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# The French Presidential election 2017 (second round)

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## Summary

In a historic result, Emmanuel Macron, leader of the newly formed centrist party En Marche! (EM) and Marine Le Pen, the candidate of the nationalist far-right Front National (FN), topped the first round of voting in the election for President of the French Republic on April 23 2017. They gained 24% and 21% of the vote respectively.

This is the first time since the Fifth Republic was founded in 1958 that the candidates from neither the established party of the centre right (Les Républicains) nor the centre left (Parti Socialiste) reached the Second Round. Voting for the second round will take place on 7 May 2017.

The election campaign has so far focused on issues such as identity, security and terrorism, economic reforms both in the private and public sectors, political renewal and France's place in Europe.

Mr Macron promises economic reform, lowering taxes on companies and low paid workers, and making reductions in the numbers of civil servants and state spending. However, he has promised to preserve many of the benefits of France's social welfare programmes.

Ms Le Pen puts matters of identity and security at the forefront of her programme. She too has promised to keep many of the social protections French citizens enjoy and will increase them in some cases, advocating reducing the minimum retirement age from 62 to 60.

Polls currently suggest that Mr Macron is the most likely to win the Presidency, but also that Ms Le Pen will significantly outperform her father's run as candidate for the FN when he reached the second round in 2002 and achieved just under 18% of the vote.

Both candidates would, if they won, have to overcome the fact that their parties currently have little or no representation in the French lower house of Parliament, the National Assembly. Therefore, the legislative elections in June this year will be vital for them to secure a parliamentary majority to enact their policy agendas. Regardless of this fact, the French constitution invests the President with significant powers and the victor will have a major impact on French domestic politics and its foreign relations.

# 1. Introduction

## 1.1 First round election results

Emmanuel Macron, leader of the centrist En Marche!<sup>1</sup> (EM) party, topped the vote in the first round of the French Presidential election on 23 April 2017, gaining 24% of the vote. Marine Le Pen the nationalist Front National (FN) candidate, joined Mr Macron in the second round, achieving just over 21%.

This was a remarkable result, as it was the first time since 1958 (when the French Fifth Republic was founded) that neither a candidate from the main centre-right nor centre-left parties have made it through to the second round.

The candidates for those parties- François Fillon (the centre-right Les Républicains LS) and Benoît Hamon (the centre-left Parti Socialiste PS) have asked their voters to support Mr Macron in the second round. The far-left candidate Jean-Luc Mélenchon, who came fourth, has not formally endorsed either candidate.<sup>2</sup>

### Table of results

Candidate	Number of votes	% of votes cast
Emmanuel Macron	8,657,326	24.0
Marine Le Pen	7,679,493	21.3
François Fillon	7,213,797	20.0
Jean-Luc Mélenchon	7,060,885	19.6
Benoît Hamon	2,291,565	6.4
Nicolas Dupont-Aignan	1,695,186	4.7
Jean Lassalle	435,365	1.2
Philippe Poutou	394,582	1.1
François Asselineau	332,588	0.9
Nathalie Arthaud	232,428	0.6
Jacques Cheminade	65,598	0.2
<b>Total</b>	<b>36,058,813</b>	<b>100.0</b>

<sup>1</sup> En Marche! is variously translated as 'Forward!', 'On the Move!', or 'Working!'

<sup>2</sup> [Mélenchon's team urge 'not one vote for Le Pen' but stop short of backing Macron](#), The Guardian, 26 April 2017

The turnout was just under 77.8 per cent, slightly down on the 80.4 per cent turnout for the first round in the 2012 presidential elections.<sup>3</sup>

Ms Le Pen's support was largely concentrated in the former industrial heartlands of the North-East and on the Mediterranean coast. Mr Macron's support came from the major cities and western France, which had supported François Hollande when he ran for the presidency.

## 1.2 Background

In December 2016 President François Hollande made the surprise announcement he would not be running for a second term, becoming the first President not to do so since the founding of the Fifth Republic.<sup>4</sup> Mr Hollande had been suffering from historically low approval ratings.

A series of major terrorist attacks have taken place in recent years. In January 2015, 17 people were killed in attacks on the Charlie Hebdo magazine and a kosher supermarket in Paris. In November 2015 130 were killed and hundreds more injured in a series of suicide bombings and shootings in Paris. In July 2016 86 people were killed by a truck driven by a terrorist in Nice. Other smaller attacks have also take place. Such a series of unprecedented events has put issues such as identity, immigration and security at the forefront of the Presidential campaign.

Other issues that have been central to the debate include economic reform, political renewal and France's relationship with the European Union.

The second round of voting between Mr Macron and Ms Le Pen will take place on Sunday 7 May 2017.

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<sup>3</sup> Figures taken from the French Ministry of the Interior website. 37,003,546 votes were cast, with 47,581,118 voters registered. The votes cast figure includes the 659,302 blank ballots and 285,431 spoiled ballots which are not included in the total in the results table.

