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French Presidentialism and the Election of 1995

Edited by
John Gaffney
Lorna Milne



FRENCH PRESIDENTIALISM AND THE ELECTION OF 1995



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JOHN GAFFNEY

LORNA MILNE

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In Memoriam
Peter Morris, 2.9.46 – 1.2.97



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John Gaffney and Lorna Milne



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LIST OF PRINCIPAL ABBREVIATIONS

ANPE	Agence Nationale pour l'Emploi
AREV	Alternative Rouge et Verte
CDS	Centre des Démocrates Sociaux
CES	Convergence Ecologie Solidarité
CFDT	Confédération Française Démocratique du Travail
CFTC	Confédération Française des Travailleurs Chrétiens
CGC	Confédération Générale des Cadres
CGPME	Confédération Générale des Petites et Moyennes Entreprises
CGT	Confédération Générale du Travail
CIE	Contrat Initiative Emploi
CNCL	Commission Nationale de la Communication et des Libertés
CNI	Centre National des Indépendants
CNPF	Conseil National du Patronat Français
CSA	Conseil Supérieur de l'Audiovisuel
CSG	Constitution Sociale Généralisée
EC	European Community
EMS	European Monetary System
EMU	Economic and Monetary Union
ENA	Ecole Nationale d'Administration
EU	European Union
FEN	Fédération de l'Education Nationale
FLN	Front de Libération Nationale
FN	Front National
FNS	Fédération pour une Nouvelle Solidarité
FO	Force Ouvrière
GATT	General Agreement on Tariffs and Trade
GDP	Gross Domestic Product
LO	Lutte Ouvrière
MDC	Mouvement des Citoyens
MEI	Mouvement des Ecologistes Indépendants
MEP	Member of the European Parliament
MPF	Mouvement pour la France
MRG	Mouvement des Radicaux de Gauche
NATO	North Atlantic Treaty Organisation
NSM	New Social Movement
PCF	Parti Communiste Français
PR	Parti Républicain
PS	Parti Socialiste

PSU	Parti Socialiste Unifié
PUE	Parti Ouvrier Européen
RPF	Rassemblement du Peuple Français
RPR	Rassemblement pour la République
SFIO	Section Française de l'Internationale Ouvrière
UDF	Union pour la Démocratie Française
UDR	Union des Démocrates pour la République
UIMM	Union des Industries Metallurgiques et Minières
UNR	Union pour la Nouvelle République
USSR	Union of Soviet Socialist Republics

1. INTRODUCTION

JOHN GAFFNEY AND LORNA MILNE

In 1995, and for the second time in the course of the Fifth Republic, a presidential election took place during a period of 'cohabitation' between the Socialist President François Mitterrand and a right-wing coalition government, installed after the legislative elections of 1993. For a range of reasons, however, the 1995 election was fundamentally different from the last such occasion in 1988. Most importantly, it was clear that the President would not seek re-election, and the general sense of Mitterrand's failing health and declining power raised public expectations that 1995, by closing the Mitterrand era, would also bring about some sort of renewal of the political scene. Such hopeful predictions of a political watershed were heightened by mass-produced media clichés which stereotyped as *fin de siècle* decay the very real problems facing the political community and society at large: evident fractures within practically all of the political parties and alliances; France's continuing economic difficulties; the 'exclusion' from full economic and social participation of those on the margins of society – the unemployed, the homeless, immigrants, Aids sufferers; and the poor reputation of the political classes following a series of corruption scandals. In addition, the profile of certain potential candidates in the early build-up to the election seemed to promise a highly creative – or else viciously destructive – contest of unprecedented vigour: Jacques Delors, returning from a triumphant period of office in the European Commission, looked for a time as though he might secure the renaissance of a weakened left; the rivalry between Jacques Chirac and Edouard Balladur – close friends for the previous thirty years according to the prevailing view – threatened to bring about an irreparable split on the right. Long before the nine candidates who actually ran for office were declared, the columnists, speculators and commentators looked forward – as their vocation demands – to a glorious fight. In the event, the battle was judged by many to be less spectacular and less bloody than anticipated – partly because this very anticipation so raised the stakes for both right and left that much of the real contest took place away from the public gaze, in corridor conspiracies and back-room betrayals. But the man who won, Jacques Chirac, had, from the beginning, announced himself to be the candidate of 'reform' and 'hope and, therefore, change'. Undoubtedly, Chirac's electoral programme proposed economic, social and political reform: however, the question remains as to whether the election of 1995, its progress and its outcome really altered the shape of politics and the presidency in the Fifth Republic in the radical way which the early media build-up implied.

Any assessment of the extent of 'renewal' in 1995 requires an understanding of the essence of the regime as a whole. In 1958, de Gaulle was brought back into French politics as the saviour of the nation, to resolve the Algerian crisis and re-establish the authority of the French state. The emphasis upon his exemplary status and authority to act at this time was extraordinarily strong. His election by the electoral college of 80,000

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MPs, Senators and councillors was a formality, but such restricted suffrage was an inadequate provision for the future stability of a regime which was so personalised – not only in the sense that its foundation relied heavily on the personality of one individual, but also in that its constitution now afforded the potential for the President to assert a high degree of personal authority and power over the legislative and executive bodies. Yet despite his usual boldness, de Gaulle had, in 1958, shrunk from introducing into his new regime the hallmark of Bonapartism, the direct election of the President by universal suffrage. By 1962, with the resolution of the Algerian crisis, the regime was just stable enough for him to risk introducing such a measure. The new constitutional amendment was put into practice in 1965 with the first direct election of the President in a contest between de Gaulle and François Mitterrand. With this, the election of the President became the central event of the institutional process in France, the ‘presidentialisation’ of daily politics being the inevitable result, for it suddenly became imperative that all political families, organisations, parties and factions identify and promote their potential ‘présidentiable’ in order to cultivate political ambition and credibility. In this way, and aided significantly by the media, especially the new medium of television, the personalisation of the regime’s politics flowed through every level of political life, and the election of the President became – and remains – an event which parties, politicians, voters and commentators all acknowledge (consciously or unconsciously) as a constant influence over choices and activities throughout French politics. Presidentialism is, of course, both reflected in and affected by electoral campaigns and the election itself: any modifications to the central institution of the Fifth Republic inflect developments throughout the polity and are therefore of fundamental significance to French party politics in general and to the country as a whole. It is against this background that our study locates the presidential election of 1995.

The research project which gave rise to this book thus grew out of two essential principles: first, that an understanding of French presidentialism is crucial to a sound grasp not only of what happened in 1995 but of French politics and society in general; and second, that if such an understanding is to be widely achieved, it is important to provide reflective academic analyses to counterbalance the great quantities of instantaneous journalistic comment which are offered by the mass media on the occasion of an election.

