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UDC 327(44:4-67EU)
Original scientific article
Received: 8.8.2024.
Accepted: 25.3.2025.
doi: 10.5937/napredak6-52629

France in the European Union

Abstract: The French state is the founder and the foundation on which today's European Union lies. The European Union has survived the exit of Great Britain and it might also survive the exit of some other of its member-states, but it is almost certain that it could not exist without France in its ranks. The French constitutional concept and political system are specific in comparison to other EU member-states because of their Gaullist heritage – the intention of preserving national autonomy in the fields of foreign politics, defence, energy, healthcare, culture and education. However, Frenchmen have understood for a long time that they cannot enter a fair match with the powers such as the United States of America, China, Russia, as well as India in the near future. The autonomous European Union under French influence is the only entity that would have resources for something like that, and it is exactly the program and political idea France is trying to realize, currently with no success.

Keywords: France, Constitution, parliamentarism, presidential system, European Union

Introduction

With almost 68 million inhabitants, France is, after Germany, the second most populated nation of the European Union.^[2] By its economic power, with the share of 17% in the Union's gross domestic product, it also ranks the second, after Germany, and the seventh in the world. France is the strongest agricultur-

al power of the European Union, just as the leading tourist destination, thanks to its rich cultural and historical heritage. France realizes most of its trade exchange in the European internal market, with as many as eight of its ten most important economic partners coming from Europe.

France is currently the only member of the European Union with the permanent seat in the

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[2] https://france.representation.ec.europa.eu/qui-sommes-nous/la-france-dans-lue_fr (Accessed on 9 July 2024).

United Nations Security Council. In addition, it is also the strongest military power in the European Union, as well as on the European continent not counting the Russian Federation.^[3] The French army has 200,000 soldiers and 40,000 reservists, 290 nuclear heads that could be launched from nuclear submarines and “Rafale” combat-aircraft, and military bases on all five continents. The country has its own developed military industry, which means that it is able to produce independently all types of weapons. The French army has gained warfare experience from its engagement in the crisis situations in the African countries.

From the aforementioned, it can be derived that the French state is the founder and the foundation on which today’s European Union lies. The European Union has survived the exit of Great Britain, and it might even survive the exit of some of its other member-states, but it is almost certain that it would not exist without France in its ranks. The French constitutional concept and political system are specific in comparison to other EU member-states because of their Gaullist heritage – the intention of preserving national autonomy in the fields of foreign politics, defence, energy, healthcare, culture and education.

I. The constitutional concept of the Fifth Republic

The French Republic has relied on the parliamentary regime, the synonym for democratic freedoms,

ever since 1875 (Ardant, Mathieu, 2021, p. 233). The parliamentary regime, mother of all democracies, is a democratic regime of general practice, having in mind its widespread distribution, and in force in liberal democracies such as Great Britain, Germany, Italy, Spain, Japan, as well as in Scandinavian countries, while its principles are also embedded in the Constitution of Serbia. It cannot be claimed that this order is present everywhere where the parliament exists because it is only one of its prerequisites. The parliamentary regime is characteristic by the cooperation between executive and legislative power, where the former is independent, but also responsible to the latter. Therefore, in parliamentarism, the government is a politically responsible assembly.

Then why did General Charles de Gaulle, the founder of today’s French Fifth Republic, was against the parliamentary regime (Zečević, 2022, p. 66)? The causes of his opposition were searched for in the monarchist-nationalist political views of his family, but they happened to be much deeper. In the parliamentary Third Republic, and particularly in the Fourth Republic, characteristic for its proportional electoral system, the composition of the government as an executive body depended on the interparty agreement, which was often broken much faster than they were enacted. De Gaulle never forgot the words of the US President Franklin Roosevelt during the war: “I was interested in the French foreign politics in the 1930s, but I could not follow it. The presidents of the Government changed every now and then”.

[3] <https://www.radiofrance.fr/franceculture/podcasts/l-esprit-public/l-armee-francaise-a-t-elle-encore-les-moyens-de-faire-la-guerre-5495099> (Accessed on 9 July 2024).

De Gaulle was convinced that being defeated by Nazi Germany was the consequence of deformations of parliamentarism. The power completely belonging to the Assembly usurped national sovereignty, i.e., transferred it into the hands of the party leaders who were guided by petty political and material interests. He concluded that the Assembly must not have authorities to obstruct the work of executive power, as well as that it was necessary to introduce another council (the Senate) which



Charles de Gaulle, 1963.

