



CONSTITUTIONAL SYSTEMS OF THE WORLD

The Constitution of France

A Contextual Analysis

Sophie Boyron

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France – pictorial narrative

The heart of the composition depicts Marianne, France's national emblem of Liberty and Reason. Marianne's posture, with right hand clutching the French flag, is inspired by Eugène Delacroix's 'La Liberté guidant le peuple' – but her head is juxtaposed with the French Coat of Arms and the monogram 'RF' for République Française. Marianne's left breast is roped onto the famous Republican motto: 'Liberty, Equality, Fraternity', shortened to 'LEF'. On Marianne's left, scales of justice are fused with a guillotine – symbolising the reign of terror – partially obscured by billowing smoke from the storming of the Bastille in 1789.

Below the initials of the Republican motto, stands the entrance to the Cour du Mai of the Palais de Justice.

France's first chamber (the Assemblée Nationale) with its facade etched with '1958', referring to the year of the adoption of the current Constitution of France and the 5th Republic associated with President Charles de Gaulle. His statue – striding over the Parliament holding Roman swords – echoes Jacques-Louis David's Oath of the Horatii (David was an active supporter of the French Revolution). The Eiffel Tower, still in the process of construction, is intended to project de Gaulle as modern man and the modernity of France.

There is an assembly of citizens in conversation, representing the ownership of the 1958 Constitution by the people.

THE CONSTITUTION OF FRANCE

The centrepiece of this work is the French constitution of 1958, portrayed by the author as an innovative hybrid construct whose arrival brought the constitutional stability that had eluded France for centuries. But the creation of the 1958 constitution was not an isolated act; it represents part of an evolutionary process which continues to this day. Even though it is codified, the constitution of the Fifth Republic has evolved so markedly that some commentators have dubbed the present institutional balance the 'sixth Republic'. It is this dynamic of the constitution which this book seeks to explain. At the same time the book shows how the French constitution has not developed in isolation, but reflects to some extent the global movement of ideas, ideas which sometimes challenge the very foundations of the 1958 constitution.

Constitutional Systems of the World

General Editors: Peter Leyland and Andrew Harding

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In the era of globalisation, issues of constitutional law and good governance are being seen increasingly as vital issues in all types of society. Since the end of the Cold War, there have been dramatic developments in democratic and legal reform, and post-conflict societies are also in the throes of reconstructing their governance systems. Even societies already firmly based on constitutional governance and the rule of law have undergone constitutional change and experimentation with new forms of governance; and their constitutional systems are increasingly subjected to comparative analysis and transplantation. Constitutional texts for practically every country in the world are now easily available on the internet. However, texts which enable one to understand the true context, purposes, interpretation and incidents of a constitutional system are much harder to locate, and are often extremely detailed and descriptive. This series seeks to provide scholars and students with accessible introductions to the constitutional systems of the world, supplying both a road map for the novice and, at the same time, a deeper understanding of the key historical, political and legal events which have shaped the constitutional landscape of each country. Each book in this series deals with a single country, or a group of countries with a common constitutional history, and each author is an expert in their field.

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