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The French “no” vote on 29 May 2005: understanding and action

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Notre Europe

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Preamble

History never ends. It is not a long calm river. Its course stretches out in time, meandering uncertainly through crises and upturns - one day in the depths of despair, the next sweetness and light. The construction of Europe can no more escape this rule today than it could over the past fifty years. Yesterday all was exaltation over the spectacular arrival of the euro. Today all is anxiety and even disarray: after the dual "no" vote of France and the Netherlands to the draft Constitutional Treaty, a state of emergency has been declared, implicitly at least. Europe's institutions are in deadlock, the economy has come to a standstill and budget conflicts are worsening, but the geographical area of the Union continues to expand... The public has become confused and skittish. The time has come to react, but how? How can we get things back on an even keel? How can we reconcile Europeans with Europe?

In this document, Gaëtane Ricard-Nihoul intends to describe the process, which – and she is convinced of this – will pull the Community coach out of the mud into which it has sunk. Before doing so, however, and because the nature of a sickness must be properly diagnosed before a remedy can be prescribed, she explores the reasons for the "no" vote in detail.

The analysis provides a few surprises, countering certain received ideas. Post-voting surveys show:

- that the decision to reject the Treaty was often taken somewhat early.
- that the "35-54" age range, which was most opposed to the Constitutional Treaty, is the one that was most hostile to the Maastricht Treaty in 1992 (those who at the time were in the "25-34" age range). Many other factors besides open new opportunities for reflection; the first of these is described as the difference in the "scale of reference" between the motivations for the "yes" and "no" votes, taking us back to the identity crisis engendered by globalization.

One opinion poll shows that six out of ten "no" voters thought that rejection of the Constitutional Treaty would lead to the renegotiation of a more social text - an illusion which, along with other realisations, has caused the author to reflect on the gap that exists between citizens' perceptions of Europe and the reality of Europe. For her, this state of affairs is a consequence of the absence of democratic debate in the Member States on European issues - outside the referendum period. There is only one solution to this: deliberation.

After setting out her ideas, Gaëtane Ricard-Nihoul suggests a plan of action, the broad outline of which is as follows:

- the adoption of a "Citizens' Pact" to create close links between national contributions to the European debate
- continuing ratifications of the Constitutional Treaty
- the launch of a reformed Convention in 2008 and a European referendum in 2009, during the European Parliamentary elections.

In short, this will involve an itinerary to be followed in order to "come out on top" of a crisis of confidence that nobody, unfortunately, believes to be short-lived.

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Introduction

The effects of the French people's rejection of the referendum on the Constitutional Treaty on 29 May are a reminder of certain aspects of the campaign that preceded it. Many thought that the widely disparate, and even deceitful, nature of some of the numerous campaign arguments would disappear through a process of gradual "decanting", leaving behind a dozen or so more or less rational arguments on 29 May. But instead, most of these arguments held good... right up until the end of a long and lively debate.

Similarly, one would have thought that the disorientating and sometimes paradoxical aspects of the results of 29 May 2005, reinforced by the no less startling Dutch "nee", would gradually disappear as the summer drew to a close, bringing with it the calmer reflection that it normally heralds and no doubt should not have been expected. It is not the first time that the construction of Europe has been faced with a crisis. The present one, however, has something unusual about it in that it seems to be of a deeper and more "existential" nature.

Many factors related to the current climate can explain these popular expressions of rejection of the Treaty establishing a European Constitution, but in many respects, these "no" votes are the result of a certain number of more structural developments that have emerged over the past ten years. Whatever the response to the current emergency, it must resist the temptation to cobble something together - it needs to address the root causes.

For that to happen, and with the hindsight that we have today, there is no doubt that we need to conduct an in-depth analysis of the results of 29 May, distinguish the cyclical from the structural, the European dimension from national particularities and the real issues from suppositions.

Sections 1 and 2 cast new light on the long campaign that preceded 29 May and the results of the vote. Without omitting the not insignificant effects of an unfavourable short-term political and economic climate or the continuing support of the French for European integration, the analysis also tries to throw some light on more deeply entrenched issues. Amongst these, the deep-rooted and growing "rifts" in French society of a generational, socio-economic, territorial and political nature between 1992 and 2005 are striking. But the "no" vote on 29 May is also a sign of a problem of identity in the face of globalisation and of failures in democratic practices that go beyond the context of France.

Drawing its inspiration from these explanatory factors, the study presents avenues that are worth reflecting and acting on to enable us to emerge from today's apparent stalemate on the way towards European unification. Section 3 is devoted to the future and aims to provide a concrete presentation of the method and timetable. Above all, it seeks to contribute to the elaboration of responses to the challenges of what increasingly appears to be a crossroads in the history of European integration.

I – THE CAMPAIGN

Many accusations can be made against the debate organised in France between the referendum announced by the President of the Republic on 14 July 2004 and polling day on 29 May 2005. We can only deplore its populist excesses and the way that certain political personalities used it for their own ends, which were of a strictly national and electoral nature. But observers of European construction should also fully understand what happened in France during that long period of gestation. Perhaps for the first time, we were seeing a truly democratic national debate on a European issue.

The main absentee from national debates, or, worse, the traditional scapegoat for unpopular national measures, namely, the “European dimension as it affects citizens’ everyday existence”, made a dramatic entry into people’s lives. Not a day went by without a daily newspaper or some section of the media covering an issue connected with the referendum debate, nor an evening between friends without the question of the yes/no polemic on the Constitutional Treaty being brought up. An FOP poll (20 May 2005) on the subject of conversation amongst French people showed that the referendum filled 26% of conversations in January, 48% in March and 83% in May. A SOFRES poll (9 and 10 May 2005) indicated that 47% said that they were very or quite interested in the consultation in March, 64% in April and 69% in May.

