*⁴⁰⁶

“Together, we will respond to the echo of abstention. It is the sign of a sick democracy, of disillusionment among young people, of a loss of confidence in our ability to change lives. Together, we can respond to the demand for action.

It is the demand that is most strongly expressed in the French vote. We cannot disappoint. Together, we will respond to the demand for responsibility.

The French have elected an Assembly without an absolute majority. They are calling on us to adopt new practices, to engage in sustained dialogue and to actively seek compromise.

The context obliges us.”⁴⁰⁷

This leads us to the present day. Differently from the previous presidents' chapter, we will not delve in the details of the foreign policy of Emmanuel Macron. Not because it is irrelevant – on the contrary, we have seen as the 2022 elections results have been severely impacted by international events. However, the main goal of this separate analysis of the presidential figure of Emmanuel Macron is to try and use the magnifying glass on the usage of his powers. Arguably, the Faustian parable of the semi-unknown young politician is one for the books, and many authors have debated on true nature of the French president – as we will see in the following section. What is certain, is that the usage of art.49 of the Constitution has, in recent times, as recent as the end of 2023, raised a lot of controversy.

We have mentioned the bane of the pensions reform, and 2023 sets the scene for the continuation of Macron's wishes. “Since we are living longer, we should work longer,” he declared in an interview in 2023, expressing his intention to increase the minimum retirement age to receive a full pension from 62 to 65 by 2031. But, since there are some contributions conditions to be fulfilled, this also means that for some categories of workers, the retirement age could go up to 67.⁴⁰⁸ The changes, already protested in 2019 before the pandemic hit, were then passed through the perilous channel of art.49. Already used by Borne for budget

⁴⁰⁶ Borne, É. (2022, July 6). *Déclaration de politique générale de Mme Élisabeth Borne, Première ministre, sur le pouvoir d'achat, le plein emploi, l'énergie, la nationalisation d'EDF, l'égalité des chances et la souveraineté, à l'Assemblée nationale*. Vie Publique. <https://www.vie-publique.fr/discours/285603-declaration-de-politique-generale-d-elisabeth-borne-06072022>

⁴⁰⁷ Translation

⁴⁰⁸ France 24. (2022, October 27). *French President Macron vows to raise retirement age to 65, up from 62*. <https://www.france24.com/en/france/20221027-french-president-macron-vows-to-raise-retirement-age-to-65-up-from-62>

bills⁴⁰⁹ - and making Borne's government undergo and survive two no-confidence motions – art.49 presented, and still presents a controversial point.

The use of Article 49-3 has been a source of tension and criticism in French politics. Critics argue that it can undermine the democratic process by limiting parliamentary discussion and excluding thorough examination of proposed legislation. It has often been employed during contentious reforms or when a government faces internal dissent, leading to accusations of avoiding democratic scrutiny.

The *raison d'être* of this provision, while noble in the intents, was to speed up the legislative process. And, in the case of the pension system, the invoking of art.3 was, indeed, decided jointly by the President and his Prime Minister. So, on March 16th, 2023, just a few minutes before the promised vote on the reform bill was about to take place, Borne invoked the contents of art.49.3 in order to avoid the loss of the majority on the matter.⁴¹⁰ The retaliation was immediate. Many members of the National Assembly vocalized their dissent, singing *la Marseillaise*: then, the anger exploded on the streets of Paris first, and of the major French cities, giving birth to what would have become weeks, and then months of demonstration. Parties at the opposition also called for a removal of the government. In the following section, we will analyse Macron's leadership style, delving more into his exercise of authority, as well as what it constitutes now for France and what it could mean for the future at the end of his *quinquennat* in 2027.

⁴⁰⁹ France 24. (2022, October 24). *French govt survives no-confidence votes after forcing through budget*. <https://www.france24.com/en/economy/20221024-french-govt-survives-no-confidence-votes-after-forcing-through-budget>

⁴¹⁰ Plummer, B. H. S. & R. (2023, March 16). *France pension protests: Clashes after Macron orders rise in pension age without vote*. BBC News. <https://www.bbc.com/news/world-europe-64984374>

6.2 “You elect me, I decide, you shut up”⁴¹¹: a diptych

6.2.1 Non, je ne retraite rien

The exercise of extraordinary powers exemplifies Emmanuel Macron's challenging situation in the legislature, as argued by the Guardian.⁴¹² Not because other presidents – or Prime Ministers on their behalf – had never resorted to them. In fact, art.49 was used a total of a hundred and twelve times (responsibility engagement), with eighty-two motions of no confidence since 1958.⁴¹³ However, for the popular president who made great use of his personal image, the resort to the bill passing without vote betrays the anxious feeling of the Elysée, especially because, as we mentioned in the previous section, this decision was imposed on the National Assembly with little to no notice. This relates to the build up to March 16th, and the votes of no confidence towards the government that were yes, survived, but merely. One, supported by the moderate and left-leaning faction, resulted in 278 favourable votes, just 9 short of the 287 needed to pass. Only 94 deputies voted in favour of a different motion that was sponsored by the National Front.⁴¹⁴

The events of March 16th also plummeted in an escalation of the public dissent, ill-received by the police. The thousands of people that had gathered in Paris to protest the reform were met by tear gas and water cannons, further aggravating the anger of the protesters.⁴¹⁵ On that same night only, 217 people were arrested by the police and interrogated under the accusation of causing damage.⁴¹⁶ The public outcry was strong, loud, and went to the extent of calling out the president personally, with images of the guillotine prevailing in the signs, thus perpetrating the narration of Macron as a monarch.⁴¹⁷

The foreign press caught up quickly on the protests in France. Among the commentaries, the Spanish newspaper *El País* discussed the democratic issue with art.49, and how the pension reform was not anymore, the centre of the revendication of the protesters: now, the anguishes of the people were addressed to the

⁴¹¹ Cohen, R., & Alderman, L. (2023, March 25). *French anger shifts from pension law to focus on Macron*. The New York Times. <https://www.nytimes.com/2023/03/24/world/europe/france-macron-crisis.html>

⁴¹² Chrisafis, A. (2023, March 16). *Why are pensions such a political flashpoint in France?* The Guardian.