Photo: Wikipedia

would examine the legislative work of the house of commons (Ardant, Mathieu, 2021, p. 418).

There were several reasons why France's political establishment supported the parliamentary regime. Frenchmen were under the influence of British democracy, older than their own, where the Parliament had entire political power. They labelled the presidential system as an American novelty organized for the new world, claiming that it did not suit Europe's democratic tradition. The only experience Frenchmen had previously had with the presidential system ended badly. Napoleon III was appointed the President of the Second Republic, but he soon introduced his personal regime after his self-appointment as the emperor.

De Gaulle's efforts at the end of 1950s and during the 1960s to introduce the presidential system caused an avalanche of accusations at his expense. His opponents were left-oriented and moderate-right wing parties of the Fourth Republic, as well as journalists, intellectuals and professors of constitutional law. François Mitterrand published a book in which he accused de Gaulle of being a man of *a permanent coup d'état* (Mitterrand, 1964, p. 85). Legal experts said that his system was *Bonaparte-like*, i.e., that it destroyed democratic achievements and would have no use value after the general's departure from power, because it was made to suit him.

In his speech delivered in Bayeux on 16 June 1946, De Gaulle already announced his concept of the constitutional order. He was focused on strengthening the role of the president of the Republic, thinking that he/she must have authorities worthy of the presidential function (Chevallier, Carcassonne, Duhamel, Benetti, 2017, p. 12). The

president should direct key national policies, act as an arbiter, beyond political parties and their games, and have the right to dissolve the National Assembly. The causes of decadence that led to the collapse of the Third and Fourth Republics, according to Michel Debré, the author of the Constitution and the first President of the Government in the Fifth Republic, lay exactly in the weak presidential function. The increased scope of presidential authorities was supposed to rely on democratic legitimacy, drawn by the president directly from the people, which means that he would be chosen in elections with universal suffrage.

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The president with substantial authorities, electoral legitimacy and a seven-year mandate and the unlimited possibility of re-election, became a type of a *republican monarch*. According to the constitutional provisions of the Fifth Republic, which are still in force today, the president is authorized to conduct foreign policy and to guarantee the application of international agreements, to command the army independently and to determine the directions of home affairs (Chevallier et al., 2017, p. 12). He is neither responsible to the Assembly nor submits reports to it, having in mind that he draws his legitimacy directly from the people. As a sovereign arbiter of political life, who takes care of the observance of the Constitution and good functioning of state bodies (Constitution of the French Republic, Article 5), he is entitled, in case he decides there is a political crisis in the country, to dissolve the Assembly and call a parliamentary election, except for the first year after the previous parliamentary election (Constitution of the French Republic, Article 12). In case of serious threats to the country's institutions, independence and territorial

integrity, the president is also entitled to make a decision about introducing the state of emergency, thus taking all power into his hands on a temporary basis, while the Assembly remains in charge of having regular sessions (Constitution of the French Republic, Article 16). The president is authorized to address the people and invite it to make sovereign decisions at referendums and, thus, referendum decision-making in the spheres determined by the Constitution has primacy over the enactment of legislative acts in the Assembly.

De Gaulle did not want to impose on Frenchmen an American-type constitution, according to which the president as the executive branch of power and his ministerial apparatus are supervised by the bicameral Congress. The concept of power execution in the Fifth Republic was based on the idea of the French president giving guidelines for political activities which are then realized by the Government. Therefore, this is a semi-presidential system in which the Government as the other branch of executive power is in charge of public administration, armed forces and of conducting national politics (Constitution of the French Republic, Article 20). The Government is given trust by the Assembly which supervises its work. Parliamentary elections in France are quite important, but there was a certain logic in that respect. After taking the function, the newly-appointed president would dissolve the Assembly and call parliamentary elections. Frenchmen would give majority trust to his part because it would not be reasonable to vote for the president who would have his hands tied by the Parliament and who could not achieve his political agenda. In any case, the two-round majority electoral system in itself would make it easier for

president's candidates for representatives, in a bout of enthusiasm after his victory, to win the voters' votes in electoral units, and even the absolute majority in the Assembly.

