Chapter 4

France

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The Constitution of the Fifth French Republic was adopted by referendum in September 1958. Article 6 of the Constitution stated that the President of the Republic would be elected by an electoral college comprising nearly 80,000 people, consisting mainly of parliamentarians and representatives of local government. Meanwhile, Article 20 stated that the prime minister was accountable to the National Assembly and Articles 49 and 50 made it clear that if the prime minister was defeated in a vote of confidence then there was no option but to resign. By virtue of these characteristics, then, the original text of the 1958 Constitution unequivocally established a parliamentary regime. However, in October 1962 the Constitution was amended by way of another referendum. Article 6 was changed to allow for the direct election of the president by universal suffrage. At this point, therefore, the Fifth Republic was transformed into a semi-presidential regime.

As one writer has nicely put it, if the 1962 constitutional amendment granted the president no new powers, then "it did afford him an important new *power*" (Wright, 1989, p. 13), namely popular legitimacy. Prior to the 1962 reform the president was a major political actor. For the most part this was due to the personal characteristics of the first incumbent of the office, Charles de Gaulle. After the 1962 reform, though, the *presidency* was a major political actor. The president's capacity to influence the system was institutionalised. Presidential elections became the focal point of the regime. The president's campaign promises became the manifesto which the government was mandated to implement. And yet, since this time the extent of presidential power has still varied. The nature of the French semi-presidential system is such that the president cannot exercise power without the help of the prime minister. As a general rule, in the early years of the system prime ministers were willing subjects and presidents reigned supreme. Increasingly, though, presidents

have been obliged to appoint political enemies as prime minister and presidential rule has been openly challenged.

In this chapter, the relationship between the president and the prime minister in the Fifth Republic will be explored. In the first section, an overview of presidential/prime ministerial relations will be provided. In the second section, the constitutional situation, the founding context of the 1962 reform and the relationship between the president and the parliamentary majority will be discussed. In the conclusion, the wider context of presidential/prime ministerial relations will be considered and the changing parameters of executive leadership generally will be discussed. In these ways, the contemporary nature of the Fifth Republic's semi-presidential system will be established.

Patterns of political leadership

The Fifth Republic is characterised by a twin-headed executive, or executive dyarchy, in the sense that the president and prime minister are both important figures in their own right. However, the Fifth Republic can best be classed as a hierarchical dyarchy (Massot, 1993) in that on occasions leadership responsibilities have been incumbent upon the president and at other times they have rested with the prime minister. Broadly speaking, the presidency was strongest during the early years of the regime, whereas prime ministerial government has occurred at regular intervals since the mid-1980s.

The president is a powerful political actor. This is particularly true in the domain of 'high' politics. The president is France's most prominent international spokesperson, leading the French delegation at summit meetings, maintaining close bilateral contacts with the world's most powerful leaders and receiving transcripts of reports from French embassies overseas. Successive presidents have maintained control over defence policy issues, arising out of the president's responsibility for France's nuclear deterrent. They have also been active in foreign affairs, consistently asserting France's independence from the two superpowers in the 1960s and 1970s and then promoting the country's interests in the post-communist system. They have also shaped both France's policy

towards the European Communities/Union and the policies of the institutions at the European level as well. Overall, this influence in the realm of 'high' politics has led successive presidents to speak and appear as if they incarnated France itself. Consequently, the presidential verb is always a grandiloquent one and the presidential portrait has a regal aspect. (For a list of president and prime ministers since 1958, see Figure 4.1).

Figure 4.1

Presidents and prime ministers in France, 1958-98

President	Prime minister
Charles de Gaulle (1959-69)	Michel Debré (1959-62)
	Georges Pompidou (1962-68)
	Maurice Couve de Murville (68-69)
Georges Pompidou (1969-74)	Jacques Chaban-Delmas (1969-72)
	Pierre Messmer (1972-74)
Valéry Giscard d'Estaing (1974-81)	Jacques Chirac (1974-76)
	Raymond Barre (1976-81)
François Mitterrand (1981-95)	Pierre Mauroy (1981-84)
	Laurent Fabius (1984-86)
	Jacques Chirac (1986-88)
	Michel Rocard (1988-91)
	Edith Cresson (1991-92)
	Pierre Bérégovoy (1992-93)
	Edouard Balladur (1993-95)
Jacques Chirac (1995-)	Alain Juppé (1995-97)
	Lionel Jospin (1997-)