<https://www.theguardian.com/world/2023/mar/16/why-are-pensions-such-a-political-flashpoint-in-france-macron>

⁴¹³ Assemblée nationale. (n.d.). Assemblée nationale. Assemblée Nationale. <https://www.assemblee-nationale.fr/dyn/decouvrir-l-assemblee/motions-de-censure-depuis-1958>

⁴¹⁴ Ray, M. (2024, January 30). *Emmanuel Macron*. Encyclopedia Britannica.

⁴¹⁵ Le Monde. (2023, March 16). *French pension reform: Angry protesters assemble in Paris after government bypasses vote*.

https://www.lemonde.fr/en/france/article/2023/03/16/french-pension-reform-angry-protesters-assemble-in-paris-after-government-bypasses-vote_6019631_7.html

⁴¹⁶ Idem

⁴¹⁷ Cohen, R., & Alderman, L. (2023, March 25). *French anger shifts from pension law to focus on Macron*. The New York Times. <https://www.nytimes.com/2023/03/24/world/europe/france-macron-crisis.html>

democracy they felt that was being threatened by the imposition of the pension bill.⁴¹⁸ Other international commenters expressed concern over the handling of the protest, especially for the escalation of violence between the demonstrators and the police. In particular, the New York Times illustrated how the cities became more and more concerned with perils after nightfall.⁴¹⁹ The protests took over the spring as well as the summer, and the Trade Unions as well took the occasion to make their voices heard. Especially Laurent Berger, the general secretary of the French Democratic Confederation of Labour (CFDT), called upon the President to negotiate with the Unions and with the workers. As reported by the New York Times, Berger mentioned a “verticality”⁴²⁰ of Macron’s presidency. It was, indeed, a choice of wording that relates to the growing perception that Macron was in a sense betraying the democratic, representational vocation of the Fifth Republic, as the expression “verticality of power” usually refers to a hierarchical structure where power and decision-making authority are concentrated at the top of a government.

6.2.2 Machiavellian, Machiavellian’t – on Macron’s personal leadership’s style

We should turn back time to 2017, when the popularity and authority of Macron skyrocketed with an impressive speed. According to Lefebvre, Macron has been branded as “Machiavellian” ever since he stepped out of the shadow of Hollande’s presidency.⁴²¹ To say that someone is Machiavellian, is to pay homage, with a side of moral critique, to their political intelligence: the Cambridge Dictionary defines this attribute as belonging to someone “using clever but often dishonest methods that deceive people so that you can win power or control”.⁴²²

In “Macron Unveiled” Lefebvre argues that carrying such stamp is almost a tradition for French presidents – especially for those who are re-elected, thus being a privilege “and a mark of respect for his intelligence and political skills for Macron to be associated with these two successful presidents. It is better than being called ‘small-minded Machiavellis,’ as ex-President Sarkozy and Hollande were in 2016”.⁴²³ Fairly speaking, the unexpected rise to stage of Emmanuel Macron branded him also as unexperienced, and undermined his credibility, and such stance was taken by many satirical commentaries. But France in 2017

⁴¹⁸ Bassets, M., Bassets, M., & Bassets, M. (2023, March 26). *La cólera contra Macron se amplía y se radicaliza*. El País. <https://elpais.com/internacional/2023-03-26/la-colera-contra-macron-se-amplia-y-se-radicaliza.html#>

⁴¹⁹ Cohen, R., & Alderman, L. (2023, March 25). *French anger shifts from pension law to focus on Macron*. The New York Times. <https://www.nytimes.com/2023/03/24/world/europe/france-macron-crisis.html>

⁴²⁰ Idem

⁴²¹ Lefebvre, A. (2023). *Macron Unveiled* (1st ed.). Histria Books. [1]

⁴²² Cambridge Dictionary. (n.d.). *Machiavellian*. In Cambridge English Dictionary. Retrieved February 6, 2024, from <https://dictionary.cambridge.org/dictionary/english/machiavellian>

⁴²³ Lefebvre, A. (2023). *Macron Unveiled* (1st ed.). Histria Books. [1]

was tired of the classic politicians, the ones with the long and exposed careers: a political ideotype that had oversaturated the political scenario. The fact that Macron was a new face, was an asset for him, and as history has proved, it made him win by far the presidential elections on his first try.

The shiny wheels of the new president rusted within a year. In October 2018, Alexander Benalla, at the time security officer and deputy chief of staff to Macron, the perfect embodiment of the Macronian success story, was at the centre of a scandal after a footage emerged showing him violently assaulting protesters during May Day demonstrations in Paris. What exacerbated the scandal was the revelation that Benalla was wearing police equipment during the altercation, despite not being a police officer himself. The scandal deepened when it became apparent that senior officials within Macron's administration, including members of his cabinet, were aware of Benalla's actions but failed to take appropriate disciplinary measures. Instead, Benalla was initially given a mere two-week suspension and was allowed to return to his duties. As the scandal gained more and more publicity, it sparked widespread outrage and accusations of a concealment within the Macron administration: critics accused Macron of failing to uphold transparency and accountability in his government, as well as demonstrating favouritism towards Benalla, who was perceived as having close ties to the president.⁴²⁴ Benalla was also entrenched in other scandals involving the inappropriate usage of diplomatic passports after being fired by Macron in 2018.

