

FACES ON DIVIDES

CITIZEN DEBATES IN LE MANS AND TOULOUSE

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The Jacques Delors Institute, in partnership with the Mouvement Européen - France, Alliance Europa, l'Université du Maine, la Maison de l'Europe Le Mans - Sarthe, Les Jeunes Européens - Toulouse and the École européenne de droit, Toulouse 1 Capitole Université, organised two citizen debates on 19 and 21 September 2017, inviting MEPs from West and Southwest France to conduct a mid-term assessment and to illustrate their positions to their electorate.



The European Union is the target of recurring criticism in terms of its institutions' deficit of democracy. Since the Maastricht Treaty came into force in 1993, the political mood in Europe has gradually changed from "permissive consent", whereby people showed no particular interest in European policies but just tacitly accepted their progress, to "binding dissent" marking a process involving the politicisation of European issues and a rise in eurosceptic movements. The feeling that the supranational institutions are distant from their citizens¹ is reflected in the major drop in the turnout at European elections.

In this context, the Jacques Delors Institute, working in partnership with the Mouvement Européen - France, Alliance Europa, l'Université du Maine, la Maison de l'Europe Le Mans - Sarthe, Les Jeunes Européens - Toulouse and the Ecole européenne de droit, Toulouse 1 Capitole Université, organised two citizen debates in Le Mans and Toulouse, on 19 and 21 September respectively, inviting MEPs from

West and Southwest France to review their performance mid-term and to illustrate their positions to their electorate. The aim of the debates was to put a "face on divisions" by fostering a dialogue between the MEPs and the general public regarding the role of the European Parliament and its members, and regarding the various European issues on which the MEPs are called to pronounce themselves. The debates were structured around an analysis steered by the Jacques Delors Institute in conjunction with the Mouvement Européen - France, and on the basis of VoteWatch figures, i.e. of the votes cast by MEPs elected in France in connection with twenty emblematic issues submitted to their vote (the Juncker Commission's approval, the TTIP, business secrecy, the European border guard and coast guard agency, the accord with Iran and so forth), illustrated by computer graphics.^{2,3}

The analysis revealed that the political positions expressed in Parliament do not automatically reflect

1. European Parliament, «The European Parliament's Eurobarometer». Directorate-General for Communication, Brussels, 2015. According to this publication, some 45% of respondents say that they have no confidence in the European Parliament, with 39% of those blaming distance as the main reason for their choice.

2. Jacques Delors Institute, "Mid-term French MEPs' votes - West euroconstituency", Paris, 16 January 2017.

3. Jacques Delors Institute, "Mid-term French MEPs' votes - South-West euroconstituency", Paris, 16 January 2017.

the left-right divide or the need to support a government, as may well be the case at the national level. On the contrary, they can result in the formation of variable political majorities (known as “coalition”, “confrontation” or “consensus” majorities) highlighting both the complexity and the richness of parliamentary decisions.

Above and beyond their personal political affiliation, French MEPs’ analysis is close to the situations that the EU is having to face today and calls for a greater coordination of member states’ policies. Naturally, their proposals as to the kind of coordination required and to the reforms the EU requires are pegged to the political values that they individually defend.

Security: harmonisation of national diplomacies or intergovernmental cooperation?

The United Kingdom’s recent decision to leave the European Union, the political climate in the United States and the growing terrorist threat have imparted a new thrust to the plan for a defence union, fuelling a debate on the European countries’ need to boost their budget efforts and to coordinate their diplomatic and security policies at a time in politics when the European Union is isolated.

In the light of these issues, the MEPs share the same opinion regarding the European Union’s inability to fund an ambitious defence and security system capable of seriously safeguarding its citizens on account of the current budget situation. In this connection, José Bové (Greens/EFA, Southwest Constituency) pointed out that the European budget currently accounts for only 1% of member states’ GDP while the US federal budget accounts for 20% of the country’s GDP. According to José Bové, Joëlle Mélin («Europe, Nations and Freedom [ENF]», Southwest Constituency) and Virginie Rozière (S&D, Southwest Constituency), this structural obstacle highlights the lack of cooperation and coordination among member states. As they stand today, these two factors make it “impossible to build a security and defence policy.” Yet differences surfaced regarding the solutions to devise and the priorities to adopt in connection with the situation.