The resulting volume will, we hope, have uses for all those students and colleagues who are interested in French politics and society. It is composed of a series of essays by political scientists, historians and other specialists on France, and it treats some of the most important aspects of the election in 1995 in the context of France’s presidentialism. The range of topics covered is not exhaustive, nor is there a concerted attempt to impose a uniform style on the various chapters in order to give the impression of a ‘single voice’ narrative of the election. Nevertheless, close contact and discussion amongst contributors has allowed for the development of complementary contributions which, though distinctively individual in their style and approach, arise out of the same essential desire to study aspects of the 1995 election with a view to broader and more lasting analysis. It is hoped that the reader will enjoy the variety of approaches adopted and that the juxtaposition of different methodologies will be appreciated as an advantage of this interdisciplinary project. At the same time, there is of course a need for a factual and narrative framework in a volume of this kind; this imperative informs each of the chapters, and a chronology is provided as a summary of the key dates and incidents of the election which are analysed in depth elsewhere.

Chapters 2 to 4 of the book address the context of the 1995 election by explaining how presidentialism emerged in the Fifth Republic, and by examining the legacies of history, of previous leaders, and of France’s constitutional arrangements. The second part of the

volume focuses on the events of 1995. An exhaustive analysis of the vote provides an appraisal of 1995 and of its significance in relation to previous presidential elections. Chapters on the polls, on television coverage of the election and on the funding of campaigns describe and evaluate the constraints and opportunities created for the candidates by legal regulation and publicity of various kinds. These chapters also give an idea of the extent to which the atmosphere in which French voters went to the ballot box was dominated by the media. The authors of individual studies of the candidates record the key themes and incidents of each campaign and assess the effects of the campaign on the political constituencies represented by the candidates. In addition, the specialist interests of external affairs, business and the trade unions are considered in separate chapters documenting the influence of the election beyond the political classes to diplomatic and socio-economic actors. By studying the moment of the presidential election in this way, the matrix of inquiries, each focusing upon a different aspect of the presidential phenomenon, offers a comprehensive view of the central feature and organising principle of politics in the Fifth Republic.



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2. PRESIDENTIALISM IN FRANCE: A HISTORICAL OVERVIEW

PETER MORRIS

Introduction

The importance of the Presidency to an understanding of contemporary French politics is obvious. Ever since 1958, when General de Gaulle and Michel Debré assumed the role of Founding Fathers of the Fifth French Republic, the office has dominated the national political landscape.¹ Each of the five Presidents – Charles de Gaulle (1959-69), Georges Pompidou (1969-74), Valéry Giscard d'Estaing (1974-81), François Mitterrand (1981-95), and Jacques Chirac (1995-) – has been able to decide the main themes in France's domestic and foreign policy agenda. The presidency has become the institution around which national political life is organised and is the supreme prize in party competition. It is true that between 1986-88 and 1993-95 the powers of the then President were curtailed by the existence within the National Assembly of a majority made up of his political opponents. Yet even in these two periods of what has become known as 'cohabitation', the President's adversaries did not try to deprive the incumbent Mitterrand of all his influence, particularly in the foreign policy sphere; still less did they risk damaging the status of the office by forcing him to resign. Such restraint demonstrates the legitimacy which the office of President has acquired in the Fifth Republic. The ambition of de Gaulle and Debré to make the presidency the 'cornerstone' ('clé de voûte') of the French political system has been largely realised. To the question 'who rules in France?' the conventional – and, except in the circumstances of cohabitation, correct – answer is 'the President of the Republic'.

The reasons for the emergence in the Fifth Republic of a strong presidency are complex and cannot be limited to an enumeration of the formal powers granted it by the 1958 constitution. We shall see in this chapter that the contributions of historical traditions, individuals and circumstances are also important, and so too is the constitutional amendment of 1962 establishing the direct election of the President. In words that have acquired near canonical status, Maurice Duverger wrote of the 1962 amendment that 'it gave the President no new powers, but it gave him power'.² Henceforth the President possessed the political authority which derives from a national mandate. In voting for their President, the French are choosing the man (the gender qualification is, so far, unavoidable) who will govern France. At a time when public confidence in the integrity and competence of politicians is very low, opinion polls – and the high turnout at

presidential elections – demonstrate strong levels of approval for the proposition that the presidency should be a powerful institution.³ None of France's major political parties, with the exception of the fast declining Communists, seeks to weaken the authority which the presidency derives both from the powers granted it in the 1958 constitution, and from the democratic mandate it possesses.

Thus the directly elected presidency has become a central element in France's claim to be a democracy. In France, as elsewhere, the theory and the practice of democracy have a long history, several meanings and many critics. In the nineteenth century, conservatives denounced democracy as synonymous with mob rule, while liberals feared its consequences for individual liberty. Marxists have argued that universal suffrage, unless accompanied by common ownership of the means of production, is no more than a weapon with which the bourgeoisie can assure its domination of the exploited classes. In our own day, when liberal democracy is regarded by many commentators as the only viable form of political organisation, its claims have as much to do with the protection of the individual's rights against the power of government as with the People's right to choose its governors. Yet all definitions of democracy include the free choice by the adult citizens of a polity of their lawmakers and governors; and in this respect France became a (masculine) democracy much earlier than was the case in other European states. In 1789, the French Revolution proclaimed that political sovereignty rested with the People and that laws and governments were only legitimate if they derived from popular choice. The French did not achieve full electoral democracy overnight: the road from the formal assertion of popular sovereignty to universal suffrage was a long one, not reached – so far as women were concerned – until 1945. But by the mid-nineteenth century (far earlier than in the United Kingdom) the principle of universal male suffrage, and thus of the democratic basis of government, was established. In 1848, the new Second Republic established universal male suffrage for elections to the National Assembly and for the Head of State; the Second Empire of Napoleon III (1852-70) based its authority on a series of national plebiscites; and the constitutional laws of the Third Republic (1875) confirmed that all males over 21 could vote in elections to the Chamber of Deputies, which was one of the two houses of the French Parliament.

France's history as a political democracy includes, however, a problem which is central to any discussion of the contemporary presidency. In the United States, the idea that the President, as head of the Executive power, should be elected by universal suffrage was accepted very early as an integral part of the model of political democracy created by the American Revolution. In France, by contrast, the nineteenth century champions of the democratic principles of the 1789 Revolution came to regard a powerful Head of State, and in particular one elected by universal suffrage, as incompatible with political liberty and the sovereignty of the people. It is true that in 1848, the constitution of the Second Republic introduced direct elections for the Presidency as well as the National Assembly. They did so, however, out of fear of social turmoil rather than out of a belief in the ability of the presidency to represent the national will; and we shall see that the experience of the next few years placed an insuperable ideological barrier between a powerful, directly elected President and the theory of Republican democracy. The constitution makers of the Third (1875-1940) and Fourth (1946-58) Republics refused to countenance not only a presidency based on the ballot box, but one possessing the sort of independent powers available to the American President.