II. Two factions in France's foreign policy – Gaullist-Mitterrand and Atlanticist

In June 1940, after being exiled to London, where he founded the organization Free France, General de Gaulle faced the following challenge. Because of the humiliating military defeat in summer 1940, France was outclassed and marginalized in the eyes of the relevant factors in the United States of America and Great Britain. De Gaulle was shocked by the fact that France, formerly a great world power, could not keep up with the Anglo-Saxons and Russians, who successfully and bravely opposed fascism. US President Franklin Roosevelt believed that de Gaulle's organization had no political and military importance, and that was why Freshmen should not have an important role at the geopolitical scene of the world after the victory of the Allies. At that time, de Gaulle's fight already began to win respect and autonomy of his country within the alliance of the democratic countries led by the United States of America. Later on, de Gaulle admitted having fears that France's position in the post-war world could be like that of the Italian Republic. France would lose its freedom of action in international relations, becoming completely subordinated to the United States of America both in military and economic terms. Hence his wartime conflicts with Roosevelt and fierce arguments with

Winston Churchill, despite their relative closeness. These two did not respect French sovereignty over the colonies in Africa or over the islands in the vicinity of the Canadian coast, and they failed to inform de Gaulle in a timely manner about the forthcoming landing of the allied military troops in the French territory, in Normandy, in summer 1944. Considering these circumstances, de Gaulle achieved a huge diplomatic success by getting a seat of the permanent member in the United Nations Security Council.

In December 1944, de Gaulle was already trying to establish a certain balance in foreign policy, and that is why he visited Moscow as the president of the interim government (Laloy, 1982, p. 141). During one week of late-hour negotiations conducted with the Soviet leadership, de Gaulle asked Stalin for territorial concessions at the expense of Germany. Namely, this referred to the annexation of the Ruhr and Saarland regions into France, which had also been the request of Georges Clemenceau, President of the French Government during the First World War and in the post-war years. Clemenceau's request was refused by his war allies, US President Woodrow Wilson and British Prime Minister David Lloyd George. Similarly to Clemenceau, de Gaulle developed a thesis that, in case the above-mentioned regions remained within Germany, this country would keep its economic strength and, thus, continue to pose a geostrategic threat to the peace in Europe. Stalin was cautious and, although generally agreeing with de Gaulle, he drew his attention to depending on the consent of the United States of America and Great Britain. On 10 December 1944, de Gaulle signed an alliance agreement with the USSR. This was the conception

