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**President: Jacques Delors**

## **FRANCE AND EUROPE**

### **The European debate in France at the start of the French presidency**

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## **Notre Europe**

Notre Europe is an independent research and policy unit whose objective is the study of Europe – its history and civilisations, integration process and future prospects. The association was founded by Jacques Delors in the autumn of 1996. It has a small team of six in-house researchers from various countries.

Notre Europe participates in public debate in two ways. First, publishing internal research papers and second, collaborating with outside researchers and academics to contribute to the debate on European issues. These documents are made available to a limited number of decision-makers, politicians, socio-economists, academics and diplomats in the various EU Member States.

The association also organises meetings and conferences in association with other institutions and publications. Under the organisation's articles of association, a European Steering Committee comprising leading figures from various European countries and political and professional origins meets at least three times a year.



## FOREWORD

Notre Europe is accustomed to publishing, at the start of each European Union presidency, an overview of the debate on Europe in the country assuming that responsibility. This European tour of collective representations of our common “unidentified political object”, fascinating in itself, also provides a valuable insight into understanding the stance underlying each presidency.

It is now France’s turn, and there are two problems in dealing with this country. Firstly, it was covered by Notre Europe early in 1998<sup>1</sup>, and there can be no question of repeating what was said then. Secondly, few countries in Europe indulge in debate for its own sake as much as ours. Identifying what is truly meaningful in the sound and fury of editorials and public clashes presents even more of a challenge in France than elsewhere. I am therefore very grateful to Jean-Louis Arnaud, who has long collaborated with Notre Europe, for having accepted it.

In doing so, he took the clear option of addressing the way the political issues have evolved rather than the debate among intellectuals, which had already been remarkably analysed by Laurent Bouvier in a previous study. And admittedly, recent years have been characterised by the emergence of European issues in national politics rather than any real deepening of the intellectual debate. From the European election campaign in 1999 to the recent exchanges triggered by Joschka Fischer’s speech, the newest developments have undeniably been the end of the taboo on federalism and the increasing defence of sovereigntist viewpoints.

This contrasting trend, which cuts across most of France’s political groups, can be interpreted in very different ways. It raises the hope that our country will be able to fulfil a historic mission and, by having reflected in good time on the shape of an enlarged European Union, will succeed in restoring the continent's unity while preserving the momentum of the European political project. But it also raises the risk of new misunderstandings. General words such as “federation”, “constitution” and “subsidiarity” could prove to be no more than a new label for traditional ideas, and lead to the premature celebration of insufficiently founded historic alliances.

I am therefore grateful to Jean-Louis Arnaud for having subjected these new political issues to pitiless scrutiny. No-one will have emerged unscathed from the exercise... I would no doubt have been more reserved and less even-handed with my “yellow cards”. The fact remains that, in France, policy delivery on Europe still falls too far short of the demand clearly shown by all indicators for there not to be perfectly good reason to ensure that what is in the bottle conforms to its label...

In so doing, our author has not just taken stock of the various ideas on offer, but has taken an eager part in the debate under way. I am happy to have played a part in starting it.

Jacques Delors

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<sup>1</sup> Laurent BOUVET: *La nouvelle crise de la conscience européenne: l'Europe politique entre nation et fédération. Regards français. In France-Allemagne: le bond en avant. Ed. Odile Jacob, March 1998*



Until very recently, the debate on Europe and its future was characterised by reserve rather than boldness in France. This has, however, changed considerably following the spectacular initiative, on 12 May in Berlin, of the German foreign minister Joschka Fischer and the speech by French President Jacques Chirac, also in Berlin, on 27 June.

By calmly stating, one and a half months before France was to take over the presidency of the European Union, that he saw no other choice for Europe than to complete its integration and form a federation – with a constitution, an elected president, a government and a bicameral parliament – Fischer took his partners by surprise and forced them to react. In emphasising, in addition, that without close cooperation between France and Germany there could be no future for any European project, he clearly heralded a revival of the Franco-German engine that had been ailing for a number of years. This was bound to reassure the French government but to worry a number of others.

Three days before, the tone of prime minister Jospin's presentation of the French presidency programme to the National Assembly had been very different. Anxious to show his concern for the duties inherited from the previous presidencies, he had stressed three priorities – a Europe pursuing growth and full employment, a Europe that was closer to its citizens and a more efficient and stronger Europe – and announced a catalogue of good intentions: adoption of a social agenda, better coordination of economic policy, and promotion of innovation in industry and student mobility. Not to mention, of course, consumer protection, access to public services, the greenhouse effect, the Erika shipwreck, control of immigration, judicial cooperation and combating drugs in sport. By making a virtue of pragmatism, he had avoided the toughest issues – the purposes of the Union and the need for a constitution – and limited France's immediate aims to those the Member States had already identified – membership of the Commission, weighting of votes within the Council, extended use of qualified majority voting and implementation of enhanced cooperation –, thus leaving out ideas of reform that were insufficiently "realistic", in his eyes, to "be shared and have a chance of being achieved".

If the press is to be believed, Lionel Jospin's statements and the ensuing parliamentary debate fell short of expectations<sup>2</sup>, in spite of contributions from Valéry Giscard d'Estaing, Alain Juppé and Alain Madelin. But did anyone really expect much more? Not according to the editorial in *Les Echos* which appeared on the very morning of the debate. Under the heading "Small design", the newspaper, which still had no suspicion of Fischer's initiative – not to mention the proposals Chirac was to take with him to Berlin six weeks later – quite rightly noted that in the European integration process, "the essential ingredient is still missing". It suggested that "a community of people cannot exist and last without the organic capacity to take decisions on the issues which govern its destiny, notably defence, foreign

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<sup>2</sup> See *Le Monde* of 11.5.2000

alliances, the rights of people as well as goods, economic and social solidarity, etc. In other words, Europe lacks a constitution and democratic representative and decision-making institutions.” However, the columnist rather recklessly added: “alas, neither Lionel Jospin today, nor Jacques Chirac tomorrow, will develop this grand design.” The writer went on to observe that both men were trained at ENA, “the school of petty management realities and not, like De Gaulle or Adenauer, in the school of historic challenges.”

The ensuing events were to show that the great professionals of politics move in mysterious ways. Who could have predicted that Chirac would propose beginning, as early as next year, a "fundamental institutional review of Europe"? That he would, after others, suggest that Germany and France, together with all other countries wishing to forge ahead, should form a “pioneer group” with a flexible political structure? And that he would call on the current members of the EU, in consultation with the applicant countries, to draw up a constitution to strengthen "the effectiveness of and democratic control over the Union as regards both the executive and Parliament, which would be subject to later ratification by all nations?" Nobody, apparently! Neither had anybody foreseen that, in Germany, the coalition of Social Democrats and Greens would so vibrantly resurrect the Franco-German entente in European affairs.

By being the first to go straight to the heart of the matter, Fischer lifted the lid of a box which French leaders had hitherto been careful not to touch. In France, oddly enough, everyone – almost – was relieved: both the partisans of an integrated and more or less federal Europe, and their sovereigntist opponents. Was the latent debate at last going to burst out into the open? That is what we shall see by analysing, in a first part, the state of the debate in France and the reasons for the French reserve, and, in a second part, the reactions to the German initiative and the immediate and more distant prospects they have opened up. We will, however, first consider the Fischer effect itself. After all, other personalities before him had put forward similar ideas and proposed solutions based on the same principles to prevent the Union from coming to a standstill. Foremost among these were Jacques Delors, Valéry Giscard d’Estaing and Helmut Schmidt, along with the German president Johannes Rau. These proposals had not escaped the attention either of the general public or of political decision-makers. Yet none of them produced such an immediate detonation.

## **The Fischer effect**

Although the German foreign minister’s comments were presented in a university setting, as “personal” reflections on the more or less distant future, they were far from academic. Was it not also in the same university in Berlin that Fichte had given his "Addresses to the German Nation", in 1807 and 1808? Fischer had carefully prepared his address, and had consulted in particular his French counterpart Hubert Védrine, and Jacques Delors. In an interview given a month earlier to the newspaper *Le Monde*, he had already noted that “the French and Germans, however different they may be, share a common desire for a Europe that is capable of action, and not just a free-trade zone. That is the essence of the Franco-German vision of Europe. The question is whether we Europeans can find in globalisation our own way, our own form of social justice and our own forms of democracy and culture. Divided, we will not succeed in doing so. Finding this way will require, in the wake of enlargement to the eastern European countries, political union. This is the challenge facing our generation.”<sup>3</sup>

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<sup>3</sup> *Le Monde*, 18.4.2000

Valéry Giscard d'Estaing and Helmut Schmidt had also celebrated, in a joint article published in *Le Figaro* in April<sup>4</sup>, “the deep mutual understanding between France and Germany” and the two countries’ mutual commitment to European integration, saying that it was essential to the process. Looking towards enlargement to the east, which will one day bring the number of Member States up to 30 or so, they had warned that full integration was not a realistic objective, and that attempting it was bound to result in “complete failure”. To avoid this pitfall, the former French President and the former German Chancellor had suggested that “integration should be carried out by those countries where there is a political will for it and where the economic and social circumstances are almost identical” – in practice the 11 countries of the euro zone – and called on the founding countries of the Community, “as well as other determined candidates of good will”, to take the initiative for this move. Lastly, they had emphasised that this new group of countries would require additional institutions. These would be “institutions within institutions”: a Council and a parliamentary body that might have operational links with the national parliaments, they said, but probably not a Commission.

For his part, Jacques Delors had on a number of occasions pleaded for a distinction to be made between the geopolitical approach (the “greater Europe”) and the political approach (political integration). On the one side, there would be “a large economic group featuring a model combination of free trade and essential regulatory mechanisms”; and on the other, a smaller and politically integrated group able to play a role on the global stage. For him, “the real issue is to determine whether Europeans still want to play a part in history or not”<sup>5</sup>.

Having long fought for everyone to clarify their objectives and tirelessly hunted down hidden agendas, Jacques Delors had put forward the idea of a “federation of nation-States”, stressing the distribution of powers between the Union and the Member States. The latter would retain considerable powers in the social field, and also in education, training and culture. They would also preserve considerable autonomy in foreign policy. For Delors, the federal approach has the great merit of clearly indicating who does what, thus allowing the citizens to react to actions that conflict with the mandate given to their leaders.

With regard to this federation, certain countries would, as soon as possible, form a “vanguard”, but it would remain possible for all those with the political will to join the group. “People tell me it is too late. That is not true. Is it ever too late to do the right thing?”, asked Jacques Delors in the French Senate in April. “People also tell me that they cannot detect any trend in this direction within the Member States. But is it not time for the founding countries to start such a trend?” For him, the simplest procedure remains that of a treaty within the Treaty, but he nevertheless does not rule out other, more flexible, formulae, pointing out that there was a clause in the Treaty of Rome giving a special status to the three Benelux countries.