If presidents have been careful to cultivate their role in 'high' politics, they are also obliged to delve into the domain of 'low' politics too. The rationale for this is straightforward. Presidential elections are won and lost on 'bread and butter' issues: the economy, social policy, cultural matters and so on. Presidential candidates fight elections on the basis of a platform which addresses these issues. Consequently, once elected,

presidents have a quasi-contractual responsibility to ensure that their election promises are kept. They also have an electoral incentive to do so because their chances of re-election are affected by the perception of their performance in this respect. Presidents, then, have to show an interest in basic policy matters. At the same time, though, they tend to intervene only obliquely in this domain. Rarely, if ever, have they taken personal and charge of domestic policy making. More frequently, they have preferred to encourage or chide the government by way of a carefully chosen phrase in a interview or a visit to a symbolically important location. The result is that the media army of Elysée-watchers is constantly on the look-out for presidential titbits, deciphering the president's words and decoding the president's image.

At the same time the prime minister is also a powerful political actor. In contrast to the president, whose administrative support structures are light, the prime minister is at the head of an extensive set of governmental, administrative and information services. The policy-making process cannot function without these services. Consequently, the prime minister occupies the most strategically important position within the system when it comes to the nitty-gritty business of policy preparation and implementation. The result of this position is that the prime minister is inextricably linked with the day-to-day conduct of the government's business. Outside 'cohabitation' (see below) the president will have a considerable personal interest in whether or not the government's policy decisions are successful but it is the prime minister whose political future is most immediately associated with the administration's short-term policy performance.

The prime minister is also closely associated with the work of parliament and with the conduct of legislative elections. The president takes no part in the parliamentary process. The prime minister, though, has both to defend the government's record there and to ensure a majority for the government's policies. Once again, this means that the prime minister is associated with the everyday business of government. The prime minister becomes the most public representative of the government's policies. In addition, the prime minister usually leads the

government's troops in the general election campaign. The president will sometimes decide the timing of the election and may appear on television and urge people to vote for his supporters. It is the prime minister, though, who criss-crosses the country's constituencies in the search for votes. It is also the prime minister who is most closely in contact with the party organisations which support the government. Again, the president may sometimes arrange the set, but the prime minister is the one who is on stage for the performance.

In this way, then, the Fifth Republic is an amalgamation of both presidential and prime ministerial responsibilities. In this sense, there is a twin-headed executive. As one prominent writer has noted: "Governing, at the end of the day, is the process of drawing up and implementing policy. These two aspects are inseparable. If this definition is accepted, it must be admitted that the President of the Republic and the Prime Minister govern France together" (de Baecque, 1976, p. 165). The same writer has also stated that "it is by the common action of the head of state and the head of government that the executive discharges its responsibilities" (de Baecque, 1986, p. 283). Another prominent writer has argued that "there is an extraordinary complexity in the relations between the head of state and the head of government. If the normal situation is indeed that there is a certain hierarchy which guarantees presidential pre-eminence, it is also the case that … the President cannot do without a Prime Minister … [T]he sharing of roles, in other words a dyarchy, is also a necessity" (Massot, 1993, p. 174). As this last quotation suggests, though, even if the essence of the French semi-presidentialism system is an executive dyarchy, it is a hierarchical dyarchy in which power is usually skewed more in favour of one political actor than another.

For the most part, the political balance has been on the side of the presidency. In this respect, the most powerful presidents are generally to be found in the early years of the Fifth Republic. The first president, Charles de Gaulle, was a particularly dominant figure. He benefited from an unrivalled personal authority derived from his wartime record and subsequent opposition to the unloved Fourth Republic (1946-58). In the first years of the Fifth Republic he confined himself largely to foreign and

defence policy making and to the resolution of the Algerian war with the prime minister assuming responsibility for domestic affairs. After the granting of Algerian independence, though, de Gaulle increasingly intervened in this area too. De Gaulle's successor, Georges Pompidou, was also a strong political figure. Although he lacked de Gaulle's political stature, he was equally keen to ensure that he left a personal imprint on the policy-making process. Indeed, for at least one writer, the Fifth Republic under Pompidou was even more presidentialised than under de Gaulle (Décaumont, 1979). In addition to the early years of the Fifth Republic, the first period of François Mitterrand's presidency from 1981-86 provides the other main example of a powerful president. The president swept the left into power for the first time in the history of the Fifth Republic and the government embarked on an ambitious programme of policy reforms which the president oversaw. The two prime ministers during this period were both intimately involved in the policy-making process, but ultimately were still subordinate (Elgie, 1993).