In fact, the Benalla scandals forced the president to reshuffle completely his communication staff, and, to make matters more *louche*, he did not decide to address the issues via television exploiting his telegenic nature, but rather a political meeting of LREM organised a few days after the leakage of the scandal, during which he assumed the full responsibility for the scandalous events. This not only gave opportunity to his opposers, but tarnished the public opinion on the president: slowly, as written works were published on the Benalla Scandal, and news on tensions in the Elysée palace (especially regarding Macron's wife, Brigitte, and the presidency communications, as well as between the couple itself), it was argued that the lack of political expertise was showing. "The Benalla scandal showed that far from being the mastermind who has read Machiavelli and was a genius of politics, Macron began his five-year term with a dose of naivety and has suffered from his dramatic lack of experience"⁴²⁵ Lefebvre writes, and goes on to say that "For those looking today for weaknesses in the French President, it is sufficient to say that he is the only President since de Gaulle who has had to weather so many storms, with a political scandal with Benalla, a national revolt with the Yellow Jackets, and a pandemic with COVID-19. But, he survived, and his popularity has since gone up again. He was naïve. He has become harder. (...) He was not a politician, but he learned fast in the brutal French political world. His predecessors Sarkozy and Hollande finished their presidency worn out and unpopular. Macron is not."⁴²⁶

True to be told, the overhaul of the pension reform is threatening these provisions. Many have already speculated, especially from the opposition, that Macron would be the pinnacle of a functioning yet flawed

⁴²⁴ *Idem*, p.8

⁴²⁵ *Ibid.*

⁴²⁶ *Ibid.*

system. “This is the Fifth Republic, created for General de Gaulle in the 1950s as what the chief draughtsman of its constitution described as a “Republican monarchy”⁴²⁷: France historian Robert Tombs, to cite one example, used this phrase to identify the true nature of France’s presidential system.

The Machiavellian scheme – or what tried to be such – put into place in the first year of the Macron Presidency slowly faded when confronted with the reality of things. Especially, when confronted with the people of France, and the insurgence of different groups such as the aforementioned Gilet Jaunes. What is argued, however, that the acts of the Macron government are going in the total opposite of what promised in the campaign, as mentioned, for example, how in his first electoral program the idea of raising the retirement age was far from being mentioned. If it was in the original plans all along, and if LREM just chose not to acknowledge it or declare it, it is impossible to discern. What is possible to observe, however, is that his figure is being progressively more associated with monarchy ideals, which might almost seem impossible given the premises of LREM. Not that out of character when taking into account the highly personalisation of the politics that the inaugural speech of 2017 exuded. The turmoil of the public perception of Macron is perfectly explained by POLITICO: “This [the 2023 anger feelings] is partly Macron’s own fault. He promised a consensual, bottom-up approach, cutting out the vested interests and frozen thinking of political parties and trades unions. He has ended up imposing, almost by edict, a fairly modest pension reform that is rejected by the vast majority of voters and misrepresented (successfully) by the trades unions and the opposition parties that he hoped to marginalize.”⁴²⁸

⁴²⁷ Tombs, R. (2023, March 24). *Macron is finally facing his reckoning with history*. The Telegraph. <https://www.telegraph.co.uk/news/2023/03/24/macron-finally-facing-reckoning-history/>

⁴²⁸ Lichfield, J. (2023, March 18). *Has Emmanuel Macron broken France?* POLITICO. <https://www.politico.eu/article/emmanuel-macron-france-politics-pension-reform-elisabeth-borne/>

6.3 Macron or art.49: a gateway for authoritarianism?

When Charles de Gaulle imagined the 1958 Constitution, he did so with one thing in mind: the newborn text should have prevented the weakness of the Fourth Republic. It should have ruled over the lack of political consistency and cohesion with parties often prioritizing narrow interests over national unity, leading to congestion and inefficiency; it should have overlooked the Parliamentary instability caused by party hyper-fragmentation with small and medium-sized parties competing for power and the subsequent changes in government through parliamentary manoeuvres such as votes of no confidence and coalition collapses. The Fifth Republic had to overcome its evident flaws. The Fifth Republic, simply put, had to work better.

For this reason, institutions had to work more smoothly, and the blockage of the Fourth Republic would have to be bypassed in some way. As we have illustrated in Chapter 2, in the section dedicated to the 1958 Constitution, various provisions were included in the constitutional text: among such provisions was the strengthening of executive authority, notably through the empowerment of the presidency and its legitimacy through popular and universal vote. Unlike the Fourth Republic, where executive power was largely ceremonial, the Fifth Republic centralized authority in the presidency, granting it significant decision-making powers and the ability to appoint the prime minister and dissolve the National Assembly.

Art. 49

“Le Premier ministre, après délibération du conseil des ministres, engage devant l'Assemblée nationale la responsabilité du Gouvernement sur son programme ou éventuellement sur une déclaration de politique générale.

L'Assemblée nationale met en cause la responsabilité du Gouvernement par le vote d'une motion de censure. Une telle motion n'est recevable que si elle est signée par un dixième au moins des membres de l'Assemblée nationale. Le vote ne peut avoir lieu que quarante-huit heures après son dépôt. Seuls sont recensés les votes favorables à la motion de censure qui ne peut être adoptée qu'à la majorité des membres composant l'Assemblée. Sauf dans le cas prévu à l'alinéa ci-dessous, un député ne peut être signataire de plus de trois motions de censure au cours d'une même session ordinaire et de plus d'une au cours d'une même session extraordinaire.

Le Premier ministre peut, après délibération du conseil des ministres, engager la responsabilité du Gouvernement devant l'Assemblée nationale sur le vote d'un projet de loi de finances ou de financement de la sécurité sociale. Dans ce cas, ce projet est considéré comme adopté, sauf si une motion de censure, déposée dans les vingt-quatre heures qui suivent, est votée dans les conditions prévues à l'alinéa précédent. Le Premier ministre peut, en outre, recourir à cette procédure pour un autre projet ou une proposition de loi par session.

*Le Premier ministre a la faculté de demander au Sénat l'approbation d'une déclaration de politique générale.*⁴²⁹

“The Prime Minister, after deliberation by the Council of Ministers, commits the Government before the National Assembly on its programme or possibly on a declaration of general policy.

The National Assembly questions the Government's responsibility by voting on a motion of censure. Such a motion is only admissible if it is signed by at least one tenth of the members of the National Assembly. The vote can only take place forty-eight hours after it has been tabled. Only votes in favour of the motion of censure are counted and it may only be adopted by a majority of the Members of the Assembly. Except in the case provided for in the paragraph below, a Member may not sign more than three motions of censure during the same ordinary session and more than one during the same extraordinary session.