As for president Rau, he had stated last November, during a conference in Paris, that he favoured a federal constitution which had the objective of distributing power rather than concentrating it. “This definition of federalism”, he said, “takes the great French idea of a horizontal separation of powers and adds a vertical separation.” President Rau avoided mentioning the possibility of a two-tier Europe, in the nevertheless probable event that all countries should not agree on the same objectives. It is for the constitution to produce an unequivocal distribution of powers between the federation and the Member States. This would, he said, “make it possible to explain to citizens, local authorities and regions – which feel distant from Brussels – exactly what Brussels is not responsible for.”<sup>6</sup> It is for the

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<sup>4</sup> *Le Figaro*, 10.4.2000

<sup>5</sup> See in particular *Le Monde* of 19.1.2000 and his call for a European vanguard before the *Europartenaaires* club on 13.1.2000

<sup>6</sup> See *Le Monde* of 4.11.1999

constitution, in addition, to ensure the democratic legitimacy of the institutions, through a dual representation system. The first level would give each citizen a vote, and the second would give a vote to each State, regardless of its size and population.

Reform of the institutions, political integration, a constitution, separation of powers, distribution of powers, democratic legitimacy, continued existence of the nation-States, an intervention capacity, a global role and Franco-German vision: the same ingredients can be found in all these proposals. The mix and packaging may vary but the inspiration and objectives are the same. So how can we explain the immediate impact of Fischer's speech if its content, in itself, does not account for the effect produced?

The speaker's functions – foreign minister and vice-chancellor – no doubt have something to do with it, but so do the man himself, his status as leader of the Green party, and the time and place of his speech. It was just three days away from the 50<sup>th</sup> anniversary of Robert Schuman's declaration. After a half-century of Community experience, a new millennium was dawning with, on the one side, Berlin restored to the status of a capital and, on the other, Paris reflected in the mirror of its history. French nostalgia and German certainties. Continuity and novelty. Yesterday, rebuilding the economy and banishing war. Today, responding to globalisation and uniting Europe.

The reason the Berlin speech hit the nail on the head was, firstly, because it came from a leader born in 1948 – after the war. Although already in his fifties, Fischer is, like Chancellor Schröder, from a different generation than the heavyweights who governed Europe during the past half-century. A generation that did not tear up border posts like Helmut Kohl, that was not raised in the protecting shadow of Konrad Adenauer, and whose national and supranational instincts remained unclear.

Now, thanks to Fischer's speech, the Chancellor's endorsement and the Christian-Democrats' assent, we know that the unified Germany has confirmed the European commitments of the divided Germany. Berlin and Bonn, same thing! At the same time, the Franco-German engine was clearly restarting. A fact that was bound to be welcomed in Paris. On the eve of a presidency which did not look like being easy, the French leaders – whatever their domestic hang-ups and cohabitation problems – were quick to realise how this could help them persuade the 13 other partners, even the most reluctant, to consent to a reform of the Union's institutions that would no doubt be modest, but sufficient to pave the way for future enlargement. It promised success at the summit to be held at the end of the year in Nice, and for the treaty expected to be named after that city.

As of the Franco-German summit in Mainz on 9 June, the situation was clear: Berlin and Paris would be fighting the same battle. The way was now open for the French President to take the initiative, and he accordingly obliged before the Bundestag during his State visit to Berlin, stealing a march on Jospin and upsetting the unwritten rules on cohabitation.

It was therefore the emerging European and Franco-German momentum that gave the Berlin statements their force. Whatever may have been said, fifty years after the Schuman declaration, the European ideal is neither dead nor outdated. Nor is the Franco-German entente. After a fairly long interval – nearly ten years – the governments of France and Germany are now, at the beginning of the 21<sup>st</sup> century, rediscovering (as they did in the second half of the 20<sup>th</sup>) that it is in their vital interest to understand each other. The prime area for this understanding remains Europe, and it is up to them to set the example of a form of integration going as far as political union. Failing that, there will be neither a greater, nor a smaller Europe; there will be no Europe at all, and they, along with the other Member States, will lose all influence on the world stage.

The novelty – for there is something new – is that the call should have come from Berlin. In truth, a call had already come from Bonn, as early as 1994, when two Christian-Democrat members of parliament, Karl Lamers and Wolfgang Schäuble, had put forward the

idea of an “inner circle” restricted to France, Germany and the three Benelux countries. But that initial version of a European vanguard had not caught on. The French had ignored it, and the countries which felt they were being excluded – notably Italy – had stepped up their efforts to secure a place in the euro club.

So had the French lost all creative imagination? Some observers certainly thought so. Pierre Lellouche, for instance, a member of parliament loyal to Chirac, wrote in *Le Figaro* – conveniently forgetting Delors, Giscard and a few others –: “Once again, regrettably, the initiative has come from Germany. After the French mishandling of German unification ten years ago – under François Mitterrand – and France’s lack of response to the 1994 Lamers-Schäuble plan, once again, French intellectuals, political parties and officials are saying virtually nothing, as if they were devoid of ideas, on the future of Europe.”<sup>7</sup> Lellouche had not foreseen that President Chirac, with his eye on the coming elections, would sportingly jump on the moving train. Nor did he expect that – as we will see further on – Alain Juppé, Jacques Toubon and François Bayrou would also leap on board before 1 July.

That the French should have felt nostalgia for a period when they occupied the European political stage with more panache than today is hardly astonishing, given the reserve of their current leaders, which we have already commented on. But that the speeches were made in Berlin should not come as a surprise, as this reflects the logical course of history. Fifty years ago, just five years after the capitulation of the Third Reich, only France was in a position to suggest that Germany should join, on an equal footing, a coal and steel community that would also be open to the neighbouring European countries. After having miraculously found itself in the victors’ camp, thanks to De Gaulle, France thus broke with its traditional policy of suspicion and revenge and sealed the reconciliation between the two countries, ensuring peace at least in that part of Europe.

To move beyond economic and trade integration, however, Germany needed to regain its unity and full sovereignty. Where De Gaulle and Adenauer had failed in the 1960s, their distant successors would perhaps be able to succeed. It will have taken a long time to understand the limits that this reduced sovereignty placed on Germany’s commitments and, indirectly, on the European integration process itself. The obstacle began to be lifted only after 1989. At the time, however, Helmut Kohl did not consider it useful – or did not believe it possible – to go further than monetary union and the sacrifice of the Deutschmark this entailed for the Germans. That was no doubt a first step towards a more political union, but it was not enough to move beyond an essentially economic system, based on technocratic expertise and diplomatic skill, but impervious to the need for simplicity and accountability of any political democracy.

Only a Germany master of its own destiny would be able to relaunch a more political form of union with any degree of credibility. Could the country have done it before its government settled back in Berlin? Probably not. If Fischer’s speech had been given at the University of Bonn, it would not have had the resonance it did in Humboldt University. Nor is it irrelevant that Chirac should have addressed the Germans in the setting of a newly restored Reichstag, after crossing the Brandenburg Gate on foot, in an area that had witnessed so many disasters and ruins.

However the Germans themselves, the French, and all other Europeans see fit to follow up the proposals made, these will undoubtedly take their place in an already long succession of historical events. They bear out the comment made by De Gaulle in 1966 that “France cannot act as the leader of Europe. Europe is the affair of both the French and the Germans. That is common sense!” A remark that had already been discussed at length by Raymond Barre during the 1992 referendum campaign. He had pointed out, quite rightly, that

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<sup>7</sup> *Le Figaro*, 18.5.2000

France's current European policy is a contemporary vehicle for its traditional universalist aims: "The great ideals of the Revolution – freedom and human rights – are now widely recognised, even if they are not respected everywhere", he said. "In the immediate aftermath of the Second World War, France – bruised but in the victors' camp – harboured the dream of reviving our old continent. As formerly with happiness, France decreed to the world what Europe was to be: not just an economic organisation, but eventually a political entity, embodying a model of civilisation in the service of peace, liberty and progress."<sup>8</sup>

## **I - The French reserve**

In a country where its place in the world and in European integration fuels the hottest exchanges in national politics, it may seem surprising that discussions on the future of Europe should persistently have been so feeble. What has happened since the referendum on the Maastricht Treaty, a major political event which produced for some months a great domestic outpouring on the respective merits of France and the European Union?

In a Community designed on the French model, French people had long seen only a super-State *à la française* which they could recognise themselves in. Over the years and with the successive enlargements, however, the architecture of Europe became less clear-cut. Powers, laws, borders and loyalties began to overlap and contradictions emerged. The European Union was no longer the reflection of France. As a result, in 1992, French citizens were not primarily concerned with the merits of a treaty that was, quite apart from anything else, barely intelligible, or the virtues of the institutions they were being offered. They were more worried about their country and the preservation of the values it was supposed to embody: the fundamental components of the nation and its history – identity and specificity – and the founding concepts of the republic – nation, citizenship, sovereignty and democracy. We know the outcome: a mere 51% in favour and 49% against in the referendum of 20 September 1992! A result which amounted to a severe backlash. The country – and particularly its politicians – were to suffer lasting after-effects.

Although the partisans of the Union eventually prevailed, opponents and sceptics from all sides had clearly demonstrated that they were a force to be reckoned with, and that a majority in favour of European integration could no longer be taken for granted. In decision-making circles, the uneasiness was all the greater since European issues cut across traditional party lines and parties, both on the left and on the right, were themselves divided. This was the case in particular within the RPR, where Jacques Chirac called for a "Yes" vote whereas a number of prominent lieutenants, including Philippe Séguin and Charles Pasqua, campaigned for the "No" camp (by precaution at least as much as out of conviction, if only not to abandon the defence of national sovereignty to Jean-Marie Le Pen's far-right party). Even the UDF, a profoundly pro-European party, was not spared dissension: Philippe de Villiers left it to start his own party, the Mouvement pour la France.

The left also felt the effects of the storm. How could it condone a Europe of capitalists and merchants, or one based on Anglo-Saxon free-marketeteering? The Communists, who were

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<sup>8</sup> See *Libération* of 1.9.1992

to change their stance a few years later, were still hostile on principle. And the far left were, if anything, even more vocal in their opposition. As for the Socialist party, it could not ignore the specific nature of Jean-Pierre Chevènement, who has cultivated his domain of sovereignty as single-mindedly as the Grimaldi family has the autonomy of Monaco.

Politicians' handling of European affairs profoundly changed as a result. On both the left and right, they increasingly concentrated on the image of the Union and its use in party politics rather than on its intrinsic merits. Wrapped in the national flag, populism and opportunism went hand in hand, while Brussels and its Commission served as ammunition to settle personal scores within the parties themselves. Hence the caution of the large governing parties when managing France's European policy on a day-to-day basis. Rather than discussing issues openly, they prefer to talk about them as little as possible, unless they can boast about having imposed a measure on certain Member States at a Council meeting, thus defending the interests of a given category of the French population. This does very little to serve the cause of democracy at Union level but has, by contrast, contributed to spreading the idea that the Union is a free-for-all where individual concerns take precedence over the general interest.