Aside from the intensity of the discussions, this campaign was also exceptionally long. The official campaign, of course, started on 16 May, but, in reality, it was twice as long as the Maastricht Treaty referendum campaign in 1992, which lasted from June to September, slowing down during the summer. We really need, therefore, to address the manner in which it ran over time in order to understand its inner workings. There were essentially four phases:

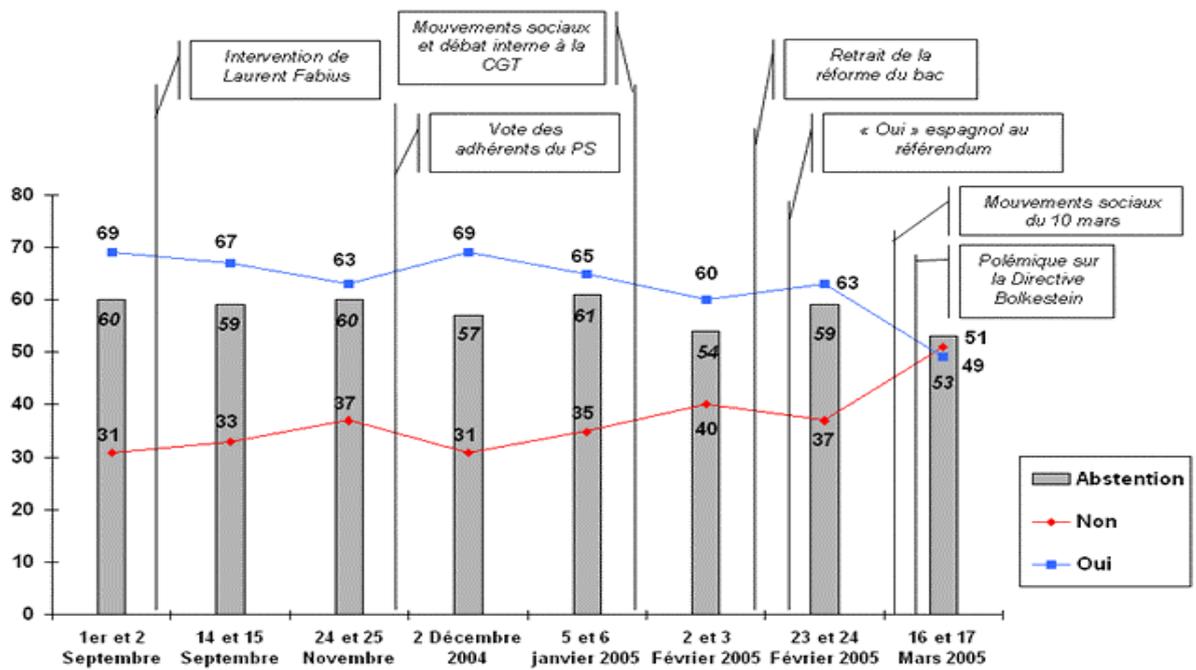
1. The first occurred between the announcement on 14 July and the Socialist Party’s internal referendum in the Socialist Party on 1 December 2004, during which the debate was monopolised by the Socialist Party, with the other parties waiting for the result on 1 December. Civil society, however, began to mobilise, especially those who opposed the Treaty, and this resulted in the adoption of the “Appel des 200” [Appeal of the 200] in October¹. The polls showed that over 60% would vote “yes”. The image is nevertheless less clear if one takes into consideration the

¹ Appeal of 20 October; cf. for example: Elsa Freyssenet, “Deux cents noms pour un “non” de gauche à la constitution européenne” [“Two hundred names for a “no” to the European Constitution from the Left”], *Le Figaro*, 20.10.04

number of undecided voters, which was, as is logical, still very high at this stage. When the polls asked an open question, such as “you think it is still too early, you still don’t know”, the “probably yes” replies were running at 18% and the “probably no” at 15%².

2. A second period between 1 December 2004 and mid/end of March 2005. Most of the graphs tracing the evolution of public opinion showed a significant fall in the “yes” vote from the moment when J. Chirac announced the date of the referendum. CSA was the first polling institute to indicate that the “no’s” were winning at 51%, following a poll conducted on 16 and 17 March (significant progress amongst Socialist Party sympathisers - 59%), while the “yes” vote was at 63% on 23 and 24 February. The IPSOS graph also shows the “yes” vote at 60% on 4 March 2005 and at 48% on 18 March 2005. Finally IFOP shows 58% for the “yes” vote on 4 March and 47% on 24 March.

3.



CSA telephone poll on 16-17 March 2005, 802 people questioned (for the newspaper Le Parisien)

² IFOP poll referred to by Le Monde on 12.10.04 (but published in the *Journal du Dimanche*, a poll conducted on 7 and 8 October on a sample of 774 people).

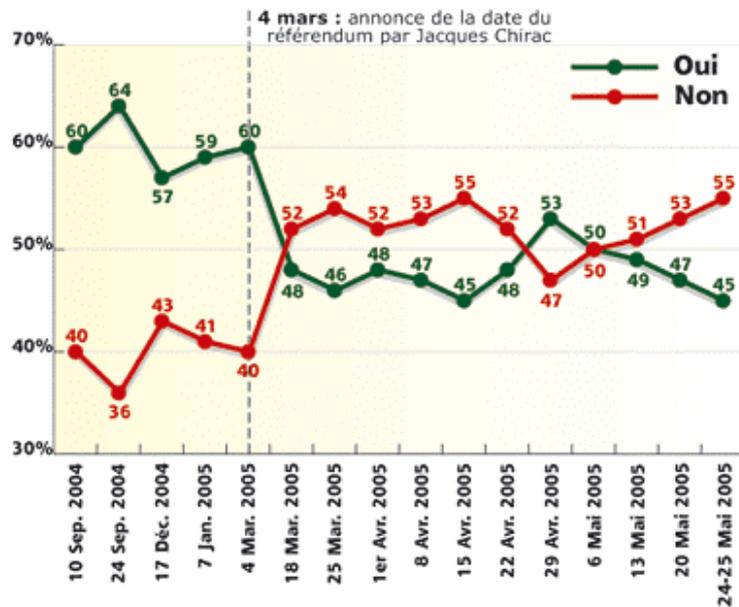
- Between mid/end March and the beginning of May, the “no’s” attained a majority of between 52 and 56%, to be followed, according to the polls, by the return of the “yes” vote to 52/53% or an “equalisation” of the “yes” and “no” votes at 50/50 towards the end of April / start of May³.
- Between mid-May and 29 May, a period during which the “no” vote sprang back up in the polls, reaching 55% on referendum day. In the last few weeks, it became increasingly probable that there would be a “no” vote at the referendum. Despite a fairly high percentage of indecision, (17% undecided on 26 May, according to SOFRES, amongst those who had expressed their voting intention, and 10% in the “no” camp), the “return” of the “yes” camp did not succeed in reversing the trend.

Degree of indecision between March and May 2005

	Reminder of polls TNS Sofres / Unilog for Le Monde / RTL / LCI						23-24 May 2005
	9-10 March 2005	1-2 April 2005	15-18 April 2005	27-28 April 2005	9-10 May 2005	11-12 May 2005	
- Sure of their choice	64	59	70	73	69	77	82
- Liable to change their opinion	34	39	28	25	29	21	17
- Don't know	2	2	2	2	2	2	1

³ The polls were not all in line with each other at the time (see François Wenz-Dumas, “Le non affole les sondages” [“Polls go crazy over no vote”], *Libération*, 23.04.05). But all the polling institutes show that the “yes” vote was winning: at the beginning of May, IPSOS, Sofres and CSA show that the “yes” vote would win; Ifop said that “yes” and “no” were running neck and neck.