Given that hostility to a strong presidency had become an entrenched part of the political culture of French democracy, it follows that a radical transformation in the constitutional and democratic status of the office must have taken place since 1958. An institution which was for long regarded as a standing threat to the safety of French democracy is now celebrated as its principal instrument. The purpose of this chapter is to

describe, and explain, the transformation. The first section examines why the defenders of democracy came to fear a strong President, and analyses the 'Republican model' of the presidency which resulted. The second considers the attempts made before 1958 to increase presidential authority and the reasons for their failure. The third explains how the Fifth Republic was able to overcome the prejudice against a powerful, and directly elected, President and to construct the presidential model which exists today.

Republican democracy and the rejection of a strong presidency

The enduring tension between a powerful Head of State and a democratic polity began with the rejection by the makers of the French Revolution of the historic claim of the French kings to embody State sovereignty in their person. To this extent, 1789 mirrors the rejection of the monarchic absolutism of James II by the English Parliament a century earlier. But the ambitions of 1789 were much greater than those of the Glorious Revolution. Whereas the architects of the latter had sought merely to affirm the parliamentary basis of certain acts carried out by the Crown, and claimed, in so doing, that they were restoring the traditions of the balanced constitution, in Revolutionary France the goal was to replace the Divine Right monarchy of Louis XVI with a new political order founded on the Rights of Man and the sovereignty of the Nation. In the words of the revolutionary leader quoted in Claude Nicolet's study of French Republicanism: 'Our history should not be the basis of our political order'.⁴ From the outset, the office of Head of State was regarded with suspicion as a potential threat to the aims of the Revolution. The constitution voted by the National Assembly in 1791 preserved the monarchy as head of the Executive but deprived it of its law making powers.⁵ Less than two years later the monarchy was abolished and the king executed; and the 1793 constitution establishing a Republic declared that the only political institution with the authority to represent the sovereign Nation was the Legislature. Herein lay the beginnings of what in the nineteenth and twentieth centuries became the aversion felt by democratic Republicanism to a powerful Head of State, an aversion which in time would give rise to an Assembly dominated regime (the 'régime d'Assemblée').

In the decades of constitutional instability which followed the Revolution, and which saw France experiment with a variety of regime forms, the model of politics identified with a Republic and the sovereignty of the Legislature was frequently challenged. Groups on both the extreme right and the extreme left rejected the model, the former calling for a return to the Divine Right monarchy of the Ancien Regime, the latter advocating one version or other of a proletarian regime. Neither of these alternatives was ever put into practice, although the restored Bourbon king Charles X (1824-30) made efforts to revive the claims of the pre-1789 monarchy, and the Paris Commune of 1871 provided Europe with its first, short-lived, example of a workers' state.

Two other challenges to the Republican model did, by contrast, have a strong impact on French constitutional and political life. One was the Liberal model of mixed government known as Orleanism, after Louis Philippe, king of the French (rather than of France) between 1830-48. In accordance with the principles of nineteenth century constitutional liberalism, the Orleanist system acknowledged that Parliament was the law maker and that the monarch could not veto its decisions. But Orleanism did not accept the Republican thesis that Parliament should be elected by universal suffrage – regarded as synonymous with mob rule – and it firmly believed that the monarch had a role to play in the governing of the country. Louis Philippe saw himself as supreme arbiter, appointing ministers on whom he could rely to respect his political judgement and regarding them as responsible to him at least as much as to Parliament. In this respect, Orleanism differed

from the nineteenth century British model of parliamentary government in which ministerial responsibility was to the Legislature rather than to the Crown. There was thus an inherent tension within the Orleanist regime between the rights of Parliament and those of the Crown. Louis Philippe was overthrown in 1848; but the Orleanist model of mixed government did not disappear with him and would play an influential role in the constitutions of the Third and Fifth Republics.

The second challenge to the Republican model of Assembly democracy came from the plebiscitary government of Napoleon I (1799-1814) and, above all, his nephew Napoleon III (1851-70), who was elected President of the Second Republic in 1848, as we have seen, and who seized power by a military coup in 1851. What came to be known as Bonapartism insisted that only a powerful Head of State could provide France with the strong government it needed and that in consequence the role of the Legislature needed to be severely controlled. Yet there was a basic difference between the Bonapartist theory of power and that of traditional monarchies in that the Head of State's legitimacy depended not on an inherent, or ascribed, right to rule, but on the approval of the nation expressed via plebiscite. It was thus possible to regard Bonapartism, as the nineteenth century English constitutional expert Walter Bagehot acknowledged, as a democratic creed.⁶ This view was, however, unacceptable to the champions of the Republican model of French democracy. They condemned its rejection of the parliamentary basis of law; its disregard for civil liberties and the rights of political opposition; its recourse to the anti-Republican imagery of Caesarism (both Napoleons were crowned emperor); and, above all, its denial of the claim of the National Assembly to be the instrument through which national sovereignty was expressed. French Republicans never forgave Louis Napoleon for the coup d'état of 1851 in which he overthrew the Second Republic. They drew from it the lesson that a directly elected President was a permanent threat to Republican democracy.

Napoleon III was no more successful than Louis Philippe in putting an end to France's constitutional instability. His regime collapsed in ignominy in 1870, after its armies were defeated by Bismarck's Prussians at the Battle of Sedan. There followed the brief, but bloody, civil war known as the Commune and a four year period of constitutional limbo during which a monarchist-dominated National Assembly, elected by universal male suffrage in February 1871, laboured to establish a new regime. The result was the series of constitutional Laws voted in 1875 which created the Third Republic.

It was during the Third Republic that a 'Republican' model of the constitution was constructed, whose major characteristic was a presidency lacking the power to control France's policy agenda and the authority to challenge the political pre-eminence of the Legislature. The Third Republic has always, and correctly, been regarded as an Assembly regime in which the President was reduced to the position of constitutional figurehead. Between 1875-1940 there were thirteen Presidents of the Republic. None of them features in lists of France's great men or acts as a role model for today's political leaders, and some of them, notably Paul Deschanel (1920) and Albert Lebrun (1932-40) have become caricatures of presidential incompetence. The remark of the Radical politician Georges Clemenceau (1841-1929) that the presidency was as useless as the prostate gland is one of the most ubiquitous clichés in analyses of the political system of the Third Republic. We will see below that there were ways in which Third Republic Presidents could influence policy and political outcomes. But the conventional analysis of a Presidency subordinate to the Legislature cannot be challenged.