All this has made the system more opaque, leaves the responsibility for decision-making to committees or councils to which ordinary people do not have access, and has served as an excuse for political leaders – who are past masters in the art of swapping their European cap for their French beret – to avoid taking responsibility for a Community decision they contributed to, when it is in their interest to do so. As a consequence, the general public hears about the European Union only when the farmers or hunters get upset, when there is an environmental or health crisis of some type or other (British beef, oil tankers off Brittany, nuclear waste, etc.), or if massacres of a genocidal nature occur somewhere in the Balkans. All situations in which the Union, Brussels and its institutions tend to demonstrate impotence rather than control over events.

What is being done to involve European citizens? In actual fact, not much, notes Yves Mény, professor at the European Institute in Florence. “People's involvement in European issues would upset the balance of the national democratic system, which is based on national oppositions and interests.”<sup>9</sup>

Analysts working on opinion surveys at Eurobarometer have found that the public are very sensitive to what they call “context effects”, that is the political and economic situation. For example, the advance of Euroscepticism in France after 1990 owes a lot to the debate over Maastricht and the concern about EU enlargement and the reform of its institutions. But it owes even more to the economic crisis. Observers have identified a correlation between people's support for the European Union, the unemployment rate and the GDP growth rate. Whenever unemployment rises and GDP growth slows, Euroscepticism increases and the public falls back on the nation-State, which is more reassuring in times of economic uncertainty. In contrast, growth encourages the population to open up to the outside world, and in particular Europe. This would explain the results, which at first sight seem surprising, of a very recent survey by the CSA institute, which found that 59% of people were pro-EU, enthusiastic or in favour, and 41% were against. Only three years ago, in August 1997, the Europhiles and Eurosceptics balanced out at 49% and 48% respectively.<sup>10</sup>

The same survey found that 70% of French people would like integration to be stepped up and only 25% would prefer it to be slowed. Immediately after the Maastricht Treaty was ratified, in October 1992, only 45% said they were in favour of an acceleration, with 31% against. In 1996, the proportions were 49% and 36%, respectively.

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<sup>9</sup> See *Le Monde* of 14.12.1999

<sup>10</sup> See *Libération* of 26.6.2000

“How can this desire for Europe be explained?” asked an astonished *Libération*. “The economic upturn probably has a lot to do with it”, it suggested. “In 1992, the context was quite different: growth was slack, weighed down by monetary crises, and the fiscal austerity regime aimed at preparing for the single currency was looming. At that time, people were frightened of the EU. In 1996, French people’s morale touched rock bottom. The government of prime minister Juppé was unpopular following strikes in the public sector, in December 1995, and there was still no sign of renewed growth. Today, these uncertainties are behind us. The euro came into force in January 1999, protecting the Union from the Asian and Russian crises, growth seemed to be sustainable, and unemployment had dropped below the symbolic 10% threshold. In short, the future was brightening up. This automatically restored the French belief in the virtues of the European integration process. France was doing well, and the Union should advance at the same pace.”

Other surveys had already indicated a spectacular improvement in consumer morale in 1999, particularly in France, which registered a 17-percentage-point rise in people’s confidence that their individual living standards were improving, compared with a 10-point rise in Spain and the UK and only a 2-point improvement in Italy and a 1-point rise in Germany.<sup>11</sup> However, these studies also indicated that the effects of the economic upturn were not much felt among the low-income groups, suggesting the risk of increased splits within society. Gérard Grunberg<sup>12</sup> noted that, generally speaking, attitudes in France depended considerably on social class. Working-class employees were the most negative towards the EU, while executives and professionals being most positive. The level of academic qualifications was also a significant factor, often in combination with strong political involvement. In all categories, men were more in favour of the Union than were women. There was also more support for the Union in Paris and other cities with a population of over 100 000.

Support for and opposition to the Union also depends on world views, notes Grunberg. Attitudes which previously had only a small ideological content have now become organised along the increasingly obvious fault-line between universalists and anti-universalists. For the former, he says, the Union represents openness, tolerance, the acceptance of difference, cultural liberalism, and solidarity. For the latter, it represents a threat to the homogeneity of the group or the nation, the risk of an increase in immigration and the danger of a loss of identity.

What is the European public most worried about today? According to surveys carried out by Ipsos late in 1999, it is no longer unemployment – which previously greatly outweighed every other preoccupation – but insecurity and violence, particularly in the case of manual and clerical workers. And the French are not the last to say so. When asked what they expect of the Union, primary functions of the State such as police, justice and defence are foremost among their concerns.

Has the political class realised the extent of these trends? The abstention rate in elections to the European Parliament last year – an average of 51% throughout the Community and 53% in France – would suggest not. The concern to avoid the campaign becoming an uncontrolled slanging match prevailed over all other considerations in nearly all large parties, both in the government and in opposition. The paucity of debates and proposals was quite astonishing. The list headed by François Hollande, the leader of the Socialist Party (PS), included left-wing radicals and members of Jean-Pierre Chevènement’s *Mouvement des citoyens* in addition to Socialists. It did not represent all parties in the government, since both

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<sup>11</sup> See the surveys of the IPSOS institute and the articles of Bruno Cautrès and Pierre Giacometti in *L’opinion européenne*, Ed. Presses de Science Po.

<sup>12</sup> Gérard Grunberg, *Le trouble des opinions publiques*, in *Quelle Union pour l’Europe*, Ed. Presses de Science Po.

Robert Hue's Communists and the Greens formed their own list. Was it to ensure support on the part of all partners that the aims on display were so modest? Whatever the case, in a joint article published in *Le Monde*, François Hollande, Catherine Lalumière and Sami Nair<sup>13</sup> stressed, above all, their social objectives, backed up by a lot of platitudes on employment and growth. They proposed drafting a charter of civic and social rights as part of an EU constitution, but refrained from saying what shape it might take. As a stimulating reflection on political Union and its institutions, they restricted themselves to this rather unappetising description: "Europe is hybrid and open-ended: already federal yet respectful of the nations it comprises."

In the list of priorities drawn up by the PS for these European elections, reform of the institutions came last, in 21<sup>st</sup> place, and was limited to the following points: extending the use of majority voting within the Council and codecision with the Parliament, increasing the collegial responsibility of the Commission, and consolidating and simplifying the treaties.

On behalf of the Communist Party (PCF), Robert Hue drew up a "Move Europe" list ("*Bougez l'Europe*"), and called for a "change of direction in the current European integration process", but said nothing about what direction he was proposing to take.<sup>14</sup> Similarly, he invited people to "make a social Europe rather than talk about it" – without indicating how to go about it, as you might imagine – and to "exert an influence on globalisation so as to promote other values than the law of the jungle." He departed from generalities only to declare himself in favour of the Tobin tax on capital transfers, and to call for us "not to let ourselves get caught up in NATO's strategy".

Similar hackneyed phrases were on offer from Jacques Chirac's supporters. On behalf of the RPR and *Démocratie libérale*<sup>15</sup>, Nicolas Sarkozy and Alain Madelin claimed to be "serving the great adventure of European construction", without specifying either what they were intending to construct or what they meant by "adventure". For lack of positive proposals, they condemned both "the sovereigntist utopia which, in the final analysis, leads to exactly the opposite of the aim it is supposed to be defending: serving the greatness of France" and "the extreme themes designed to transpose the United States model to Europe: ready-made solutions based on simplistic thinking which can lead only to deadlock".

"The former", they said, "would merely halt the momentum of Europe and reinforce American hegemony" and the latter "by initiating an improbable plan for a European federation, would dilute France's unique role in Europe". A role so unique that that the two authors said nothing more about it!

For their part, Sarkozy and Madelin had more to say about their main objective: to bar the route to the Socialists, "whose ambition", they claimed, "boils down to exporting to the rest of Europe the failures of their policy in France," and whose proposals, "outdated in economic terms, are just as obsolete in social terms." "But what do we want Europe for?", they asked, and then concluded with this gem: "Europe and its institutions must serve a certain vision of the future and a vision of France." The only clarification they gave of this vision was that it was "diametrically opposite to that of the Socialists".

The common "European" platform presented in March by the RPR and *Démocratie libérale* already had the whiff of a domestic anti-Socialist manifesto. Under the slogan "The choice is between a Europe of freedoms and a Socialist Europe", it stated, in particular, that "contrary to the measures carried out by the Socialist government, France should reduce the burden of its levies and taxes, reduce government expenditure by beginning the reform of the State and of government departments, reduce its deficits and debt" etc., etc.

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<sup>13</sup> *Le Monde* of 8.6.1999

<sup>14</sup> *Le Monde* of 10.6.1989

<sup>15</sup> *Le Monde* of 12.6.1999

Nor did the UDF avoid empty phrases, with François Bayrou, who headed the party list, speaking of a “clear and consistent plan”. His campaign was, however, more committed. “The euro will not complete Europe, as the euro without a political Europe is an endeavour that has been deflected and is unfinished”, he stated in the UDF’s manifesto. “For us, Europe is a federation of States and of nations in the process of being formed. It is a federal construction, and a federative process.” He called for “more Europe and more democracy” and advocated a constitution about which he did not say much but, nevertheless, spoke of an “identified and elected” president. As to the dangers, he indicated quite perceptively the public disaffection and dilution of the initial project into a spineless mass.<sup>16</sup>

With the Greens, led by Daniel Cohn-Bendit, the campaign took on some shape, both in theory and in practice. 30 years after May 1968, Dany the Red, the anarchist of Nanterre, had become Dany the European and Dany the Green but had lost none of his eloquence or talent, putting the same energy into defending the environment and the bright future of a federal Europe.

Another active personality was Charles Pasqua, the head, with Philippe de Villiers, of the list of the Rassemblement pour la France party, which they founded in order to fight for the sovereigntist cause. Mr Pasqua<sup>17</sup> made remarks that the PCF, in other times, would not have disowned, and which reflected “a growing wariness” towards a “monetarist, federal and Atlanticist” Europe “which in practice means Malthusian, technocratic and American”. Twenty years ago, Georges Marchais was partial to the word “Scandal”, with a capital “S”; Pasqua proved fond of “Unacceptable”, with a capital “U”, of course. He set forth on a crusade against the primacy of European law and a system which obliged us, he said, to leave to the European Court of Justice – “an external juridical authority” – the authority to “judge principles as fundamental and as intrinsic to our national life as civil liberties, control over State finances and human and citizens’ rights.” Can we change the legal order without the French people knowing it? “Unacceptable”, he cried. Of all the candidates, he was probably the most candid in stating his aims: removing all executive power from the Commission and giving it to the Council of Ministers; subjecting Community law to supervision by two chambers, one composed of MEPs and the other of members of national parliaments; and maintaining the right of veto established under the so-called “Luxembourg compromise”.

It was in the same vein that Pasqua, a few months later, was to attack worldwide free trade, the Americanisation of society, and globalisation in general, in which he saw “an underhanded dispossession of each country’s national sovereignty and a machine to subject peoples, languages and nations to the commercial interests of multinational groups and the hegemonic aspiration of the United States of America”.

At all events, in the evening of 13 June 1999, it was the candidates who had mounted a committed campaign – whether for or against the Union – who achieved the best results. In the lead was the Pasqua-De Villiers list, with over 13.0% of the votes and 13 candidates elected, followed by the Sarkozy-Madelin list, with 12.7% and 12 members elected, constituting something of a landslide for the French right.