IPSOS graph



Even though it is certainly arbitrary, this division of the progress of votes into four phases makes it possible to put the analysis into perspective. As J-L Parodi (2005) emphasised, contrary to the interpretation often heard during the campaign, it was not the “yes” that collapsed, but the “no” that succeeded in mobilising undecided voters in its favour.

Second, the point of reorientation of the campaign in March appears, with hindsight, to be the point of no return. It would appear that the “no” camp kept its hold on the situation from mid-March until the end of April. Its domination can in part be explained by the fact that “yes” supporters focused for too long on an institutional-type debate (for example on the issue of the revision of the Constitution), while “no” supporters began to mobilise early and highly efficiently, with ramifications even at local level (in particular because of civil society associations such as ATTAC).

One study (Ghitalla, Fouetillou, 2005) shows in particular how “no” supporters made better use of the Internet. It shows the clear imbalance in numbers between the “yes” sites (79) and the “no” sites (161) and the fact that the “no” sites were more effectively interconnected. It also classifies the “reliable” sites (on the basis of the number of times that one site is quoted by another): among the 10 leading sites mentioned, 8 were for the “no” vote.

Operating “reactively”, “yes” supporters were forced to develop defensive arguments, which were much less convincing than those developed by the “no” supporters. The internal Socialist Party referendum certainly contributed significantly to putting social issues and Part III of the Treaty at the heart of the debate, but the general social climate also played its role. The campaign period coincided with numerous news headlines that gave a favourable impetus to the rise of the “no” vote, either by reinforcing the dissatisfaction of the population with regard to government policy (social movements on 10 March and 16 May)⁴ or by feeding citizens’ fear in relation to various European news events (the draft Bolkestein directive⁵ and the opening of negotiations with Turkey, for example)⁶. Even though April clearly saw a dynamic counter-offensive by the “yes” camp, with speeches by illustrious personalities such as J. Delors⁷, S. Veil⁸ and L. Jospin⁹, the effect was short-lasting and would not succeed in overthrowing a movement that seemed to have had time to take root.

⁴ Demonstration and strikes called by several unions for “the defence of working hours, purchasing power and employment” extended during the traditional demonstrations on 1 May (see *Le Monde*, “Référendum, chômage, Lundi de Pentecôte sur les banderoles des défilés du 1^{er} mai” [“Referendum, unemployment, Whit Monday on the banners of the 1st of May marches”], Rémi Barroux, 2.05.05) and strikes on 16 May against the removal of Whit Monday as a bank holiday.

⁵ It is interesting to note that the issue of relocation to other countries was launched by L. Fabius as early as September 2004 (see *les Echos*, 13.09.04), but did not become a central issue until after the controversy surrounding the Bolkestein directive - towards 19 January: H. Emmanuelli launched the question of the Bolkestein directive (see Article by Didier Hassoux, “Emmanuelli refait le match” [“Emmanuelli plays the match again”], *Libération*, 19.01.05; see also Henri Emmanuelli and Béatrice Patrie, “Non à la directive Bolkestein” [“No to the Bolkestein Directive”], *Libération*, 20.01.05); 2 February, J. Chirac asked for a “total review” and on 15 March he qualified the text as unacceptable and “tried to keep the European Commissioners quiet”, *Le Monde* 17.03.05); on 15 March, the Directive was debated in Parliament and politicians across-the-board opposed the country of origin principle; on 19 March, euro-demonstration in Brussels against the Bolkestein Directive; Bolkestein arrived in Paris on 5 April.

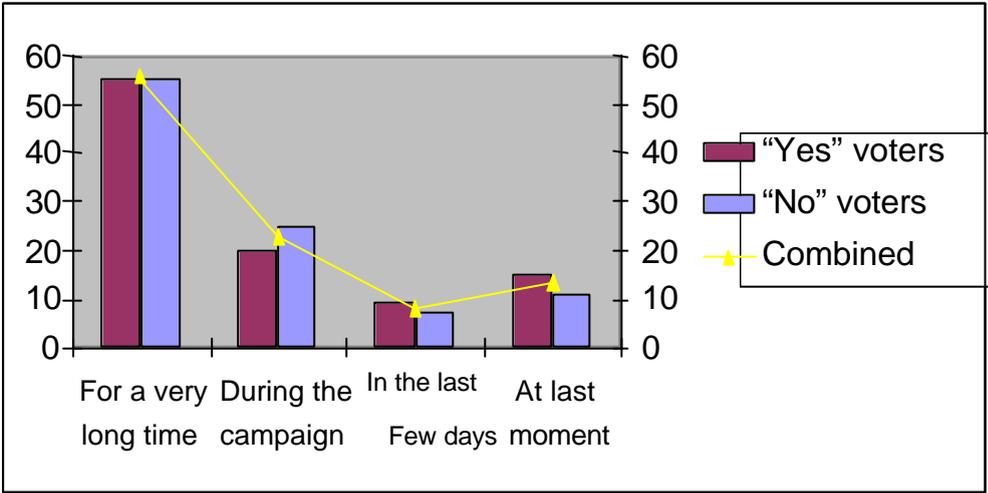
⁶ The question of Turkey’s membership reared its head again at the beginning of October 2004. On 10 October, from Beijing, J. Chirac indicated that MPs would be asked to debate the issue before 17 December, the date on which the EU Council had to accept the opening of negotiations; from the beginning of January until 28 February 2005, the date of the Congress of Versailles, the question was raised, due to the existence of a revision article that provides for a referendum for subsequent enlargements; the UMP wanted to organise a second vote on Turkey (after the first vote on 9 May 2004) on 6 March (eventually cancelled due to pressure from the Elysée); on 20.03.05, *Le Monde*’s title was “The question of Turkey’s membership continues to weigh heavily on the referendum campaign”

⁷ His interview in *Le Nouvel Observateur* of 28 April was widely read.