<sup>4</sup> ['France presidency: Francois Hollande decides not to run again'](#), BBC News, 1 December 2017

## 2. Powers of the President and the electoral system

### 2.1 The electoral system

The President of the French Republic is elected for five years by direct, universal suffrage. French citizens who live abroad are allowed to vote. Candidates for the Presidency must be 18 years old, and are required to obtain 500 signatures from elected officials such as mayors and members of the national and European parliaments.<sup>5</sup>

The election takes place between twenty and thirty-five days before the expiry of the incumbent President's term. It is held according to a two-round majority system. If no candidate attracts a majority of the vote in first round, then the two candidates with the most votes go forward to compete in the second round two weeks later. The official election campaign lasts one month, opening two weeks before the first round and continuing during the two weeks which separate the two rounds. In practice, the debates begin well before the official opening of the campaign. If either of the two candidates running in the second round die or are incapacitated, then the whole election process must be run again.<sup>6</sup>

### 2.2 Powers of the President

#### The President and government

The President has considerable powers under the constitution, including appointing the Prime Minister and dissolving the National Assembly, thereby forcing new legislative elections. However, the President cannot then dissolve the Assembly for another year.<sup>7</sup>

When the President is from the same party as his or her government then they are effectively head of the executive and can drive through their policy agendas with little formal opposition. This makes the position of the French President uniquely powerful in comparison to other major democracies.<sup>8</sup> France's legislature is also considered one of the weakest in Europe.<sup>9</sup>

However the Prime Minister is required to lead a government that can command a majority in the National Assembly. There are times, therefore, when the President and Prime Minister are from different parties. This is called 'cohabitation', and has happened three times in post-war history. The last period was between 1997 and 2002 when

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<sup>5</sup> The majority of the provisions which regulate the Presidential elections are contained in the 1962 Act 'Act On The Election Of The President Of The Republic By Universal Suffrage', Act 62-1292 of 6 November 1962. An English language version is available from the Constitutional Council [website](#). Accessed 01/05/17.

<sup>6</sup> Article 7 of the French constitution governs the process of electing a President. An English-language version of the Constitution is available from France's Constitutional Council's [website](#). Accessed 01/05/17

<sup>7</sup> Article 12 of the Constitution.

<sup>8</sup> 'How Powerful Is France's President?', Council on Foreign Relations, April 25 2017

<sup>9</sup> 'The 'flaws' of French democracy', BBC News, 12 June 2014.

President Jacques Chirac had to work with the Socialist Lionel Jospin. The Presidential term was reduced from seven years to five in 2000 as the result of a constitutional referendum, in part to align the electoral cycles and reduce the scope for cohabitation to occur.

During such periods the President cannot impose their domestic agenda on the government and must negotiate their programme with them. Their only latitude for unilateral action is in the realms of defence and foreign affairs, which are powers reserved by the constitution for the President.

The Prime Minister can pass finance bills or social security financing bills 'by decree.' The bill then becomes a vote of confidence before the National Assembly, and is considered passed unless the assembly members can pass a motion of no-confidence within 24 hours. It takes 10% of members to table such a motion and a majority to pass it. A vote of no confidence is likely then to launch fresh legislative elections.

The Prime Minister can also use this method to pass one non-financial bill a year.<sup>10</sup> This rarely used method was used by President Hollande in 2015 to pass a package of economic reforms that had been put together by the then Economy Minister Emmanuel Macron.<sup>11</sup>

Legislative elections also use a two-round majoritarian voting system. This allows parties to strike deals before the runoff, a tactic the mainstream left and right wing parties have used in the past to limit the success of the FN.<sup>12</sup> The next legislative elections are scheduled for the 11 and 18 June 2017.

President Sarkozy proposed a change to the constitution, which was passed in 2008, that limits the President to serving no more than two *consecutive* terms.

## War powers and states of emergency

The constitution states that the President can declare a state of emergency, where:

The institutions of the Republic, the independence of the Nation, the integrity of its territory or the fulfilment of its international commitments are under serious and immediate threat, and where the proper functioning of the constitutional public authorities is interrupted.<sup>13</sup>

The National Assembly cannot be dissolved by the President during this time, and should the state of emergency last more than thirty days, the Presidents of National Assembly or Senate, or sixty members of either house can refer the declaration to the Constitutional Council to consider if the conditions still warrant this.

President Hollande has made extensive use of such powers. He declared a state of emergency after the November 2015 terror attacks in Paris, where 130 people were killed. This was the first time a nation-wide

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<sup>10</sup> Article 43 of the Constitution

<sup>11</sup> ['Hollande uses 'bazooka' decree to silence his rowdy band of Socialists'](#), The Guardian, 19 February 2015.

<sup>12</sup> [The French election that really matters](#), Politico, 6 February 2017.

<sup>13</sup> Article 16 of the Constitution.

state of emergency had been put in place in France since 1961, when army generals attempted a coup d'état during the Algerian War.<sup>14</sup> This state has been extended five times by the National Assembly, and it is now authorised to be in place until 15 July 2017 when the election period will be over.

A state of emergency provides the government with exceptional powers such as the right to set curfews, limit the movement of people, forbid mass gatherings, establish secure zones where people can be monitored and close public spaces such as theatres, bars, museums and other meeting places. Controls can be imposed on the media, but the government has not exercised these powers. Judicial oversight of the security services and police is also relaxed. They can conduct house searches at any time, enforce house arrest and confiscate certain classes of weapons, even if people hold them legally.<sup>15</sup>

A Parliamentary commission overseeing the exercise of these powers reported in December 2016 that the police had conducted 4,292 warrantless raids, 612 house arrests – and 95 individuals remained under house arrest, and 1,657 identity and vehicle control stops. These measures have led to 61 terrorism-related criminal investigations.<sup>16</sup>

Human rights organisations such as Human Rights Watch and Amnesty International have expressed concerns over the conduct of these powers and have called for the state of emergency to be lifted.<sup>17</sup> Opinion polls suggest the French public still broadly support them, with 76% of respondents saying in an August 2016 poll that they supported the extension of the powers.<sup>18</sup>

The President is head of the Armed Forces. A declaration of war must be authorised by Parliament, and the Government must inform Parliament within three days of any foreign intervention by the armed forces. This 'grace period' gives the President and their government some latitude to carry out limited military action without authorisation. If an intervention exceeds four months the Government must seek further authorisation from Parliament for the intervention to continue.<sup>19</sup>

## Presidential immunity and impeachment

The President is immune from prosecution for any offence except high treason, and cannot be ordered to appear as a witness while in office. The limits of Presidential immunity were tested during President Jacques Chirac's presidency when he faced accusations of corruption relating to

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<sup>14</sup> ['France under first nationwide state of emergency since 1961'](#), The Guardian, 16 November 2015

<sup>15</sup> ['France under first nationwide state of emergency since 1961'](#), The Guardian, 16 November 2015

<sup>16</sup> ['France: Renewal of State of Emergency risks normalizing exceptional measures'](#), Amnesty International, 15 December 2016.