The harmonisation of national diplomatic positions and resources appears to be a prerequisite in the short term in order to ensure the construction of a consistent and ambitious European defence system in the medium term. This, because the coexistence of 28 national diplomacies hinders the potential forging of a strong European position on security issues inasmuch as they can clash with one another and undermine the political clout of Federica Mogherini, the Union’s High Representative for Foreign Affairs and Security Policy. This position was argued in

particular by the MEP’s in the Greens/EFA and S&D groups, the former suggesting replacing the seats held by France and the United Kingdom on the UN Security Council with a single seat held by the European Union, while the latter warned that such harmonisation must not be achieved solely on the basis of the struggle against terrorism but must also safeguard the security of European citizens’ freedoms. Virginie Rozière mentioned the symptomatic example of the transfer of personal data: while the directive relating to airline passenger data, the so-called PNR⁴ designed to “complete existing tools in the struggle against cross-border crime”, rapidly received the EU Council’s endorsement, that same Council hampered the adoption of a directive on the protection of personal data for a long time.⁵

The ENF MEP’s, on the other hand, would like to see a rapid boost to intergovernmental cooperation systems rather than the supranational management of security and defence. In their view, the priorities remain improving the member states’ intelligence networks and extending the coordination of strategies in the struggle against terrorism.

Refugee Crisis: coordination, but on what scale?

The migrant issue has been on the European agenda for several years now, but it has become a priority since 2013 with the sudden upswing in the number of migrants hitting Europe’s borders and the ensuing refugee crisis. Several initiatives have been launched by the European authorities in response to the crisis, the debate over which highlights the divisions both among political groups and among member states. Thus the debate addressed the shareout of refugees in Europe through a quota system, potential solutions for improving the refugees’ social integration on the labour market and the establishment of a European border guard and coast guard agency.

In connection with these issues, the MEPs as a whole agreed to point the finger at the lack of anticipation and coordination among the European Union’s member states in resolving and managing the migrant crisis. Sure enough, one cannot help but notice a fully-fledged imbalance in the efforts to take in and share out the migrants reaching Europe’s borders, leaving Italy and Greece with the task of taking them in and registering their applications for asylum and leading to what Marc Jouaud (EPP, West Constituency) called a “fully-fledged humanitarian tragedy.” Yet differences emerged regarding the solutions to adopt in

4. Council of the European Union, “Regulating the use of passenger name record (PNR) data”, 2017.

5. Aline Robert, “Parliament Negotiates Its Engagement on the European PNR”, Euractiv, 12 February 2015. A directive on the protection of personal data was finally adopted on 14 April 2016.

order to improve this coordination and solidarity. The rift occurred primarily over the identification of the chief player in the cooperation mechanisms that might be envisaged and it thus raised the issue of responsibility for controlling the migrant influx at Europe's borders.

The far-right MEPs in the ENF group, Gilles Lebreton et Joëlle Mériéu, came out against European measures, arguing in favour of the re-legitimisation of the state as the sole player appropriate for responding to migration-related issues. They called for a reassessment of the Schengen accord which, in their view, is the primary source of the cooperation and solidarity issues facing the European Union today. According to Joëlle Mériéu, it is only by restoring the member states' ability to monitor their own borders and by paving the way for intergovernmental and international coordination that those member states will be able to offer improved followup to migrants taken in, the improved processing of asylum applications and improved coordination, in particular with the support of the "countries of origin", with aid policies to stem the migrant flows and to improved procedures for judicial deportation. In that connection, the Court of Accounts published a report on 20 October 2015 on the intake and hosting of migrants in France, noting that 96% of those whose application for asylum is rejected reportedly stay in France anyway, which is tantamount to a "public policy for maintaining rejected persons on our national soil, a policy however which the state appears simply to passively put up with because it certainly does not manage or master it".⁶