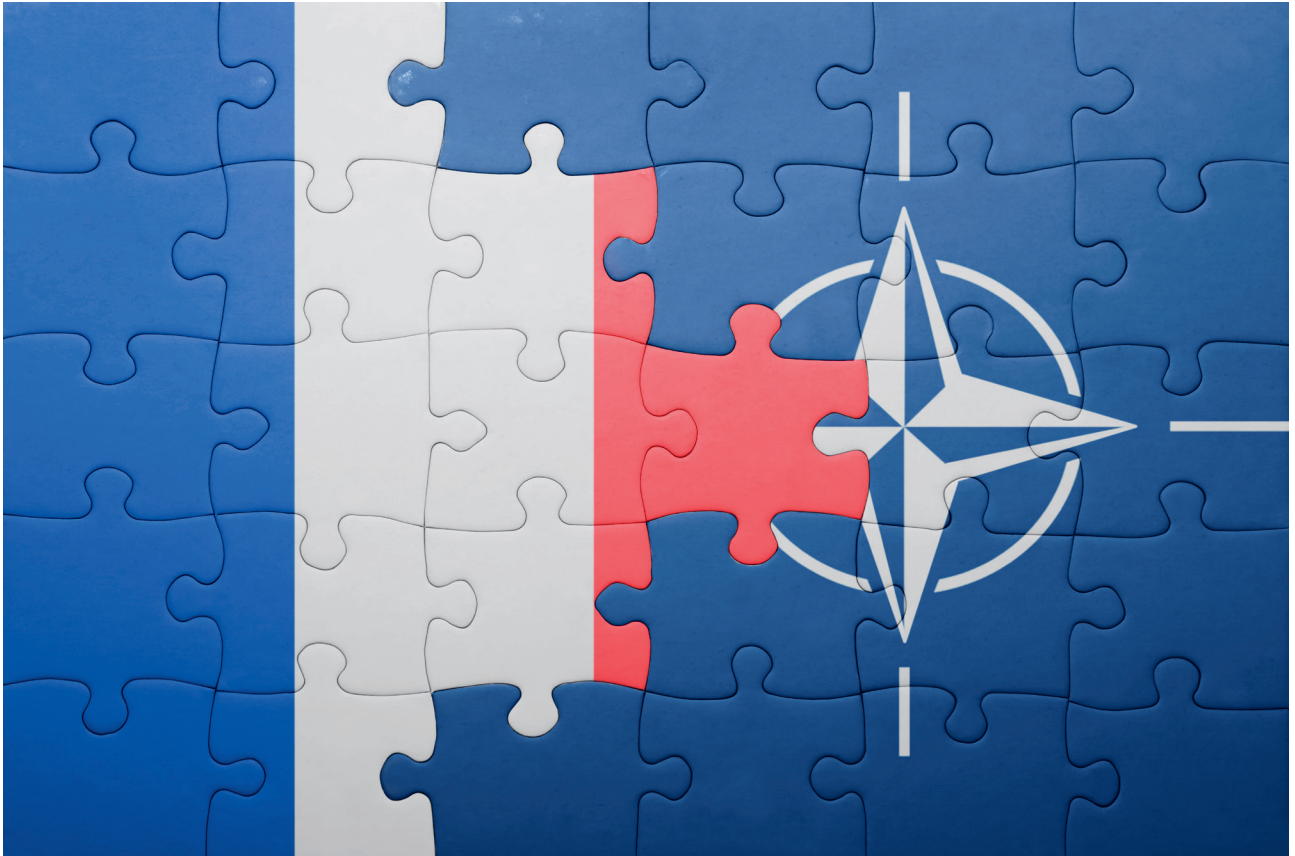


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of an embryo of something that will be subsequently labelled as a *Gaullist-Mitterrand* concept of France's foreign policy. Namely, this concept recognized the alliance with the United States of America as a key factor, while also advocating for

France's autonomy and strengthening influence in international relations.

After de Gaulle's departure from power in January 1946, in Quai d'Orsay^[4] another concept of France's foreign policy prevailed – the *Atlanticist*

[4] The part of Paris where the French Ministry of Foreign Affairs is located.

one.^[5] It was based on the idea that France should follow the US foreign policy, i.e., that it necessarily had to be a reliable ally of the USA, because for objective reasons, France could no longer have an independent role in the modern world. It is interesting that during the 1960s, François Mitterrand as an opposition politician was an advocate of *Atlanticist* foreign policy, while after coming to power in the 1980s, he conducted *Gaullist* foreign policy. Namely, Mitterrand believed that the end of the Cold War made NATO obsolete and that it was necessary to turn towards the construction of Europe's common defence.

The foundations of *Gaullist* foreign and defence policies were laid with de Gaulle's return to power in 1958 and the establishment of the Fifth Republic. This period was marked by the development of France's nuclear weapons in 1960 and the exit from the NATO's integrated command in 1966.^[6]

III. An attempt at recovering France's lost power through its alliance with Germany and European integrations

There is a thesis that the European Union was founded as an exponent of American interests, or globalism today. In that respect, it is necessary to take into account the historical context of the

post-war division of Europe into the capitalist *West* and the communist *East*. In 1947, through the program called *the Marshall Plan*, the Americans injected financial aid to the countries of West Europe in the amount of \$16.5 billion, an equivalent of today's amount of about \$173 billion (Mioche, 1997, p. 33, 34). The USA intended not only to recover economically its West European allies and to strengthen their position towards the members of the Soviet bloc, but also to ensure their participation in the world trade exchange, i.e., in the purchase of the US sophisticated products. That is the source of the US initiatives creating European organizations for regional economic cooperation through which the distribution of funds would be centralized and controlled.

An important contribution to the creation of today's European Union was made by the initiatives of Jean Monnet, a highly-positioned French official close to Americans. In the First World War, Monnet was involved in organizing supply of the British and French armies, while in the Second World War, apart from logistic tasks, he was also involved in mediating between different groups of the French Resistance movement. After the war, Monnet was at the head of the French Modernization and Re-equipment Commissariat. Jean Monnet concluded that the initiatives for founding the *European federal state*, no matter how essentially justified they were because of the

[5] Eloi Thiboud, *Du Gaullisme au néo-conservatisme, comment la diplomatie française est devenue atlantiste*. Available at: <https://www.lefigaro.fr/vox/monde/2017/06/02/31002-20170602ARTFIG00174-du-gaullisme-au-neo-conservatisme-comment-la-diplomatie-francaise-est-devenue-atlantiste.php> (Accessed on 21 July 2024).