<sup>17</sup> ['France: Emergency Renewal Risks Normalizing Extraordinary Powers'](#), Human Rights Watch, December 15 2016 and ['French human rights 'at tipping point' as state of emergency continues, says Amnesty International'](#), The Independent, 23 February 2017

<sup>18</sup> ['SONDAGE EXCLUSIF - Les Français ne croient plus à l'état d'urgence après les attentats de Nice et Saint-Etienne du Rouvray \[YOUNGOV\]'](#), Huffington Post France, 4 August 2016- updated 5 October 2016.

<sup>19</sup> Article 35 of the Constitution.



his time as Mayor of Paris. In 1999 the Constitutional Council ruled he could refuse to answer questions from an investigating magistrate.<sup>20</sup> Unlike other immunities enjoyed by figures such as the American President, French Presidential immunity covers criminal as well as civil crimes and accusations which do not relate to their Presidential duties. Mr Chirac was found guilty of embezzling public funds in 2011, but was given a suspended sentence on account of his age and ill health.<sup>21</sup>

The constitution was amended in 2007 to allow parliament to remove the President, which is generally referred to as impeachment.<sup>22</sup> The constitution only allowed for removal of a President due to incapacitation before that.<sup>23</sup> A law clarifying the exact process was not passed until November 2014. This law allows parliament to move for an impeachment in the event of a “breach of his duties patently incompatible with the carrying out of his mandate”.<sup>24</sup>

Either house of parliament has the power to begin the impeachment process through a two-thirds majority vote. The case would then go to the High Court – a specially convened court comprised of members from both chambers of parliament and presided over by the President of the National Assembly. The court then has a month to make a decision, with two thirds again needing to vote in favour for an impeachment to be carried out.<sup>25</sup>

The act kept in place the President’s immunity from criminal prosecution.

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<sup>20</sup> [‘Excessively immune syndrome’](#), The Economist, 5 February 2004.

<sup>21</sup> [Jacques Chirac found guilty of corruption](#), The Guardian, 15 December 2011

<sup>22</sup> Article 68 of the Constitution.

<sup>23</sup> Article 7 of the Constitution.

<sup>24</sup> [‘France moves to make presidents impeachable’](#), France 24 website, October 22 2014

<sup>25</sup> [‘France moves to make presidents impeachable’](#), France 24 website, October 22 2014

## 3. Emmanuel Macron

### 3.1 Background<sup>26</sup>

**Emmanuel Macron**, leader of the En Marche! Party he created in April 2016, is 39 years old, and if elected would be the youngest President in France's history. He has never before stood for elected office.

Born in Amiens in north-east France, the son of two doctors, he studied philosophy at Paris Nanterre University, completed a Masters of Public Affairs at Sciences Po, and graduated from the École nationale d'administration (ENA) in 2004. The ENA has been described as the 'central clearing house' for French leaders, given the huge number of senior politicians and civil servants who attended the institution.<sup>27</sup>

Mr Macron joined the civil service in 2004, but then in an untypical career move left in 2008 to go work at Rothschild investment bank.

Mr Macron returned to the civil service in 2012, having been appointed by President Hollande as a deputy secretary-general in the Élysée Palace (the official office of the President). He was Hollande's 'sherpa' or personal representative at international talks during the Eurozone crisis. However, he quit the role in 2014, reportedly in frustration at Hollande's limited appetite for economic reforms.<sup>28</sup>

Shortly after quitting he was persuaded by President Hollande to join the cabinet as Minister of Economy, Industry and Digital Affairs, serving under Prime Minister Manuel Valls. As minister he put together a package of business-friendly reforms, often referred to as 'Macron's law.' However, fearing these reforms would not pass through Parliament, the government chose to use a controversial and rarely used power of decree to force the legislation through.<sup>29</sup>

Frustration at this move, and a public disagreement with Prime Minister Valls' pledge to strip dual-nationals convicted of terrorist offences of their French citizenship, reportedly led to him creating his own political movement En Marche! in April 2016. Mr Macron was reprimanded by President Hollande for this move, but he was not sacked.<sup>30</sup> Mr Macron then quit the government in August 2016 in order to run for President at the head of his newly formed party.

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<sup>26</sup> This section largely relied on the following articles: [Emmanuel Macron: The meteoric rise of France's youngest presidential candidate](#), BBC News, 21 April 2017; and [Emmanuel Macron: the French outsider who would be president](#), The Guardian, 17 February 2017

<sup>27</sup> [Emmanuel Macron: The meteoric rise of France's youngest presidential candidate](#), BBC News, 21 April 2017

<sup>28</sup> [Emmanuel Macron: the French outsider who would be president](#), The Guardian, 17 February 2017

<sup>29</sup> See Section 2.2 on how such a decree is passed.