The MEPs in the other political groups represented — Greens/EFA, S&D and EPP — have a different

interpretation of the origin of this migrant crisis and of the conclusions drawn by the Court of Accounts. Most of them highlighted the need to maintain fair shareout policies among the various member states where asylum-seekers are concerned, "a logical corollary of the free movement of people", as Marc Joulaud explained. In their view, the problems in the management of migration flows and applications for asylum are not caused by Schengen at all, they simply reflect the absence of solidarity among member states. Virginie Rozière (S&D, Southwest Constituency) compared the number of asylum-seekers (1.26 million applications in 2015⁷) with what they effectively represent (i.e. 2/1000^{ths} of the population of Europe) where other countries have to take in influxes accounting for 10 to 15% percent of their population, for instance Jordan. Thus the EU has the wherewithal to offer a dignified reception to these people and it has adopted urgent measures (for instance, the quota shareout system) whose disappointing results are due chiefly to national egotism, especially in the case of the Visegrad Group and, in particular, of Hungary.

This marked opposition between the ENF MEPs on the one hand and those of the other political groups represented on the other, makes it possible to fine-tune the breakdown of voting over the creation of the European coast guard agency commonly known as "Super-Frontex". This, because on the face of it, it might seem surprising that the Greens/EFA group should have opposed such a structure, thus shifting over to the same position as the ENF, when it is in favour of greater solidarity in the shareout and integration of refugees. Yet the reasons underlying the two groups' vote are different: where the ENF

6. Court of Auditors, "Outreach and Accommodation for Asylum-Seekers", benchmark n°S201509771, 20 October 2015.

7. European Parliament, "EU migrant crisis: facts and figures", European Parliament News, 30 June 2017.



MEP's, and particularly Gilles Lebreton (ENF, West Constituency), argued that an agency of that kind would simply be a "waste of resources" and the restoration of national borders is the only viable solution, José Bové explained his opposition to the "Super-Frontex" by suggesting that the agency's aim would be to "seal our border to migrants" when the Greens are in favour, on the contrary, of a common migrant intake policy.

Social Europe: how to counter social and fiscal dumping

Social Europe exists: that was the observation made by Professor Albrecht Sonntag in the course of the debate in Le Mans, when he mentioned current and past debates on the legal regulations governing worker posting. The worker posting issue is an example constantly cited to warn of the negative effects and slides caused by the absence of a fully-fledged social Europe, or at the very least, of a space for coordination and solidarity. It is in relation to this situation that proposals for a revision of Directive 96/71/EC and for a strengthening of monitoring measures were voiced by certain national and European leaders in the summer of 2017 and backed by a majority of the MEPs present.

According to the MEPs, worker posting fraud is just as much to blame for social dumping as the regulatory environment of Directive 96/71/EC. First of all, the directive adopted in 1996 no longer reflects today's social and economic reality and it tends to encourage social and fiscal dumping. This, because the European social and economic space has become more diversified with regard to the social and economic legislation adopted by the individual member states (for instance social security contributions, salary levels and company tax levels). Several MEPs — particularly Marc Joulaud and Joëlle Mélin — pointed, for example, to the differences in salary that continue to exist among European member states; in fact, such differences have actually increased over the past 20 years, due primarily to the successive enlargements of 2004 and of 2007. Thus while the ratio between the lowest and highest minimum wage in the EU stood at 1:4 in 1996, it stands at 1:10⁸ today. Moreover, Emmanuel Maurel (S&D, West Constituency) and Marc Joulaud highlighted the extent of the fraud associated with worker posting, pointing the finger of accusation at national authorities' inability to systematically control the worker posting system.