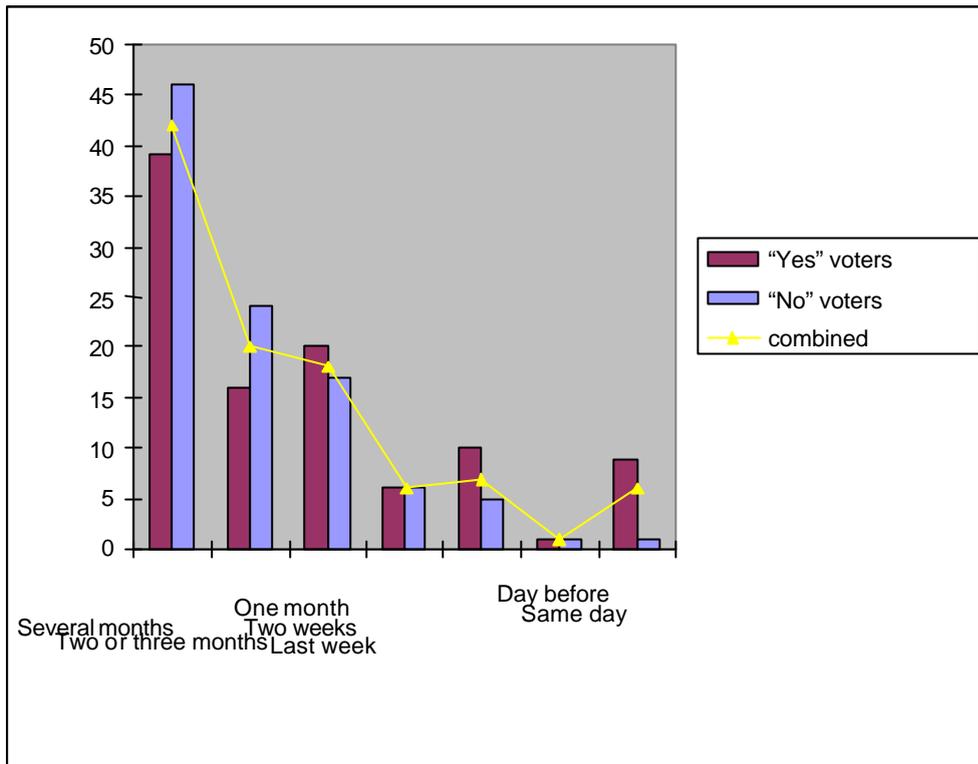
⁸ Much was said about her decision to take leave from the Conseil Constitutionnel [Constitutional Council](see *Le Monde*, Béatrice Gurrey and Jean-Baptiste de Montvalon, “Simone Veil, en conge du Conseil Constitutionnel, va se lancer dans le sauvetage du “oui”” [“Simone Veil, on leave from the Constitutional Council, will devote herself to rescuing the “yes” camp”], 24 April 2005).

⁹ His televised speech on Thursday 28 April 2005 had a significant impact (see article in *Le Monde*, “Lionel Jospin revient en patron du PS grace à la campagne européenne” [“Lionel Jospin returns to take charge of the Socialist Party, thanks to the European campaign”], Isabelle Mandraud 26.04.05)

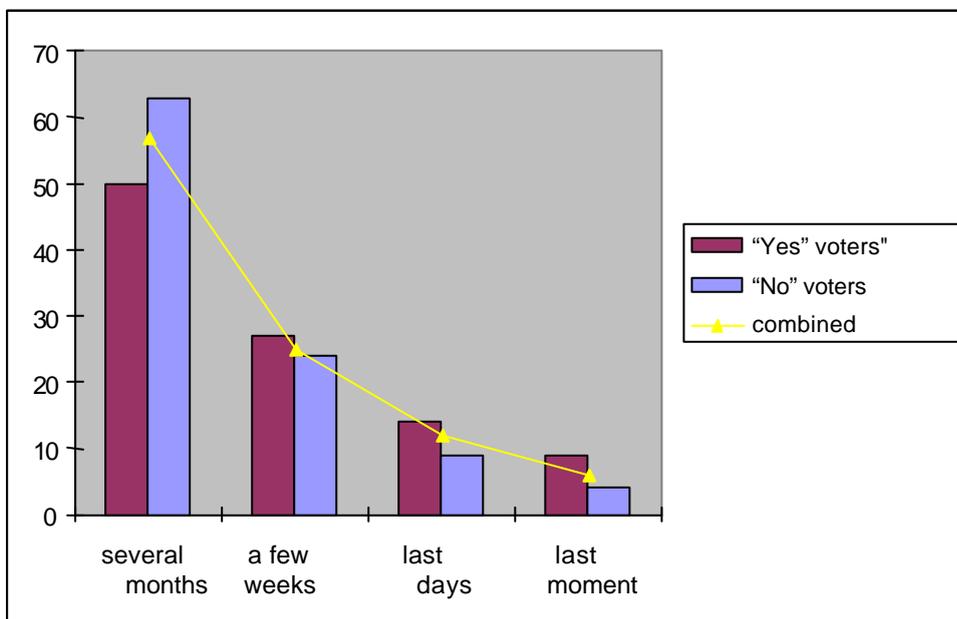
The interface between the evolution in voting intentions during these four phases and the data relating to the moment when people chose to vote tends to confirm this analysis. Indeed, it seems that a large majority of those polled said that they had made their choice very early on or fairly early on: 67% "had always known" or had decided "over a month ago" for CSA; 62% "several months ago" or "2 or 3 months ago" for Louis Harris; 58% "when it was announced" or "quite early, at the beginning of the campaign" according to Eurobarometer; 57% "several months ago" according to IPSOS. Among those who had made an early choice, more opted for "no" (between 3 and 15 points more than "yes" supporters according to the polls). On the other hand, according to most of the opinion polls, of those who said that they had decided in the final weeks or at the last moment, more were likely to have voted "yes".