[6] Thomas Wieder, *1966 : la France tourne le dos à l'OTAN*. Available at: https://www.lemonde.fr/international/article/2009/03/10/1966-la-france-tourne-le-dos-a-l-otan_1165992_3210.html (Accessed on 23 July 2024).

atrocious consequences of nationalism and etatism, had no probability of success both due to the differences existing among the European countries and nations, and due to the politicians' resistance towards giving up part of the state's sovereignty (Viansson-Ponté, 1993, p. 27). That is why Monnet proposed reaching the *European federation* via a shortcut, by establishing integrations in certain branches of economy. With time, economic merging would force European politicians to accept political unification. Monnet's ideas found fertile ground for the following reasons. As early as 1947, the USA, with the support of its British ally, advocated for the recovery of divided and occupied Germany. Namely, Americans believed that the occupation of Germany was irrational, particularly when the potential threat came from the East and the entry of the Soviet troops into West Europe. The recovered German state would pose a smaller burden on the allies' budget and would be a barrier towards the Soviet Union. The US initiative caused suspicion in France which had already had two grave war conflicts with Germany. Nevertheless, Frenchmen were aware that the development of Germany's military power relied on the heavy industry of the Ruhr and Saarland basins. In order to keep Germany's heavy industry under control, the French government accepted Jean Monnet's proposal for creating a common European market for coal and steel, which would be governed by supranational European bodies.

After General de Gaulle's departure from power in January 1946, France was ruled by moderate Christian democratic and socialist parties which advocated US initiatives for European integrations. Thanks to the French-German agreement, condi-

tions were created for Robert Schuman, French Minister of Foreign Affairs, to initiate the foundation of the European Coal and Steel Community (ECSC) on 9 May 1950. In the declaration by the French Minister of Foreign Affairs, which is considered the starting point in the post-war unification of Europe, it is pointed out that concrete moves towards European integrations are necessary in order to keep pace on the continent and worldwide (Zečević, 2015, p. 30). The common production of coal and steel in Germany, France and those countries joining them under the authority of supranational *high power* of the Community would be the first step in establishing the European federal state. The declaration of the French government was accepted by Germany, Italy, the Netherlands, Belgium and Luxembourg. Great Britain was also invited, but its government decided not to participate in the Community, not wanting to put Britain's heavy industry under the authority of supranational European bodies.

General de Gaulle believed that only nations were eternal and that the theses about conceding state sovereignty to European supranational authority were unrealistic. In 1953, the Gaullists prevented the foundation of the European defence as well as political union because they did not want the French army to be subordinated to European authority. In the beginning, de Gaulle had a negative position towards the foundation of the European Economic Community in 1957. He said unofficially that the moment he came to power he would tear up its foundation agreement and throw it away. That is why the advocates of the united Europe looked apprehensively at his return to power in 1958, within the Algerian crisis context.

The foundation of the European Communities in 1951 and 1957 coincided with the collapse of the French colonial empire. After being defeated in the Battle of Dien Bien Phu in 1954, France had to leave its colonies in Asia (French Indo-China), while at the same time the Algerian War of Independence began. In 1956, Frenchmen accepted the peaceful independence of Morocco and Tunisia.^[7]

The European integrations process was supposed to compensate for the loss of colonial territories and to serve France as a *multiplier* of economic development. In the early 1960s, President de Gaulle changed his position towards the European Communities, now seeing them as a potentially useful instrument. By enacting the Agreement on the European Economic Community, he wanted to impose French leadership on the European partners.^[8] De Gaulle's strategy was to use this European integrations process in order to achieve vigorous economic development; supervision over the recovered German state; turning the European Community into the *European Union* under French domination, with extended authorities in the sphere of foreign affairs and defence, which could rank equally with the United States of America and the Soviet Union (Zečević, 2015, p. 433).

However, with the entry of Great Britain into the Communities in 1973, the unification of Germany in 1989 and the accession of new member-states from East Europe in 2004, the French

political influence within the EU institutions became much weaker. Because of the increased number of ministers in the EU Council, the political weight of the French vote in this body became smaller and smaller. Furthermore, since 2004, great member-states have no longer proposed two members of the Commission, but one member instead (Zečević, 2018, p. 103). French credibility was also threatened by the failure in relation to the adoption of the European constitution. Namely, this country initiated and inspired the aforementioned project, having in mind that by the European Convention, which prepared the text of the Constitution, was led by Valéry Giscard d'Estaing, the former French president (Giscard d'Estaing, 2003, p. 11). However, in the 2005 referendum, French voters refused to ratify the international agreement establishing the European constitution. By doing so, France practically played out its European partners, particularly Germany, which has already ratified the proposed agreement in the Bundestag.