Since the first two presidents of the Fifth Republic (and with the exception of the early Mitterrand years) the presidency has been less powerful but has still been the most prominent figure in the political system. For example, in 1974 the election of the first non-gaullist president, Valéry Giscard d'Estaing, marked a departure from the then norm of the Fifth Republic. For some, Giscard's presidency confirmed the presidentialisation of the system. As one writer noted: "[t]he French are scarcely aware of the fact, but their President is, by a long way, the most powerful chief executive in the West …" (Duhamel, Alain, 1980, p. 23). In fact, though, Giscard's hold on power was weaker than his two predecessors. He fought a phoney war with his first prime minister, Jacques Chirac, before the latter resigned in protest. He then allowed his second prime minister, Raymond Barre, whom Giscard introduced to the public as "the best economist in France", to manage, poorly as it turned out, the country's economic and social affairs while the president confined himself mainly to foreign, defence and European policy. A similar pattern characterised the first period of the second Mitterrand presidency (1988-93). In 1988 Mitterrand was easily re-elected but was then immediately

obliged to appoint one of his long-term rivals, Michel Rocard, as prime minister. Mitterrand and Rocard were uneasy bedfellows and the president hastened the prime minister out of office in 1991. In his place, Mitterrand appointed Edith Cresson who proceeded to break all records for prime ministerial unpopularity. By the time Cresson had been replaced by Pierre Bérégovoy the president had long since become preoccupied with the development of the European Union to the exclusion of most other issues.

The first period of Jacques Chirac's presidency also fits into this category (1995-97). The return of a gaullist to the Elysée Palace did not see a return to the presidential hegemony of the de Gaulle and Pompidou years. The gaullist party was no longer monolithic and the president was faced with a much more fragmented set of power structures than was previously the case (Elgie and Wright, 1996). And yet, with the support of a loyal prime minister, the people still expected the president to keep his electoral promises and solve the country's problems. Chirac responded but not in a way that the public appreciated. For example, in October 1995 he bowed to various pressures and personally announced that France was unequivocally committed to the Maastricht criteria. This, though, seemed to be a reversal of his election position and satisfied neither his own supporters nor those who opposed him. In this way, the early part of Chirac's presidency indicates that the president was still the ultimate reference point but the independent decision-making capacity of the office was more limited than before (see the conclusion to this chapter). When the president tried to reassert both his and the government's authority by dissolving the National Assembly in March 1997, the result was an unexpected but devastating defeat for the president's supporters.

It general, then, the Fifth Republic's dyarchy has operated to the advantage of the president. On three recent occasions, though, (1986-88, 1993-95 and 1997-) this has not been the case and a period of political 'cohabitation' has occurred. 'Cohabitation' is the situation where a president from one political party holds office at the same time as a prime minister from an opposing political party. During 'cohabitation' the balance of power tilts towards the prime minister. This is because

presidential control is at least partly based on the support of a loyal parliamentary majority. It is the presence of such a majority which has allowed successive presidents to appoint the prime minister of their choice. However, when the majority opposes the president, then the president no longer enjoys such a luxury. In this situation, it is the prime minister who, with the backing of the parliamentary majority, assumes responsibility not just for policy co-ordination and implementation, as usual, but for policy initiation as well.

During 'cohabitation' there is in general terms a relatively clear division of responsibility between the president and the prime minister. In the domain of domestic policy it is the prime minister who takes the lead. It is the prime minister's programme which serves as the government's plan of action and the prime minister decides which elements of that programme will be legislated. By contrast, the president's role is minimal. The president can criticise the government's plans and has certain powers to delay the passage of legislation. However, the president loses any *de facto* power to veto legislation or even to influence it in any way. By contrast, in the domain of foreign, defence and European policy the president does maintain a certain degree of control. Prime ministers usually try to shape strategic policy decisions by making international speeches or proposing plans for reform. Nevertheless, the president is still treated as the main spokesperson for French interests abroad and reserves the right to oversee the overall direction of policy in this domain.