To understand why this should be so, it is necessary to look beyond the constitutional laws of 1875. For the point about those laws is that they were voted by a National Assembly, the majority of whose members were conservative gentlemen appalled by the social upheaval of the 1871 Commune and much more fearful of Republican democracy than of Executive authoritarianism. 1875 was thus a compromise between conservatives

who had hoped to establish a constitutional monarchy (and still believed that one might be possible) and Progressives who believed that the constitutional laws, for all their democratic shortcomings, did at least establish a Republican form of government. The two groups were separated by social class and political conviction. Yet they shared a fear of the revival of plebiscitary Bonapartism and of social radicalism. The former led them to reject a Head of State elected by universal suffrage; the latter produced a set of constitutional laws which certainly did not aim to render the President powerless. The 1875 laws established a bicameral legislature in which the Upper House (known as the Senate) was chosen by a highly restricted electoral college dominated by rural conservatives and was intended to act as a brake on the democratically elected Chamber of Deputies. The same desire to constrain the excesses of electoral democracy can be seen in the institution of a presidency possessing a raft of powers. The President was Head of the Armed Forces; he had the right to negotiate and ratify treaties; he appointed the government and all military and civil offices; he had the right to initiate laws; and he was empowered, with the consent of the Senate, to dissolve the Chamber of Deputies and call fresh elections.

Thus the key point about the 1875 laws, and their conception of the presidency, is that they embody, much more than those of the Assembly democracy identified with the Republican tradition, the principles of mixed government in which no one branch of government has a monopoly of political authority. Their inspiration has been variously located in Orleanism, in the British system of parliamentary government and in the United States. None of these is compatible with the absolute sovereignty of the Chamber of Deputies which the French Revolution had proclaimed, and the Orleanist and American references emphasise the political authority of the Head of State. To a leading left-wing opponent of the constitutional laws, the President of the Republic had all the characteristics of a monarch, apart from his lack of hereditary status.⁷ His constitutional right to dissolve the elected Chamber was a challenge to the Republican model of Assembly sovereignty.

Why then did the mixed government of 1875 give way to an Assembly dominated regime in which the President of the Republic lost the powers, and status, accorded him by the constitution makers? Part of the answer to this question resides in the weight of historical memory. The traumatic events of 1851, when a directly elected President overthrew the Republic he was supposed to protect, produced a deep-seated fear among Republicans of a military adventurer – the term frequently used to describe Napoleon III is ‘the man on horseback’ – destroying parliamentary institutions. The fear of plebiscitary Cæsarism, which was shared, albeit for different reasons, by French monarchists, explains the constitutional provision that the President should be elected by the two houses of Parliament rather than by the electorate. With hindsight, this provision, together with the constitutional requirement for a ministerial countersignature for presidential acts, can be seen to have done great damage to the authority of the presidency. Yet it is on its own inadequate as an explanation of presidential weakness. The constitution makers of 1875 assumed that the powers granted to the President would allow him to influence policy and politics.

A second reason for the decline in the authority of the presidency relates to the political developments of the late 1870s and in particular to the constitutional crisis of 1877. The first President of the Third Republic was Marshal MacMahon who had been voted into office by the National Assembly in 1873, that is to say before the constitutional laws of 1875 were voted. Although a committed monarchist, MacMahon remained President after 1875 and rapidly came into conflict with the Republican majority elected to the Chamber of Deputies in 1876. On 16 May 1877 he provoked the resignation of the incumbent government and appointed a Conservative ministry which did not have the

support of the Chamber; five weeks later he used his constitutional right to dissolve the Chamber of Deputies. The legislative elections which followed became the occasion for a thoroughgoing clash between two opposing readings of the regime established in 1875. MacMahon's supporters claimed that 'the President of the Republic in our constitution possesses an independent political authority. He is not the passive and blind servant of the will of the majority of the Chamber of Deputies. He has his own powers'.⁸ The Republican majority in the outgoing Chamber of Deputies argued by contrast that Parliament alone possessed political authority since only it represented the sovereign nation. After a bitter campaign, in which MacMahon's ministers used all the administrative resources of government to harass their Republican opponents, the election produced a Chamber majority similar to that of 1876. MacMahon's attempt to appeal to the electorate over the heads of its elected representatives had failed. Faced with the blunt alternative that he must submit or quit ('se soumettre ou se démettre'), MacMahon in rapid succession did both. He first acknowledged that he would no longer challenge decisions made by ministers who had the confidence of the Chamber of Deputies and then, eighteen months later, resigned office rather than accept military appointments made by the government of which he disapproved.

For all that MacMahon's actions in 1877 did not breach the constitutional laws, they provoked enormous controversy at the time and have done so ever since. Historians still use the word 'coup' to describe what happened. Thus the 16 May 1877 has great importance in explaining the decline of the political authority of the presidency in the Third Republic. It consummated the divorce between the principles of Republican democracy and the existence of a strong Presidency; it demonstrated that the political survival of governments depended on the Chamber which voted for them and not on the President who appointed them; and it showed that the electorate was not prepared to defend presidential authority against the claim of the Legislature to represent the Nation. MacMahon's successor was Jules Grévy, a veteran Republican who in 1848 had argued that the office of President was incompatible with a true Republic and who promised on taking office that he would never use his constitutional position to challenge the supremacy of Parliament. In the words of Marcel Prelot, a noted constitutional expert, 'the Grévy presidency was not simply the election of a new Head of State, it was a new constitution'.⁹

By the early 1880s the victory of the 'Republican' interpretation of the 1875 constitutional laws looked complete – Presidency and Senate, as well as the Chamber of Deputies, were all in the hands of Republicans. It is true that at the end of the decade, a populist, anti-parliamentary movement led by General Boulanger achieved great success by denouncing the inadequacies of the existing parliamentary leadership, including President Grévy, who was forced to resign in 1887 after a corruption scandal. What became known as Boulangism revived the spectre of a plebiscitary dictatorship overthrowing Republican institutions and confirmed, if confirmation was necessary, that Republican democracy was only safe when the Executive was subordinate to the Legislature. One sign of the taming of the presidency was the paucity of the administrative and material resources which it possessed; another was that its abolition ceased to be demanded by radical Republicans. But the clearest evidence of the determination of the French Parliament to constrain the presidency was its refusal to elect to it high profile political leaders. With the exception of Raymond Poincaré (1913-20) and Alexandre Millerand (1920-24) none of the Third Republic's leading statesmen succeeded in being elected. Jules Ferry (1887), Georges Clemenceau (1920), Paul Painlevé (1924) and Aristide Briand (1931) all failed in their bid. Successful candidates were usually regime dignitaries, presidents of the Senate or Chamber, who could be relied on to defend the interests of the Parliament from which they came. Writing in the early

1930s, W. L. Middleton observed that presidential contests impacted very little on the intense world of French party politics and that the popular press made virtually no reference to them until a week or so before they took place.¹⁰ Critics of the political system of the Third Republic referred derisively to the 'flower show opening' nature of the presidency.