The Prime Minister may, after deliberation by the Council of Ministers, commit the responsibility of the Government before the National Assembly for the vote on a Finance Bill or a Social Security Financing Bill. In this case, the Bill is deemed to have been adopted, unless a motion of censure, tabled within the following twenty-four hours, is passed in accordance with the conditions set out in the previous paragraph. The Prime Minister may also use this procedure for one other bill or proposed law per session.

The Prime Minister may ask the Senate to approve a statement of general policy.”⁴³⁰

⁴²⁹ French Constitution. (1958). *Constitution de la République française*, art.49

⁴³⁰ Translation

De Gaulle's vision for the Fifth Republic emphasized strong executive leadership and a robust presidency capable of asserting authority over the legislative branch: and art.49(3) provided the perfect mechanism for the government to overcome parliamentary opposition and push through its agenda, reflecting de Gaulle's desire for decisive governance and the ability to enact reforms without being stymied by legislative obstacles. Not surprisingly, Charles De Gaulle strongly advocated for the primacy of the presidential role. In the press conference of January 31st, 1964, he exposed his views on the functioning of the institutions of France:

*“ (...) Le Gouvernement qui est celui du Président, est en même temps responsable devant le Parlement. Comment concilier cela? Répondons que le peuple souverain, en élisant le Président, l’investit de sa confiance. C’est là, d’ailleurs, le fond des choses et l’essentiel du changement accompli.”*⁴³¹

“The Government, which is that of the President, is at the same time accountable to Parliament. How can this be reconciled? The answer is that the sovereign people, by electing the President, invest him with their confidence. This is, moreover, the essence of the matter and the essence of the change accomplished.”⁴³²

The primacy of the president, his accountability towards the Parliament, both these provisions go hand in hand, and the legitimacy given by the people seem to invest the President with a special aura of untouchability – or at least, tries to. If on one hand the provisions of art.49 were a significantly positive tool to enhance an untroubled course of politics, on the other hand, their contents could not correspond to the same nobility of intent. Could a scenario in which the Parliament, the representative organ of a State, is bypassed be considered truly democratic? The abuse of art.49 was impactful before its reform in 2008. To cite an example, Michel Rochard, prime Minister under the Presidency of Mitterrand, used the article a total of twenty-eight times during his mandate.

The Constitutional reform of 2008 that we cited in the previous chapter tried to put a band-aid on the leaking wound that the misuse of art.49, significantly restricting the cases in which it could have been considered applicable, even if this proposal was not received with the same amount of consensus by the left and the right. While initially united in their support for a constitutional overhaul, the 2008 revision exposed France's deep bipolar cleavage. MPs from the UMP emphasized the benefits of a strengthened National Assembly, praising its efficiency gains, while those from the SRC felt the reform did not enhance

⁴³¹ Karamanli, M. (n.d.). *Rapport n°3872, 15e législature: Rapport de la commission des lois sur la proposition de loi constitutionnelle de Mme Marietta Karamanli et plusieurs de ses collègues visant à établir un meilleur équilibre entre pouvoirs constitutionnels* (3486 rectifié). [Report]. Retrieved from [https://www.assemblee-nationale.fr/dyn/15/rapports/cion_lois/115b3872_rapport-fond]

⁴³² Translation

parliamentary dialogue. Despite differing perspectives, there was a general consensus that the reform had a limited but positive impact, particularly in committee work.⁴³³

The limitations of the usage of art.49(3) were basically as follows: the provisions of the vote of no confidence would have been applicable in cases of budgetary bills, and one chosen topic other than finances per session.⁴³⁴ This second clause is the written authorisation to do what PM Borne did in the National Assembly: and, certainly, the provisions of the articles, if enshrined, are perfectly legal. But legal do not always mean democratic, and article 49(3) presents various issues.

Firstly, by allowing the government to push legislation through without a vote, article 49(3) restricts the ability of parliamentarians to examine and amend proposed laws. This undermines the principle of legislative control and reduces the role of the National Assembly in the lawmaking process. While the constitution does not provide specifically for a scenario in which the President and the Prime Minister do what they please without a repercussion within the National Assembly, it gives little manoeuvre space for the opposition. The reason why the practical application of art.49(3) has received backlash since the first steps of the Constitution in 1958 is simple: the motion of confidence rarely passes, thus rarely dismissing the government, which, thanks to the 2003 reform, is almost always aligned with the president. To read it in a broad sense, the ministerial tool in this case is also a presidential tool. And, in the case of the pension system, the invoking of art.3 was, indeed, decided jointly by the President and his Prime Minister. Furthermore, it is also important to note that there are certain conditions in order to firstly present a motion of no confidence, which is that the motion must be endorsed by at least one-tenth of the Assembly's members; and secondly, that there is a required majority to fulfil successfully a no-confidence vote, i.e., the majority of the Assembly's members to vote in favour of it, with only affirmative votes counted⁴³⁵. The problem with this second point is, as reported live by the New York Times on March 16th, that “while President Emmanuel Macron’s left-wing and far-right opponents will gladly sign on to a no-confidence motion, many mainstream conservative lawmakers — even those who opposed the pension bill — are reluctant to topple the government.”⁴³⁶ This might have been, circumstantially speaking, because Macron was reported to threaten the dissolution of the National Assembly and the call to new elections in case of the voting out of his government.⁴³⁷

Secondly, the 2008 reform only partially remedied to the issues of art.49. Certainly, by narrowing the scope of its application, some boundaries were set: however, in reality, the second clause of the renewed article almost seems to nullify the reform as a whole. The possibility for the Prime Minister – and the President – to apply the overruling on a different topic than the State budget gives the executive more power than the reform probably meant to. By allowing the executive to impose its agenda without parliamentary approval, it

⁴³³ Costa, O., Schnatterer, T., & Squarcioni, L. (2013). *The French Constitutional Law of 23 July 2008 as seen by MPs: Working or Talking Parliament? The Journal of Legislative Studies*, 19(2), 261–277. <https://doi.org/10.1080/13572334.2013.787201>

⁴³⁴ *Loi constitutionnelle n° 2008-724 du 23 juillet 2008 de modernisation des institutions de la Ve République*.