Within this general context, the particular relationship between the president and prime minister has varied somewhat from one period of 'cohabitation' to another. During the first period (1986-88), prime minister Chirac was responsible for taking all key domestic policy decisions. For example, he personally decided which of the state controlled television channels should be privatised and he was responsible for the most difficult arbitrations in the budgetary policy-making process (Elgie, 1993). At the same time, though, president Mitterrand was a constant thorn in his side. Mitterrand established himself as a clear opponent of the prime minister's domestic programme even if he was unable to alter the content of the government's policies. By contrast, in the realm of foreign and

defence policy making the president maintained an influence, insisting, for example, that France's short-range nuclear arms were not 'tactical', battlefield weapons, but were part of a wider, 'strategic' whole (Howorth, 1993, p. 158). During the second period (1993-95), prime minister Balladur was as influential as Chirac had been previously, determining France's position during the GATT world trade negotiations and deciding the manner in which the July 1993 constitutional amendment, limiting the right of political asylum, was adopted. On this occasion, though, Mitterrand's position was weaker than before. The right's victory in 1993 was much greater than in 1986 and the president's room for manoeuvre was reduced accordingly. He was also weakened by age (he was 76 in 1993) and illness. Consequently, even in foreign and defence policy-making, the president was less influential than before. For example, Balladur assumed responsibility for sending French troops to manage the security and humanitarian problem in Rwanda. During the third period (1997-), prime minister Jospin's influence has been as great as might by now be expected but president Chirac has had considerable difficulty in carving out a coherent role for himself. Even though Jospin heads a multi-party coalition, his party, the Socialist party, is the dominant force and so the prime minister is in a position to shape the policy process perhaps to an even greater extent than 'cohabitation' prime ministers previously. By contrast, Chirac is a spent force. He is now only a point of 'reference' for his own gaullist party supporters and he is blamed for the electoral defeat by the right as a whole. As usual, he has distanced himself from the government's domestic policy and has tried to maintain an influence in foreign, defence and European policy. These efforts, though, do not hide the fact that he is a lameduck president who wields scarcely more power than the aged and infirmed president Mitterrand at the end of his term of office.

Evidence suggests, therefore, that the Fifth Republic's executive dyarchy has not been characterised by a single mode of political leadership. Even though overall there has been a propensity towards presidential government, the pattern of political responsibilities has always been a function of the particularities of presidential/prime ministerial

relationship that have occurred at any one time. Moreover, evidence suggests that in recent years the general tendency towards presidential government has itself been weakened and that the opportunity for prime ministerial government has become more marked. In the next section, the factors which help both to establish these basic tendencies and to create the particularities of the relationship will be considered.

French semi-presidentialism in context

Constitutional powers

As noted in the introduction to this chapter, to the extent that the 1962 reform conferred no new powers on the president, then it is still the basic text of the 1958 constitution which sets out the respective positions of the president and prime minister. The essence of this text is twofold. Firstly, it establishes the conditions for a strong executive. Secondly, within the executive it provides both the president and the prime minister with a set of constitutionally defined powers.

The Fifth Republic was deliberately designed to be the antithesis of its immediate predecessor, the Fourth Republic. By common consent, the Fourth Republic suffered from chronic governmental instability. There were 25 governments in the 12 year history of the regime. As a result, one of the main motivations of all of the founding parents of the Fifth Republic was the desire to create the conditions for executive stability. For example, when presenting the new constitution to the Council of State in August 1958, Michel Debré noted that "the purpose of this constitution … is, first and foremost, to try to reconstruct the governmental authority without which there is neither State nor democracy, that is, as far as we are concerned, neither France nor Republic". To this end, the powers of parliament were weakened, leading one observer to note that "[u]nder the new régime the Parliament of France, once among the most powerful in the world, became one of the weakest" (Williams, 1968, p. 21), and the powers of the executive were strengthened. The 1958 constitution, then, establishes a framework for executive dominance over parliament.

Within the executive, the 1958 constitution provides both the resources for presidential influence and the basis for prime ministerial government. The president has a number of specific constitutional powers. For example, the president names the prime minister (Article 8) and appoints a certain number of civil and military figures (Article 13) as well as three members of the Constitutional Council including its president (Article 56). The president can dissolve the National Assembly, although not more than once a year (Article 12); can oblige parliament to reconsider a bill, although only within 15 days of the bill being passed (Article 10); can submit a bill to the Constitutional Council for consideration (Article 61); can assume all law-making powers in the case of a national emergency (Article 16); and is charged with the responsibility for negotiating and ratifying treaties (Article 52). In addition, the president also has one very general prerogative. Article 5 states that the president is charged with seeing that the constitution is respected, with ensuring, by his arbitration, the regular functioning of public authorities and the continuity of the state and with guaranteeing national independence, territorial integrity and the respect for international treaties. As one writer notes, this article "constitutionalises the spirit of the presidential function" (Ardant, 1987, p. 38) but it does at the expense of "contributing to the blurring of the president's place in the institutional structures" (ibid). In other words, Article 5 encourages the perception that the president is above the political process but at the same time it can also legitimise almost any intervention that the president might wish to make.