<sup>30</sup> [France elections: Hollande slaps down ambitious minister Macron](#), BBC News, 14 July 2016.

Mr Macron was member of the Socialist Party (PS) from 2006 to 2009, but did not then renew his membership. He has recently declared: "I am not a Socialist."<sup>31</sup>

En Marche, according to the BBC, has signed up 200,000 members. However, it costs nothing to join and doesn't require followers to relinquish membership of other political parties.<sup>32</sup> It currently has no elected representatives at any level of government in France.

## 3.2 Policies<sup>33</sup>

Mr Macron has pledged to enact the following policies if elected:

### Economy and public investment

- Cut corporation tax from 33 to 25 percent.
- Cut the unemployment rate to 7% (it is currently 10%).<sup>34</sup>
- Enact a permanent payroll tax break for low-wage workers and exempt low-wage earners from certain social welfare levies.
- Retain the 35-hour legal work week but give firms flexibility to negotiate, as well as removing social security deductions from overtime payments.
- Spend €50bn (£43bn) over five years on a public investment plan for job-training, more renewable energy, modernising transport and local infrastructure, farm sector funding, and the modernisation and computerisation of public administration.

### Savings in public spending

- A total target of €60 billion of savings on spending, though €10 billion of those savings are premised on a reduction in unemployment benefit savings generated by a drop to a 7% jobless rate.
- Another €25 billion is predicted to come from public service modernization. Part of this will come from a reduction of 120,000 civil servants of which 50,000 will be from the central civil service.
- €10 billion would come from cuts in local authorities spending, including a 70,000 reduction in headcount.

### Security/ law & order

- Build 15,000 extra prison places.
- Hire 10,000 extra police and gendarmes and strengthen the intelligence services to fight terrorism.

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<sup>31</sup> ['Emmanuel Macron: the French outsider who would be president'](#), The Guardian, 17 February 2017

<sup>32</sup> ['Emmanuel Macron: The meteoric rise of France's youngest presidential candidate'](#), BBC News, 21 April 2017

<sup>33</sup> This section has been largely drawn from the following sources: ['Factbox: Rough guide to manifesto of Macron, French presidential candidate'](#), Reuters, 3 March 2017 and ['Emmanuel Macron: The meteoric rise of France's youngest presidential candidate'](#), BBC News, 21 April 2017. No full English-language version of Mr Macron's manifesto is currently available. The En Marche! manifesto in French can be sourced from its [website](#).

<sup>34</sup> ['Unemployment by sex and age - monthly average'](#) – Eurostat, last update 27 April 2017

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- Create a new office overseeing intelligence, security and anti-terrorist operations reporting directly to the President.
- Introduce on-the-spot fines for drug use and barring orders to distance gang-leaders from neighbourhoods.
- Create a 5,000 strong EU border force to protect the EU's external borders.

### Culture/education

- Ban mobile phone use in schools for under-15s.
- Halve the number of early primary school pupils to 12 per class in 12,000 low-income zones, with teachers given a bonus of €3,000 a year to work in such areas.
- Gift all 18-year-olds a €500 'culture pass' for spending on cinema, theatre and concert tickets.

### Health and social programmes

- Spend €5 billion on the health sector, including reimbursing the full cost of glasses, dentures and hearing aids.
- Mr Macron also believes savings of €15 billion can be found in public health spending due to greater efficiency.
- Double the number of nursing homes.

### Immigration/integration

- Strictly apply France's secular policy in public life but with no ban on Muslim veil for university students.
- Close places of worship that preach terrorism.
- Process asylum requests within six months, and make learning French the main criterion for gaining citizenship.
- Introduce a state subsidy for firms that hire people in 200 low-income neighborhoods.

### Governance

- Reduce the number of legislators by a third in both the Senate and National Assembly.
- Reduce by at least a quarter the number of provincial local authorities (départments).
- Ban hiring of family-members as assistants of legislators (this policy is no doubt inspired in part by the accusations of wrongdoing over The Republican's Francois Fillon's employment of his wife).<sup>35</sup>
- Bar those with criminal records from standing for office.
- Ban on consulting activity for people holding elected office.

### Foreign Affairs and Defence

- Spend 2% of GDP on defence, (though no date has been given as to when that target will be reached). Renew the military's

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<sup>35</sup> See '[Fillon payment inquiry: What you need to know](#)', BBC News, 29 March 2017

refuelling planes, and modernise the army's armoured forces and the navy's surface fleet. France's planned military expenditure for 2017 is €32.7 billion (£27.6bn), which represents 1.77 per cent of GDP.<sup>36</sup>

- Create with Germany and other willing countries a European Defence Association, and a European Defence Fund that will finance military equipment such as drones, as well as a permanent European Defence Headquarters.

## Europe

- Introduce a 'Buy European Act' which would require companies to locate at least half their production in Europe before they can access public procurement contracts.
- Extend the Erasmus scheme to apprentices.
- Create a single digital market and a single energy market in Europe.
- Introduce 'citizens' conventions' across Europe to 'restore meaning to the European political project.'

## 3.3 Brexit & UK policy issues

While Mr Macron's championing of economic reforms and the European Single Market would usually suggest he would be supportive of the UK's policy towards Europe, he is widely expected to pursue a hardline towards the UK during the Brexit negotiations should he win office.

