

Legislative elections: which government for France?

Finding a way out of the political and institutional maze back into Europe

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France has elected a new National Assembly. With a turnout of over 65% in the first and second rounds, voters have now given it a legitimacy that has been lacking for decades. Problem: it is split into three blocs of more or less equal size, with the Nouveau Front Populaire (NFP) on the far-left and the left, Ensemble and Les Républicains (LR) in the center and to the right, and the Rassemblement National (RN) on the far right. How can a lasting government be formed under these conditions? cep explores 5 options:

- (1) **A government of the NFP, which came out on top on July 7.** Such a government would increase deficits but bring about the change that the French people have called for via the ballot box. This is the most likely option, but there are a number of obstacles to its establishment, not least the left-wing split, but also a potential rejection by President Macron, and a weak resistance to votes of no confidence.
- (2) **A government led by an Ensemble-LR alliance,** which would have the advantage of not undoing the government's economic policy of the last 7 years. This option is less likely, as LR has historically refused any kind of political alliance in the National Assembly.
- (3) **A government led by a left-wing alliance (without La France Insoumise - LFI) plus Ensemble (Macron's coalition).** This would carry a program likely to increase public deficits but is highly unlikely as it would be a betrayal of the program put forward by the left-wing parties during the campaign.
- (4) **A grand coalition government** (spanning from LR to the Socialist Party, or even with the Ecologists and Communists). Such a government would be largely technocratic but would show the French that the political class is capable of changing its political culture. Given the effort needed by parliamentarians, this option currently remains highly unlikely even if it is the wish of President Macron.
- (5) **A technical government,** relying solely on Ensemble in the National Assembly, to manage current affairs. This would bring stability but would be profoundly undemocratic and could lead to a violent "social autumn".

All in all, it may be that no option is viable, which would lead to a real regime crisis, the outcome of which could be President Macron's resignation, constitutional reform, or the granting of full powers to the President for one year in order to move towards a new dissolution. During this time, France, historically a crucial driving force behind the European project, runs the risk of having no influence in Europe at all.

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1 Introduction

At a time when Europe needs leadership in the European Council for the forthcoming term of office of the Commission and Parliament, France, one of the historic driving forces behind European integration, is entering a period of political turbulence and will certainly not be able to assume this role. While the second round of parliamentary elections on July 7 showed that the French were still capable of holding off the extreme right - with voters from the center, for the first time, not hesitating to vote for the left, notably LFI, to counter the RN - the French National Assembly finds itself with 3 blocs of similar size, making it very difficult to form a stable government in the short term, and preventing France from having any influence in Europe.

The Nouveau Front Populaire (made up of Jean Luc Mélenchon's France Insoumise - LFI -, the Socialist Party, the Ecologists, the Communists, and other leftists) surprisingly came out on top with 194 seats out of 577¹. The presidential majority (MODEM, Ensemble, Horizons and other centrists) were next with 166 seats², while the RN, which in almost all the final polls was expected to get over 200 seats, - actually ended up with 143³. Finally, the right-wing Les Républicains (LR) party, purged of its RN-compatible fringe since the departure of President Eric Ciotti during the first-round campaign for the 2024 legislative elections, held steady with almost 60⁴ seats, including the other right-wing MPs.

With 289 seats required for an absolute majority in the National Assembly, it is impossible, as things stand, for a single political group to form a majority government. With this in mind, - and despite the defeat of the presidential camp, which came in second - the French President Emmanuel Macron has asked Prime Minister Gabriel Attal to remain in office, along with the entire government, until "the Assembly is structured" and a government emerges that is capable of governing.⁵

At this stage of the political reconfiguration, what are the likely options and scenarios? Will France be able to count on a stable government for - at least - the coming year? How can this situation be resolved, and stability restored?

In this cepAdhoc Network, we will assess the advantages and limitations of forming a government led by the winner of the recent elections, the Nouveau Front Populaire (Section 2), by an Ensemble-LR alliance (Section 3), by an alliance of the non-LFI left and Ensemble (Section 4), by a grand coalition (Section 5) and finally by a technical government (Section 6). All these options are explained in Figure 1 below. Finally, we look at the possibility of regime crisis if these options fail (Section 7), and what this would mean for France's future role in Europe (Section 8).