The Greens meanwhile reaped almost 10% of the votes, winning nine seats, as did Bayrou’s UDF. The Communists and their allies in the “Move Europe” campaign won only six seats, the same number as the Saint Josse list (hunting, fishing, nature and tradition), which had put up a very pugnacious campaign. The PCF obtained three candidates less than the Greens! A result tantamount to failure, while the far left list of Arlette Laguillier and Alain Krivine, which was actively anti-EU, boasted five members.

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<sup>16</sup> *Le Monde* of 12.6.1999

<sup>17</sup> *Le Monde* of 12.6.1999

As for François Hollande, he was able to congratulate himself on having done considerably better than all the other lists, and better than leftwing parties in power elsewhere in Europe – notably Germany’s SPD and Britain’s Labour – that had been frankly repudiated by their voters. The party’s score was, nevertheless, slightly lower than could have been expected: 21% of the votes and 22 members elected.

It was a campaign lacking in inspiration, at least within the large parties of the governing majority and the opposition. The results were worrying for the right and ambiguous for the left, and did nothing to encourage either group to change tack and put a tiger in the tank of its European policy vehicle. Among the protagonists of cohabitation, caution thus remained the order of the day. Chirac was wary of Pasqua and De Villiers, and Jospin of “his” Communists and “his” Greens. Both of them had their eye riveted on the French elections to come – municipal elections in 2001 and, above all, the presidential election of 2002 – and one obsession: to avoid European affairs and the forthcoming French presidency (in the second half of 2000) providing an opportunity for the opponent-partner in cohabitation to score points and strengthen his position. They also had to avoid dividing their own camp on European issues. An awesome case of looking one’s opponent in the eye and keeping a poker face, even more complicated on the right than the left because Chirac had to reckon not only with Pasqua’s swaggering but also with Balladur’s agonising, Bayrou’s impatience and Séguin’s ambition, not to mention the trip-wires in the Paris town hall.

Cohabitation is not encouraging the republic to achieve great things. Nor is it conducive to spreading a "citizen spirit". On the contrary, it is fostering parochial gut reactions in French politics and procrastination on the part of its protagonists, which their rhetorical discourse is doing little to hide. In political terms, cohabitation has reduced France to the small area between the Presidency and the Prime Minister, on either side of the Seine.

Is this slumbering of French politics affecting cultural and intellectual life and having an impact in society in general, on companies, associations, and even citizens in all walks of life? There is certainly a real risk. After all, as political analyst Vincent Tournier remarked a few months ago<sup>18</sup>, have we not traditionally seen culture as a political instrument serving the State and national development? In the confusion of a typically French controversy started by sociologist Pierre Bourdieu, Tournier noted that “French culture is having difficulty reaching the rest of the world because it cannot – or can no longer – break out of its national framework and move beyond reasoning and values which have little meaning outside France”. The disease has not spread as far as Tournier seems to fear, however, even if it is true that in the France of Chirac and Jospin – under the influence of the media and conformism – official discourse prevails over general discourse, perhaps even more so than in the France of Louis XIV. It must therefore be said that the paucity of ideas on the EU at the highest level in the State has not prevented worried minds from reflecting on the situation; nor attitudes from changing.

Among professional thinkers – historians, political analysts, sociologists and economists – a degree of uneasiness has emerged over the past five years, along with an ill-defined feeling of disquiet, which probably stems from the difficulty that intellectuals experience in taking into account the often conflicting information coming in from the contemporary world: economic globalisation, changes in the balance of international power, the United States attaining the status of a hyper-power, prospects for the unification of Europe, demographic trends and migratory flows. Hence the need for inspiration that they express, along with a degree of scepticism regarding their own ability, and that of our governments, to conceive and implement appropriate solutions.

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<sup>18</sup> See *Le Monde* of 21.10.1999

“Europe will not be built on nostalgia for German forests or memories of medieval Christianity, since the continent is home to 20 million Muslims,” said Dominique Schnapper (at a conference at the Robert Schuman Foundation), “it will be born of the reflection of intellectuals, if they are up to it.”<sup>19</sup>

Meanwhile, in this year’s report on the state of the European Union, the team led by Jean-Paul Fitoussi at the Observatoire français des conjonctures économiques expressed concern. “The future abhors a vacuum, and the fact that it has not been planned does not mean it will not happen”, say the authors. “The absence of decisions is itself a decision shaping the future.” They go on to warn that “the combined lack of European government and increasing power of institutions that are a-democratic, that is to say politically unaccountable, could push Europe towards a future that no-one wants: neither governments, nor the general public. The processes at work are producing results that are unintended, i.e. non-optimal in terms of the provision of public goods, and of social cohesion. This is inevitable if no general political guidelines, based on democratic processes, are adopted to decide on the aims of European integration for the future.”<sup>20</sup>

The sovereignists have no such qualms. They still have the same certainties: sovereignty can only be indivisible and inalienable. “It is a whole, or it is nothing!” they cry. Uncompromising they were born and uncompromising they remain! At least, that is the case with the most fanatical among them, such as William Abitbol and Paul-Marie Couteaux<sup>21</sup>, both of whom were elected to the European Parliament on the Pasqua-De Villiers list. “The presidency is supposedly Gaullist yet the Gaullists have been obliged to find a new name for themselves, like contemporary Marranos obliged to recant their faith in order to retain a voice in a France given over to off-the-shelf globalist thinking”, they unhesitatingly proclaim, before denouncing the “surrender” which, in their eyes, characterises current politics. “The word ‘surrender’ is not too strong”, they continue. “‘State’, ‘republic’ and ‘democracy’ are no more than empty words whose only purpose is to serve as incantations. Our country no longer has any semblance of policy, nor even the means to have one. It has surrendered to Brussels and its legal traps as regards major fiscal decisions, to Washington in the case of foreign policy and the country’s defence, and to market forces for everything else.”

We should note in passing that the sovereignists have contributed to the drift of the anti-EU movement into the deeper eddies of anti-globalism, strengthening their post-Gaullist aspirations and helping them back onto an anti-American path where the nationalist right is traditionally joined by the Communists and their fellow-travellers.<sup>22</sup> The current version is given by Marie-France Garaud, who is also a member elected from the Pasqua-De Villiers list, and Didier Motchane, who is very close to Chevènement and is vice-president of the Mouvement du citoyen. They joined forces to condemn “the substitution of NATO for the UN” in the Kosovo crisis, declaring: “It is probably not by chance that our leaders, who are selling off the sovereignty of their country in an irresponsible march towards a federalist Europe that exists only in their dreams, embarked on the Yugoslav adventure behind the United States.”

However, this drift puts them, quite unwillingly, in an awkward position since it gives the partisans of a strong Union serious arguments for persuading the citizens that a solidly-organised Europe, far from being the Trojan Horse of globalisation its opponents are

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<sup>19</sup> See *Le Monde* of 28-29.5.2000

<sup>20</sup> *Rapport sur l'état de l'Union européenne (2000)* of Jean-Paul Fitoussi, with contributions by Renaud Dehousse, Jacky Fayolle, Jacques Le Cacheux, Anne Lecuyer, Olivier Passet, Bruno Ventelou, *Ed. Fayard-Presses de Sciences-Po*

<sup>21</sup> See *Le Monde* of 30.9.1999

<sup>22</sup> See article *Du consentement à l'assujettissement* by Marie-France Garaud and Didier Motchane in *Le Monde* of 11.6.1999

describing, would defend them better than outdated borders can against American economic power, the surge of immigrants and the new drug and finance mafias.

On this shifting ground of sovereignty, the partisans of the EU have learned in recent years how to defend themselves against accusations of “surrender”. Having long been embarrassed by the historic references dear to those who see themselves as the descendants of the Jacobins and defenders of the great principles of the French Revolution, they have understood that the sovereignty of the people is not necessarily undermined if it does not coincide in all fields with national sovereignty, as the sovereignists unreasonably demand. This has deprived the sovereignists of ammunition: the nation-State can share its sovereignty with others without reducing the power of the people provided the EU leaders are chosen by the people and are subject, just like national leaders, to democratic supervision.

By the same token, the concern for territory has lost ground in France, as hard-line advocates of the nation-State are equally fervently attached to their territory, so strong is the idea among the French that one needs a plot of land to cultivate one’s happiness and plant one’s flag, there being no territory without a flag and no flag without territory. There have long been other ways to exercise power, but today the churches are no longer the only organisations that ignore borders and compete with States. With the new technical revolutions affecting all fields – intellectual, medical, industrial and military – everything is tending to dissociate power, and the sovereignty which is its legal expression, from exclusive possession of a territory. “Sovereignty, as understood in France since the *Ancien Régime* and the Revolution, has become a fiction”, observes Yves Mény. The globalised world is a horizontal world in which hierarchies have been upset. The power of some companies is greater than that of some governments.”<sup>23</sup>

“The old preconception that the nation-State should have a monopoly over democracy is now giving way to advances in both globalisation and decentralisation,” was the observation found in an authoritative report on institutional reform prepared by a group of government and university experts led by Professor Jean-Louis Quermonne, chairman of the Association française de science politique. In the study, submitted to the prime minister in the autumn of 1999, the authors go on to note that “the efficiency of decisions taken jointly by the Member States in exercising their shared sovereignty must be ensured through close interweaving of supranational and intergovernmental authorities in the EU. It is increasingly important for these authorities to meet the criteria of democratic legitimacy and the values upheld by the Union.” For the Union to be able both to welcome new members and to continue fulfilling its essential tasks, the Quermonne report considers that three requirements must be satisfied. The EU needs to be given an effective government, a political centre of gravity and a constitutional agreement granting it an identity, which currently remains unclear.<sup>24</sup>

Alain Dieckhoff, senior researcher at the Centre national de la recherche scientifique (CNRS), meanwhile wrote: “The nation-State is today in crisis, on account of two phenomena: the weakening of the State as a controlling agent, and the ideological crisis of the nation as a social organisation controlled by the State. The present-day State is being undermined in an unprecedented way both from above and from below.”<sup>25</sup> He notes that “modernity erases old limits, while constantly creating new ones.” The development of communications is thus tending to reduce the role of the State, which is finding its claim to monopolistic control of the national territory dented.

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<sup>23</sup> See *Le Monde* of 14.12.1999

<sup>24</sup> See *L’Union européenne en quête d’institutions efficaces et légitimes, rapport du Commissariat Général du Plan, Ed. La Documentation Française*, November 1999.

<sup>25</sup> See Alain Dieckhoff’s essay *La Nation dans tous ses Etats*, Ed. Flammarion, 2000

Dieckhoff's study is a good example of current reflections on sovereignty, a concept which the author invites his readers to reconsider. It seems essential to him to distinguish between sovereignty and independence, and he reminds his readers that the 26 Swiss cantons have full sovereignty. He similarly advocates distinguishing between the State and the nation, the State being the "agent of political unity and the authority responsible for organising citizenship" while the nation is "the traditional cultural community".