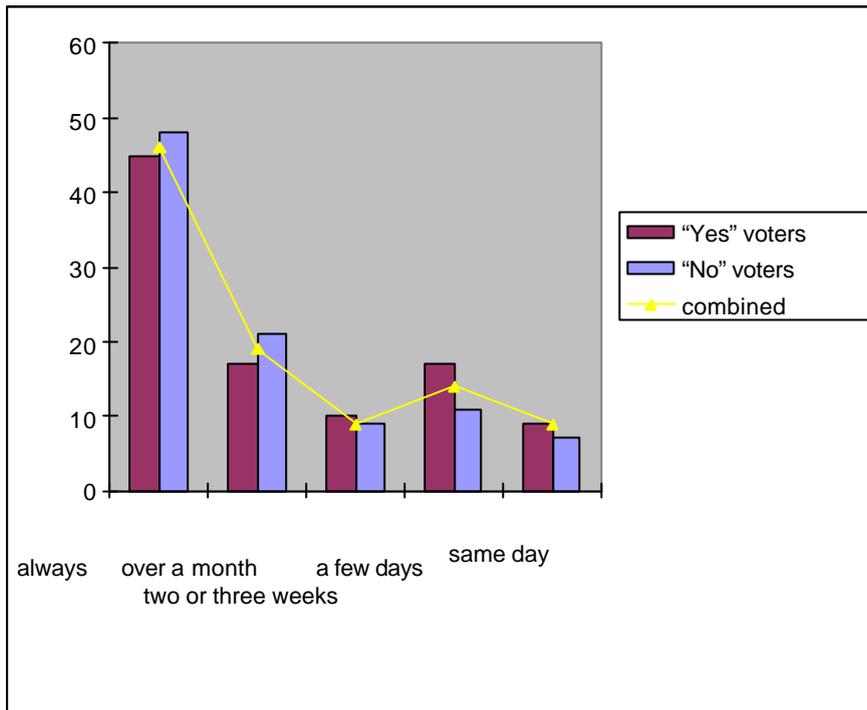
TNS SOFRES



Louis Harris



IPSOS



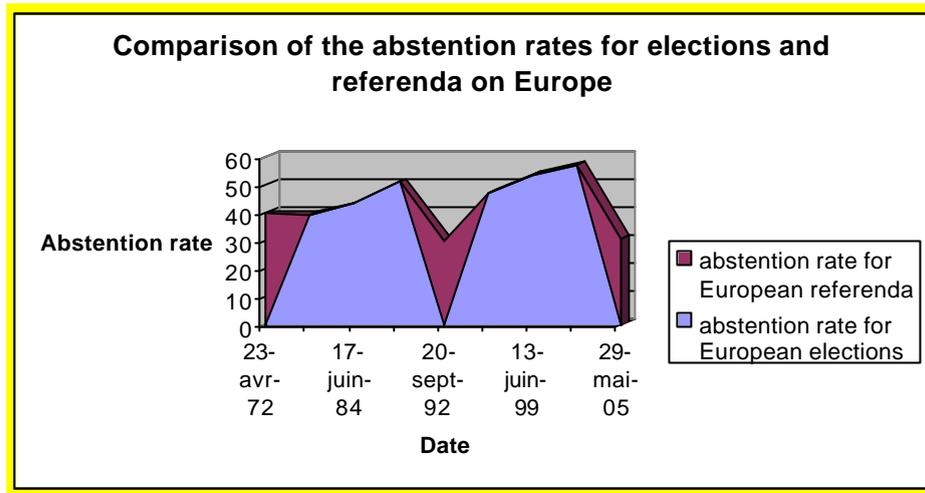
CSA

This data, drawn from a comparison of four post-voting polls, seems to contradict the indications of the Eurobarometer survey on the French referendum, namely, that the broadest gap between the "yes" and "no" votes occurred in the last few weeks of the campaign. They should also be critically examined against most of the pre-referendum polls that underlined an increase in the "no" margin in the final weeks. We would tend to conclude here that, where it was possible that there was a small accelerating effect on the "no" vote at the end of the race, the theory of a "yes leap" at the end of the track seems to us to be equally, if not more, plausible. We believe that one of the major causes of the victory of the "no" vote was the fact that the weight and organisation of the "no" camp, visible very early on in the process, caused the balance to turn almost irremediably and that the belated efforts of the "yes" camp were necessary and useful but inadequate.

II – THE RESULTS

The first reactions on the evening of 29 May, irrespective of political sympathy, welcomed the high degree of participation in the vote. 69.3%, according to Eurobarometer, is certainly an enviable score, especially compared to the rate of participation in the Spanish referendum (42.32%). Nevertheless, this figure is relatively normal in the case of the referendum instrument. Anne Muxel (2005) indeed notes that 30 referenda have taken place in 30 years in Europe, with an overall rate of participation of 66.6% (the highest being recorded during the Danish membership referendum in 1972 and in Malta in 1990, with 90% participation, and the lowest in Ireland with 34% for the 1st referendum on the Treaty of Nice in 2001). With regard to France, A. Muxel reminds us that ten referenda have taken place under the Fifth Republic, mainly under de Gaulle. Of the five referenda that have taken place since de Gaulle's departure, three related to Europe (aside from the Constitutional Treaty, the entry of the United Kingdom into the EEC and the Maastricht Treaty) and saw high participation (the rate was lower for national issues - New Caledonia and the Five Year Presidential term).

Although it is always interesting to address the causes of abstention, here we intend to focus more on an analysis of the votes expressed. A. Muxel herself notes that the numbers of those abstaining are almost the same as in 1992 and that there is no link between the rise or fall in abstentions and the progress of the "no" vote. It is worth emphasising, nevertheless, that the complexity of the treaty appeared to be one of the major causes of abstention, while this was less often mentioned by those polled as the reason for a negative vote, unlike Holland. Furthermore, it is impossible not to mention the glaring contrast between the progressive fall in participation in the European elections (-17,69% between 1979 and 2004, from 60.7% to 43.1%) and the consistently high, and even growing, level of participation in referenda on European issues (60.3% in 1972, 69.7% in 1992 and 69.3% en 2005).



While the possibility of a “no” vote became increasingly probable as 29 May approached, observers were surprised by its scale (54.7%). It was not only the first time, as Chiriqui and Christian (2005) emphasise, that the Fifth Republic has seen a “no” vote in a referendum on Europe (68% voted “yes” to the referendum on the entry of the United Kingdom and 51.04% to the Maastricht Treaty in 1992). It was also a firm and unequivocal “no”. It was, in fact, the highest “no” ever to be recorded in the history of the Fifth Republic. (The previous record was 52.41% in the 1969 referendum on the reform of the Senate). The table below compares the results of 29 May with those in 1992:

	1992	2005
Results	51.04% voted yes	54.68% voted no
Participation	69,69%	69,37%
Number of “no” votes	12 632 816	15 422 145
<i>Départements</i> voting no (of a total of 90)	53	84
Regions voting no (of a total of 22)	13	18

LET US IGNORE APOCALYPTIC INTERPRETATION S...

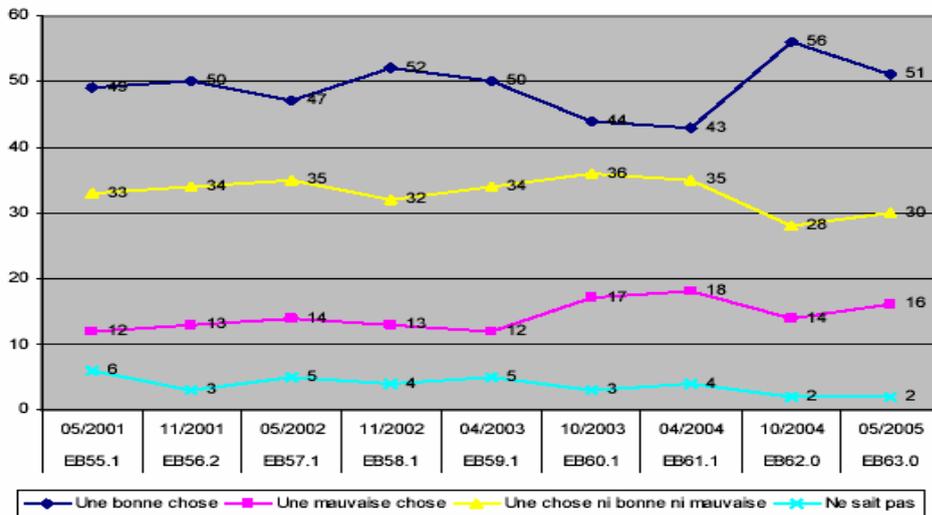
The large number of “no” votes must not, however, allow us to over-dramatise the event. Firstly, a referendum is a delicate instrument of direct democracy, prone to populist excesses, and often lacks the right preparation. Furthermore, a significant share of “no” voters claimed that their attachment to European unification was the cause of their rejection of the text. Finally, the data on citizens’ support for European construction in general is reassuring. The French “no” must in no case be interpreted as a wish to “stop the European integration process”.