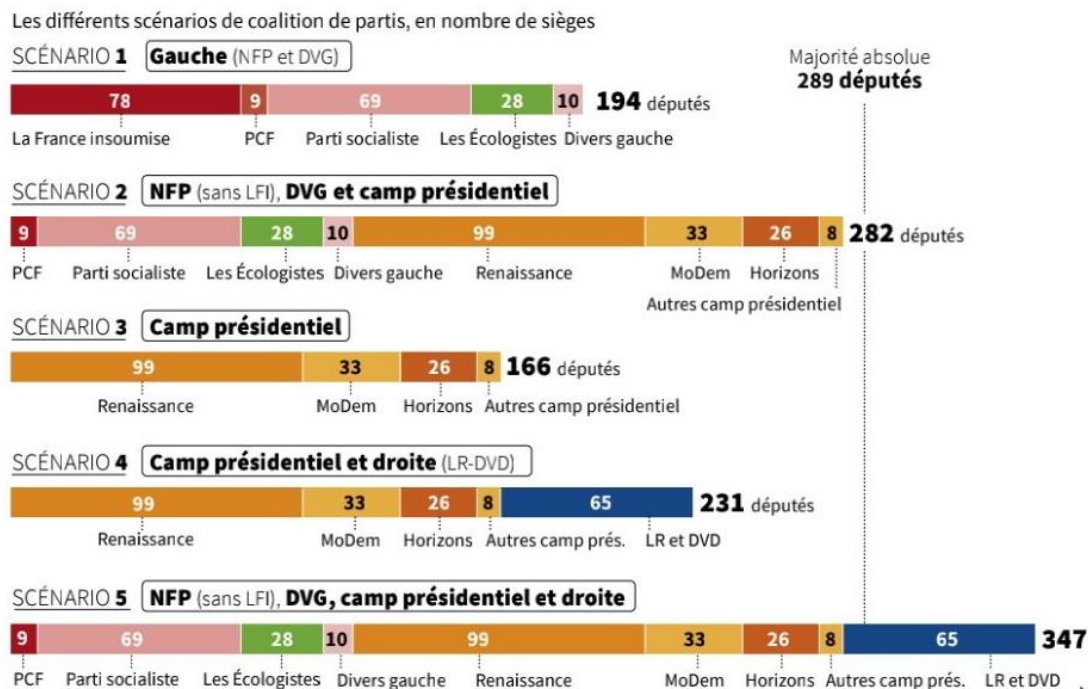
¹ La Chaine Parlementaire, [Législatives 2024: quels équilibres au sein des blocs de la nouvelle Assemblée nationale?](#) The figures are still subject to change until the final composition of the groups on July 18, 2024.

² Ibid.

³ Ibid.

⁴ Ibid.

⁵ Le Grand Continent, [Emmanuel Macron refuses the resignation of Gabriel Attal, who remains Prime Minister, what happens now?](#) 08.07.2024.

Figure 1: The five government options in the new National Assembly

Source: *Le Figaro*. Note: Scenario 1 corresponds to Section 2 of the *cepAdhoc Network*, Scenario 2 to Section 4, Scenario 3 to Section 6, Scenario 4 to Section 3, and Scenario 5 to Section 5.

2 A government of the Nouveau Front Populaire

2.1 The theory

Since the Nouveau Front Populaire is, until further notice, the largest coherent political force in the National Assembly, once it succeeds in appointing a prime minister, President Macron - if he really wants to respect the results of the ballot box - should call on that person to form a minority government, just as the presidential majority itself did in 2022 after the legislative elections following President Macron's re-election.

With the support of fewer than 200 MPs in the Assembly this government would be very fragile. Rather than asking for a vote of confidence, it would probably seek to build project majorities with the center (or even the RN on pensions) on some laws but would above all seek to use its regulatory powers.

The NFP is in fact aiming to raise the minimum wage (SMIC) to € 1600, freeze certain prices and repeal the pension reform by decrees signed by the Prime Minister.⁶⁶ On the face of it, the SMIC increase could easily pass. The price freeze may also be possible but will certainly involve a legal debate. Meanwhile, a repeal of the pension reform, which raised the retirement age, would have to go through parliament. Nevertheless, if the RN and NFP votes were combined, there would theoretically be a majority to repeal this law, even if the RN has always defended a rather different position from that of the NFP on how to reverse the 2023 reform.