"The increasingly plural nature of societies", continues Dieckhoff, "makes the proposition that each State has a corresponding nation and culture increasingly untenable. On the other hand, it gives new vigour to the idea of a multinational State based on the expression of a variety of identities, and which is in harmony with individuals' current aspiration to combine a number of social and cultural traits."

That is how far we have got in the theoretical debate. Whatever the sovereignists may say, the issue is no longer centred on dogma, but on the more down-to-earth matter of the distribution and supervision of power within the institutions. Nowadays, not only are theological prohibitions disappearing, but so are taboos. Starting with the ban on the word "federation" which, for a long time, even the most dedicated supporter dared not use without all sorts of precautions, for fear of being branded a traitor to the nation.

That was the dissuasive effect that opponents of the Union wanted to obtain through their attacks, the best example of which remains the "appeal to the French" signed by Chirac on 6 December 1978, at the instigation of Marie-France Garaud. At the time he was in the Cochin hospital being treated for a nasty fracture. In this document, which became known as the "*appel de Cochin*", Chirac objected to the European Parliament being elected by universal suffrage<sup>26</sup>, and issued a dramatic warning: "We are preparing for the subjection of France; we are consenting to its humiliation," before posing as the defender of a European Europe against any form of supranational or federal Europe "which was bound to be dominated by American interests" he said. All this was designed to give more weight to his attack on his former allies, the Giscardiens and centrists with whom he had governed for over two years and was now denouncing – without explicitly naming them – as "the foreign party". "As always when it comes to the humiliation of France," he accused, "the foreign party is at work, with its quiet and reassuring voice. The French people must close their ears. It is the drowsiness which precedes the peace of death!" We can but echo Cohn-Bendit's words: "From Cochin to Berlin: what a journey!"

Even Mr Giscard d'Estaing was to feel the need to take certain precautions. He spoke about the "federative" nature of the future institutions, finding this somewhat outmoded term in Montesquieu's "Spirit of the Laws", where "all the internal advantages of republican government and the external strength of monarchic government" were associated with the federative republic. As early as 1995, in a long and solid analysis in the form of a manifesto, Mr Giscard d'Estaing had dismissed the German idea of "inner circle" along with the concepts of "concentric circles" and "two-speed Europe", and expressed himself in favour of a "Europe with differentiated political wills". This was too sophisticated a formula to catch on, but it was a good description of what a vanguard should involve. Considering that the only progress possible during the next five years was the monetary union that the Maastricht Treaty had just set on the rails, he explained: "It will be necessary to give monetary union a political extension, by making it the founding act for a political union with a federative objective."<sup>27</sup>

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<sup>26</sup> The reform was decided on the initiative of Valéry Giscard d'Estaing. Jacques Chirac did poorly in the first elections to the European Parliament by universal suffrage on 10 June 1979. The RPR (Chirac-Debré list *Défense des Intérêts de la France en Europe*) came fourth with 16.5% of the votes, behind the UDF (Simone Veil, 27.55%), the PS (Mitterrand, 23.57%) and the PCF (Marchais, 20.57%).

<sup>27</sup> See *Le Figaro* of 10-11.1.1995.

Valéry Giscard d'Estaing repeated the same term when, together with Helmut Schmidt, he invited the countries with the necessary political will to “integrate part of their political powers through a federative approach”. Jacques Delors has, however, long been using the concept of federation, if only in the form of a federation of nation-States. For their part, Mr Bayrou and Mr Cohn-Bendit are equally uninhibited. Even Pierre Lellouche, following Joschka Fischer’s speech, challenged him to put his words into practice saying “All in all, I would prefer a federation of a small number of States with clearly established powers and a real democratic legitimacy to the current hotchpotch involving a half-baked confederation which, little by little, transfers the powers of States and national parliaments to bodies of civil servants with no legitimacy.”

The word “federation” has therefore lost its subversive connotation and can be used without risk of being burned at the stake. Better still, the Europhiles have even begun to turn the situation to their advantage, by spreading the message that a well-conceived federation would actually safeguard the members’ sovereignty rather than compromise it.

To this end, they are pleading – starting with Jacques Delors – for an unequivocal distribution of powers in the Treaty – or constitution if there must be one – between the Union, the Member States and the other territorial authorities such as the German *Länder* and other autonomous provinces and regions elsewhere. This would avoid the difficulties raised, in the current system, by applying the principle of subsidiarity with no prior inventory or distribution of the powers. The laboured wording of Article 3b of the Maastricht Treaty casts doubt on its value in practice: “In areas which do not fall within its exclusive competence,” the Article provides, “the Community shall take action, in accordance with the principle of subsidiarity, only if and in so far as the objectives of the proposed action cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale or effects of the proposed action, be better achieved by the Community.” This is a good example, in an essential area, of the unintelligible nature of the treaties, which is grist to the mill of all who demand that they be recast and rewritten.

Adoption of the single currency by 11 Member States has done a great deal to carry the discussions on sovereignty forward and take the wind out of the sovereignists' sails. Five months after adoption of the euro, the level of satisfaction in France was very high: 64%, which was higher than the European average of 53%.<sup>28</sup> In spite of the controversies aroused this year by the fall of the euro, public opinion, overall, remains convinced that monetary union is a good thing, and sees no disadvantage in the national State giving up part of its sovereignty and entrusting it to a higher level of government, if this works out well for all participants. This has helped clarify the discussions on sovereignty. They now centre less on the transfer itself than on how to control its effects.

“Sovereignty is now shared between the Community and the Member States or, if you prefer, truly belongs neither to one nor to the other,” Fitoussi’s team remarked in its report, mentioned above, on the state of the Union. They commented that the Union is a curious construction, saying: “Each State’s national sovereignty is limited within it by jointly adopted binding political rules, but it is with a view to protecting each State’s sovereignty that a federal sovereignty is prevented from emerging.”

Jérôme Monod, a former senior civil servant, industrialist and secretary-general of the RPR who has for the past few weeks been a highly regarded adviser to the French president, shares a similar view. He calls for a “sovereign Europe”, affirming that the “political sovereignty of Europe is the inevitable corollary of the single currency.” In a book written with psychoanalyst Ali Magoudi and published in November 1999<sup>29</sup>, Mr Monod points out that, in the countries of the Community, then the Union, the gradual erosion of national

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<sup>28</sup> Louis Harris poll mentioned in *L'opinion européenne*, Ed. Presses des Sciences-Po

<sup>29</sup> *Manifeste pour une Europe souveraine*, by Jérôme Monod and Ali Magoudi, Ed. Odile Jacob.

sovereignty has not been accompanied by a corresponding development of Community sovereignty, and this has led to disquiet, particularly among the French, who are used to the pillars of their sovereignty: language, currency, territory, army, diplomacy. In order to restore cohesion in these societies where it is decreasing, he can see no solution other than re-creating sovereignty, but this time at the level of the Union.

In an article published in *Le Monde*<sup>30</sup>, Monod and Magoudi add: “In 2002, the national currencies of 11 sovereign countries will disappear and be replaced by a currency which is not supported by any sovereign power. A number of identity disorders can be expected as a result. Under the impact of globalisation in the economic and financial spheres and in information, the world is changing more rapidly than the old European countries: nations with little cohesion, where the links were too weak. Globalisation appears unavoidable and irreversible. But is it really? And will it be exclusively based on the American model in the economic, financial, social and cultural fields? It is up to us to decide.”

In the same vein, jurist Dominique Rousseau, a teacher at the University of Montpellier, writes: “The States have transferred several of their powers but retained democratic legitimacy; the Union has received powers but not democratic legitimacy. Consequently, however one looks at things, either the powers have to be restored where there is legitimacy or legitimacy must be conveyed to where the powers are exercised.”<sup>31</sup> Of the two solutions, we need hardly say that Rousseau chooses the second, and recommends that the European constitution process be started without delay. He begins by indicating that “the Union is no doubt not a State; but the link between constitution and State is a product of history and not an expression of any ontological necessity. This can clearly be inferred from the famous Article 16 of the 1789 Declaration, which states that ‘any society in which rights are not guaranteed, nor the separation of powers determined, has no constitution.’”

Is there sufficient political convergence between the various countries of the Union for a debate on a common constitution to be possible? Yes, replies Rousseau, who notes convergence in three areas: (i) in the structure of States. The former dichotomy between unitary and federal models is disappearing. This can be seen in France with decentralisation; in Spain, with the creation of the autonomous regions; even in the United Kingdom, with devolution to elected assemblies in Scotland, Wales and Northern Ireland. (ii) in forms of government. Everywhere, it is the executive that governs and, however it is appointed, the choice results from universal suffrage. - (iii) in fundamental rights. all countries share the principles of social organisation of the economy and pluralist democratic society.

On this issue of fundamental rights, some working groups, such as the one known as CAFECs (Carrefour pour une Europe civique et sociale) have made contributions testifying to a completely new awareness of Europe among ordinary people. For CAFECs, “the reason the European Union now feels the need to establish a charter of fundamental rights is that it realises that it must express an identity in order to be itself. It is precisely because the Union is constituted on a voluntary, cooperative, democratic and non-violent basis that it has to define its identity.”<sup>32</sup>

Together with the concept of federation, a second taboo has therefore disappeared: that of a European constitution preceded by a charter of rights, which is currently being drawn up. Following Chirac’s change of heart in favour of the Union, even if the French president’s views remains unclear, virtually 70% of the French electorate are now liable to support an idea that the PS had adopted unconditionally as of its 1996 national convention. This has prompted Daniel Cohn-Bendit to bet openly on Europe having a constitution by 2004-2005.

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<sup>30</sup> See *Le Monde* of 6.5.2000

<sup>31</sup> See *Libération* of 4.4.2000

<sup>32</sup> See the journal *La Tribune Fonda*, No. 142, April 2000

This progress of the Union's partisans has been spectacular. They have acquired a foothold and are gaining the upper hand on the very political ground that their opponents previously occupied as an unassailable position: not only unrepentant sovereignists, but also those who had called for a "No" to Maastricht, such as Philippe Séguin, for whom politics could take place only at national level, and who therefore believed that was the only level at which democracy could operate.

In fact, what is emerging, slowly but surely, is a European political arena. Previously thought to be unattainable, it is now beginning to develop alongside the national political arena which was expected to remain unchallenged for some time yet. What is ironic is that the first indication of this trend came from Jean-Pierre Chevènement, one of the fiercest defenders of national exclusivity, in June, when he agreed to take part in a debate with Joschka Fischer on the future of Europe. The event was sponsored by the weekly newspaper *Die Zeit* in Germany and by the daily *Le Monde* in France.<sup>33</sup> We will now move on to examine the latest developments in the debate in France, with the French reactions to the innovative speech by the German foreign minister, and the stir which the French President's reply produced in the cohabitation partnership, just when France's presidency of the Union was beginning.

