



Charles De Gaulle and the Improvement of the Presidential Institute of the V Republic of France

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Abstract

De Gaulle's improvement of the presidential institution in the French V Republic led to the establishment of a strong presidential power in the country. This increased the risk of the violation of democratic principles and the establishment of an authoritarian regime, along with solving the problems facing the society.

Keywords: France, de Gaulle, the Fifth Republic, the president, the constitution.

Charles de Gaulle was a politician who left a deep mark on the modern history of France. General de Gaulle, who came to power as a result of the political crisis of 1958 and the general depression of the Fourth Republic, first of all, seems to be the embodiment of the French version of pure politics, capable of forming effective alliances, finding his supporters and reshaping the entire political field in his favor (11; 8).

After coming to power, de Gaulle, who was in the "principled opposition" for many years, did not repeat the mistakes of the previous period. He relied on a well-organized mass party - supporters of the Gaullists would unite in 1958 in the Union for the New Republic (UNR). De Gaulle's personal reputation was strengthened by a profound ideological conception (9; 15).

In December 1958, de Gaulle was elected president of the republic with a majority of votes. The President of the Republic has become the main figure of French politics. According to the 1958 constitution, the president is elected for a seven-year term (since 2002 - five years) by indirect (since 1962 - universal) suffrage.

The president appoints the prime minister and certain ministers upon his proposal, returns the bills passed by the parliament for reconsideration, submits to a national referendum any bill on the organization of state power or the approval of international agreements that may affect the activities of state institutions, at the proposal of the government or both houses, have the right to withdraw (2).

According to the 1958 constitution, a vote of no confidence in the government can be made in the National Assembly when the prime minister himself raises the question of responsibility for the government's program or when at least one-tenth of the deputies announce a censure. In both cases, a vote of no confidence in the government can only be made by an absolute majority. If the resolution of censure does not receive the required majority vote, then the initiators are deprived of the right to introduce a new initiative in that session (2).

Meanwhile, the prime minister begins to play an important role in the domestic politics of the country. De Gaulle appointed Michel Debre as prime minister and told him: "I do not want to interfere in all aspects of the government. I will limit myself to defining the main directions," he said. This led to the emergence of one more new political experience. The president of the country



deals mainly with foreign and defense policy, and the prime minister appointed by him deals with domestic policy (1; 388).

As part of this experiment, after the promulgation of the constitution, the government was given very broad powers for 4 months. In 4 months, 300 decrees and ordinances were adopted one after another. The country's armed forces were also reorganized. According to the new reforms, it was transformed into a professional army. The army has become one of the important foundations of the state. It was possible to bring the army to a state of partial or full mobilization in a short period of time. For this, it was necessary for the Council of Ministers to declare a "danger".

In this way, a strong presidential power was established by law. According to Article 16 of the Constitution of the French Fifth Republic, "When the institutions of the Republic, the independence of the nation, its territorial integrity, or the fulfillment of international obligations are in serious and direct danger, when the normal functioning of the constitutional bodies of state power is violated, the President of the Republic, after official consultation with the Prime Minister and the chairmen of the chambers, as well as the Constitutional Council, shall take all the measures required by the existing conditions, he sees the chors" (12; 2).

This means that the president has the right to declare a state of emergency in the country. Also, elections to the National Assembly were held, after which the President had the right to dissolve the National Assembly a year later. But the National Assembly did not have the right to control the president.

In all aspects of the state system, the president has gained very wide powers. When making important decisions, the signature of the prime minister was sometimes required, but the most important issues of the state were personally implemented by the president. This is stated in Article 19 of the Constitution: "In cases other than those provided for in Articles 8 (first paragraph), 11, 12, 16, 18, 54 and 61, acts of the President of the Republic shall be verified by the Prime Minister, and in necessary cases by the responsible ministers" (12; 10).

The rights and powers of the president in the field of management have expanded considerably. He presides over the Cabinet of Ministers: he signs the decrees and decisions that are discussed in them; appoints the prime minister and other members of the government on his recommendation; will accept their resignation; According to Article 13 of the Constitution, the president makes personal appointments to non-military and military posts. The President acts on behalf of France in the relations between the States; signs contracts; Receives ambassadors appointed to France. He is also considered the Supreme Commander of the armed forces (12; 8).

Finally, the president is also the guarantor of an independent judiciary. He has the right to pardon. In addition, in cases where there is a direct threat to the Republic, in consultation with the Prime Minister, he declares a state of emergency in the country and informs the population of the country about the introduction of such a state.

According to Article 5 of the French Constitution, the president is the supreme judge and ensures the normal and consistent functioning of state bodies. In this article itself, it is noted that the president is the guarantor of national independence, territorial integrity, and compliance of the French government with international agreements and treaties (12; 3).