In the past decades, France has had slightly slower economic growth, and it has profiled itself as a number 2 geostrategic power in the European Union. Former goals of Gaullist France are far from being achieved. In the context of the globalized world and European neoliberal market, France has allowed the closure or resettlement of industrial facilities outside its territory. Political supervision

[7] *Chronologie de la décolonisation: ses enjeux géopolitique et son impact sur le processus de l'intégration européenne (1944/1975)*. Available at: https://www.cvce.eu/content/publication/2015/12/14/16fdo103-6844-47b7-9998-56c6e2433f6c/publishable_fr.pdf (Accessed on 27 July 2024).

[8] Pierre Velruise, *France/UE: le malaise, pourquoi?*. Available at: <https://www.diploweb.com/France-UE-le-malaise-pourquoi.html> (Accessed on 28 July 2024).

of increasingly stronger and unified Germany has remained an unfulfilled task. Moreover, France has not succeeded in convincing its European partners of the need for constructing independent European defence. The initial idea was to engage and develop France's military industry for the purpose of creating an independent European defence shield. It is in these terms that the statement by President Emmanuel Macron from November 2019 should be seen – that the NATO is *clinically dead*.^[9] Germany quickly let him know that there could be no convincing defence of the European Union outside the NATO, as well as that Germany itself was inclined towards US military protection and acquisition of US military equipment.

In some institutions of the European Union, France is represented in line with its demographic weight. The number of French representatives in the European Parliament is 81, which is the second largest number, after Germany. Just as other member-states, France also has a member in the European Commission, and one representative in the EU Council of Ministers and the Economic and Financial Affairs Council respectively. In those two bodies, the representative of France has the right of veto, primarily in the sphere of foreign affairs, defence and tax policy. However, it should not be forgotten that during the 1960s, in the name of protecting state sovereignty, General de Gaulle opposed the vote overriding in the Council of Ministers of the European Economic Community, i.e., deciding by the qualified majority. In January 1966, the Luxembourg Compromise was adopted, which

prohibits qualified majority voting in those cases when vital national interests of a member-state are threatened, but envisages negotiations until a solution acceptable to all was reached. In practice, the Luxembourg Compromise was not used on a large scale. Namely, the EU member-states respected the provisions of the founding agreement which call for decision-making by the qualified majority, but they never renounced the possibility of citing it extreme need.

Conclusion

The Gaullist idea of French exceptionality, the national state striving towards the highest accomplishments in the fields of economy, military technology, energy, medicine, media, culture and education, still lives in French society. The foundations of the Gaullist Constitution, which was supposed to provide guarantees of political efficiency and independence in relation to the external impact are still in force. However, nothing is the same as it was before. In today's globalized world, the medium-power French state is under a strong US economic, political and media impact, and that is exactly what General de Gaulle tried to prevent.

France is affected by the weakening industry, lower rates of economic growth and mass migration from the Islamic world. To a certain extent, it is acquiring a syndrome of a society divided into autochthonous Europeans, members of the Judeo-Christian civilization, and Islamic newcomers

[9] *Pour Emmanuel Macron, l'OTAN est en état de mort cérébrale*. Available at: <https://www.lefigaro.fr/international/le-president-francais-emmanuel-macron-juge-l-otan-en-etat-de-mort-cerebrale-20191107> (Accessed on 1 August 2024).

from Africa. The welfare state has decreasing funds for persisting the mass influx of inhabitants unable to understand its history, way of life and rules of behaviour.

France's reputation in the European Union continues to exist thanks to its Gaullist heritage. France is the only member-state of the European Union with military and energy independence to a certain degree, primarily owing to its nuclear technology used for civilian and military purposes. France has developed social rights and the policy of protecting national culture. However, Frenchmen

have been long aware of the fact that they cannot enter independently a fair match with the powers such as the United States of America, China, Russia, as well as India in the near future. The politically and defence-wise independent European Union is the only entity which would have resources for something like that and it is exactly the program and the political idea France is aspiring to realize. Currently this is not feasible because France's partners within the European Union are too dependent on the United States of America in economic and security terms.

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