⁴³⁵ Inter-Parliamentary Union. (n.d.). France: National Assembly - Control by parliamentary majority [Web page]. Retrieved from http://archive.ipu.org/parline-e/reports/CtrlParlementaire/2113_F1.htm

⁴³⁶ The New York Times. (2023, March 16). *France pension vote* [Live blog post]. Retrieved from <https://www.nytimes.com/live/2023/03/16/world/france-pension-vote>

⁴³⁷ Idem

concentrates power in the hands of the Prime Minister and undermines the principle of checks and balances inherent in a democratic system such as the 1958 Constitution wished to establish. What should be a triple headed system, with three branches of the state balancing each other on paper, could be on the verge of becoming not only a two-headed system, but a two against one scenario, not so different from the *États généraux* of the *Ancien Régime*. Certainly, the Fifth Republic, by definition, is not a monarchy, but the appellative reserved to the current president leave little space to the imagination when it comes to the people's feeling towards the implementation of measures such as these.

This leads us to the third point, which is the argument that the constitutional provision can be easily perceived as a way of undermining representation of the National Assembly: in bypassing the elected representatives' ability to vote on legislation, the usage of art.49(3) diminishes the deputies' role as representatives of the people and weakens the democratic legitimacy of the legislative process. To provide an example, we can think of the 2022 legislative elections, which witnessed the loss of parliamentary majority for Macron's party: but, even without a strong backing, the legislation proposed by the president passed. Hence, it does not come as a surprise that deputies of parties different from Macron's cried anti-democracy. Charles Courson, deputy of the National Assembly since 1993, commented in an interview what can be regarded as the summary of the opposition's opinion: "They are not just a minority in the National Assembly, they are a minority in the whole country. The denial of democracy continues."⁴³⁸ To elect a President gives them legitimacy that stems directly from the people, just as much as electing a Parliament. But, when the two popularly legitimate organs clash, with one prevailing on the other, the result is a legitimacy guillotined. Undoubtedly, the president still is the representation of the people's will – and preferences. But what if also this expressed preference is not completely genuine? We have observed how the 2022 presidential elections positioned themselves among the less participated elections since the birth of the Fifth Republic, with record abstention rates. Furthermore, the choice of many French people that on election day cast a ballot in favour of the incumbent president was strongly dictated by the risk of having a greater peril, i.e., the far-right of Le Pen. If anything, the usage of art.49(3) only confirmed something that was already evident at the beginning of the new decade: this attempt at dominance politics ultimately revealed a weakened president, unable to change the course of public opinion in France after losing a majority in parliament and facing low approval ratings.⁴³⁹ And, for a President that made his personal influence the gravitational centre of his politics, a weakening is not auspicious.

Commentators, protesters, and journalists all have, at some point, accused Macron of taking authoritarian turns: Le Monde wrote in July 2023 on the "authoritarian management"⁴⁴⁰, citing the words of historian Jean Garrigues, former supporter of Macron, who argued that the pension reform simply acted as the

⁴³⁸ Caulcutt, C. (2023, March 17). *Macron's defiant show of force in parliament exposes a weakened president*. POLITICO. <https://www.politico.eu/article/macron-invokes-nuclear-option-to-force-through-his-pensions-reform-in-huge-political-setback/>

⁴³⁹ Idem

⁴⁴⁰ Gatinois, C. (2023, April 24). *How France's intellectual left fell out of love with Macron*. Le Monde.fr. https://lemonde.fr/en/politics/article/2023/04/24/how-france-s-intellectual-left-fell-out-of-love-with-macron_6024036_5.html

catalyst for a disillusionment indicative of the political system's failures.⁴⁴¹ The Tribune deemed the way in which the reform was passed an “anti-democratic affront”.⁴⁴² The Guardian reported on the social media blockage measures, citing critics that have correlating the *hégaxone* to the not so democratic North Korea.⁴⁴³ This last matter was brought up in the summer of 2023, when the streets of Paris had been enflamed by riots and by protesters who set dumpsters on fire in sign of protest in the spring, and at the end of June after the killing of Nahel Merzouk, a 17-year-old that was stopped by the police while driving in the outskirts of Paris and shot fatally in broad daylight. While firstly being excused by the police as an act of necessity, when a footage of the incident surfaced on Twitter, showing the arbitrary nature of the killing, French society took the streets once again. This time, in even more angry way. “During earlier violence” the New York Times reported “rioters threw rocks and fireworks at riot police, who responded with tear gas. Protesters burned about 40 cars. A City Hall annex in Mantes-la-Jolie, a town west of Paris, was destroyed. And more than 30 people were arrested, according to the French authorities.”⁴⁴⁴ The protests went on for a week and gained their places among the major waves of unrest that defined Macron’s presidency, sitting beside the Gilets jaunes demonstrations in 2018 and 2019, and the strikes caused by the pension reforms. At the end of the week, more than 3,000 people had been arrested.⁴⁴⁵

During the agitations that welcomed July 2023, many French politicians blamed young people for the violences and the riots, leading President Macron to call for a suspension of social media platforms. While this was not intended as a general blackout, as clarified by Elysée officials, the comments of the president on the use of social media platforms to organise the riots were rather centred on their occasional and temporary suspension.⁴⁴⁶ General blackout or suspension, the suggestion of Macron does not compliment the jurisprudence of the *Conseil Constitutionnel*, who had not considered visiting a terrorist propaganda website as a criminal offence, thus declaring unconstitutional the punishing of this act⁴⁴⁷, and the international commitment that France has undertaken – notably, the OCSE, and every initiative to defend the rights of expression on the internet, as the official website of the French Ministry of Europe and Foreign Affairs reports.⁴⁴⁸ The blockage of social media never took place; hence we will never know how the National Assembly would have reacted, nor if the government would have tried to pass it again with art.49(3) and if it would have to be subject to a vote of no-confidence. But if one thing is certain, is that the people would have