Mr Macron is quoted as saying this year that there could be no "caveat or waiver" to the EU's "unbreakable" position of defending its own interests first in the divorce negotiations.<sup>37</sup> Mr Macron's manifesto states when it comes to the Brexit negotiations:

We will defend the integrity of the European single market. All companies who have access to it must be subject to the same disciplines.<sup>38</sup>

Charles Grant, director of the Centre for European Reform, explained the rationale behind Mr Macron's approach:

He doesn't want the nationalists to be able to argue that coming out of the EU pays off, so Britain must be seen to suffer a bit [...] Macron is also a true believer in a federalist sense.<sup>39</sup>

Mr Macron has been quite open about using the opportunity of Brexit and his own proposed economic reforms to lure businesses and individuals to France from the UK, saying "I want banks, talents, researchers, academics and so on."<sup>40</sup>

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<sup>36</sup> ['France must increase defence spending to 2pc of GDP by 2020 warns chief of defence staff'](#), Daily Telegraph, 21 December 2016

<sup>37</sup> ['Macron's rise could prove a mixed blessing for Brexit Britain'](#), Financial Times, April 24 2017

<sup>38</sup> ['En Marche! Manifesto'](#), accessed 01/05/2017

<sup>39</sup> ['Macron's rise could prove a mixed blessing for Brexit Britain'](#), Financial Times, April 24 2017

<sup>40</sup> Ibid

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Another area of interest that Mr Macron has commented on recently is the Le Touquet Treaty, a bilateral agreement between France and the United Kingdom which came into force in 2004. It effectively allows the UK to extend its border controls into France at the border ports, helping deal with the large number of migrants who have been attempting to enter the UK.

According to the Times Mr Macron has suggested renegotiating the treaty. When questioned in a television interview on 27 April he said:

If there was a simple answer [to Calais' migration crisis], it would already have been found. I want to put the Touquet treaty back on the table and to renegotiate the agreement, notably for the children.<sup>41</sup>

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<sup>41</sup> ['Macron vows to renegotiate Calais treaty with Britain'](#), The Times, April 28 2017.

## 4. Marine Le Pen

### 4.1 Background

Marine Le Pen was the leader of Front National (FN) until the end of April 2017. She took over the leadership in January 2011 from her father Jean-Marie Le Pen, (who also made it to the run-off stage of the Presidential elections in 2002). The FN was founded in 1972 by Mr Le Pen with strongly nationalist, anti-immigrant policies, and was commonly referred to being of the 'far-right.'

Ms Le Pen studied law at Panthéon-Assas University, one of France's leading law schools. She graduated with a Master of Laws in 1991 and a Master of Advanced Studies (DEA) in criminal law in 1992, following which she practised as a lawyer in Paris for six years.

A feature of Ms Le Pen's biography which is often commented on given her party's anti-immigration stance is that to make extra income beyond her law firm jobs, she worked as a state-appointed duty lawyer, defending illegal immigrants facing deportation. Explaining this choice she said in a recent TV interview: "They are human beings who have rights [...] We don't blame immigration policies on them. It's not their fault."<sup>42</sup>

In 1998, aged 30, Ms Le Pen left her job as a lawyer and joined the FN legal department. That same year she won her first election as regional councillor for the FN in Henin-Beaumont, a former coal-mining town in the north. She was elected as a MEP in 2004, a seat she still holds.

A BBC profile of Ms Le Pen credits her 'political awakening' to an incident when she was eight years old, in November 1976, when she survived a bombing at her family's Paris home which was directed at her father and her family.<sup>43</sup>

This is Ms Le Pen's second attempt at winning the Presidency. In 2012 she came in third place in the first round of voting, with nearly 18% of the vote. This was the best performance by the FN in the Presidential race, eclipsing the nearly 17% her father managed in 2002 (although that had been enough to earn him a place in the second round). This improved performance was largely credited to her attempts to move her party away from some of the more controversial policies of the past.

Marine and Jean-Marie Le Pen are reportedly entirely estranged and have not spoken for more than two years. In April 2015 in a radio interview he once again made reference to highly controversial remarks he originally made in September 1987 on the Holocaust. Asked if he agreed with the views of a known holocaust denier Mr Le Pen replied.

I do not say that the gas chambers did not exist. I never personally saw them. I have never particularly studied the issue, but I believe they are a point of detail in the history of World War Two.<sup>44</sup>

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<sup>42</sup> ['Marine Le Pen: the estranged daughter tied to a very public life'](#), The Guardian, 14 April 2017

<sup>43</sup> ['Is France's National Front leader far-right?'](#), BBC News, 14 March 2017

<sup>44</sup> Ibid

This repeat of his original remarks led Marine to expel her father from the party in August 2015.<sup>45</sup>

There is some debate as to whether the FN should be labelled as “far right” or not. Ms Le Pen has softened the party’s image since taking over from her father as leader. Certainly on social matters she supports policies that are not normally associated with the far right. She refused to join the mass protests against gay marriage in 2013, and supports civil partnerships for gay people. She also defends women’s right to abortion.<sup>46</sup>

This may account for why the FN, in contrast to other nationalist parties, draws a lot of its support from younger voters, and struggles to attract as much support from the over 65s as other parties. The older voters still remember the party’s more radical roots. The party’s rise in support amongst the young has been described as dramatic. In 2012 it was supported by 18% of young voters. A recent poll puts its support with those aged 18-24 as 39%.<sup>47</sup> Youth unemployment, which stands at 25% today, up from 18% in 2008, may be another factor.<sup>48</sup>

Alain Duhamel, a journalist and political commentator, described the FN as “a former party of the far right that has become a populist party with instincts that are xenophobic and authoritarian”.<sup>49</sup>

There is broad agreement that the FN is a nationalist party, and the party’s manifesto is centred on French identity and values, rejecting the European model and the internationalist force of globalisation.

