

on an increase in Presidential powers and (b) the provision for a new French Community along Federal lines which the overseas territories will be able to join.

The Presidency

The increase in the status and powers of the President represents the greatest single change from the Constitutions of 1946 and that of the Third Republic. The more important provisions relating to the office of the President are as follows:

Election — The constitution provides for a greatly enlarged electoral college comprising members of Parliament, of the General Council and of the Assemblies of the overseas territories, along with delegates of Municipal Councils. Some misgivings have been expressed in France about this provision, on the grounds that it gives undue weight to the vote of representatives of rural communities and thus militates in favour of the election of a conservative President, regardless of the trend in the National Assembly. The President will be a much more important figure in French politics than any of his predecessors since President Thiers, who founded the Third Republic. Given his increased power, this might lead to incompatibility between the President and the Assembly.

Power of Referendum — The constitution gives to the President the power, at the instance of the Government, or on a joint proposal of the two Houses, to submit any project of law to a referendum.

Emergency Presidential Powers — The President is authorized to assume full powers "when the institution of the Republic, the independence of the nation, the integrity of its territory or the fulfilment of its international commitments, are threatened in a grave and immediate manner and the regular functioning of the constitutional public power is interrupted". While the President will, in the final analysis have to make the decision as to how he should assume emergency powers, the criterion of the break-down in political authority is considered to be one of fact rather than of his personal judgment.

The Cabinet

The constitution initiates a new principle that a Cabinet position is incompatible with membership in the National Assembly and that Ministers must resign their seats in Parliament on appointment. General de Gaulle had insisted vehemently on this provision on the grounds that the "race for portfolios" by parliamentarians was one of the causes of government instability.

Relations between Parliament and Government

The constitution gives responsibility to the National Assembly and the Senate for voting laws on a wide range of subjects, including taxes and fiscal matters and stipulates that the list of subjects can be further lengthened by law. However, the provisions governing relations between the executive and the legislation tend to enhance the secondary role of Parliament in comparison with its role under the Fourth Republic.

Parliament can now be asked to delegate to the Government the right to pass decrees on subjects which are normally a matter of legislation, a method frequently used under the Fourth Republic by the granting of full powers to the Government in certain specified fields. Such decrees must be