⁴⁴¹ Idem

⁴⁴² Skomski, T., & Beauvalet, M. (2023, March). *Macron's authoritarian turn*. Tribune Magazine. <https://tribunemag.co.uk/2023/03/macrons-authoritarian-turn>

⁴⁴³ Willsher, K. (2023, July 9). *Macron accused of authoritarianism after threat to cut off social media*. The Guardian. <https://www.theguardian.com/world/2023/jul/05/french-government-should-control-social-media-during-unrest-macron-says>

⁴⁴⁴ Breeden, A., & Méheut, C. (2023, June 29). *Police in France shoot and kill 17-Year-Old driver, stoking anger*. The New York Times. <https://www.nytimes.com/2023/06/28/world/europe/france-police-shooting-paris-nanterre.html>

⁴⁴⁵ Addley, E. (2023, July 4). *Tuesday briefing: How the killing of a teenager sparked fierce unrest on the streets of France*. The Guardian. <https://www.theguardian.com/world/2023/jul/04/first-edition-france-unrest-police-nahel-merzouk>

⁴⁴⁶ Willsher, K. (2023, July 9). *Macron accused of authoritarianism after threat to cut off social media*. The Guardian.

⁴⁴⁷ Conseil constitutionnel. (2017). *Décision n° 2017-682 QPC du 19 mai 2017*. Retrieved from <https://www.conseil-constitutionnel.fr/decision/2017/2017682QPC.htm>

⁴⁴⁸ Ministère de l'Europe et des Affaires étrangères. (n.d.). *Freedom of expression*. France Diplomacy - Ministry for Europe and Foreign Affairs. <https://www.diplomatie.gouv.fr/en/french-foreign-policy/human-rights/freedom-of-expression/>

not met it with grace and acceptance: as Alexis de Tocqueville is said to have pronounced, “The French are a people of revolutions.”

Now faced with the controversy of the last policy that closes a not-so-great year for Emmanuel Macron, France is progressively losing its trust in its President – and it is starting to observe what seems to be an authoritarian direction. As recently as December 2023, Borne’s government proposed a “flagship bill” on immigration that sparked, once again, major controversy. The bill that was initially proposed in December did not even pass the preliminary vote, as it was deemed too conservative, and far too adherent to what are considered the extremist positions of the National Front.⁴⁴⁹ Then, the next week, compromise works began in the law committees of the National Assembly, resulting in a modified text that rose many eyebrows, nonetheless. First, the bill made a stark distinction between the employed and not employed, with this status actively affecting their access to social benefits, favouring the first category; second, the bill involves a significant discretion for prefects in granting work permits to foreigners; third, the bill included the so called “migration quotas”, which allow the National Assembly to set limits on the number of people immigrating to France – asylum seekers excluded; third, the bill restricted the jus soli guarantee, with people born in France to foreign parents no longer having automatically the French nationality, but having to apply for it upon reaching the age of eighteen. Furthermore, the bill contains tougher conditions for family reunification, restrictions on access to the “sick foreign national” residence permit and exclusion from public health insurance coverage under certain conditions, and similar provisions.⁴⁵⁰ What was deemed to be an additional symptom of crisis of the Macron Presidency, was the decision of Marine Le Pen to back the new, updated bill, a declaration that left many centrist politicians stunned.⁴⁵¹ The eighty eight votes of the National Front were, in the end, decisive: as sourly remarked by opposition, especially by the leader of the far-left, Jean-Luc Mélenchon, without those votes, the vote on the bill would have had less than the absolute majority.⁴⁵² Even though the immigration bill passed, its impact on the French government was dramatic: the centrist majority split regarding the bill provoking a political crisis exacerbated by the resignation of Health Minister Aurélien Rousseau.⁴⁵³

The political impasse that France is undergoing now exemplifies the profound crisis that has been affecting France for years. Macron’s legislature is just the final nail on the coffin of French politics, and it is not exact to pinpoint the political crisis only on him. Already with Jacques Chirac, there were issues regarding the labour reforms, and the mass protests we have mentioned in the previous chapter, and with Nicholas Sarkozy – another who lost the public opinion to the pension reform – there were confrontations with labour

⁴⁴⁹ Caulcutt, C. (2023b, December 19). *Marine Le Pen scores big win on toughened immigration bill*. POLITICO. <https://www.politico.eu/article/france-marine-le-pen-scores-big-win-on-toughened-immigration-bill-macron/>

⁴⁵⁰ Le Monde with AFP. (2023, December 20). *What’s in France’s controversial immigration law?* Retrieved from https://www.lemonde.fr/en/france/article/2023/12/20/what-s-in-france-s-controversial-immigration-law_6361995_7.html

⁴⁵¹ Caulcutt, C. (2023c, December 20). *Macron in crisis after immigration showdown*. POLITICO. <https://www.politico.eu/article/macron-faces-political-crisis-after-showdown-on-immigration/>

⁴⁵² Idem

⁴⁵³ Willsher, K. (2023b, December 22). *Political crisis brewing in France after minister resigns over immigration bill*. The Guardian. <https://www.theguardian.com/world/2023/dec/20/political-crisis-brewing-in-france-after-minister-aurelien-rousseau-resigns-over-immigration-bill>

unions and protests against austerity measures. François Hollande, who lived and exercise his mandate through one of the most troubled period of the Fifth Republic, also lost the trust of his people to economic stagnation, and the lack of a comprehensive and impactful approach to the issues of security and terrorism.

Nonetheless, the rising – and now falling – star of Emmanuel Macron, Mr Nobody, the new man, was what sunk France into political upheaval: this is due to the fact that many of the promises made during the campaign of 2017 were not only not attained, but also completely overturned. While he certainly is not the first politician to do so, the key to understanding why this proves to be particularly relevant for France in 2024 is that the French Constitution provides for expedients that impose these changes of heart – and, very often, successfully.