The FN has 20 MEPs, many hundreds of local councillors and FN or FN-affiliated mayors control 11 towns. It has only two members in the National Assembly.<sup>50</sup>

## 4.2 Policies

Ms Le Pen has pledged to enact the following policies if elected:

### Economy and public investment

- Maintain the 35-hour working week, while allowing flexibility at branch level and removing income tax from overtime payments.
- Fix the retirement age at 60, **and raise the pension minimum across France, while making it conditional** upon holding French nationality and having twenty years’ residence in France.
- Reduce red-tape on small businesses and simplify and reduce the social contributions they pay, and the corporation tax rate for SMEs.
- Oblige the State and local authorities to comply with payment deadlines

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<sup>45</sup> [‘French National Front expels founder Jean-Marie Le Pen’](#), BBC News, 20 August 2015

<sup>46</sup> [‘Is France’s National Front leader far-right?’](#), BBC News, 14 March 2017

<sup>47</sup> [‘Economic frustration drives young French voters towards Le Pen’](#), Financial Times, March 18 2017

<sup>48</sup> Ibid

<sup>49</sup> Ibid

<sup>50</sup> [‘Is France’s National Front leader far-right?’](#), BBC News, 14 March 2017



- Free up access to credit for small businesses
- **Introduce a Purchasing Power Bonus for those on low incomes** financed by a 3% social contribution on imports. (This tax would be incompatible with EU Single Market rules at present)
- Reduce immediately the regulated prices of gas and electricity by 5%.
- Pledge not to increase VAT and social security contributions and maintain the wealth tax.
- Reduce the income tax rate on the first three bands by 10%.
- Crack down on tax evasion and tax havens, introduce a diverted profit tax on large companies.
- Allow each parent to transfer tax free €100,000 to each child every five years (instead of fifteen years currently).

### **Security/ law & order**

- Recruit 15,000 new police officers and gendarmes, and massively increase the resources of law enforcement agencies.
- Create 40,000 new prison places in five years.
- Introduce a 'zero tolerance' approach to crime, re-introduce minimum sentences and a 'real' life sentence without parole for the most serious crimes.
- Stop payments of benefits to the parents of repeat juvenile offenders.
- Re-establish the automatic expulsion of foreign criminals and sign bilateral agreements so that convicted foreigners can serve their prison sentences in their country of origin.
- Crack down on gangs with more powers to stop gang members from returning to their old haunts.
- Increase the resources and headcount of domestic and foreign intelligence services and create a single counter-terrorist agency attached directly to the Prime Minister.

### **Culture/education**

- Reinforce the network of French primary and high schools around the world.
- More support and resources for the maintenance and preservation of the nation's heritage.
- Block sales of national palaces and historic buildings to foreigners and the private sector.
- Reinstate proper, general musical education in schools.

### **Health and social programmes**

- Priority for French nationals in social housing
- Fix the legal retirement age at 60, with 40 years of contributions required to receive a full pension.

- Boost the birth rate by reinstating universal family allowance and maintaining the cost-of living indexation. Reinstating the free sharing of parental leave between both parents. This will be reserved for 'French families.'

### **Immigration/integration**

- Cut legal immigration to 10,000 per year.
- Automatic expel undocumented immigrants.
- Ban gay marriage, but allow same-sex civil partnerships
- Ban surrogacy in all circumstances other than infertility.
- Ban and dissolve organisations of any nature with ties to Islamic fundamentalists. Expel all foreigners with ties to Islamic fundamentalism.
- Close all extremist mosques identified by the Ministry of the Interior and ban foreign funding of places of worship.
- Ban all public funding of places of worship and religious activities.
- Strip French nationality from dual nationals linked to jihadi organisations, expel them from the country and ban re-entry.
- Place any individual with French nationality with links to 'hostile' foreign organisations in preventive custody.

### **Governance**

- Organise a referendum with a view to revising the Constitution and making any future revisions of the Constitution subject to a referendum.
- Introduce proportional representation for all elections. For the National Assembly, the proportional system will include a winner's bonus of 30% of the seats allocated to the winning list.
- Reduce the number of Members of Parliament to 300 (from 577 today) and the number of Senators to 200 (from 348 today).
- Create a system of popular referendums, whereby a petition signed by at least 500,000 voters will be sufficient to force a vote.
- Reduce the layers of government from the current six to three: municipalities, departments and the State.
- Enhance the role and status of Mayors of small and medium-sized municipalities.

### **Foreign Affairs and Defence**

- Leave the integrated military command of NATO
- Ensure France has an autonomous Defence capacity in every area.
- Increase the Defence budget to 2% of GDP in the first year of office, and to 3% by the end of the five-year term. Enshrine the 2% minimum spend into the Constitution. The increased resources will be spent on:
  - a second aircraft carrier;
  - an extra 50,000 military personnel;

- maintaining the nuclear deterrent;
- a general increase in military capacity (more planes, ships, armoured vehicles) and the modernisation of equipment.
- Reintroduce national service (an obligatory three months minimum).
- Commit France to “the service of a multi-polar world based on the equality of nations before the law, permanent consultation with them and respect for their independence. To base our foreign policy on the principle of realism and to give France back its role as a power of stability and balance.”
- Strengthen the ties between peoples who share the French language.
- **Implement a true policy of co-development with African countries.**

## Europe

The main substantive section on Europe in Ms Le Pen’s manifesto states that France must:

- Regain ‘our freedom and control over our own destiny by restoring sovereignty to the French people (monetary, legislative, territorial and economic sovereignty). To achieve this, negotiations will be entered into with our European partners, followed by a referendum on whether we should remain in the European Union. The aim is to arrive at a European project that respects French independence, national sovereignties and which serves the interests of the different people.’