The prime minister also has a set of constitutional powers. In this respect, three articles are particularly important. Article 20 states that the government decides and directs the policy of the nation, that it has the administration and the armed forces at its disposal and that it is accountable to the lower house of the legislature, the National Assembly; Article 21 states that the prime minister is in general charge of the government's work and the implementation of laws; and Article 8 states that the prime minister has the right to propose the names of government ministers to the president for approval. So, the prime minister is placed at the head of a government, the members of which he or she has chosen and

which is collectively responsible for the day-to-day realisation and implementation of public policy. In addition to these articles, the prime minister has a further set of powers in relation to parliament by virtue of being head of government. The prime minister has the right to issue decrees in the areas in which parliament is not permitted to legislate (Articles 21 and 37); to request an extraordinary session of parliament (Article 29), to initiate legislation (Article 39); to accelerate the legislative process (Article 38); and to call for a vote of confidence in the government (Article 49). Lastly, the prime minister can also submit a bill to the Constitutional Council (Article 61) and can make various civilian and military appointments (Article 21).

In addition to the individual powers of the president and prime minister, there are also certain powers which are quite explicitly shared between the two institutions. For example, with a few notable exceptions, such as the right to dissolve the National Assembly, the prime minister must countersign all presidential decisions (Article 19), which in theory at least gives the prime minister the right to veto all but a few presidential actions and which can be particularly important during periods of 'cohabitation'. By contrast, though, the president has to sign all decrees that are considered in the Council of Ministers (Article 13), which somewhat restricts the role of the prime minister and which, again, is potentially most significant during periods of presidential/prime ministerial conflict. Similarly, Article 21 states that the prime minister is responsible for national defence but Article 15 declares that the president is the head of the armed forces. Equally, even though the prime minister is at the head of a government which decides and directs the policy of the nation, it is the president who chairs the Council of Ministers, the French equivalent of the cabinet (Article 9). Finally, the president can call a referendum on any bill but only on the proposition of the government collectively (Article 11) or the prime minister personally (Article 89).

It is apparent, then, that under the 1958 constitution the executive is expected to lead and both the president and the prime minister are required to perform key leadership functions. The result, though, according to one contemporary observer at least, was that "one cannot

avoid being struck by the vast amount of ambiguity" which is contained in the constitution (Hoffman, 1959, p. 332). Similarly, according to another observer, the distribution of executive power means that: "[t]he central question of any constitution — who rules? — is fudged" (Wright, 1989, p. 12). In other words, it is the 1958 constitution which is primarily responsible for creating the finely balanced constitutional dyarchy. In general terms, the prime minister is charged with guiding and co-ordinating all matters which concern the immediate governance of the country, whereas the president is given the task of overseeing and protecting the long-term interests of the regime. This general division of labour neatly corresponds to the basic pattern of presidential responsibility for 'high' politics and prime ministerial control over domestic decisions. And yet, this general division of labour represents only half the picture. The overlap between presidential and prime ministerial powers is so great that there is ample scope for either institution to control the policy making process when the necessary conditions are in place and for both institutions to fight for control when they are not.

The founding context

The text of the 1958 constitution sets the scene for the Fifth Republic's executive dyarchy. At the same time, though, the founding context of the 1962 reform helps to account for the presidentialised nature of the decision-making process for much of the Fifth Republic. In this respect, there are two important elements to the founding context: the experience of presidential decision making in the period immediately prior to the 1962 reform and the events surrounding the passage of the reform itself.

Firstly, the circumstances leading up to the 1962 reform were significant. Even though the 1958 constitution established a balanced executive dyarchy, in practice political power was soon presidentialised. In September 1958 when the General first outlined the constitution he stated that the president would be a "national arbiter, far removed from political bickering". In the same speech, though, he also stated that the constitution would allow the country to be "effectively governed by those to whom it

gives the mandate and to whom it grants confidence …". De Gaulle believed that the people had given him a mandate by agreeing to the 1958 constitution in the September referendum and that this mandate had been confirmed as a result of both his election by what he considered to be a wide-ranging electoral college in December 1958 and then subsequent referendums which were held in January 1961 and April 1962 on Algerian self-determination. For these reasons, de Gaulle felt free to interpret his role quite liberally. The result was that by the time of the 1962 constitutional reform, the president was already the country's dominant political reference point not the prime minister. In this way, the precedent of presidential government had been set even before the reform was passed and the practice of presidential pre-eminence was simply institutionalised by way of the constitutional amendment.