The French people elect their head of state to have an effective choice on the course of their politics, and they also channel that spirit in the elections of the deputies of the National Assembly, leaving the government – and the Senate – to be the only organs that are not a direct spillover of the people's will. As we have seen in the first Chapter, Charles De Gaulle called for a strong presidency, which was to be not only a sacred bulwark for arbitrage, but ultimately the toughest figure – in terms of power – in the system. At least in the Bayeux Speech of 1946, no indications of discretionality on the measures that a head of state could employ to achieve a common and greater good.

The current issue that we want to bring up in the end of this thesis is that Semi-Presidentialism in France brings numerous opportunities. A system such as the one operating the *hexagone* gives the people an opportunity that they would not have in Parliamentary Republics, Constitutional Monarchies, but also in Presidential systems such as the American one. The prominence of the head of state in France gives more legitimacy to those in power and wraps laws and provisions in its virtuous mantle. The division of responsibilities between the president and the prime minister enhance efficiency and effectiveness in decision-making and policy implementation, often resolving the freezing of politics and law-making. The president's direct election and the prime minister's accountability to the National Assembly provide flexibility in responding to political challenges and forming coalitions, facing political shifts better than, to cite one example, Parliamentary systems. Simply put, a Semi-Presidential system is more reactive and faster in adaptation.

Finally, the checks and balances are exemplified by the institution of the cohabitation. Having a President and a Prime Minister from two different political parties gives to the governance that pluralist flavour that should be a characteristic of every democracy, by definition: it guarantees the expression not only of the majority, but also of the opposition.

However, what we consider an opportunity could also be considered potentially harmful or not so adherent to the original scope of the provisions. So, while the checks and balances are technically guaranteed, the reform of 2003 got in the way of democratic representation. Truthfully speaking, by reducing the presidential term from seven to five years and aligning parliamentary elections with presidential ones, the Constitutional reform tried to solve the problems that were affecting France's political stability and

governance, especially with the second novelty. Additionally, the reform of 2003 aimed at strengthening the role of the National Assembly by granting it augmented oversight powers and facilitating more robust checks and balances on executive authority. On one hand, the changes to the constitutional text made France more stable, avoiding the cohabitation: on the other hand, this stabilisation also meant a flattening of pluralism. In fact, the last cohabitation government in France functioned from 1997 to 2002, with President Jacques Chirac cohabiting with a left-wing government led by Prime Minister Lionel Jospin. Since then, and since the reform, there has been no other cohabitation situation.

To sustain this point, we have to address the theorist of Semi-Presidentialism himself, Maurice Duverger. In his book *Bréviaire de la cohabitation*, published in 1985, he begins in the very first page with a defence of the political institution of the cohabitation: “The cohabitation of a left-wing president and a right-wing majority will finally allow the Constitution of the Fifth Republic to be applied”.⁴⁵⁴ It is interesting to note how Duverger regards cohabitation: in his words, this institution “organises a subtle separation of powers between a President of the Republic invested with the functions of arbitrator and regulator, and a Government responsible for determining and conducting the nation's policy under the authority of a Prime Minister supported by the confidence of the Members of Parliament. For a quarter of a century” the introduction to the book recites “this original division of supreme authority was totally ignored.”⁴⁵⁵ While Duverger later states in this work that he will not provide nor a condemnation nor a praise of the cohabitation – or, at least, the one that started in 1986 – the undertone of the whole book is of a general support of the utility of cohabitation as an instrument of pluralism.

After the 2003 reform, the realisation risk of this scenario was significantly reduced: the coincidence of the elections for the President and for the National Assembly produced in these twenty years exclusively presidential majorities in the Parliament, and subsequent governments that were under the presidential umbrella. The Prime Minister’s figure might be at risk of becoming a mere extension of the presidential will, thus undermining the checks and balances that the Constitutional set up technically provide.

The major example is Art.49, as we have observed previously: we have already provided a comprehensive reading of it and of its application in recent times.

The real reason behind the analysis of the article together with Macron, in order to try and answer the question on the authoritarian perils have actually less to do with the present President of France. It has more to do with the fact that him and his government have misused a legal – but highly controversial – tool to achieve their goal. Often accused of being “Machiavellian,” Macron seems to have applied his infamous paradigm of “the end justifies the means.” By using the provisions of art.49(3), Macron and his government have played a game that has brought isolation upon them. The issue, however, is not how Macron specifically used the article, but the nature of the article itself – and how it is both a peril and an opportunity. Probably, the contents of the bills passed under the aegis of art.49(3) catalyse the attention on his problematic nature. As

⁴⁵⁴ Duverger, M. (1985). *Bréviaire de la cohabitation*. FeniXX.

⁴⁵⁵ Idem

history teaches, authoritarian politicians rarely become dictators overnight, unless they operate a coup d'état: they most likely come to power, tailoring it to their liking rather by exploiting legal measures. This does not to say that Emmanuel Macron is on his way to become a textbook authoritarian leader. On the contrary, his government is now facing a severe crisis. A government reshuffle inaugurated 2024 with the succession of Gabriel Attal in office as Prime Minister. This move, which surprised most of the commentators in January of this year, has considered as an attempt to revitalise the popularity of the Presidency: in fact, Attal is an extremely popular politician, noticeably young and extremely opposed to the far right. As POLITICO reported, the impending European elections are behind this nomination, which is considered as potentially successful to battle Le Pen's party.⁴⁵⁶

To predict with absolute certainty what will be the course of action of Macron's administration for the years 2024 to 2027 would be preposterous. To predict whether he will become more or less authoritarian is just as impossible. What he did demonstrate is that he potentially would not consider questions on the ethics of art.49(3) if it democratic questions get in the way of his reform. But taking everything back and trying to refresh his image probably proves that he is as Machiavellian as the quote allowing him to pursue objectives regardless of the means: he is not. And his political schemes that are stagnating politics in France, but rather the fallacy of art.49(3) and the reform of 2003, which could represent a gateway for authoritarianism.