Ms Le Pen has publicly backed leaving the Euro, but this policy is not explicitly set out in the manifesto. She has suggested more recently France could stay in a ‘common currency system’ instead.<sup>51</sup>

While some of these policies are domestic, they will require renegotiation with the EU as many of them contravene EU rules on areas such as the Single Market:

- Apply the principle of economic patriotism to French agricultural produce in order to support farmers and fishermen.
- Transform the Common Agricultural Policy into a French Agricultural Policy with France and not the European Union fixing subsidies.
- Refuse to enter into free trade agreements such as CETA.
- Ban the importing of agricultural produce and foodstuffs that do not meet French environmental, welfare, and food safety standards.
- Block the privatisation/ liberalisation of the railways required by the European Union, and keep the Post Office (La Poste) in public hands.

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<sup>51</sup> [‘FN leader Le Pen calls for France to leave euro but stay linked’](#), BBC News, 4 January 2017

- Repeal the European Directive on the single banking market and the provision of the Sapin II Act.
- End 'bad public spending' especially spending on immigration and the European Union
- Remove the European flag from public buildings.

### 4.3 Brexit & UK policy issues

Ms Le Pen was a strong supporter of the campaign for the UK to leave the European Union. She was quoted as saying during the campaign: '(British departure) will prove that it is possible to live outside the European Union. Either we are free or we are not.'<sup>52</sup>

In an interview in April this year with the UKIP MEP Nigel Farage on his radio programme, Ms Le Pen said the UK is "already reaping all the benefits" of Brexit. She went on to say Britain could now proceed without the EU "poking a knife in your ribs" and further:

It's a very strong signal. It shows that there is at least one way of finding the keys of the jail because we have been told that it was impossible to leave the EU and the UK has just demonstrated that when people want it, well, you can set up the conditions to exit the EU.<sup>53</sup>

While Theresa May reportedly met with Mr Macron in February this year, the UK government has a 'no engagement' approach to the FN, due to its far-right leanings. Foreign Office minister Baroness Anelay answered in response to a question as to why there had been no contact between the British embassy in Paris and Ms Le Pen:

It has been the longstanding policy of this and previous governments not to engage with the Front National, based on positions the party has adopted in the past. We keep this policy under review.<sup>54</sup>

Should Ms Le Pen win the election it is likely this policy would have to be lifted.

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<sup>52</sup> ['EU referendum: Marine Le Pen to campaign for Brexit on UK visit'](#), The Independent, 20 April 2016

<sup>53</sup> ['Britain is 'already reaping all the benefits' of Brexit. French far-right candidate Marine Le Pen says'](#), The Independent, 15 March 2017

<sup>54</sup> PQ [HL6177](#) [on France: Foreign Relations] 3 April 2017

## 5. Prospects for the second round and what's next

### 5.1 Polling

The second round of voting will take place on Sunday 7 May 2017. At present the majority of the opinion polls project Mr Macron beating Ms Le Pen. In recent days the polls have tightened somewhat, but Mr Macron still maintains a lead of around twenty percentage points, a considerable margin.<sup>55</sup>

### 5.2 'Positioning' for the rest of the campaign

Both candidates continue to sell themselves as outsider candidates who will change the status quo if they are elected President. However Ms Le Pen after the first round result rejected the view of Mr Macron as an outsider, saying in an interview "he is part of the old guard of French politics who are in one way or another responsible for where we are today."<sup>56</sup>

Mr Macron immediately after the vote framed himself as a patriot saying: 'I want to be the President of patriots against the threat of nationalists.'<sup>57</sup> While still criticising Ms Le Pen's European policies (calling her a "radical EU extremist"), he has toughened his pro-EU stance suggesting that the EU did need reform and that if it didn't he could envisage the French people wanting to leave the EU.<sup>58</sup>

Mr Macron has sought to portray Ms Le Pen as an extremist on all fronts and has emphasised that her ideas put not just the future of France at risk, but Europe as well, and further that "a certain concept of the world" was at stake in the election.<sup>59</sup> He told reporters:

I will fight up until the very last second not only against her programme but also her idea of what constitutes democracy and the French Republic.<sup>60</sup>

Ms Le Pen has emphasised her radical economic credentials in order to court the voters who voted for the far-left candidate Melenchon. At a rally in Nice on April 28 she told the crowd a "treacherous" political and financial elite were demanding the "submission, surrender and capitulation" of France. She used Mr Melenchon's phrase "Dégagez-les!" (throw them out!), which he used on the campaign trail.

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<sup>55</sup> [Marine Le Pen gaining on Emmanuel Macron in French election polls](#), Sky News, 1 May 2017.

<sup>56</sup> [French election: Macron and Le Pen go to second round – live](#), The Guardian, 24 April 2017

<sup>57</sup> [France's Macron bills himself the 'patriots' candidate' vs Le Pen](#), Reuters, 23 April 2017

<sup>58</sup> [France election: Macron says EU must reform or face 'Frexit'](#), BBC News, 1 May 2017

<sup>59</sup> [France election: Le Pen and Macron spar ahead of run-off](#), BBC News, 1 May 2017

<sup>60</sup> Ibid

On Monday 24 April Ms Le Pen announced on that she would be temporarily stepping down as head of the FN, saying the President of France should represent the whole country, not just their party.<sup>61</sup> However, the move created some controversy when it was revealed that her replacement as leader, Jean-François Jalkh, had allegedly made remarks in an academic interview in 2000 questioning whether Zyklon B (the chemical agent used to kill millions of holocaust victims), actually had the chemical properties to be used in this way. Four days later it was announced he would not be taking up the post.<sup>62</sup>

In another nod to political moderation after the first round Ms Le Pen announced that she would, if elected, chose Nicolas Dupont-Aignan as her Prime Minister. Mr Dupont-Aignan also ran in the first-round of the Presidential election, gaining just under 1.7 million votes around 4.7% of the total. He is a nationalist on the political right, but is seen as more centrist than Ms Le Pen, and is a former member of the centre-right UMP party<sup>63</sup>.