Secondly, the precise circumstances surrounding the 1962 reform were also significant. Events unfolded as follows. On 22 August 1962 there was an assassination attempt on de Gaulle's life. On 12 September de Gaulle announced that a referendum would be organised on the direct election of the president. On 20 September it was announced that Article 11 of the constitution would be used to hold the referendum. On 26 September a government minister resigned in opposition to the reform. On 1 October the Council of State advised the government that the referendum was unconstitutional. On 6 October the government was defeated in the National Assembly and the prime minister tendered his resignation. On 7 October de Gaulle announced that parliament would be dissolved and that there would be a legislative election. On 28 October the referendum was approved by 61.8 per cent of those voting. On 18 and 25 November the parties of the governing coalition made big gains in the legislative election such that the government enjoyed an overall parliamentary majority. The significance of these events lies in the fact that they ensured that the debate surrounding divisive constitutional issues was overshadowed by the debate concerning the very future of the regime and the president's place within it.

In the period from August to October there were two main constitutional issues. The first concerned the reform itself. In 1848 the

Second Republic introduced the direct election of the president. However, the first directly elected president, Louis-Napoléon Bonaparte, then engineered a *coup d'état* in 1851, so discrediting the concept for many years thereafter and leading to indirectly elected presidents in the Third and Fourth Republics. Indeed, as late as 1958 there was still no question of installing either a presidential or semi-presidential regime during the constitutional deliberations and in September 1962 the left was opposed to de Gaulle's reform as were many elements of the centre-right. Indeed, a wide-ranging 'cartel des non' was formed to campaign for a 'no' vote at the referendum. Against this background, it may be the case that de Gaulle had previously avoided proposing such a reform for tactical reasons (Rudelle, 1984, p. 689) and it is certainly the case both that the granting of Algerian independence in early 1962 raised one obstacle to the reform (voters in Algeria would otherwise have been eligible to vote) and that France's acquisition of a nuclear capacity in 1961 meant that the president's responsibilities were now of a completely different nature than before. Nevertheless, it is quite apparent that de Gaulle was in a minority when he put forward the amendment and that many people were vehemently opposed to it.

The second constitutional issue concerned de Gaulle's use of Article 11. This article then stated that the president could organise a referendum on any issue relating to the 'public powers'. For most people, including the lawyers in the Council of State and the Constitutional Council, the direct election of the president was not such an issue. In this way, then, de Gaulle was not only proposing a controversial reform he was also proposing it in a constitutionally controversial manner.

These constitutional issues, however, were overshadowed by the effects of the governmental, legislative and presidential crises with which the system was faced. The governmental crisis was caused, first, by the resignation of a senior minister and, second, by the forced resignation of the prime minister following the loss of a vote of confidence in the National Assembly. (This remains the only time that the government has been brought down by the legislature under the Fifth Republic.) Its main effect was to remind people of the executive instability of the Fourth

Republic which, supposedly, the people had sanctioned by voting so overwhelmingly for the new regime in 1958. The legislative crisis was caused by de Gaulle's decision to dissolve parliament rather than simply appoint a different prime minister who might have been acceptable to the existing National Assembly. In this way, de Gaulle upped the political ante and challenged his opponents. The presidential crisis was caused by de Gaulle's indication that he would resign if the referendum was defeated. This was a favourite presidential tactic and this time, as before, it had the desired effect of personalising the crisis. The net effect of these crises was to deflect attention away from the ins-and-outs of the various constitutional niceties and to force both politicians and voters alike to think not just in terms of whether or not they were in favour of the reform *per se* and the way in which it was being proposed, but whether or not they were in favour of the government, the regime and the General himself (Lagroye, 1992).

