

# French Senate votes law facilitating impeachment of the president

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Last month, the French Senate voted a bill making it easier for the parliament to impeach and remove from office the President of the Republic. The bill stipulates that impeachment proceedings may be initiated by parliament against the president, if he “fails in his duties in a manner which is clearly incompatible with carrying out his mandate.”

The bill was approved overwhelmingly by the Senate without amendments by 324 votes to 18, after being voted by the National Assembly in January 2012. It has been submitted to Constitutional Council for final approval, to see whether it complies with the French constitution.

This is a major change in the current situation, where the French president is immune from civil and criminal prosecution during his five-year term—unlike in the United States, where the president can face both civil and criminal prosecution while in office. Currently, a French president can be impeached by the parliament on charges of high treason or “incapacity” due to illness. He can then be removed from office by a ruling of the Parliament assembled as a High Court, requiring a two-thirds majority vote.

The new bill is substantially shorter than the 1959 decree it replaces, with only 8 articles giving large legal leeway to a Bureau of 22 parliamentarians leading the High Court.

While France’s Fifth Republic is undoubtedly a reactionary bourgeois set-up—allowing the president to rule without a parliamentary majority and exercise immense influence, particularly over foreign policy—this measure is deeply undemocratic. By adopting vague, subjective criteria for impeachment, it sets the stage for all sorts of media campaigns or provocations through which the ruling class can oust a head of state it views as a political liability.

Didier Maus, a law professor and right-wing politician who sat on the presidential impeachment commission set up by former President Jacques Chirac, laid out scenarios for impeachment under the measure to *Lib é ration*: “Either the president no longer carries out the normal functioning of public office, i.e. he does not sign laws voted by the parliament, blocks the constitution or uses his powers abusively. Or, his personal behavior is incompatible with the dignity of his office. He commits a crime, goes completely off the rails in a public statement, etc.”

The question of whether a president is behaving with “dignity” is manifestly a question of subjective interpretation, opening the way to various charges of personal misconduct. This recalls how US President Bill Clinton was impeached in 1998 over a trumped-up sex scandal manufactured through a right-wing conspiracy involving Republican Party operatives.

The subjective and politicized character of the new measure was, in fact, raised during the debate by one of the few senators to propose amendments to the measure, PS Senator Jean-Pierre Sueur. He stated: “It replaces a procedure of accusation with an impeachment proceeding based on a political judgment—we must say this, as it is the truth—on the character of the failing of which the head of state is accused.”

Sueur added, “Unlike in the previous legal set-up, and I insist on this point, the parliamentarians [voting for impeachment] are ... taking a political decision to preserve the higher interests of the nation.”

The impeachment bill has been awaited since 2007. This came after over 4 years of work of an advisory commission created in 2002, after the Cassation Court ruled in 2001 to suspend for the duration of his term criminal charges against the then-sitting president,

Jacques Chirac. Chirac was ultimately found guilty in 2011 on criminal charges of illicit political funding while serving as mayor of Paris.

Although the changes were set into motion 12 years ago, the ruling elite's decision to revive the bill now is undoubtedly bound up with the unprecedented political crisis in France and throughout Europe. The Socialist Party (PS) government of President François Hollande is deeply discredited due to its right-wing measures against the working class in favor of big business, and the imperialist wars in Africa and the Middle East.

After being in power for two and half years, Hollande, who poses as a "normal" president, finds himself in a highly abnormal position, as France's most unpopular president since the creation of the office and of the Fifth Republic in 1958. His approval rating stands at a historic low of 12 percent, with only 3 percent support for his economic policies. More than eight in 10 Frenchmen say they do not want him to run for a second term in 2017, and another recent poll showed that over 62 percent of the population wanted him to leave office before then.

Prominent politicians have already advocated creating the necessary legal infrastructure to throw Hollande out before the end of his term. (See: From pseudo-left to New Right: The trajectory of France's Jean-Luc Mélenchon)

The reactionary policies of the PS, supported by pseudo-left parties like the New Anti-Capitalist Party (NPA) have also exposed the disintegration of the bourgeois "left" and allowed the neo-fascist National Front (FN) to pose as an anti-establishment party and rise in the polls. Increasingly, as scandals beset the right-wing Union for a Popular Movement (UMP), politicians and media outlets are speculating on the possibility that FN leader Marine Le Pen might succeed Hollande.

Under conditions of deep political crisis, one cannot predict precisely how the parliament's new powers might be applied—to oust Hollande after an eruption of protests against him, to terminate an unstable Marine Le Pen presidency, or in another, as-yet unforeseen scenario. The unpopular, right-wing agenda of Hollande and the promotion of the FN are sharp warnings, however, that the French ruling class as a whole is deeply hostile to democratic rights.

In the struggle against reactionary governments of

various stripes, however, the working class must mobilize its strength independently of all factions of the political establishment and on the basis of a struggle for socialism and workers' power. It cannot place any confidence in the corrupt maneuvers of a ruling elite that is turning far to the right.



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