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<sup>33</sup> See *Le Monde* of 21.6.2000

## **II - Reactions to the German initiative**

Jean-Pierre Chevènement, one of the first French political heavyweights to react to Fischer's speech, was to opt for provocation and generate a controversy of the kind only the French know how to create, and which delight the Parisian microcosm of politics and the media. In this type of exercise, the outraged tone of the remarks and exchange of soundbites, which provide all the flavour, are usually more important than substance. This bothers no-one, while allowing the protagonists to clarify their position in the political game of the day.

On 21 May, on television channel France 2 and during a conference of his party, the Mouvement des citoyens, Mr Chevènement thus commented on the proposals that had come from Berlin. "We are in the presence", he said, "of a German tendency to design a federal structure for Europe that corresponds to its model..." Was he about to present his views on the differences in behaviour between France and Germany? Was he going to note that Europeans had in effect invented only two forms of political society, one centralised and the other decentralised, and that the French and Germans – a kingdom on one side and an Empire on the other – epitomised that fact? That would have been too simple. He preferred to steer an oblique course, speaking of the "obsessive dream of Germany, which is unable to free itself of the concept of *Volk*".

"Basically," said Chevènement, "Germany is still dreaming of the Holy Roman Empire. It has not yet recovered from the role played by Nazism in its history." He then went on to contrast his vision of the French *Nation* with his conception of the German *Volk*, adding: "The confrontation is quite clearly between a republican identity and an ethnic conception. Germany should move beyond both the ethnic conception of the *Volk* and its post-national vision of history. Germany must be helped to forge another conception of the nation, that of a *Nation* of citizens, in order to engage in a better dialogue with France." He then concluded: "Without that healing process and the invention of a German *Nation*, we will not be able to found a healthy and sustainable Europe."

The next day, Chevènement was to make amends by pleading that the brief treatment of the speech on television had telescoped his comments and led to errors of interpretation. He nevertheless took exception at certain reactions, such as that of Valéry Giscard d'Estaing, who had declared himself "scandalised" and gone on to say that "accusing the German leaders of returning to some extent to a Nazi inspiration and culture is unacceptable!"

"For both the French and the Germans, it is difficult to think of a Europe which does not fit in with the image of what we already know" was the comment made a few days later by an expert on Germany, Anne-Marie Le Gloannec of CERI, the European Centre of International Research. She criticised Mr Chevènement on two points in particular.

- It is a mistake to think that Germany today is in effect the same as yesterday and that Joschka Fischer is pleading passionately for European federalism because Germany suffers from a lack of national awareness. Germany in this new century is no longer a State in search of a nation.

- Chevènement should wonder about the specific nature of France as much as that of Germany. From Karl Lamers and Wolfgang Schäuble, CDU members, to Joschka Fischer, a Green minister, Germany would like the Union to be more federal. France, meanwhile, is

sticking to intergovernmentalism: Paris wants a strong Union, but with weak institutions. Germany's experience is federal. French experience, particularly that of the minister of the interior, bears the mark of Jacobinism. Each of these two visions is valuable in its own way, and each also contains traps. In France, because centralisation often goes too far, in spite of all efforts to reverse it; in Germany, because federalism can be unwieldy, puts a brake on reforms and, now, may be more of a burden than an asset.”<sup>34</sup>

While not reconciling the views of the two protagonists, the debate organised by *Die Zeit* and *Le Monde* gave them an opportunity to spell them out. “The conventional European nation-State is too small to cope with globalisation,” Fischer said, “and this globalisation, whether we want it or not, is an objective reality.” “But in what way will a European federation enable us to defend aspects of the European social model – labour law, for example – that are threatened by globalisation?” Chevènement asked him. “Very simply because a European federation could defend European interests in an altogether different way,” replied Fischer, who went on to give various examples. “When Boeing and Lockheed merge, and the Brussels Commission frowns, the gentlemen in Seattle take notice. If it had been the French anti-monopoly watchdog or the German cartel office, they would not really have been interested.”

To Mr Chevènement's assertion that a common forum for public debate is necessary for democracy to function, that such a forum did not exist at Union level and that we must first “achieve convergence between our nations”, Fischer replied that that presupposed “a distribution of powers within the Union, with democratic legitimacy” and that “it is our duty to create a common European forum without abolishing the national forum.”

When Chevènement spoke of a “political association of nation-States”, Fischer argued that “that is not Europe”, and that the choice was simple: either a federal Europe, or a centralised Europe (which would be a “genuine nightmare” for Chevènement), or no Europe at all (“which would be”, he said, “the worst outcome”). Fischer added: “The euro 11 is already a federation. We have entrusted our monetary sovereignty to a bank which is a federal bureaucratic body. That should be a nightmare for a republican like you!” Mr Chevènement replied that he was not in favour of that system and that he still wished to balance the central bank by an “economic government”, without, however, indicating whether it would be federal or confederal in nature.

If there is a moral to be drawn from this Chevènement-Fischer episode, it is that the undeniable reconciliation between France and Germany has not prevented the Franco-German melodrama from continuing. Whatever form the Union takes over the next ten years, Europeans in general, and the French and Germans in particular, will thus have to get used to living with it. Is it the constitution that makes a people or a people that makes a constitution? The Chevènements and Fischers of this world are set to continue arguing about it. They will similarly go on arguing about the respective roles of voluntarism and determinism in forming nations. But theoretical and philosophical considerations aside, however, we have also not seen the end of politicians on both sides of the Rhine – and elsewhere in Europe – using European issues to strengthen their position on their national stage.

No doubt Mr Fischer had good domestic reasons to attract the attention of his fellow-Germans by speaking when he did at the Humboldt university. And Mr Chevènement, for his part, entered into polemics with Berlin with his eyes firmly fixed on the Seine. A fact pointed out by Eric Zemmour, writing in *Le Figaro* the day after the hullabaloo over Nazism and the Holy Roman Empire. “Through his remarks, Chevènement is endeavouring to recover a grip

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<sup>34</sup> See *Le Figaro* of 25.5.2000

on the only political debate that matters to him: the line Jospin will take as a candidate in the presidential election. Will it be a national and republican position like the one he took in the parliamentary election ... or a liberal and pro-European view?"

This very national angle will have to be borne in mind by anyone wanting to gain an insight into the tangle of comments on the Union and its institutions made at the highest level within the French government and State over the first six months of the year.

We have already pointed out that the French government was moving only with the utmost caution along the road towards reform the EU institutions, for reasons relating to the cohesion of the multi-party majority of Jospin's government, the constraints imposed by cohabitation, hesitation on the part of the French president subjected to contradictory pressures on the part of his political friends, the lukewarm nature of the prime minister's European convictions, and the design of a minimalist strategy suiting both Chirac and Jospin, for guiding the French presidency to a successful European Council meeting in Nice, in December.

We have also seen that public opinion, in a way a step ahead of the official position, was worried about this vacuum and growing impatient. "How can we fight the European disenchantment resulting from procrastination, nervousness and routine? Certainly not by abusively making a virtue of caution. And certainly not by merely dealing with pending issues on a day-to-day basis," wrote Jacques Amalric in *Libération* on 10 May. That was the day after Lionel Jospin's address to the National Assembly and just two days before Joschka Fischer's speech in Berlin. Amalric continued: "What Europe is lacking is an outlook, food for thought, maybe even dreams in this context of globalisation hype. In the absence of a grand design liable to surpass national selfishness, progress must be negotiated inch by inch, under the pretext of realism. The prime minister, just like Jacques Chirac a few days earlier, has set out only a minimal European programme and has carefully avoided outlining any prospects for the future. Not a word, therefore, on an EU constitution; not a word on a vanguard to lead the way; not a word against the current system of revolving presidency, which disrupts the European integration process every six months; not a single bold move; nothing to counter the disenchantment."

Given the lack of French intervention at the summit, it therefore fell to Fischer to do the job. Relayed by the media, public opinion immediately reacted very favourably to his speech. According to a CSA survey carried out on 23 and 24 May, 59% of the French approved the remarks of the German foreign minister. The question asked was the following: "Germany has proposed to France that they form a federal inner circle that could include the founding countries of the European Union. Should France respond favourably to this proposal?" Of those questioned, 23% were entirely in favour, 36% were rather in favour, 33% were opposed and only 8% expressed no opinion.

### *Quo Vadis Europa?*

*To this question, which introduced his Berlin speech, Joschka Fischer saw only one answer: "Forging ahead to complete its integration," as, he said "our population would have to pay a very high price if Europe were to take a step backwards, or simply come to a standstill or rest on its laurels." For him, enlargement of the European Union and the prospect of an EU membership of 30 call for reflection on the forms this integration will take, and the stages involved.*

*The objective: to move from a confederation to a federation, based on a founding treaty that would preserve the nation-States with their institutions and provide for the sharing of sovereignty between the Union and the Member States, leaving the federation with the essential powers of sovereignty and only the issues that absolutely have to be dealt with at Union level. The nation-States would retain a much more significant role than that granted to the Länder in Germany. Fundamental rights, human and citizens' rights, and the horizontal and vertical separation of powers would be rooted in the constitution.*

*The institutions: a European parliament and a European government which would in effect exercise legislative power and executive power within the federation. The parliament would be composed of two chambers, one representing the nation-States and the other the citizens. To form this government, there are two options: either through the national governments, or through the Commission, by having its President elected directly and giving that person extensive executive powers.*

*The method: constituting a vanguard bringing together a small number of Member States within a "centre of gravity" which would remain open to their counterparts within the Union as well as to applicant countries; the group would be formed either within or outside the treaties, under close Franco-German cooperation.*

*The timetable: three stages that could extend beyond the next decade:*

- 1 - development of enhanced cooperation, similar to monetary union or the Schengen arrangements*
- 2 - establishment of a centre of gravity, with its own institutions (government, parliament and directly elected President)*
- 3 - establishment of the European federation itself, using the centre of gravity as a nucleus*

To comment on these proposals, the newspapers opened up their columns to contributors from throughout Europe, thus demonstrating that the public forum is no longer limited to national boundaries. *Le Figaro* carried an article by Dietrich Genscher, Germany's former foreign minister, initially published in the Berlin newspaper *Tagesspiegel* with the French headline "Allons enfants de l'Europe – Suivez Fischer!", echoing the *Marseillaise* but calling on all Europeans to follow Fischer. "The French and Germans have a special responsibility," declared Genscher, "to ensure that enlargement of the European Union – which is a historical necessity – does not dilute the Union. Opposing national and EU interests is merely a scaremongering tactic which betrays old preconceptions. There is no contradiction between the European and national identities. To preserve their identity, the peoples of Europe must live together without being afraid of each other."<sup>35</sup>

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<sup>35</sup> See *Le Figaro* of 19.5.2000

*Le Figaro* also questioned two German members of parliament on the controversy aroused by Chevènement when he criticised Fischer's ideas. "Each is at last speaking his mind, and this candidness has opened the way to sincerity. Between true friends, frankness cannot just be taken for granted; it must be an obligation", said Axel Berg, SPD member for Munich. For him, "Franco-German relations are running on solid rails and no longer depend on the vanity of Statesmen, big or small... France and Germany have accepted that they will not always be of the same opinion. At the same time, they have agreed to develop a more effective common policy, in a spirit of compromise."