It would be wrong to underestimate the influence of the Republican presidency which emerged after 1877. Some Presidents (Grévy, Loubet, Poincaré, Millerand) played an interventionist role in foreign policy and many more were able, through their right to nominate the Prime Minister, to influence the kaleidoscopic parliamentary politics of the Third Republic. Grévy was able to blight the ministerial career of Léon Gambetta, the most prominent politician of the early years of the Third Republic, and in the 1920s President Doumergue made and unmade governments with conspicuous skill. Although French Presidents never became, as the British monarchy did, the focus of patriotism or apex of the social order, some of them did succeed in personifying a national unity which transcended political divisions. In the late 1880s and early 1890s President Carnot used his endless provincial tours to blunt Boulanger's assault on the parliamentary Republic and his assassination on one such visit in 1894 brought him much posthumous respect.¹¹ Faure (1895-99) and Fallières (1906-13) were widely popular figureheads; Poincaré worked unsparingly during the First World War to maintain national morale; and Doumergue (1924-31) became the best liked personality of his day. Thus the paradoxical fact is that, for all its apparent weakness, the presidency did have a part to play in the consolidation of the Republican model of democratic politics. W. L. Middleton's conclusion about the Third Republic President was that 'the ornamental in him is so visible that it hides the useful'. He does not only, in Bagehot's phrase, 'act as a disguise for the government which really governs; he is a disguise for himself'.¹² The skilful regime dignitary using his office to moderate the excesses of ministerial instability without threatening the pre-eminence of Assembly democracy became an important asset to the Third Republic.

The crisis of the Republican presidency

The Third Republic was France's longest lasting regime since the Revolution and managed to acquire the elusive quality of legitimacy. De Gaulle himself recognised that the 'Third Republic was able to rebuild France and its armies, to create a vast Empire, to construct a solid alliance system, to introduce valuable social reforms and to put in place an educational system'.¹³ Having overcome many crises, its triumph appeared assured when it was able to regain Alsace-Lorraine from Germany after the First World War. Yet for all its resilience, the Republic failed to provide France with the image, and the reality, of stable government which were such a feature of the British parliamentary system. With rare exceptions, governments came and went with great frequency – there were over a hundred between 1875 and 1940. To the champions of the Republican model of Assembly democracy, such instability was no more than the proper tribute paid by government to the sovereignty of the People expressed through its elected representatives. Political observers noted that the frequent changes in government were more than counterbalanced by the stability of the personnel of government – individual ministers sometimes spent years in the same department. Many public figures, however, did regard ministerial instability as a threat to France's ability to survive the international tensions of the modern world, and in particular the rising threat posed by Germany. The support of the late nineteenth century nationalist Paul Déroulède for a directly elected President could be expected, given his hostility to the political system of the Third Republic. More interesting were the plans to strengthen the Executive, and the

presidency, put forward by politicians from inside the Republican Establishment in an attempt to end ministerial instability. In his successful 1913 campaign for the presidency, Poincaré challenged existing orthodoxies by arguing for a more active presidential role in foreign policy and for the rehabilitation of the presidential power to dissolve the Chamber of Deputies.¹⁴ After the First World War, Millerand (1920-24) extended the parameters of the debate. As well as asserting the right to intervene in domestic as well as foreign policy choices, he sought to revalorise the political authority of the office by arguing that the President should be 'France's representative to the world' and by making public his dissatisfaction with governmental decisions of which he disapproved. He also argued that the Electoral College for the presidency should be expanded to include representatives of local government, business groups and intellectuals and intervened in the 1924 elections on behalf of the existing right-wing majority.

Millerand's interventions show the existence of a movement for strengthening the Executive before the crisis years of the 1930s to which we shall shortly turn. Yet at this stage the Republican model of French democracy remained strong even among mainstream conservative parties. As President, Poincaré made no attempt to challenge existing constitutional conventions and Millerand never regarded an extended presidential electoral college as paving the way to a presidency based on universal suffrage. He wanted the presidency to reflect the status of France's industrial and intellectual élites, not to be the voice of the democratic will. Even so, Millerand paid a heavy price for his outspokenness, being compelled to resign in 1924 when the left won control of the Chamber of Deputies. His successor, Doumergue, was, as we have seen, a good example of how the surreptitious exercise of presidential influence could coincide with respect for the Republican model.

In the 1932 elections, constitutional issues were virtually absent from the campaign. They were, however, soon to re-emerge at the forefront of political debate as France's international and domestic situation worsened under the twin pressures of a revived German threat and economic depression. The inability of French governments to respond to the economic and foreign policy crises of the 1930s fuelled a violent debate about the inadequacies, and the corruption, of the political system which led, in February 1934, to what many interpreted as an assault on the regime led by ex-servicemen's leagues and extreme right militias. If the controversy reflected in part the European wide challenge to liberal democracy posed by Fascism and Communism, it also derived from domestic preoccupations with the perceived inability of the Republican model to provide strong government. Thus the question of constitutional reform was now linked to France's survival as a great power. From outside the political establishment, the monarchist Action Française movement run by Charles Maurras was one of a number of extreme right movements which denounced the principles, as well as the shortcomings, of Republican democracy. Yet more revealing of the decline of confidence in the Republican model were the attacks launched on it by prominent regime politicians. André Tardieu, a former Prime Minister and Poincaré's successor as leader of the conservative Republicans, launched a root and branch denunciation of the parliamentary system; and former President Doumergue, who was briefly Prime Minister in 1934, tried unsuccessfully to strengthen the authority of government by giving it the power to dissolve the Chamber of Deputies.¹⁵

The presidency failed to benefit from the disillusionment with the existing political system. It featured little in reform proposals and the parties of the left mounted a successful 'defence of the Republic' in the parliamentary elections of 1936. The terms of the defence show the continuing power of the Republican model. Doumergue's proposal to revive the right of dissolution of the Chamber was denounced by the leader of the Socialist Party, Léon Blum, as an assault on the foundations of parliamentary democracy,

a legalised coup d'état. The attitudes of French democrats towards the comparative legitimacy of the presidency and Parliament can be summed up by the declaration of a prominent Radical politician, Campinchini, that 'so long as MacMahon remains in his grave the Chamber will never be dissolved'.¹⁶ When, in the traumatic circumstances of France's invasion by Nazi Germany in 1940, the authority of Parliament itself collapsed, the presidency was nowhere to be seen. Power passed to Marshal Pétain, a veteran military hero of the First World War, who first signed an armistice with Germany and then embarked on a radical programme of constitutional revision based on the abolition, rather than the reform, of the institutions of the Republic. Pétain established an authoritarian political order known as the French State ('Etat français'), generally known as the Vichy regime. Given that Pétain believed that the principles of the French Revolution were responsible for the national decadence which had led to the 1940 disaster, the ideology of the Vichy regime was explicitly anti-Republican and anti-democratic. Order, authority and hierarchy replaced liberty, equality and fraternity as the guiding principles of politics.