Thus a consensus emerged among the MEPs regarding the gravity of social dumping and the need to begin in-depth discussions regarding the legal framework regulating worker posting. But while their analyses were similar, the aims they seek to achieve through a renegotiation of the directive differed. It was possible to distinguish between the positions of Emmanuel Maurel (S&D) and José Bové (Greens/EFA) on the one hand, and those of Marc Joulaud (EPP) and Gilles Lebreton (ENF) on the other. The former consider that the devising of a new directive on worker posting must be accompanied by the creation of a European monitoring and supervision system in place of the current national monitoring system. Based on the premise that the European space is an area for cooperation and solidarity, they deplored the return of economic competition among member states. In their view, reviving "the European spirit" necessarily entails a far more substantial regulatory and supervisory network at the European level. The latter MEPs, on the other hand, opposed their colleagues' vision because they incline towards a national vision of the issue. Thus Marc Joulaud proposed strengthening national authorities' oversight capability while Gilles Lebreton called for the directive's outright abolition. According to the ENF MEP, it is unthinkable that employers can allow themselves to opt for cheaper labour without paying the social security contributions due in the country of origin, thus making France "one of the system's losers".

Some of the MEPs hold similar positions with regard to fiscal dumping and company taxation, especially in the digital sphere (the so-called GAFA corporations⁹). Emmanuel Maurel (S&D) is in favour of the creation of a European "company tax", setting a floor rate. This would require, in particular, the abolition of the unanimity rule currently in place at the European level in the fiscal sphere and an association of the more influential European states to force the "fraudster" states (Malta, Luxembourg and so forth) to agree to these changes. Gilles Lebreton (ENF) favours boosting the struggle against fiscal dumping, but he is opposed to abolishing the unanimity rule in favour of a qualified majority.

Food safety: glyphosate in the dock

In order to be considered fit for the market, chemical substances must present no proven or suspected risk for human or plant health. In that connection, glyphosate was recognised as being potentially carcinogenic in 2015. In the context of the vote on the renewal of the authorisation to market glyphosate, the

8. Eurostat, "National minimum wages in the EU - Monthly minimum wages in euro varied by 1 to 10 across the EU in January 2015", press release dated 26 February 2015

9. Acronym commonly used to designate Google, Apple, Facebook and Amazon, the four largest multinational companies in the digital industry.

product has triggered numerous environmental and political debates. Reports on glyphosate published by the EFSA, the European Food Safety Authority, in 2015 and 2017 playing down the product's carcinogenic effects, have been shown to have copied extracts from analyses produced by Monsanto itself (glyphosate being the chief substance in the company's flagship "Round'Up" weedkiller¹⁰). In this sensitive political context marked by evidence of conflicts of interest, the Commission has decided to issue a short-term authorisation to market glyphosate, and its decision has been approved by MEPs in the course of a vote leading to the adoption of a resolution in favour of renewing glyphosate's marketing permit.

Emmanuel Maurel (S&D), José Bové (Greens/EFA) and Gilles Lebreton (ENF) clearly voiced their opposition to the marketing of glyphosate. Taking their cue from the principle of precaution, these MEPs cited several reports showing the product's harmful effects, while also pointing to the World Health Organisation's (WHO) opposition to the product and to the recent leak of the "Monsanto Papers" proving that the company has been aware of the risks associated with glyphosate since 1999. They also agreed in deploring the influence that industries such as Bayer and Monsanto carry with Europe's decision-makers. Marc Joulaud (EPP), on the other hand, came out in favour of renewing authorisation for the sale of glyphosate. He argued that it would be unthinkable to ban its marketing in view of the absence of any alternative solutions. He also remarked that there is no scientific consensus regarding its dangerousness, several tests having detected a risk falling below the health risk threshold.

The solutions proposed by the MEPs reflect these divisions. While Marc Joulaud urged maintaining the status quo in order to combine food safety with output levels, the other MEPs present called for glyphosate to be banned, although Gilles Lebreton said that he is sensitive to the absence of non-harmful alternative products and to the problems that that absence could cause for farmers.