"The future Europe should not be modelled on German federalism," declared for his part Andreas Schockenhoff, CDU member of parliament and chairman of the Franco-German interparliamentary group. "The aim will not be to merge national States into a European super-State, but to redefine their roles and find a binding arrangement for the subsidiarity principle. The division of powers between the European Union, the nations and the regions is one of the major challenges to be met to strengthen the Union's democratic legitimacy."

The personalities involved in this high-level consultation included Giuliano Amato, the president of the Italian council, who claimed that Mr Fisher will have had "one fundamental merit": to draw the attention of the general public and the media to the debate on the future of Europe, which had hitherto been restricted to "diplomats, academics and think tanks".

Mr Amato stated that a revival of the special Franco-German relationship was desirable and even indispensable. "Without it," he said, "integration cannot be taken forward." The Union today – and more still in the future – "needs a larger and better organised centre of gravity (which is more than an axis, but also more than an inner circle). To be credible and efficient, this centre of gravity must be fundamentally homogeneous and relatively uniform; in other words all the major policies must involve more or less the same countries."<sup>36</sup>

The French political class followed suit quite readily, even enthusiastically in some cases: the Greens in particular, unlike their German counterparts, greeted the initiative with cries of "Go for it Joschka!". Yet the government once again endeavoured to restrain the movement, while claiming to welcome it and seeking to reap maximum diplomatic benefit from the good Franco-German entente.

"Let no-one be mistaken, Europe will never be the same again," declared the RPR senator for Haut-Rhin Hubert Haenel, who chairs the Senate delegation for the European Union. "I share Mr Fisher's interrogations, which have given a welcome boost to a somewhat wheezy Franco-German engine. If we do not move in that direction, Europe will lose all substance! We must let the future members know what our common home is about."<sup>37</sup>

At the French National Assembly and Senate and at the European Parliament, Mr Fisher's proposals had a liberating effect on both right and left. Many members of parliament expressed disappointment that the impulse should not have come from Paris. For Mr Haenel, "it is regrettable that no French politician should have been sufficiently far-sighted – or courageous – to express that vision. The message would have been stronger." For Josselin de Rohan, another RPR senator, "France, by determinedly taking the lead of those who want a genuine recasting of Europe, would remain true to its role and genius as originator of the major intellectual debates and audacious initiatives."

A member of the UDF, Jean-Louis Bourlanges, PPE member of the European Parliament, fullheartedly endorsed Mr Fisher, who he believes has asked the questions that matter: the future of Europe, its tasks, its resources and its borders. "After years of Byzantine technocracy and self-centred nervousness, these comments are a welcome breath of fresh air"

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<sup>36</sup> See *Le Monde* of 25.5.2000

<sup>37</sup> See in particular the journal *Le Sénat, Actualités de la Délégation pour l'Union européenne*, No. 36 of 12 to 29.5.2000.

he commented. But he would like to see them put into practice "right away" and deplored France's "paucity of public statements on the future of Europe" which only served to underline, in his opinion, "the scale and boldness of the German vision".

Nevertheless, Mr Bourlanges did not want Mr Fisher's speech to be used as a "prophetic bang" to hide the "whimper the future treaty of Nice promises to be by abusively presenting a few miserable initiatives in the field of closer cooperation as heralding a federal Europe." He expressed concern that the Nice meeting might pave the way for an enlargement process which would seal the fate of any subsequent review of the treaties, with French and German diplomats agreeing to postpone the main issues.

Even the opponents of federalism felt compelled to congratulate the German foreign affairs minister. For instance, Sami Nair, an MEP and one of Mr Chevènement's faithful lieutenants, welcomed as encouraging and positive the fact that Mr Fisher should contribute to the debate on a "deadlocked European construction process". He nevertheless suspected him of "wanting to convert France, Germany and the United Kingdom into super-*Länder* within a Europe caught up in the global turmoil" and called for "a fundamental review" of the European project itself to respond to the socio-economic, political and identity crisis.

The parties traditionally in favour of a federal Europe voiced strong support for Mr Fisher. Leading the pack were the Greens, who called for "a great leap forward of a political Europe, of the Europe which decides, in matters of its concern, by a majority of its citizens. In short, a federal Europe, whether the expression is acceptable or not." Such were the comments made by the two Green ministers of the Jospin government, Dominique Voynet and Guy Hascoët, accompanied by Daniel Cohn-Bendit and a few other MPs of their party<sup>38</sup>. "To combat the dictatorship of the markets", they say, "is to promote a political and a people's Europe. Any standstill or postponement of a political Europe will play into the hands of our enemy: global finance and its representative in Europe, the London City. That is what they want and will do anything to achieve. We can no longer afford to reject a political Europe in the name of these historical communities called nations if that entails a liberal *status quo*, for we have achieved economic liberalism but not democracy."

Furthermore, the Greens stressed the importance of the Charter of Fundamental Rights currently being drafted. In their opinion, it must "list all civil, political, economic and social rights and those related to the spectacular developments in the spheres of the environment, health, biotechnology and the information society." They believe the charter will become the foundation of the entire European structure. Its prominence and hence its location – for instance in the preamble of a future single treaty – are crucial. So is its binding nature.<sup>39</sup>

François Bayrou, the UDF chairman, called for the process to be stepped up. "Europe must be given a federal structure and democratic institutions, now," he stated, explaining that the sovereignty lost by the European States can be recovered only within a political Europe. He expressed the view that "establishing a European democracy entails drafting a constitution, electing a president for Europe and introducing parliamentary democracy in all areas within the Union's sphere of competence."<sup>40</sup>

"The federal approach is not to establish a centralised super-State obsessed with replacing the national States," he said. "That is the Jacobine approach which has had a deep and lasting influence on French politics. The federal approach is quite the opposite. In the federal way of seeing things, legitimacy comes from below. Delegation happens from the bottom up in the interests of efficiency. And the first task of a constitution is to list – in order to limit them – the powers of the common institutions."

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<sup>38</sup> See *Libération* of 18.5.2000

<sup>39</sup> See *Libération* of 17.5.2000

<sup>40</sup> See *Libération* of 23.5.2000

Two weeks later, François Bayrou joined Daniel Cohn-Bendit in Strasbourg to issue, in spite of their differences – in particular in the social field –, a "cross-party statement" in which they claimed that the sovereignty of the European Union belongs jointly to the European peoples and the States which represent them. They took the opportunity to deplore the fact that "European political life is still essentially centred on exchanges and power politics between national governments, without citizens being given the possibility of influencing or controlling it."

For Bayrou and Cohn-Bendit, "that is not democracy". To correct this state of affairs and because "without democracy, Europe will come apart", they called for our unintelligible treaties to be replaced by a constitution centred on a Charter of Fundamental Rights. They also advocated the election of a president of the Union by universal suffrage and called on the Member States (and in particular the French government) to start the constitutional process at the Nice summit so as to ensure that the constitution would be ratified by 2003. Lastly, they asserted that the people of central and eastern Europe have the right to join the European Union.

The Socialist party and the government itself reacted cautiously to the general commotion caused by Mr Fisher's speech. Its leaders, when asked, obviously supported the German initiative but showed more concern not to upset any of the parties in the IGC than to join Mr Fisher in considerations about the long-term future. The foreign affairs minister did make a few positive comments the day after Mr Fisher's speech, however. Hubert Védrine was aware of Mr Fisher's plans, but did not expect him to make them public for another few months. Mr Jospin was even more surprised. Mr Védrine therefore commended the "welcome and timely" initiative, but gave no structured response. A few days later, François Hollande, speaking on behalf of the socialist party, was also circumspect. The PS's secretary-general was, as always, very self-assured yet tiptoed around the issue. He doffed his cap to a "major political act" and welcomed the fact that Germany should reiterate its definitive attachment to European integration and gave a central place to the Franco-German relationship, since the German Social-Democrats and Greens had long doubted the need to maintain the Franco-German link.

He endorsed the direction Mr Fisher wanted to give to the united Europe: development of a federation equipped with a parliament, government and constitutional treaty providing for the sharing of sovereignty between Europe and the nation-States. "That has been the option of the French Socialists for several years," he said. "We see Europe as a federation of nation-States, resting on a Charter of Fundamental Rights and eventually on a constitution setting out the responsibilities of each level of power."<sup>41</sup>

Mentioning the concept of vanguard mooted by Jacques Delors, he noted that the idea of establishing an inner circle had been very present in the French debate for the last two years. He also observed that the debate will influence the Community negotiations which France was about to chair, adding that the issue should be placed "in perspective" and "the objectives should not be mixed up", for "it is in no-one's interest that the IGC should fail".

At all events, Mr Hollande was clearly speaking for the government when he declared: "We should not try to fit Joschka Fisher's ideas into the agenda of the French presidency. We would be bound to fail on both counts. The essential step today is to reform the institutions in order to prepare the necessary changes and start a new stage in the European integration process."<sup>42</sup>

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<sup>41</sup> Colloquium organised by Europartenaires, *Revue Témoins* and the Friedrich Ebert Foundation in Paris on 29 June.

<sup>42</sup> See *Libération* of 22.5.2000

As for the government, it waited another two weeks before making its position public, in the form of an informal letter from Hubert Védrine to his German counterpart which was published in full in *Le Monde* on Saturday 10 June.<sup>43</sup>

In the document, Mr Védrine mentioned the particular responsibilities of the presidency of the Union to justify the French reserve. "Issuing ideas on Europe in the long term and chairing the Union efficiently, particularly when a difficult reform of the institutions needs to be concluded, are two things which are equally necessary yet distinct," he explained. The role of the presidency is to seek consensus among all governments, and "one cannot both fulfil that responsibility and table a project which is bound – as is already happening – to create new divisions between the Member States or worsen the existing ones."

"The precondition for any subsequent progress is to make a success of the IGC at Nice. But not at any price," he added, mentioning the fact that this last point had been agreed at the meeting of French and German leaders in Rambouillet on 19 May.

Mr Védrine then went on to comment on the substance of Mr Fisher's proposals. Referring no doubt to what the latter had called a "centre of gravity", he highlighted the difficulty of selecting the members of this "hard core". Dividing duties and responsibilities between the federation and the nation-States would be no easy task either. "How much longer", he bluntly asked, "would there still be a president of the Republic and prime minister in France, a chancellor in Germany and a head of government in the other countries?"

He saw two additional stumbling blocks in the nature of the "vanguard" government and the interaction between levels of power in Europe, whose number would increase from three to four (local authorities, nation-States, federation and European Union). "Just when public opinion in Europe is demanding more clarity, simplicity and intelligibility", the proposals might lead, said Mr Védrine, to "an accumulation of structures and tangle of powers that could well be even more inextricable than today." However, he supported the first stage suggested by Mr Fisher: the concept of closer cooperation which he believes is "the best way of reviving the Union (...) without exacerbating the various European contradictions or transforming institutional unease into crisis," but while giving "those who really wish to go further along the road of political integration time to prepare for it."