Vichy was unable to prevent the emergence of a Resistance movement inside and outside France which opposed not only the Nazi Occupier but also, and increasingly, the anti-democratic values of Pétain and his supporters. By the time the Allied armies landed in France in summer 1944, the legitimacy of the Vichy regime was in tatters. During the Occupation, the groups and individuals who participated in an intense debate about how to guarantee France's post-war existence as an efficiently functioning democracy were in near unanimous agreement that the governmental instability of the 1930s could not be allowed to continue after the Liberation and that the process of national reconstruction required a new constitutional order. That this view was shared by the electorate was shown by the 96% who voted against returning to the Third Republic in the October 1945 referendum on the country's political institutions. How then was stable, democratic government to be ensured? One of the most melancholy features of the 1940 disaster had been the inability of the President of the Republic, Albert Lebrun, to prevent, or even to try to prevent, the accelerating military and political collapse. The fact that the presidency appeared irrelevant to the supreme crisis of France's existence as an independent country led some commentators to argue for a strengthening of its constitutional powers. Even Léon Blum, the 1930s defender of the Republican model, suggested from his prison cell that the French President should be, like his United States equivalent, the effective head of the Executive.¹⁷

Nothing came of these recommendations. The constitutional debates which followed the 1945 referendum and culminated in the Fourth Republic produced a system in which the presidency obtained no new authority, and even lost some of the powers it had been granted in 1875. The constitution of the Fourth Republic, finally approved by a referendum in November 1946, deprived the President of his title of Head of the Armed Forces and of his right to appoint to civil and military offices and to communicate by message with the National Assembly. Even his power to nominate the Prime Minister was constrained by the need for the latter to obtain the prior approval of the National Assembly. It was clear that for the political parties who sought to reshape French democracy a strong presidency, let alone one based on universal suffrage, was still a threat: their hopes for governmental stability resided instead in a strengthened Prime Minister and a disciplined party system. That this should be so reflects not only the enduring sway of the Republican tradition, but also two other influences. One was the deeply discredited model of authoritarian rule identified with Marshal Pétain. The other was the threat posed by General de Gaulle who soon, on leaving office in January 1946, revealed his hostility to the party system of post-war France and to the institutional framework of the Fourth Republic which protected it. De Gaulle's belief that France's

future could only be assured by a powerful Head of State able to decide policy was a direct challenge to the Republican model of Assembly democracy and one that went beyond the aspiration of Third Republic reformers like Poincaré. Once de Gaulle's intentions became clear, Léon Blum abandoned his brief flirtation with an activist presidency in favour of the orthodoxies of the Third Republic. He spoke for the cross-party Republican Establishment when he insisted that de Gaulle's personality made a directly elected presidency impossible and that there could be no compromise around the basic Republican principle that 'the first and last word must belong to the Assembly elected by universal suffrage'.¹⁸

Thus the Republican model continued to shape constitutional principle and practice. This did not mean, any more than it had done in the Third Republic, that the presidency was invisible. Neither of the two Fourth Republic Presidents, Vincent Auriol (1947-54) and René Coty (1954-58) was a ceremonial figurehead. Both men strove to use their representational role to cement national unity, and Coty acquired, like Doumergue before him, considerable personal popularity. Auriol's influence went further. The late 1940s were a period of great political tension in France as two mass anti-system parties, the Communists and de Gaulle's Rassemblement du Peuple Français (RPF), sought – for very different reasons – to bring down the Fourth Republic. De Gaulle in particular evoked memories of the anti-Republican politics of Napoleon III and General Boulanger. By using the remaining presidential role in the nomination of governments, Auriol was able to play an important role in shoring up the authority of the pro-system parties. For a brief period in the early 1950s it even looked as if the assault from the anti-system parties might be contained. The Communist Party abandoned its plans (if such they were) to provoke revolution and the RPF failed in its bid to force the regime to abdicate. De Gaulle withdrew from public life in 1954 and began to write his memoirs, an activity which in politics often signals the end of ambition. Opinion polls indicated that he was no longer regarded as having a future in French politics.

This constitutional calm, if such it can be called, was short-lived. By 1956, many of the Fourth Republic's senior politicians – including Pierre Mendès France, the most respected champion of the Republican model of Assembly democracy – were convinced that the chronic government instability produced by fragmented multi-partyism threatened France's existence. The circumstances of Coty's election in 1953 – it took thirteen ballots before he was elected – contributed to the image of the presidency as the plaything of the parties. The authority of the Prime Minister was no greater: divisions within the National Assembly meant that France was without a government for one day in every four in 1957-58. We have seen that in the past the Republican model had been able to withstand a divided party system. In 1958, however, a crisis in civil-military relations made its position untenable. Since 1954 a brutal war had been waged in Algeria between the Front de Libération Nationale (FLN) independence movement and the French settlers who were only too willing to believe that the existing regime lacked the energy to defend them. What sealed the fate of the Fourth Republic was that by 1958 sections of the French Army had come to agree with this assessment and that the existing political leadership lacked the popular support which would have allowed it to launch, as it had done in 1936, an appeal to the 'defence of the Republic'. Faced with the prospect of military insurrection (and almost equally fearful of a possible Communist coup), President Coty and the bulk of France's party leaders turned, as their predecessors had turned in 1940, to a military leader who stood outside the political establishment. On 1 June 1958, de Gaulle became, as Pétain had done eighteen years earlier, Prime Minister of a Republic which he was determined to overthrow. Compared with his predecessor Lebrun in 1940, President Coty played an active role in the management of the crisis. Yet the fact that his decisive intervention took the form of a threat to resign unless the

National Assembly accepted de Gaulle's return shows that the regime had lost the confidence even of the man who, as Head of State, could have been expected to defend it.

The construction of a new presidency

The inability of Fourth Republic governments to resolve, by military victory or diplomatic negotiation, the conflict in Algeria sounded the death knell of the Republican presidency which had emerged after 1877. General de Gaulle made his return to power conditional on the power to draw up a new constitution which would revalorise the office of Head of State. After a short period of constitution drafting (from which the existing Parliament, in contrast with Republican tradition, was excluded), a constitution establishing a Fifth Republic was submitted to a referendum of the entire French nation. On 21 December 1958, 79% of the electorate voted their approval.