Before addressing the causes of the “no” vote, it is useful to remind ourselves of some of the facts relating to the French people’s support for the European project. Between 6 and 20 April, CSA conducted a poll of a sample of young people between the ages of 18 and 24, an age range, which, as we will see later, opted for the “no” vote. To the question “would you say that Europe offers you opportunities?” 79% said “yes”. According to the Eurobarometer post-referendum survey, 88% of French people – including 99% of those who voted “yes” and 83% of those who voted “no” – think that their country’s membership of the EU is a good thing. The CSA post-referendum poll indicated, moreover, that 78% said that they were enthusiastic and confident regarding the European construction process (80% of whom were enthusiastic and 78% confident), while the IPSOS poll noted that 72% were (totally or for the most part) in favour of continued European enlargement.

We also know that the idea of a European Constitution has not been rejected by the French: according to Eurobarometer, 75% of those questioned said that it was vital to continue European construction, including 90% of “yes” voters and 66% of “no” voters. It is this specific project that seems to upset the majority of French people. According to IPSOS, 41% thought, on the day after voting, that the draft Constitution was a good one, as opposed to 48% who thought it was not (the ratios for the Maastricht Treaty were 46% and 49%). The support of a large number of French people for the idea of a Constitution is also confirmed by CSA: 65% of those polled after 29 May want France to ask for a new Constitution. Of these, 67% are among the “yes” voters and 64% among the “no’s”.

Finally, the Eurobarometer data over several years indicates that French public opinion has remained generally stable in its support for France’s membership of the EU:

D'une façon générale, pensez-vous que l'appartenance de la France à l'UE est une bonne chose, une mauvaise chose, une chose ni bonne ni mauvaise (trend) ?



Eurobarometer in spring 2005

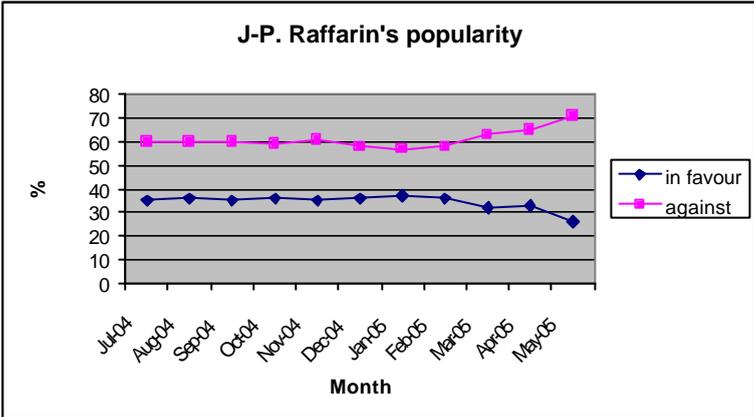
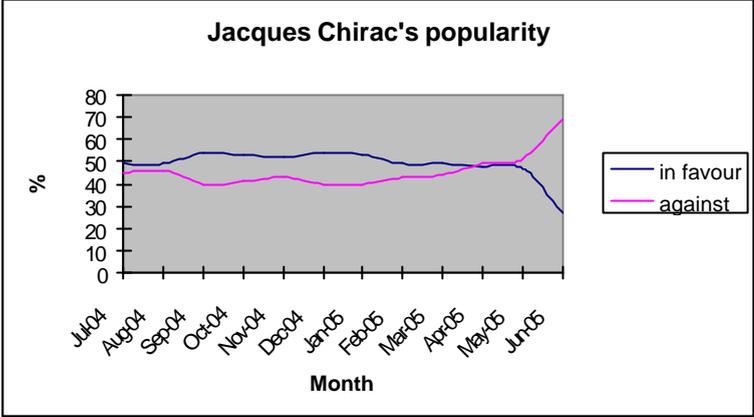
... WHILE SIZING UP THE VOTE

Among the factors used to analyse the French people's "no" vote in the referendum of 29 May, we will take as our point of departure those that seem to be the most idiosyncratic and the most difficult to dissociate from a specifically French context, and will then move on to those that are the most deeply rooted and the most structural in nature, within the European context. We will also deal both with short-term considerations and with concerns which have roots and consequences of a long-term nature.

AN UNFAVOURABLE SHORT-TERM POLITICAL AND ECONOMIC CONTEXT

It is not news to anybody that the prognostics for a referendum depend on its initiator and on the climate in which it occurs. With regard to this climate, we have already talked about the social context that gave impetus to the campaign, but the economic indicators themselves were not at their best at the time. And, as B. Cautrès (Laurent, Sauger, 2005) says, confidence in European integration is very closely related to the economic climate. In particular, we can see a connection over time between pro-European attitudes and the unemployment curve. At this time, as P. Perrineau (2005) tells us, unemployment exceeded 10% of the working population in March, for the first time in five years. P. Perrineau also notes that this economic and social context is part of a climate of pessimism that had been particularly prevalent for the past four years (a TNS

Sofres poll in May indicated that 76% of those questioned thought that things would tend to get worse).



Added to this is the fact that confidence in the government's capacity to counteract unemployment is at a historic low (90% of those questioned in the same TNS Sofres poll thought that the government was not acting effectively). The popularity of the government, which initiated the referendum, would, generally speaking, play an important role. The Raffarin government beat all records in the unpopularity stakes during the campaign. The two graphs below show the relative popularity of J-P Raffarin and of J Chirac.

Post-voting polls also indicated opposition to the government and to J. Chirac as one of the reasons for the “no” vote, while an extremely large majority wanted J-P Raffarin to be replaced as Prime Minister following the referendum.¹⁰

This opposition to the government also exists at the political level. In this respect, it is significant that the results of 29 May are almost the reverse of those of 1992 with regard to the position of the government and the opposition. As highlighted by Chiriqui and Christian (2005), 75% of UMP sympathisers and 80% of UDF supporters voted “yes” in 2005, while 59% of Socialists and 60% of Greens chose to vote “no”. In 1992, while 61% of UDF sympathisers, 78% of Socialists and 60% of Greens had voted “yes”, the RPR (ex-UMP), then in opposition, was split down the middle and 59% voted “no”.