For both reasons, then, the 1962 reform represented more than simply a minor constitutional victory for those who happened to support a particular reform. Instead, it also represented the point at which support for the political system of the Fifth Republic and its proclivity towards presidential politics was crystallised. In this sense, the context of the 1962 reform should be seen as a fundamental part of the process which institutionalised both the Fifth Republic itself and the practice of presidential government within it. It did so by reinforcing the popular expectation that presidential government was the 'normal' way for the Fifth Republic to function, by establishing the presidential election as the focal point of the political process and by providing de Gaulle's successors with at least the opportunity to assume his political mantle. Only over time have the conditions which caused this propensity towards presidential government been weakened.

Presidential/party relations

At this stage, then, we can assert that there is a basic constitutional balance between the president and the prime minister but that the context of the 1962 reform reinforced the the already established tendency towards

presidential pre-eminence. It is apparent, though, that, since this time, there have been different modes of presidential/prime ministerial relations. In short, presidential pre-eminence is conjunctural. In other words, the president's ability to influence the decison-making process varies according to the prevailing political situation. As such, presidential power should be treated not as an independent variable but as a dependent variable. In this respect, Duverger has argued that the power of the president is dependent upon two factors: the nature of the parliamentary majority and the relationship between the president and that majority (Duverger, 1996a, p. 511). For the most part the president has benefited from the conjunction of political forces but increasingly this has not been the case.

As noted in Chapter 1, Duverger states that various elements determine the president's party power (Duverger, 1978, p. 122). Firstly, there is the issue of whether there is an absolute majority in the legislature, whether there is only a quasi-majority, or whether there is no majority at all. Secondly, there is the issue of whether the majority comprises either a single-party, a coalition of parties in which one party is dominant, or a coalition in which the various parties are equally strong. Thirdly, there is the issue of whether the president leads the majority, is opposed to the majority, is simply a member of the majority, or is a neutral figure. The various combinations of these elements correspond to different degrees of presidential power. All other things being equal, when the president is the leader of a single-party majority, then the potential for presidential power is at its greatest. By contrast, when the president is opposed to a single-party majority, then the potential for presidential power is at its weakest. In between these two extremes, there is a variety of scenarios. In this respect, both Duverger (1996a, pp. 519-574) and Keeler and Schain (1996) have identified three basic modes of presidential/parliamentary relations. By contrast, Olivier Duhamel has proposed seven such modes in the period from 1958-93 (1995, p. 125). For the purposes of this exercise a similar number of modes will be examined although these vary from the ones proposed by Duhamel. (See Figure 4.2).

Figure 4.2

Modes of presidential/parliamentary relations in France, 1958-98

	Absolute majority			Quasi-maj.	No maj.
	One-party	Imbal. coalition	Bal. coalition		
Presidential and parliamentary majorities coincide	68-73 81-86	62-68 73-74 74-78	95-97 78-81	88-93	(58-62)
The majority opposes the president		97-	86-88 93-95		

The first set of scenarios occurs when the presidential and parliamentary majorities coincide. As noted above, this is the most common scenario under which the Fifth Republic has operated and it corresponds to the various periods when presidents have been at their strongest or when they have at least been the most prominent figures within the executive. In the first case, the president has enjoyed the support of an absolute majority in the legislature and has either led a one-party government or a coalition in which the president's party has been far stronger than any other. This helps to account, then, for the strength of the presidency during much of the de Gaulle presidency, the Pompidou presidency and the first period of the Mitterrand presidency (1962-74 and 1981-96). In the second case, there has been a variety of situations. At times, the president has enjoyed the support of an absolute majority in the legislature but has led a coalition in which the president's party was the weaker of the coalition partners. This was the situation during the early years of the Giscard presidency (1974-78). At other times, the president has enjoyed the support of an absolute majority but has led a coalition in which the president's party has been only one of two more or less equal partners. This was the situation during the later years of the Giscard presidency

(1978-81) and during the first period of the Chirac presidency (1995-97). At yet other times still, there has only been a quasi-majority in parliament, even though it has supported the president. This was the situation during the first period of Mitterrand's second term in office (1988-93). In these ways, then, the nature of the parliamentary majority and the relationship between the president and the parliamentary majority helps to account not just for the general tendency towards presidential leadership in the early years of the Fifth Republic but also more generally for the varying degrees of presidential leadership since 1958.