Speaking a few days later before the Bundestag, Jacques Chirac did not show the same concern for the constraints of the Union presidency as his foreign affairs minister: "there are times when one must be able to take risks and leave the beaten track. That is the price to be paid for pursuing the Community adventure." As of May, in the wake of the Fisher speech and the strong boost given to the Franco-German relationship at the Rambouillet summit, the president of the Republic had sensed a golden opportunity to take the centre of the European stage at the expense of his prime minister and future rival in the 2002 elections. Once again, European politics had fuelled party politics, i.e. the politics which are designed to influence careers rather than events. After the Franco-German melodrama engineered by Mr Chevènement, the makings of a new melodrama – purely French this time, with Jacques Chirac and Lionel Jospin in the leading roles – were emerging.

Why did Mr Jospin not choose to respond to Joschka Fisher's ideas and proposals himself? We will see further on that the press was puzzled by the silence of a prime minister who has steadfastly maintained a pragmatic position, leaving Mr Chirac free to draw up his own vision of Europe in the space of a few weeks and take advantage of a long-planned State visit to Germany to make it the centrepiece of his speech to the Bundestag.

As early as 4 May, in Chambéry, Jacques Chirac had been careful to match the prime minister on the European ground, before the debate in the national assembly, by speaking of a people's Europe. He then spoke of the European defence policy on 30 May in Paris, but did

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<sup>43</sup> See *Le Monde* of 11 and 12.6.2000

not publicly discuss the European issue as a whole before his visit to Berlin. However, he did confess to those who visited him during June that the speech of Mr Fisher had come at the right time. He told them that something had to be done and that Europe could not be left in its current ambiguous state. He praised the vision of the German minister and welcomed his determination not to let Europe be weakened in political terms. More and more integration? That is where we are heading... So, deciding who does what in Europe? He is all for it. Is that not the first step towards a constitution for Europe, which was to be the subject of a spectacular announcement before the German members of parliament?

Quite patently, Jacques Chirac, with the support of a few RPR heavyweights, was preparing – even before the start of France's stint in the EU chair – to close the gap with the Socialists in the European field, where they had a substantial head start. Close the gap and if possible overtake them, so as to leave voters in no doubt as to the difference between the president of the Republic and the prime minister in the prestigious area of international and European affairs, and show them who does what in France.

On 16 June, Alain Juppé and Jacques Toubon spoke to the *Figaro* about their draft constitution for Europe, which they presented on 28 June during a high-profile colloquium at the Senate. Positioning themselves halfway between sovereignists and federalists, they proposed to move from closer cooperation to a strengthened Union. The legislative power would be vested in a Parliament elected via a single vote system comprising 700 constituencies, and a Chamber of Nations selected from the national parliaments.

The Commission and Council of Ministers would be abolished and the executive power would be held by a government whose head would be appointed for three years by the European Council (which brings together the heads of State and government) with the assent of Parliament. The government would be responsible to the European Council, which would continue to meet every six months to define the main orientations of the Union. Lastly, the Council would elect – not necessarily from among its members – a president of the Union for a 30-month term, with the main responsibility of representing the Union on the international stage.

By explaining that they had been working quite independently since the previous year, outside the framework of political parties and groups and without seeking the endorsement of the president, Mr Juppé and Mr Toubon left Jacques Chirac entirely free to set out a few days later, in his capacity as head of State, a vision of Europe and its institutions which he is supposed to share only with the government.

And that is what the president of the Republic did in Berlin, giving the full measure of his talent and setting his speech against the background of Franco-German history. And if he unjustly forgot Robert Schuman in his introduction, it was all the better to describe de Gaulle and Adenauer, Pompidou and Brandt, Giscard and Schmidt, not to mention Mitterrand and Kohl, who was in the chamber and was given a special greeting.

Praising the action of Germany alongside France in Bosnia and Kosovo, its rank as a major power and its weight on the international stage, he added that France wanted them to be acknowledged with a permanent seat on the UN Security Council. Then, looking "beyond the short-term goals of the French presidency" and the ongoing reform of the institutions "which we shall conduct", he said, "with the support of our German partners", he dealt with the issue of the "meaning and future of Europe" while saluting "the profoundly European spirit" which had recently led in Berlin "to the revival of a debate of existential significance, in the proper sense of the word."

### ***A Europe of pioneers***

*"The countries which want to progress further towards integration, on a voluntary basis and through precise projects, must be able to do so without being delayed by those which – quite legitimately – do not wish to move forward quite as quickly..." Such was the starting point of Jacques Chirac, from which others before him had also set forth to propose an inner circle, vanguard or centre of gravity.*

*For Jacques Chirac, Europe has revealed "formidable leverage power". Care must be taken to ensure that its enlargement should result in "neither dilution nor backtracking". In his view, "the nations will remain the primary references of our citizens" and there is no question of replacing them with a European super-State, but nor can there be any question of "denying that they have already chosen to pool part of their sovereignty and will continue to do so, for that is where their interest lies."*

*The objectives: to make the Union more democratic by increasing the role of the European Parliament and national parliaments, to share powers between the various levels of the system in order to determine who does what in Europe, to preserve the capacity for initiative in an enlarged Europe, to build a European power equipped with strong institutions and an efficient and legitimate decision-making system.*

*The means: bringing together a group of pioneers around France and Germany, with its own secretariat, reorganising the treaties, sharing out the powers, clarifying the nature of the Charter of Fundamental Rights so as to submit a text for approval by universal suffrage, which would form the basis of the first European constitution.*

*The timetable: making a success of the IGC and the ongoing institutional reform this year, followed in 2001 by a "major transition" phase of a few years to develop the main policies – economics and finance, defence and security – stabilise the Union borders and draft the constitution.*

Even though this vision of Europe was clearly part of a carefully thought-out presidential strategy on the part of Jacques Chirac, it was on the whole warmly received by the French public. In terms of substance, many were already ahead of the president and even the more conservative appreciated the decor and renewed panache of the initiative. According to an IFOP poll published in *Le Journal du Dimanche* of 2 July, 68% of the persons surveyed were in favour of a European constitution (the proportion was even greater among left-wing respondents: 76%).

Reactions within the RPR ranged from enthusiasm on the part of Alain Juppé to more qualified support from Michèle Alliot-Marie. Mr Bayrou and Mr Cohn-Bendit (presented by the *Figaro* as the "federator" and "new darling" of the right) rejoiced. Yet another taboo had therefore been lifted, to the delight of all those on the centre-right and many Gaullists. But further on the right, the speech was rejected, in some cases quite violently. Charles Pasqua accused Jacques Chirac of "ditching the national sovereignty" and warned that the incident would have a direct consequence on the presidential election. But the worst blows came from the Household Cavalry of sovereignism. In an article published in *Le Monde*, Couteaux and Abitbol, accompanied for the occasion by Florence Kuntz (also an MEP), branded Jacques Chirac an obstinate antigaullist. "For the last quarter of a century," they wrote, "Jacques Chirac seems to have been wandering across the French political landscape with no other party than himself, combining an opportunism and versatility which have always impeded any

in-depth analysis of his track record." And among other niceties, they added: "More consistent than thought at first, his policy was, just as it was undermining national independence, to destroy the very institution established to safeguard it: the presidential function."<sup>44</sup>

For their part, the left did not try to minimise the significance of the presidential ideas but took care to note that they were not new. François Hollande pointed out that he had defended the idea of a constitution during the European elections. Yet it was from the government that the Berlin escapade drew real criticism. What is this? Are the president of the Republic and the prime minister no longer speaking with one voice when committing France on the international stage, contrary to what both have ceaselessly claimed? And just when the French presidency is getting under way! Is a brief comment made by Pierre Moscovici, a junior minister responsible for European affairs, enough to dispose of the presidential speech of Berlin, which left no-one indifferent either in France or abroad? If so, one might wonder what is left of the Vth Republic.

The matter may never be conclusively settled, but the fact remains that Mr Moscovici did declare, in an official capacity, that "the speech is important, but it is not the speech of the French authorities. [Jacques Chirac] devised, drafted and pronounced it as president of the Republic before the parliament of a friendly country." There is little doubt that Mr Moscovici acted on very precise instructions from Lionel Jospin. The Élysée answered the very next day: "The president of the Republic spoke in an official capacity. France speaks with one voice, and the French presidency of the Union only makes this all the more important."

Lionel Jospin is clearly unwilling to enter into substantive debate. On 1 July, addressing a meeting of young European socialists in Nogent-sur-Marne on the issue "What Europe for Future Generations?", he disappointed his listeners by telling them that he did "not want to embark too early in a discussion on the shape of Europe in a few years' time." And rather than let Chirac reap the benefits of the presidential function, he preferred to put a strain on their "cohabitation", in spite of the risks such petty warfare entails for him. He has chosen a difficult role: that of a prime minister who gets the job done yet is ambitious as well as pragmatic. This has exposed him to criticism from certain Socialists, within the European Parliament in particular, and to jibes from Daniel Cohn-Bendit who regards the Jospin government as "small shopkeepers".

"Is Jospin doomed to slip on the question of Europe?" asks *Libération*.<sup>45</sup> "In his fight to conquer modernity – an essential area for the electoral battle of 2002 – the head of State has caught his opponent out twice in the past six months," writes Eric Aeschmann, "this winter on Austria, by defending a leading stance in the fight against Haider, and again last week by appropriating the idea of a European constitution and a group of pioneer countries. In both cases, he has managed to make Lionel Jospin look like the laggard... The Chirac break is a serious warning to the prime minister, in so far as it has shown the limits of his political equation, in particular as far as diplomatic issues are concerned."

*Le Monde* is of the same opinion. Under the heading "In front of Chirac, Lionel Jospin and the PS are at a loss on Europe", the newspaper writes: "Just when Jacques Chirac has taken over the European debate and is seeking to embody a new interest in Europe, the Jospin government and the PS seem strangely distanced. Handicapped by the constraints of the French presidency and deeply irritated by the sudden Europhilia of the head of State, Mr Jospin has been unable to make his mark in the debate started by the German foreign affairs minister, Joschka Fisher. The contrast has seemed all the greater since the right has apparently closed ranks behind the head of State whereas the Socialist party is cautiously mirroring Matignon's discretion."<sup>46</sup>

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<sup>44</sup> See *Le Monde* of 5.7.2000

<sup>45</sup> See *Libération* of 3.7.2000

<sup>46</sup> See *Le Monde* of 5.7.2000

For the prime minister, there is a time for everything. The French presidency must seek to achieve an agreement – a far from easy task – on the amendments to be made to the treaties. It must also stimulate negotiations on enlargement, take the rapid intervention force forward and ensure that the European Council meeting in Lisbon is followed up in the economic and social spheres. This has already resulted in the adoption in principle, by the Social Affairs Council on 8 July, of a social agenda and a method to achieve convergence in efforts to combat unemployment and exclusion. A vast programme which once achieved, according to the government, will make it possible to take up the discussions on the ends, motives and means of the European construction process.

The main thing is that debate – the essence of democracy – should continue. Notre Europe will, for its part, continue to contribute to it.