The importance of the presidential elections in France also helps to create a very special political climate. Other than the fact that certain left-wing sympathisers remembered the elections of 2002 and did not want to “vote for Chirac again”,¹¹ the coming election in 2007 acted as a crucial background for understanding certain strategic positions adopted by political players.

Hostilities started in the Socialist Party, since many considered L. Fabius’ position as a springboard for his presidential launch, his “no” being expected to forge his image as a statesman and a man of the people. In the face of this position, most of the other possible Socialist Party candidates (J. Lang, M. Aubry, D. Strauss-Kahn...) preferred to adopt a low profile and to support the official stance of the party, the “yes” vote. To the left of the Socialist Party, the main leaders (O. Besancenot, M-G. Buffet and J. Bové) used this campaign as a testing bench for their 2007 campaign, with only A. Laguiller abstaining from this. On the right, personal strategies progressed less ostentatiously. If N. Sarkozy and F. Bayrou had already more or less explicitly asserted their intention of running in 2007, the other claimants were held back by their loyalty to the Head of State. This vacuum worked to the advantage of the leaders of the far right (Ph. de Villiers and J-M Le Pen), even though post-voting polls showed that sympathisers of the UMP and UDF had generally respected their party’s line.

¹⁰ According to Louis Harris, 25% chose the option “express your dissatisfaction with the current government” and 14% “with Jacques Chirac”; for IPSOS, 24% said “this is an opportunity to oppose the government and Jacques Chirac”, of whom 22 PCF, 26 PS and 15 Verts, 23 UDF, 11 UMP, 38 FN/MN, 19 non-aligned. The IPSOS poll also indicated that 23% of those polled after the referendum wanted J-P Raffarin to remain in his post as opposed to 61% who wanted him to be replaced and 16% who did not know.

¹¹ In the 2nd round of the 2002 presidential elections J. Chirac faced J-M Le Pen, the far-right candidate.

A SOCIO-ECONOMIC AND POLITICAL CRISIS TAKES ROOT

The fate of the referendum of 29 May was not decided, of course, solely on the issues of popularity, economic data and short-term strategic position. By examining them from a historical point of view and comparing the results of 29 May with those of the 1992 Maastricht Treaty referendum, or even with those of the 2002 presidential elections, data emerges that is of a more structuring nature and, as a result, all the more worrying for the evolution of the political climate in France, not to mention for the future of European construction.

Although it corresponds to a very national situation, this data is all the more valuable from an explanatory point of view. According to CSA, although only 36% of voters declared that they were taking national problems into consideration, as opposed to 59% considering European construction, far more “no” supporters chose the first option (81% of “yes” voters took European construction into consideration and 15% national problems, while the “no’s” were respectively 42 and 52%). In the same way, this CSA poll shows that it was the social situation in France that counted more for voters (41% chose this issue, the second being the role of France in Europe, which attained only 26%). Just 22% of “yes” supporters chose this option, while 55% of “no” supporters opted for it¹².

When you voted today, did you think more about ... ?

	Total voters (en %)	“Yes” votes	“No” votes	Blank or spoilt votes
...European construction	59	81	42	42
...national problems	36	15	52	41
Don’t know	5	4	6	17

CSA, post-voting poll.

¹² According to IPSOS, 52% of “no” voters opted for this because they were “dissatisfied with the present economic and social situation in France” (of whom 57 PCF, 54 PS, 59 Verts, 63 UDF, 40 UMP, 54 FN/MN, 40 non-aligned). According to SOFRES, 40% wanted to “express the fact that they were completely fed up with the present situation” and according to Louis Harris, there was “a general feeling of being fed up”. Finally, according to SOFRES, 46% thought that this Treaty would aggravate unemployment in France.

When voting, which issues were most important to you?

	Total voters (in %)	"Yes" votes	"No" votes	Blank or spoilt votes
The social situation in France	41	22	55	48
France's role in Europe	26	39	17	17
Europe's place in the world	24	51	4	7
The contents of the text of the European constitution	13	18	23	21
The possible entry of Turkey		7	20	16
The liberal or social direction of European policies		10	17	11
Globalisation	11	10	11	12
Your position on J. Chirac and the government	8	6	10	7
The enlargement of Europe to 25 countries	8	6	9	12
The parties' and personalities' position in favour of "yes" or "no"	5	4	6	6
Don't know	5	4	5	13

CSA, post-referendum poll.

Demographic, socio-economic, territorial and political analyses of the "no" vote reveal a certain number of "rifts", which, although similar to those identified in 1992, seem to have become more evident, or have even widened, over the 13 years separating the first referendum from the second.

A rift between the generations, first of all: the "no" choice, in combination with a fall in support in comparison with the Maastricht Treaty, emerged in all age categories, with the exception of the grey vote (aged over 65). The figures vary slightly from one opinion poll to the next, but they all seem to indicate that the population most opposed to the Treaty (between 61 and 65%) is the 35-54 age group. If one relies on the IPSOS figures, this could in part have been deduced from the fact that the 25-34 age group were the only ones to have voted "no" in their majority to the Maastricht Treaty back in 1992 (47.8 voted yes and 52.2 voted "no".)

This greater similarity between the 1992 and 2005 results for the 25-34 age bracket may explain why there was greater emphasis on the "no" delivered by those aged 18-24 years following the results. This age bracket, according to IPSOS, had in fact voted in favour of the Maastricht Treaty (50.7% in favour). It is also easy to understand why a "no" from the generation that represents Europe's hope for the future is particularly alarming.

Nevertheless, if we take a closer look, the specific nature of the 18-24 vote is not remarkable in comparison with the other generations. It is the strengthening of the “yes” camp among the over-55s that is particularly striking, as is its confirmation amongst those aged 65 and over, even beyond the results of the Maastricht Treaty (according to IPSOS, 56% of those in the 60-69 age bracket and 58% in the 70 + age bracket voted for the Constitutional Treaty, while 54.6% of those in the 65 + age bracket voted for the Maastricht Treaty).

Two types of explanation appear to offer clarification of this split between the generations. One goes back, of course, to the construction of Europe, that great peace plan between States and peoples, whose grandeur and intensity are certainly far less clearly understood by the generations that have not known war. The other must be connected with socio-economic factors, a breakdown of which can be found below. If unemployment is a major concern for supporters of the “no” vote, it is not surprising that there are more of the latter in the age categories comprising the working population. From this point of view, the “U-turn” of the 18-24 age bracket, with the reservations expressed above, can be explained by the higher unemployment rate, which is progressing faster in this age category¹³.