The second set of scenarios occurs when the presidential and parliamentary majorities are opposed to each other. Again, as noted above, this has occurred on three occasions during the Fifth Republic. Even on these occasions, though, an examination of the precise configuration of these two factors helps to differentiate between the various experiences of 'cohabitation'. On the first two occasions during the Chirac and Balladur premierships (1986-88 and 1993-95) the prime minister enjoyed the support of an absolute majority in the legislature (Chirac only just, Balladur overwhelmingly so) but led a coalition in which the two coalition partners were of relatively equal strength. During these times, the prime minister was strong but was still obliged to accommodate the demands of his coalition partner. By contrast, on the third occasion during the Jospin premiership (1997-) the prime minister has enjoyed the support of an absolute majority and has led a government in which his party was by far the largest component. During this time, the prime minister has still been obliged to accommodate the demands of his partners in the 'plural' coalition, but has also benefited from both the strength of the Socialist party and the dispersed forces of the other coalition groups. Once again, therefore, the combination of nature of the parliamentary majority and the relationship between, this time, the prime minister and the parliamentary majority helps to account for the varying degrees of prime ministerial leadership during the Fifth Republic.

Conclusion — The contemporary nature of French semi-presidentialism

There are various approaches to the study of presidential power in the Fifth Republic (Elgie, 1996). The framework that Duverger has provided represents one such approach. The strength of this approach lies in the fact that it demonstrates why the president has consistently been the major political actor in the system but also why presidential power is fragile. It does so by underscoring the point that the president operates within a twin-headed executive system and that the key variable within the system is the parliamentary majority and the president's relationship with it. And yet, it is also necessary to place both the presidency and the prime ministership in their wider political context. The French semi-presidential system is built up of a series of overlapping relationships. These include the relationship between the president and the prime minister and the relationship between the president, prime minister and parliamentary majority. They also include, though, other relationships. They include the relationship between the executive and wider state structures; the relationship between the political elite and the people; and the relationship between France, Europe and the world generally. As the nature of these relationships changes so too does the power of the executive as a whole and within it the respective powers of the president and prime minister (Elgie and Wright, 1996).

In this respect, the recent evolution of these relationships has challenged the basic authority of the French executive. For example, France has generally become less state-centred. Some elements of the state have been privatised. Other aspects of state control have been off-loaded onto independent administrative agencies. State planning in general has been downgraded and the language of evaluation, consumer charters and new public management has become the norm. At the same time, the gap between the people and the people's representatives has widened. Fewer people are now willing to trust politicians. More people are likely to vote for 'unconventional' parties. More people are ready to engage in social protests which bypass normal party organisations. Fewer people are happy to defer to traditional political authority structures. Equally,

France's relationship with both its European and world partners has changed. French governments risk losing control, or at least being seen to lose control, of policy-making functions in many fundamental areas. Budgetary policy choices have been restricted. Monetary policy choices have been curtailed. World trade negotiations threaten broadcasting policy. European regulations curb competition and industrial policy. In all of these ways, the state in France has become as hollow as the state in many other established liberal democracies. As a result, those who are responsible for governing have less and less government with which to carry out their essential tasks (Rhodes, 1996).

The changing nature of governance in France affects the place of the president and prime minister in the system and the analysis of their powers. In the past, French policy was made at least relatively independently. Within France the state was strong. Within the state the executive wielded the levers of power. Within the executive, then, the battle between the president and the prime minister was the main battle for political power. In this context, the text of the constitution was significant, the precedent of presidential goverment was essential and the nature of the parliamentary majority was crucial. Now, though, with the decline of independent policy making, the weakening of the state and the challenge to the position of the executive, the battle between the president and the prime minister looks increasingly peripheral. True, the constitution sets out the rules of the political game, the public still expects the president and the government to achieve results and the composition of the parliamentary majority continues to determine the basic contours of presidential and prime ministerial influence. Even so, the position of the president and the prime minister within the wider system is undoubtedly less influential now than it was previously.

In this way, then, the changing nature of French governance needs to be integrated into an account of the nature of French semi-presidentialism. It helps to explain why the earliest presidents of the Fifth Republic were generally the strongest. It also helps to explain why recent presidents have failed to meet popular expectations and why periods of 'cohabitation' have become increasingly frequent as the public has become more and

more fickle. At the same time, though, Toinet is certainly correct both to emphasise the limits to the current expressions of French 'malaise' and to place it in its appropriate historical context (Toinet, 1996). The system is not yet ungovernable and the past is not always a better place. Indeed, the high level of public support for the Jospin government in its first year suggested that political leaders who confront the new terms of the debate and provide appropriate responses can still engage in successful statecraft. In this context, the competition between the president and the prime minister is still an essential element of French politics. The relationship between the two components of the twin-headed executive is still a defining feature of France's semi-presidential system.