De Gaulle's theory of government had been set out in his 1946 Bayeux speech attacking the constitutional principles which underpinned the emerging Fourth Republic. He believed that France's existence as a nation depended on the existence of a strong Head of State with the authority to take decisions. He was convinced that an Assembly dominated regime like the Fourth Republic inevitably handed over power to the political parties which were incapable of subordinating their sectional interests to the cause of stable government. Thus for de Gaulle the Fourth Republic combination of a fragmented party system and uncontrolled Assembly power posed a permanent threat to the ability of the State to promote the national interest. He regarded a new constitution as essential if the authority of government was to be protected from parliamentary interference; and in that protection the Head of State had a central role to play. Shortly before the 1958 crisis exploded, the penultimate government of the Fourth Republic had introduced measures to strengthen the Executive; but its plans still excluded the presidency. From now on, things were to be very different. De Gaulle had briefly been a government minister in 1940 and was haunted by the inability of the then President of the Republic, Lebrun, to exercise leadership in a time of supreme national crisis. The Lebrun presidency thus became the anti-model against which the Fifth Republic presidency was designed. The constitution set out from the beginning to make the presidency a powerful – and independent – institution. Far from being a figurehead, the President is defined as the protector of national independence and the guardian of the constitutional, and judicial, order. The constitution emphasised his independence from Parliament by creating an electoral college for the presidency and by restoring his power (which existed in the 1875, but not the 1946, constitution) to appoint the government. It also provided him with a series of powers to enable him to counterbalance the power of Parliament and the parties. Henceforth the President could, on his own prerogative authority, declare a state of emergency and govern by decree (article 16); call a referendum on any proposal affecting the organisation of public powers (article 11); and dissolve the Chamber of Deputies and hold a general election. The latter provision demonstrates de Gaulle's determination to break the Republican orthodoxy, entrenched since 1877, that the presidency was subordinate to the Parliament and that the latter was the sole repository of political authority. To downgrade Parliament's claims to a monopoly of democratic power was one of the central ambitions of the new Republic. By emphasising the independence and the authority of the presidency, the 1958 constitution goes beyond the Republican theory of Assembly democracy to the mixed government model, described earlier, of Orleanism and the constitutional laws of 1875.

It is, however, important to emphasise that the 1958 text did not establish a presidential regime, or base the presidency on universal suffrage. Alongside the clauses strengthening the power of the President there are others which resemble the model of responsible

parliamentary government identified with Great Britain, a model which many reformers, including de Gaulle's Justice Minister, Michel Debré, greatly admired. The law making – and constitution amending – function belongs to Parliament. Policy making and policy execution are the responsibility of the government; the government is headed by a Prime Minister; the Prime Minister is responsible for national defence. The President shares with the government the power to make military and civil appointments, and all his actions, with the exception of the prerogative powers listed above, must be countersigned by a minister. The constitution lays down that the President does not have the power to dismiss a government but only to accept its resignation; a government, by contrast, must resign if it loses the confidence of the National Assembly. All these constitutional provisions show the persistence of the core Republican principle that French democracy is only safe when ministers are responsible to a National Assembly elected by universal suffrage.

1958 should be regarded, therefore, not as the inauguration of a presidential regime but as an amalgam of – or compromise between – de Gaulle's belief that a strong State needed a strong President and the Republican model of Assembly democracy. De Gaulle was only able to return to power in a (more or less) constitutional way because he persuaded the political Establishment of his acceptance of the principles of parliamentary government. The 1958 constitution evades the problem of the extent of presidential power and does not link presidential authority to universal suffrage. One way of analysing the 1958 constitutional settlement would be to say that it overcame the Republican fear, incarnated by the MacMahon dissolution of 1877, of a President challenging Parliament, but that it did not attempt to exorcise the nightmare of 1851 when a directly elected President overthrew the Republic.

Thus the final issue in our analysis of the presidency becomes that of explaining how it moved in the Fifth Republic from being an important, but ill-defined, office based on the personal authority of one man to being the accepted instrument of French democratic politics. Part of the answer resides in the use de Gaulle made of the presidency in the early years of the Fifth Republic. From the outset, he saw himself not just as guardian of the new institutional order but as national leader. He used the word 'guide' rather than 'arbiter' (which appears in the constitution) to describe his role, and embarked on a programme of constitutional pedagogy designed to emphasise the pre-eminence of the presidency and to contrast the effect of government it provided with the damage allegedly caused to French interests by the chaos of the Fourth Republic. He also employed all the constitutional powers he possessed to their full extent. In 1961, after an attempted putsch in Algeria, he invoked Article 16 of the constitution which enabled him to rule by decree; he used national referendums to obtain support for his Algerian policy; and in Spring 1962 he obtained the resignation of his government, despite the fact that it still possessed the confidence of the National Assembly. Opinion polls and referendums showed that a large majority of the French supported de Gaulle's progressive acceptance of the inevitability of Algeria's independence and welcomed the image of strong government provided by the President.

The long term basis of presidential power, however, remained unclear. De Gaulle's political authority derived less from the constitution, or from the Electoral College which had chosen him, than from the widespread recognition that he alone was capable of solving the Algerian crisis. What he himself called his 'personal factor' ('équation personnelle') set him apart from other political leaders, based as it was on the 'special relationship' with the French nation which originated in his assumption in 1940 of a historic mission to guide its destinies. It was as national saviour that de Gaulle had been summoned back to power in 1958 to prevent France from collapsing into civil war. Four years later, the signature of the Evian Agreements ending the Algerian war and their

subsequent massive approval by referendum ended the crisis. For de Gaulle, the achievement of peace in Algeria had always been less important than the victory of his ambition to make the presidency the guiding force of a reinvigorated France. The irony of the new situation was that the former might compromise the latter. The political parties, with the exception of de Gaulle's Union pour la Nouvelle République (UNR), had never been happy with what they regarded as the creeping, or indeed galloping, increase in the powers of the new presidency. They resented de Gaulle's contempt for the rights of Parliament and other manifestations of authoritarianism such as the frequent prosecutions for insulting the Head of State.¹⁹ So long as the Algerian war continued, they were reluctantly willing to accept de Gaulle's predominance. Once peace broke out, however, they tried to reassert their own authority by emphasising the parliamentary, as opposed to the presidential, basis of government. In the summer of 1962, the 1958 compromise between de Gaulle and the parties broke down. A struggle began for the future shape of constitutional government in the Fifth Republic.

Following an attempt on his life by a supporter of the lost cause of French Algeria, de Gaulle announced in September 1962 a referendum on the introduction of universal suffrage for the election of the President. The decision was less self-evident than it might seem. De Gaulle did not have an elevated belief in the political wisdom of his fellow citizens and we have seen that he regarded his own right to rule as transcending electoral mandates. He was also concerned that linking the presidency to elections would deprive it of its independence by making it the plaything of the parties, a concern which led to his extraordinary flirtation with the idea that the pretender to the French throne, the Comte de Paris, might be his successor. Yet de Gaulle also recognised that in the modern world elections were the only source of political legitimacy and that his own 'heroic' authority could not, by definition, be transferred to the ordinary mortal who would one day succeed him. Even before the assassination attempt had demonstrated the dangerous identification between his own survival and that of the regime, he had stated that 'the direct agreement between the People and the man who has the responsibility to lead it has become in today's world essential to the Republic. We will need, when the time is ripe, to ensure that, whoever is in charge, the Republic can remain strong and stable'.²⁰ In his judgement, the time was indeed ripe: the presidency he had created could only survive if it was based on the People's vote.