⁴⁵⁶ Caulcutt, C. (2024, January 10). *Macron goes all in with high-stakes reshuffle to combat far right*. POLITICO. <https://politico.eu/article/france-emmanuel-macron-reshuffle-gabriel-attal-far-right-election-eu/>

7. Conclusion

“Indeed, the unavoidable consequence of trouble within the State is the disaffection of the citizens toward the institutions. Then only a chance occasion can bring about the menace of dictatorship.”⁴⁵⁷ Circling back from where we started, these were the words of Charles De Gaulle in the Bayeux speech of 1946, and the words we want to start from to conclude this thesis. We started with the question on whether Semi-Presidentialism in France would constitute a peril to its democracy or, what opportunities it brings.

Of course, France is not on the verge of becoming a dictatorship, and General De Gaulle was speaking these words in Bayeux in the immediate aftermath of the dramatic and devastating conflict that was World War II. It would be preposterous and hazardous to say so for the present day. However, what France is witnessing today is nothing more of an implosion of its system. Born in the fifties, twice reformed, Semi-Presidentialism has offered France the possibility of having a direct legitimization of the President, which is for the *hémisphère* an extremely politicized figure, coming from a party. It has given the opportunity to directly participate in the transformation course of the highest charge of the state: it has given the opportunity to form an ideological bond with politics. However, for some time now French people have become progressively more disillusioned with their politics. More specifically, with their president.

This is symptomatic. It shows that while Semi-Presidentialism provides for the opportunities listed above, it also presents a very perilous downside related to the discretionality of decision power. Certainly, it would be unrealistic to completely overlook the human nature of politicians, who are subject to political schemes and influences, and also to changes: what is to be considered, though, is the discretionality power that fundamental texts such as a constitution allow, and to what extent this power is granted.

As we have stated before, many have pointed the finger against Emmanuel Macron, calling him authoritarian, especially when considering the police brutality incidents and the immigration bill⁴⁵⁸, denouncing his shift towards more stringent politics. But the reason why, in the future, the system of the Fifth Republic might witness a progressive tightening of authoritarianism is not because of who currently sits on the presidential chair. In three years, Emmanuel Macron would be out of the Elysée, prevented from running again by constitutional provisions that limit the mandates to two per President. What will remain after him, to welcome the 2027 president and their government, will be what has been enshrined by the Constitution.

This leads us to the point we have sustained in the last chapter, when we analysed the contents of art.49(3) and narrated how it was used by Elisabeth Borne, alongside with the reaction of the public opinion,

⁴⁵⁷ Charles de Gaulle's speech before the municipal council of Bayeux (June 16, 1946). Retrieved from <https://everything2.com/title/Charles+de+Gaulle%2527s+speech+before+the+municipal+council+of+Bayeux%253A+June+16%252C+1946>

⁴⁵⁸ Ward, J., & Da Costa Vieira, T. (2024). *Authoritarian neoliberalism between Johnson and Jupiter: Declining legitimacy and the elevation of home affairs in post-Brexit Britain and Macron's France*. Geoforum, 149, Article 103942.

the political class, and the civil society. Art.49(3) is a coin with two opposite sides. one, pragmatic, is the speed to which urgent bills can travel at, and their smooth path under the conditions, of course, that the government is not toppled in the process; the second one, ideological, is related to the meaning of this provision. On one hand, democratic life is eased, while on the other, is compromised. As we have seen in the chapter, the conflicts between the civil society and the ruling class ultimately went beyond the contents of the reform and expanded like wildfire to the disappointment of the people towards a politician that promised to change the dusty French politics. In simpler terms, we can draw up the conclusions – also given the opinions of national and international commentators – that art.49(3) is a potential loop in a system that has worked for more than sixty years. Furthermore, the reform of 2003 did not work as intended to: of course, no written text can foresee the course of human action, like the decision not to topple the government that makes use of the clause. The perils of art.49(3) lie in the unpredictability of human behaviour.

What could represent a remedy to the fractures that have emerged, especially in these troubled times for France, is a possible counter-reform that further limits the application of art.49(3) to the budget bills. However, there have not been talks of Constitutional reforms in the halls of the Elysée, nor they seem to happen anytime soon. What could be hoped is that this talks happen before 2026, the year that future candidates for the presidency will use to prepare their programme for the 2027 elections.

An opportunity that Semi-Presidentialism has brought in France is most certainly the institution of cohabitation. To have two different sides of the will of a voting country may be considered as a truly democratic diarchy, in which checks and balances are safeguarded with equilibrium. The reform of 2003 changed the rules of the game also in this case exactly to prevent cohabitation as much as possible. Truthfully speaking, cohabitation causes tension in the relations between President and Prime Ministers, and this risks to lead to political impasses, or situations in which government reshuffles must take place to avoid the ship from sinking. But what has been seen as a last resort, something that presidents often surrendered to rather than welcomed, Maurice Duverger regarded as a beneficial opportunity.

We want to conclude this thesis by highlighting the importance of substantive dialogue and reform to address the shortcomings of art.49(3) and, more generally speaking, the reform of 2003. Semi-Presidentialism in France has endured until recent times: looking ahead, reforms may be needed to restore the original calling of such a system. Democratic guarantees should be safeguarded to their maximum extent, even if it could mean to compromise on majorities. It has been an argument from commentators that the situation of presidential majority occupying more than half of the seats in the National Assembly undermines democratic pluralism, but it could also be argued that results of election express the people's preferences. This is fundamentally true, for elections in a modern democracy are based on the sacred principles of freedom and universal suffrage: the people's will be above all. France also comes from a long tradition of mobilization and national conscience, as proved by the Revolution of 1789, which inspired many other countries to insurg against monarchs. It would be not only undemocratic, but also impossible to impose limitations on the French people regarding elections. Not surprisingly, we have seen throughout this work how responsive civil society

is to what is considered unjust, but the limitations of these mobilizations are that they take into account the contingent situation, and the political class does not seem to acknowledge the greater picture. It proves the veracity of what Victor Hugo wrote in *Les Misérables*: “Often when we think we are knotting one thread, we are tying quite another.”⁴⁵⁹

⁴⁵⁹ Hugo, V. (2015). *Les misérables: (Penguin Classics Deluxe Edition)*. Penguin.

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