Mr Macron is yet to name a candidate for Prime Minister, and it has been claimed that there has been division amongst his senior supporters over who should be the candidate.<sup>64</sup> Manuel Valls, the current Socialist Prime Minister, has now formally endorsed Mr Macron.

The FN is facing negative headlines in the shape of an ongoing investigation into the expenses claimed by its MEPs. Ms Le Pen has invoked her Parliamentary immunity that comes with her status as an MEP. French prosecutors have asked the European Parliament to remove her immunity so they can carry out a full investigation.<sup>65</sup>

Ms Le Pen has in recent days started to soften her position on leaving the Euro and renegotiating France's membership of the EU. She has played down talk of an immediate exit from the Euro, saying in an interview with the newspaper Sud Ouest that "if everyone is agreed we could take a year or a year and a half to organise a co-ordinated return to national currencies".<sup>66</sup> In a joint statement with her Prime Ministerial candidate Mr Dupont-Aignan they said "the transition from the single currency to the European common currency is not a prerequisite for any economic policy".<sup>67</sup>

### 5.3 Challenges for the future President

One of the biggest challenges facing either a Le Pen or a Macron presidency will be the unlikelihood of either gaining a parliamentary majority. Mr Macron's party has no members in the National Assembly,

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<sup>61</sup> ['Le Pen attacks Macron as she steps aside as head of Front National'](#), The Guardian, April 25 2017

<sup>62</sup> ['Le Pen's replacement steps down after allegedly casting doubt on Nazi gas chambers.'](#) The Guardian, 28 April 2017

<sup>63</sup> UMP was the predecessor to the Les Republicains party of Mr Fillon.

<sup>64</sup> ['Macron's team squabble over prime minister's job.'](#) The Times 28 April 2017

<sup>65</sup> ['Marine Le Pen's 'fake jobs' cost EU parliament '€5 million'](#), The Local (France) website, 27 April 2017.

<sup>66</sup> ['Marine Le Pen plays down anti-euro message'](#), Financial Times, April 30 2017

<sup>67</sup> Ibid

and the FN has only two. The two-round majority electoral system, also used for the legislative elections, allows parties to cut deals on who to lend their support to in the second round and it is unclear how these tactics might play out.

Some analysts have suggested the Fifth Republic model has been under stress for some time. The original vision of President partly removed from party politics and partisan debate has been replaced, with the past four Presidents all being major party leaders. The election of either candidate could therefore see a return in part to such a model, with both candidates needing to rely on parties outside their own.<sup>68</sup> However, others have likened the scenario to previous periods of 'cohabitation' where the President and his government came from different parties, and there was much tension between the two sides, and politics became gridlocked with little of substance achieved.

As well as being restrained by their own governments, Mr Macron and Ms Le Pen will have their power checked by the European Union. François Hollande, who was elected on a platform of greater state spending, was prevented from doing so in part by European budgetary guidelines. Unless either candidate can re-negotiate these with the EU, they will face the same strictures.<sup>69</sup>

Ms Le Pen plans to challenge the constraints of EU and Eurozone membership by renegotiating the former and partially leaving the latter. However, the majority of the electorate still support membership of both institutions.<sup>70</sup>

The Economist argues that even if Ms Le Pen does lose in the Second Round, as the polls currently suggest, her party's performance has turned the FN 'into a fixed feature of the French party system, and brought its ideas into the mainstream.' This will allow her to influence the mainstream parties for years to come.<sup>71</sup>

If the polls are correct and Mr Macron wins the election it is unlikely that his En Marche! party will win enough seats in the June parliamentary elections to form an outright majority. He will require support from the other centrist parties. The extent to which they would be willing to lend him their support, even if they have sympathy with his policies, remains to be seen. This would make his central platform of enacting social and economic reforms much more difficult, especially considering the difficulty previous Presidents have had enacting them even with a parliamentary majority.<sup>72</sup>

As well as the difficult issues awaiting a prospective President the two main centre-left and right parties also face challenges. They will have to rebuild themselves, and think how they would approach a future Le Pen

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<sup>68</sup> [France's republican monarchy has lost its mystique](#), Financial Times, 21 April 2017

<sup>69</sup> [French first-round result brings Macron a step closer to coronation](#), Financial Times, 23 April 2017

<sup>70</sup> [Could France's Marine Le Pen deliver Frexit?](#), Financial Times, 14 March 2017

<sup>71</sup> [A new Republic: Macron and Le Pen advance to the second round of the French election](#), The Economist, April 23 2017

<sup>72</sup> [French first-round result brings Macron a step closer to coronation](#), Financial Times, 23 April 2017

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or Macron Presidency, both of whom will probably require support from their assembly members to pass their policies. The Socialist Benoît Hamon's performance, coming fifth behind Melenchon, and gaining under 5% of the vote, raises serious questions about the future of the party, especially if Mr Macron wins and many of its Assembly Members join his government. The Republicans party will also have to rebuild. François Fillon has announced he will not stand for the leadership of the party and it is not clear who will take on the mantle.

Whatever the result of the Presidential election, it seems likely that politics in France will not revert to the status quo for some time.



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