To his opponents in the political parties, the proposal for a directly elected President threatened the existence of the Republican model of French democracy. As early as 1946, Léon Blum had forecast that de Gaulle's concept of the presidency must inevitably lead to his election by universal suffrage. It was to prevent such an assault on the Republican tradition that all the parties, with the exception of de Gaulle's supporters in the UNR, rose in protest against what they regarded as an undemocratic measure introduced by the unconstitutional means of a referendum. The anti-de Gaulle coalition included the political heirs of Poincaré's conservative Republicans as well as the Socialists and Communists. In a highly charged atmosphere, the National Assembly responded to de Gaulle's referendum proposal by exercising its constitutional right to vote a motion of censure on the recently formed government of Georges Pompidou, which was thereby compelled to resign. De Gaulle retaliated by using his constitutional power to dissolve the National Assembly – and to keep the government in office until the result of the referendum, and the parliamentary elections, was known. On 28 October the referendum proposing a directly elected President was approved by 62% of the electorate. Shortly after, the parties which had opposed it went down to crushing defeat in the elections for a new National Assembly.

These two votes constitute a turning point in the history of democratic politics in France. A coherent and disciplined majority now controlled the National Assembly; that

majority was elected to support the government appointed by the President of the Republic; that government acknowledged the right of the President to determine the main contours of national policy and to determine how long it should remain in office. The non-Gaullist as well as the Gaullist groups within French conservatism henceforth accepted the legitimacy of presidential power which the 1962 referendum had confirmed. Yet as important as the victory of de Gaulle and his supporters was the lesson taught by the referendum to the defenders of the Republican model that a presidency based on universal suffrage could no longer be challenged on democratic grounds. Without doubt, many of those who voted 'yes' in the referendum did so principally out of fear of the instability which a 'no' vote, and the inevitable consequence of de Gaulle's resignation, would have produced. The result could not, however, be explained away as the politics of panic. In the Fourth Republic, opinion polls had shown a large majority in favour of a directly elected President with the power to lead, and during the 1962 referendum campaign, the Opposition was compelled to concentrate its power on the way in which the proposal was introduced rather than on its merits.

Conclusion

Shortly before his government was defeated by the 1962 censure vote, Georges Pompidou, de Gaulle's second Prime Minister, told a meeting of the Council of Ministers that 'twenty-two years of Gaullism have wiped out the stain of Bonapartism'.²¹ By this he meant that a powerful President, and one elected by universal suffrage, would no longer be contaminated by association with the rape of the Second Republic by Louis Bonaparte in 1851. In the very short run, the defeat of Pompidou's government by the National Assembly suggested that such confidence was misplaced. The 1962 referendum result, however, revealed the extent of popular support for de Gaulle's proposal. Three years later, in December 1965, the first presidential election by universal suffrage since 1848 showed the impact of the new system on the politics of French democracy. With over 24 million people voting in each of the two rounds, the participation rate was 85%, the highest percentage in French electoral history, and one that compares favourably with the turnout in American presidential elections. De Gaulle gained a comfortable second round victory (55% of the vote) a result which consolidated the acceptance by the French right of this new form of democratic politics.

The real significance of 1965, however, lay with the left-wing parties which had hitherto identified with the Republican model of Assembly democracy. De Gaulle's principal opponent in the election was François Mitterrand, an independent anti-Gaullist who made himself the head of a coalition of the parties of the left. Mitterrand was one of the relatively few non-Communist Fourth Republic politicians who had opposed de Gaulle's return to power in 1958, and in 1964 had published *The Permanent Coup d'Etat* (*Le coup d'état permanent*), a denunciation of the political system of the Fifth Republic which was steeped in the traditions of the Republican model. In 1965, Mitterrand presented himself as the 'candidate of the Republicans' and as the enemy of personal power. His manifesto, however, did not include the repeal of the 1962 amendment establishing the direct election of the presidency. More important, the success of Mitterrand's campaign – he was able to force a second round in which he won 45% of the vote, including a majority of male voters – showed that the new system could benefit opponents as well as supporters of de Gaulle. 1965 was thus an important moment in the creation of a cross-party coalition around the new concept of the presidency as the instrument of democratic politics in France.

Over the next sixteen years, presidential elections became the means for the orderly transfer of power from one political majority to another as the parties of both right and

left formed disciplined coalitions for presidential and parliamentary elections. It is true that the massive protest demonstrations in May 1968 appeared to challenge not only de Gaulle's concept of presidential power but also the relevance of electoral democracy to tensions within French society. At the height of the demonstrations, commentators rushed to the conclusion that the Fifth Republic had proved no more successful than its predecessors in closing the gap between democratic freedom and stable government which David Thomson had described as the problem of French politics.²² Yet the real lesson of 1968 was that the politics of street protest was no substitute for the winning of power through elections. In the June 1968 parliamentary elections, the Gaullist party obtained a massive majority, and in 1969 the resignation of de Gaulle did not lead, as many had feared (and some hoped), to the disintegration of the regime, but to the easy victory of his former Prime Minister, Pompidou, at the head of a political coalition of Gaullist and non-Gaullist conservatives. The failure of the parties of the left to construct an equivalent alliance around a credible candidate led to their humiliating failure even to get to the second ballot. François Mitterrand spent the next decade constructing a union of the left capable of winning the presidency. In 1974 he narrowly lost the presidential election which followed Pompidou's death; seven years later he succeeded. In office, Mitterrand made no attempt to reduce the presidential powers contained in the constitution or to deny their democratic legitimacy. We have seen that in 1986 and 1993, the election of a right-wing majority to the National Assembly did lead to a reduction in the President's power to determine policy; in so doing it confirmed the lesson of 1962 that the full exercise of presidential power depended on the existence of a supportive parliamentary majority. The real significance of 'cohabitation' lies, however, in the unwillingness of both right and left to use it to attempt to dismantle the institutional system introduced between 1958 and 1962.

It is therefore possible to conclude that a consensus now exists in France around the democratic legitimacy of a powerful, and directly elected, presidency. The presidency has given France strong leadership and has created the link, which did not exist in the fragmented parliamentary coalitions of the Third and Fourth Republics, between election results and government policies. There are, of course, many complaints about the shortcomings of French democracy and in particular about the way in which the Fifth Republic presidency has become a form of elective dictatorship. All of the Fifth Republic Presidents have been denounced for their allegedly authoritarian exercise of power. The inability, or unwillingness, of the National Assembly to exercise its function of controlling government has been much criticised. It is certain that de Gaulle would deplore the way in which the presidency has become the first prize in inter-party competition and has thereby lost its ability to represent a purely national interest which transcends political divisions. As early as 1965, de Gaulle regarded the parties' enthusiasm for the presidential election as evidence that 'the Devil has got into the confessional'. Yet this vision of a directly elected presidency replacing party conflict was always unrealistic. Democratic politics depends by its nature on the legitimacy of political disagreement, on the ability of parties to put forward rival visions of the national interest, and on the rights of a democratically elected majority to exercise power while respecting the rights of minorities. By these criteria, the Fifth Republic is a democracy and the presidency is indeed its 'clé de voûte'.