As for the president's relationship with the parliament, he can dissolve the lower house. This norm is defined in the 12th article of the constitution as follows: "The President of the Republic may announce the dissolution of the National Assembly after consulting with the Prime Minister and the chairmen of the chambers. General elections shall be held no later than 20 days after the dissolution and no later than 40 days. The National Assembly convenes on the second Thursday after the election according to law. If this meeting falls between sessions, then the session shall be



opened for a period of 15 days by law. The National Assembly cannot be dissolved again within one year after the elections” (12; 7).

Charles de Gaulle, the first President of the V Republic, was personally involved in the foreign and military policy of the state, as well as the policy in the field of relations with the colonies. Fourteen French colonies in Africa were granted independence in 1960 thanks to the far-reaching policies of Charles de Gaulle. Charles de Gaulle negotiated with the leadership of the Algerian Republic, overcoming the opposition of the fierce colonialists and the army command in Algeria.

On November 14, 1960, at the Council of Ministers, de Gaulle announced that he had decided to resolve the Algerian issue through a referendum, and that this referendum would be held on January 8, 1961.

The Evian Agreement, which was overwhelmingly approved in a referendum, allowed millions of repatriated French to leave Algeria and return to France. Seeking to increase France's role in the world, the French government set the task of providing the army with nuclear weapons, and in 1960, a nuclear weapon test was conducted in the Sahara (8; 102).

The election of the president of the republic was conducted in two stages: first, the electorate was elected; then they will elect a president. This arrangement, which de Gaulle himself approved in 1958, by 1962 was no longer satisfactory to him.

The new reform of the election of the president of France was put to a referendum. De Gaulle, who was eager to implement this reform, announced that he would resign if his proposal was not accepted. After the referendum was held, de Gaulle announced its results and explained its importance, saying that France "must be led by a stable authority that will direct the destiny of the country and, if necessary - you know, it will be necessary - make an urgent decision of great importance" (14; 512).

When de Gaulle decided to change the method of electing the president, he said, "The president elected by popular vote will have the status of a monarch". He went against the traditions of French republicanism and the spirit of radicalism. De Gaulle brought the reform to a referendum without following the basic law, which requires the consent of the National Assembly and the Senate to change the constitution. In response to serious objections, he said that the interests of France and the country were above any law (6; 130-131).

Some scholars believe that the 1958 constitution restricted democracy by giving the president too much power. In particular, the Russian legal scientist Z.M. Chernilovsky wrote as follows:

- A. powerlessness of the parliament before the president;
- B. concentration of the rights belonging to the government in the hands of the president; the dependence of the courts on the government and officials;
- C. The unfairness of the electoral system, the direct and open favorable conditions for the parties close to the government, and the creation of destructive obstacles for the opposition", it shows that democracy is limited in the conditions of the V Republic (14; 512-513).

Among French historians, there are also different opinions on this matter. Historian Jean Garring wrote in his article published in the newspaper *Le Figaro* that Rége Deber, who was an adviser to French President Francois Mitterrand from 1981 to 1985, wrote a book in 1990 called "See you tomorrow, de Gaulle", in which he described the general as not only the last great figure of the XIX century, but the first of the XXI century.

Since this period, General de Gaulle has become a real idolatrous object and a collection of political memories, writes J. Garring. "The general is today undergoing a posthumous deification in the minds of the French: never has his fame been less controversial than now, never has his



legend been celebrated to such an extent," says commentator Alain Duhamel. Even Marine Le Pen said in June 2018 that she was "very close" to the 1940 hero, despite the fact that her father called the general "a source of terrible suffering for France" in his memoirs. (13).

According to the historian, de Gaulle will always be ahead of Napoleon, Louis XIV and all other rulers in the national memory of the French. According to Garring, the uniqueness of the myth of de Gaulle is related to the image of the savior. "Perhaps I will write the last pages in the Book of our greatness," the general commented at his press conference on November 12, 1953. The hero of June 18, 1940 alone not only restored the Bonapartist myth of the God-given ruler, in May 1958 he invented a new political system, which was concentrated in the position of president, but was the first in the history of French republicanism to "combine the images of the country's gatherer, fighter and prophet in the person of the head of state" (13).

In our opinion, it is necessary to evaluate the activities of historical figures, especially de Gaulle, who led the nation in the most difficult moments of its history, from the point of view of the era. In particular, the 1958 constitution should be viewed as a French model of presidential democracy, unlike the 1946 constitution.

In the most recent history of France, especially during the V Republic, there was a strong need in society for a strong state and a strong presidential rule. Also, referendums held during this period showed that a strong government was the will of the majority of the French. Charles de Gaulle relied on the will of the people in shaping his policies and ideas.

Thus, the Gaullist ideology, de Gaulle's personal views and political experience played an important role in the development of the presidential institution of the V Republic in France. The process of strengthening the presidential power implemented by de Gaulle, as a result of which France turned from a republic of parliamentary rule into a republic of semi-presidential rule, is still widely criticized by historians today. In particular, the establishment of authoritarian regimes in most post-Soviet countries that gained independence by the end of the 20th century, including Uzbekistan, and the emergence of scientific works devoted to proving their necessity for the transitional period forces us to take a fresh look at the ideas of Holism.

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