⁶⁶ France 24, [the NFP wants to act quickly "by decree" ... But is this legally possible?](#) 09.07.2024.

2.2 The limits

However, it is at present by no means certain, first of all, that the NFP will agree on one or more names for prime minister, given that France Insoumise (far-left) and the Parti Socialiste (center-left) have groups of similar size in the new Assembly (78 with the excluded MPs and 69 respectively) and both are claiming that the prime minister should come from their ranks.

In addition to the difficult negotiations, whether just on the name of a prime minister, or, even more controversial, on the appointment of a potential government, there are also dissenting voices, notably within the Socialist Party, on the relevance of forming a government solely on the basis of the NFP coalition, which represents fewer than 200 MPs. Some MPs are in favor of opening up the coalition to those, notably centrists, who would be willing to join them in voting for certain left-wing laws. Others go further, believing that it is their responsibility to propose a grand coalition in order to prevent the RN from gaining an absolute majority in the National Assembly next time around.

Finally, even if the NFP manages to agree on a name and a parliamentary "perimeter", there is no guarantee that President Macron will agree to appointing the person it designates as the country's prime minister. Indeed, the Constitution of the Fifth Republic in no way specifies the conditions to be met for the President of the Republic to appoint the prime minister.⁷ Traditionally, the President effectively respects the verdict of the polls and appoints the person leading the majority group in the Assembly.

But it could be otherwise. On one occasion in the past, a French President appointed a Prime Minister who was not from the majority group. In 1978, after the victory of Jacques Chirac's RPR (Rassemblement pour la République), President Valérie Giscard d'Estaing appointed Raymond Barre from the presidential UDF party (Union des démocrates français), which was the second largest group in the new Assembly. This situation is not quite comparable, since the UDF and the RPR were united in the Assembly. Nonetheless, it sets a precedent that could encourage Macron to renege on the verdict of the ballot box.

Moreover, in this respect, he may feel that the NFP, which is not currently a united parliamentary group but a coalition of groups (Socialists, Communists, Ecologists, La France Insoumise), does not constitute a sufficiently solid base to allow them to appoint a prime minister. The latest developments seem to prove him right. This is why he has made it clear that he is waiting for the Assembly to "structure itself" into groups before naming the prime minister of a future government. He may well consider appointing a prime minister from the left-wing coalition if it forms a single group in the Assembly.

For the record, a parliamentary group⁸ in the National Assembly must have at least 15 members. It must sign a political declaration, which is then made public. It must also hold positions of responsibility within the Assembly (committee chairs, etc.). Group presidents sit on the Conference of Presidents and have wide-ranging prerogatives (requesting the creation of a special committee, obtaining a suspension of the sitting, etc.). Finally, groups are characterized by strong voting discipline on the part of their members. It is this last point that Macron could rely on to justify refusing a prime minister appointed by a coalition of parties belonging to different groups.

⁷ Conseil Constitutionnel, [Texte intégral de la Constitution du 4 octobre 1958](#), article 8.

⁸ Vie publique, What are [parliamentary groups for?](#) 02.07.2024.

3 A government coalition between Ensemble and LR

3.1 The theory

Currently, there are rumors that Ensemble (a coalition between President Macron's Renaissance party, François Bayrou's MODEM party, and former Prime Minister Edouard Philippe's Horizons party) is looking to form an alliance with the Republicans, which would form a central bloc of around 230 MPs, more than the Nouveau Front Populaire.

This new political force would have the legitimacy to form a government, which would then pursue a policy broadly similar to that of the previous government. The aim would be to avoid increasing public spending and raise taxes, in order to comply as closely as possible with the rules of the Stability and Growth Pact. It is also possible that this alliance could agree on new legislation to combat illegal immigration and security issues,

The legislation although such legislation would have to pass the test of the Assembly. It is therefore unlikely that this government of continuity will carry out any major reforms which, in the eyes of voters, who have largely chosen the extremes out of a desire for change, will look like immobilism.

3.2 The limits

This alliance is unlikely to see the light of day as Laurent Wauquiez, the informal leader of LR and an established hardliner, is against it. He believes - and this is the established line of LR - that no alliance or compromise is possible with Ensemble, which has pursued a policy that the right-wing party has denounced for 7 years.