This latter point distinguished Marc Joulaud's position from that of the Greens/EFA and S&D MEPs. The Greens/EFA MEPs are opposed to the authorisation to market glyphosate and deplored the conflicts of interest at work in connection with the issue, and indeed they called for a Europe capable of protecting consumers and farmers rather than a European Union in thrall to the industrial lobbies. The S&D MEPs stressed that the European scale

remains appropriate because it has the necessary resources to fund objective research into glyphosate. And moreover, it is the only scale capable of opposing the merger of large agrifood groups (for example Monsanto and Bayer) which, following such a merger, would then have huge financial resources at their disposal to influence Europe's decisions.

What Europe for the future and what future for Europe: observations converge, viewpoints diverge

What emerges from these debates is the shared observation that it would be naive to think that "we would be better protected on our own", as José Bové (Greens/EFA) put it, yet opinions diverge as to the strategies and moral values to be adopted in combining protection with cooperation.

In that sense, MEPs Emmanuel Maurel, Virginie Rozière (S&D) and José Bové (Greens/EFA) share a broadly common position. In many respects, the EU remains the appropriate level for acting because it is a political space that forged unity around requirements, standards and rules offering one of the highest levels of protection in the world in the sphere of health, food safety, safety in the workplace and so forth. On the other hand, ensuring that these levels remain in force demands collective decision-making. In these MEPs' view, the chief curb on European construction is not the Union itself but the egotism of its member states and the absence of the courage needed to vote in favour of collective policies, which frequently overlook the general European interest. By way of an example, Virginie Rozière mentioned the case of the text on multinational companies' fiscal transparency submitted by the Commission back in July but subsequently so distorted by the permissive exceptions submitted by certain parliamentary groups that the text ended up being rejected. The MEP specified that this case is typical of the relationship between the Commission and the member states, the latter for example refusing to mutualise their budget efforts.

In direct opposition to that vision, ENF MEPs Joëlle Méline and Gilles Lebreton do not abhor the idea of collective decisions being taken by European member states, yet faced with the proposals made by Jean-Claude Juncker in his speech on the State of the Union (the creation of an Economy Minister for the euro area, or merging the posts of President of the Commission and President of the Council), they promote the idea of a Europe of nations. In their view, nation states are the only players capable of effectively defending and representing their citizens, thus they reject the idea of a "European superstate"

¹⁰. Stéphane Foucart, "Glyphosate: European Expertise Bursting With Copy-and-Paste Monsanto Documents", *Le Monde*, 16 September 2017.

which, they argue, would be incapable of pursuing that goal in view of the excessive differences among the member states. Thus they propose that the European Parliament be comprised of national parliamentarians, that the European Council become the chief organ in the European institutional structure, and that within that structure the Commission play a secretariat role and be comprised of national functionaries and civil servants.

Midway between these two positions, Marc Joulaud (EPP) proposed playing for time and waiting until political stability returns to Europe before entertaining the prospect of any major institutional reform. Given the current political situation and the structural obstacles attending the issues of defence, migration policy and food safety, the European Union should first and foremost set itself a course, on the one hand, by assuming that a “multi-speed Europe” is possible and could be the solution to the political obstacles, and on the other hand, by focusing only on the most sensitive policies and demanding common decisions in the short term (on migrant and defence issues, on plans for a boost to the flagging economy and so forth).

CONCLUSION

The debates at these “oral exams” in Le Mans and Toulouse show that Europe’s political and institutional machinery is frequently misunderstood at the grass-roots level. The various debates made it possible to better explain the shareout of tasks and areas of authority between the supranational and national levels or, in more concrete terms, to explain the way the European budget works. In short, these citizen encounters have made it possible to improve people’s understanding of Europe’s issues and institutional operation. By the same token, they highlight the importance of keeping the European debate alive. The different analyses and positions voiced by the MEPs from the various political groupings have helped to dispel the purely technocratic image frequently associated with the European Union. In fact, they underscore the vitality and richness but also the complexity of the debates currently taking place in Europe.

The events held in Le Mans and Toulouse, which drew considerable audiences, have helped to impart a fresh thrust to the European debate and to overcome the pessimistic approach rife in France. The debates have shown that it is possible to take a critical look at the way the European Union functions while pointing the finger at the same time at the obstacles hindering its political and decision-making process and at its concrete and potential contributions.

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