There could, however, be a split within LR. In recent days, Bruno Retailleau, a figure close to François Fillon, the unsuccessful LR candidate in 2017, has indicated that he believes a new party is needed because the LR brand is dead. Aurélien Pradié, an upcoming political figure, has left the party in the hope of founding a new Right. So it is conceivable that Ensemble, guided by Gabriel Attal, will manage to poach LR elected representatives and integrate them into the Ensemble group, perhaps within Horizons.

This option would be more to the liking of the head of state as it would protect the policies he has pursued for the past 7 years. However, if LR splits up and only part of it joins with Ensemble, the government will have a very limited parliamentary base and could quickly be subject to a vote of no confidence in Parliament.

An alternative is that LR supports a potential government from the center only by abstaining during vote of no confidence, as it did already between 2022 and 2024.

4 A government of the left (without-LFI) plus Ensemble

4.1 The theory

This coalition would bring together four parties and would lean to the left, with the Socialists as the pivotal group. It could respond to the desire for change expressed by some French people, with a program based on social justice and redistribution. To reach the absolute majority, it could reach 289 MPs by adding non-affiliated center-right MPs.

4.2 The limits

At this stage, it is hard to imagine this type of coalition, given that the three left-wing parties mentioned have campaigned on a specific program, that of the NFP, and would be hard pressed to renounce it just after the second round of legislative elections.

The advantage of this coalition – if no non-affiliated center-right MPs join - is also rather limited, as it would remain below the fateful threshold of 289 seats, the absolute majority in the National Assembly, but would still come very close with 282 seats. It might even be possible to pass legislation with the LR abstaining in certain cases.

5 A grand coalition government spanning from the Communists or from the Socialist Party to LR

5.1 The theory

This grand coalition is the only one with an absolute majority. It is the wish of Emmanuel Macron, as expressed on July 10.⁹ A different variant which retains an absolute majority is also possible without the communists and even without the ecologists.

This grand coalition would resemble that of the European Parliament and would be designed to govern in a balanced way, probably without any major projects that would stand out in the eyes of the public. This type of coalition is in fact highly likely to resemble the technocratic government option, where only non-political personalities would have power within the government.

5.2 The limits

This grand coalition would be a revolution in French political culture, which is based on power struggles and disputes, not compromise. At this stage, it seems hard to imagine that parliamentarians would be capable of sweeping aside 70 years of political culture to rapidly coalesce around a project embodied in a coalition agreement, as in Germany. But that may well be what the French people were asking for when, for the first time, they voted massively for the center and the left to block the Front National. They might therefore welcome this grand coalition.

For the moment, the NFP has not broken up, and there is no question of a coalition where the left is present without LFI.

⁹ France Bleu, [Dans une lettre aux Français, Emmanuel Macron appelle à « bâtir une majorité solide, nécessairement plurielle »](#), 10.07.2024.

However, if such a coalition were to be formed, this could be bad news for the Republic since, going by the experience in other countries, notably Italy, it has led to the victory of opposition parties in new elections. In this case, it would be the Rassemblement National and LFI.

Lastly, this grand Republican coalition would most certainly correspond to a form of political immobilism insofar as there would be no majority to pass ambitious laws, on the left or the right.

6 A technical government, supported only by Ensemble

6.1 The theory

Given the difficulty of all the options mentioned, Emmanuel Macron may finally opt for a technical government based not on a grand coalition, which would be difficult to set up, but consisting solely of Ensemble in the Assembly, a group of 166 MPs.

This technical government, which in fact resembles the current government, whose resignation the President refused to accept on Monday July 8, would be content to manage current affairs, without any political agenda being brought before Parliament. The risk of a vote of no confidence would thus be avoided.

6.2 The limits

A government on these lines would amount to a denial of democracy, insofar as the results of the elections would be completely disregarded. Such action by the President would be perplexing, given that he called the early parliamentary elections precisely because he and the Assembly were suffering from a lack of democratic legitimacy.

It may seem like an acceptable solution for the summer, with the Olympic Games on the horizon, but not for the autumn, when the President will have to acknowledge his marginalization at all costs and give power back to Parliament.

7 Can regime crisis be avoided?

Despite all the foregoing options, France could still fall into regime crisis. The National Assembly could quickly become ungovernable, especially if the parties do not move away from their old adversarial political culture - a luxury allowed by the Fifth Republic and its two-round uninominal voting system that has long favored a few major parties.

If it proves impossible to form a government that is not at risk of a vote of no confidence in the Assembly, and that won't lead to violent protests in the streets - as a technical government could, for example - it is President Macron who will have to bear the consequences. Here are the options available to him:

7.1 Resignation

Emmanuel Macron could conclude that he is responsible for the situation, that he has lost all democratic legitimacy, and that he should therefore resign. This would lead to new presidential elections, with all the risks which that entails (election of Le Pen or Mélenchon).

Furthermore, if this were to happen, the president-elect would not be able to dissolve the government immediately since the constitution states that at least one year must elapse between dissolutions. A resignation, in the autumn for example, would lead to a completely new institutional configuration.

7.2 Proposing constitutional reform by referendum or via a meeting of Parliament in Congress

Emmanuel Macron might conclude that the problem is above all a constitutional one, and that our founding texts no longer allow us to organize a political structure that is conducive to governing.

Within this framework, he can use article 11 of the Constitution¹⁰ to propose a referendum of the French people on amending the constitution - or even on a completely new constitution - which he will have drafted.

In this case, if the idea is to change the country's political culture and give power back to Parliament, it would be appropriate, for example, to reverse the constitutional reform of 1962, which instituted the election of the President of the Republic by universal suffrage. Under the original version of 1958, the President of the Republic was elected by an electoral college ("grands électeurs") of some 80,000 people with a political role (locally elected representatives, members of parliament, etc.). It would therefore be possible to return to this version of the Constitution and refocus political life around Parliament.

Parliament (National Assembly and Senate) meeting in Congress at Versailles could also pass this reform, since it would be a reform designed to give power back to Parliament itself.

7.3 Activating article 16 of the Constitution giving full powers to the President

A final option for a temporary way out of the regime crisis - probably until a further dissolution - would be to activate Article 16 of the Constitution¹¹ allowing the President of the Republic to govern alone, without parliamentary oversight for a certain period.

This route out of the regime's momentary crisis would only be acceptable if France were in serious danger of a breakdown in public order, for example due to clashes between extreme left-wing and extreme right-wing groups. And the question again arises: can allowing the President to govern alone be justified when the initial aim was to give the French people back their say?

Using this option would be highly questionable in any situation, especially as State of Emergency legislation also allows for a technical government to take charge in troubled times, this time with the support of Parliament.

8 Conclusion: how can France still carry weight in Europe?

While France is likely to remain focused on domestic issues for some time to come, its influence in Europe is likely to diminish drastically. After all, it is hard to imagine Emmanuel Macron being able to stick to the agenda he set out in his Sorbonne speech on April 25¹² - in particular the proposed € 1,000

¹⁰ Conseil Constitutionnel, [Texte intégral de la Constitution du 4 octobre 1958](#), article 11.

¹¹ Conseil Constitutionnel, [Texte intégral de la Constitution du 4 octobre 1958](#), article 16.

¹² Elysée Palace, [Speech on Europe](#), 25.04.2024.

billion in investments - under these conditions. The messages coming from France shall be increasingly blurry.

Nevertheless, Macron may still be tempted to do so, particularly if France is governed by the NFP. Although the NFP has no intention of respecting the Stability and Growth Pact, it is pro-European and would like Europe to become more integrated on the budgetary front. It would therefore be conceivable for Emmanuel Macron and an NFP prime minister to come to Brussels to defend new joint European investments.

However, France's lack of budgetary rigor, accentuated by a potential left-wing government, is likely to greatly affect the credibility of this attempt, particularly in the eyes of northern countries, starting with Germany.

In the end, taking into account the potential for lasting ungovernability, Europe may have to reinvent itself without France for some time to come. Let's hope this is only temporary. But we fear that it won't be if new presidential and/or legislative elections are held and the now openly pro-Russian French far-right - which has joined Victor Orban's group in the European Parliament - wins and leads France down the road to Frexit.

Is there still hope? Yes. Hope lies with the French people. More precisely, with their ability to reject political extremism and demand that their leaders adapt to new political configurations. The French surprised the world on Sunday July 7 by beating all the polls that predicted at least a relative majority for the Rassemblement National. They've now proved it to themselves: in the face of adversity, they can indeed avoid the worst. So why shouldn't they be able to put France back at the heart of Europe?



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