Table of votes per age bracket:

	CSA			IPSOS		SOFRES		Eurobarometer	
	yes	no	Blank or spoilt	yes	no	yes	no	yes	No
18-20	38	62	3	44	56	41	59	41	59
21-24	38	62	3						
25-29	38	62	3	45	55	41	59	43	57
30-34	41	59	2						
35-39	39	61	2	39	61	¹⁴ /	/		

¹³ The newspaper, *La Croix* (2005) emphasised the fact that the unemployment rate amongst the under 25s, which was 23.1% in March, went up by 4.5% in the space of a year, while for the population as a whole it is 10.2%, up 2% in 12 months).

¹⁴ SOFRES uses different age groups

	yes	No
35-49	35	65
50-64	45	55
65 +	63	37

40-44	38	62	2			/	/	37	63
45-54	39	61	2	¹⁵ /	/	/	/		
55-64	49	51	1	/	/	/	/	54	46
65-74	57	43	2	/	/	/	/		
75 +	55	45	2	/	/	/	/		

Next, a **socio-economic rift**: While support for the “yes” vote has fallen in all socio-professional categories since 1992, striking voting differences have been identified, as in the case of the Maastricht Treaty, depending on the level of education and the profession or status of the person interviewed. The more modest professional categories voted “no” as in 1992, but in significantly greater numbers (according to IPSOS, 79% of blue-collar workers voted “no”, that is + 18 points, and 67% of white-collar workers, that is + 14 points). Again according to IPSOS, 71% of jobseekers voted “no”, that is 12 points up on 1992.

Most polls and analyses after 29 May show that the U-turn occurred among the middle classes, who, in contrast with 1992, joined the categories referred to above in the “no” camp. Skilled manual workers, shopkeepers, company directors and service professions voted against the Constitutional Treaty, while they had supported the Maastricht Treaty. IPSOS indicates that 51% of skilled manual workers, shopkeepers and company directors voted “no” as opposed to the same percentage that voted “yes” in 1992, while the service professions appear to have gone over in more significant numbers from the 62% who voted “yes” in 1992 to a 53% majority voting “no” in 2005.

On the other hand, as in 1992, about 65% of top management and the intellectual professions supported the Treaty, while the “yes” vote increased with the level of qualification of those polled (according to IPSOS, 64% of voters who had studied for at least three years after the Baccalaureate voted “yes”, while 65% of those with a BEP/CAP qualification voted “no”). Another significant change between 1992 and 2005 was the U-turn among public sector employees, 64% of whom voted against the Constitutional Treaty (IPSOS, CSA and SOFRES), while 51% of them had voted for Maastricht (IPSOS).

¹⁵ IPSOS uses different age groups

	yes	No
45-59	38	62
60-69	56	44
70 +	58	42

If the increased negative vote among the “working” classes can be explained by the fact that they felt themselves to be particularly vulnerable to the economic and social crisis and to the relocation issue, that of the middle classes can often be attributed to salary and purchase power issues. Furthermore, the IPSOS poll shows the considerable gap between the “yes” vote (63%) in households whose monthly income is + 3000 euro, while it varies from 35 to 42% in households whose income is under 3000 euro. As for the overall mistrust amongst employees, it reveals their concern about a Europe that they blame for failing to protect them against the effects of globalisation and what they perceive as the dismantling of public services.

Voting table per socio-professional category

	CSA			IPSOS		SOFRES		Eurobarometer		
	yes	no	Blank or spoilt	yes	no	yes	no	yes	No	
Farmers	/	/	/	30	70	/	/	/	/	
Patrons of Industry and Commerce	47	53	2	/	/	/	/	/	/	
Liberal professions, intellectuals	60	40	1	65	35	62	38	/	/	
Management	67	33								
Service professions	43	57	2	47	53	46	54	/	/	
White-collar workers	34	66	3	33	67	40	60	55	45	
Blue-collar workers	29	71	2	21	79	19	81	24	76	
Jobseekers				29	71	21	79			
Pensioners	52	48	2	56	44	60	40			
Other non-working	43	57	2	/	/	42	53			
Employees	Private	42	58	2	44	56	39	61	/	/
	Public	34	64	2	36	64	36	64	/	/

Voting table per level of education

	CSA				IPSOS		SOFRES	
	yes	no	Blank spoilt	or	yes	no	yes	no
No qualifications	38	62	2		28	72	40	60
BEP/CAP/Certificat d'études primaires [equivalent of GCSE, BTEC]	37	63	2		35	65	32	68
Baccalaureate	46	54	2		47	53	41	59
Bac + 2 [equivalent of 2 years post A-level studies]	52	48	2		54	46	57	43
At least Bac+3 [degree + at least 3 years study]	67	33	1		64	36		

Vote according to net monthly household income (IPSOS data)

	Yes	No
Under 1000 euro	40	60
Between 1000 and 2000 euro	35	65
Between 2000 and 3000 euro	42	58
Over 3000 euro	63	37

All the analyses also reveal a **territorial rift**, summed up in the opposition, which is certainly something of a caricature, between the largely “no” rural vote and the urban “yes” vote. To be more specific, the post-referendum IPSOS poll shows a rise in the “no” vote the closer one gets to the categories in the least populated areas.

Voting table per conurbation (IPSOS data)

	IPSOS		Eurobarometer	
	yes	no	yes	no
Rural	43	57	39	61
Under 20,000 inhabitants	40	60	41	59
Between 20,000 and 100,000 inhabitants	43	57		
More than 100,000 inhabitants	45	55	53	47
Paris and its region	55	45		

The rural "no" vote had already been identified in 1992, but it seems to have strengthened over the past 13 years (according to IPSOS, 57% in 2005, 49.7% in 1992). The "no" vote among farmers has also increased, with a 70% "no" vote for the Constitutional Treaty, as opposed to 62.2% against the Maastricht Treaty. The "yes" vote of the cities in 1992 was echoed in those regions which, in the words of Levy (2005), "wanted autonomy in the face of a centralising State" or which had a Catholic tradition. In 2005, support from these regions has fallen significantly, as can be seen from the fall in the "yes" vote by 9 points in Brittany and by 12 points in Alsace relative to 1992. Levy identifies, nevertheless, a few non-urban areas where the "yes" vote has increased (Cotentin, Maine, Vendée, Cantal); the author describes these as regions inhabited by "conservatives with a clerical tradition, but without regionalist claims, who could identify with a referendum called by a right-wing government".

As for the "yes" vote in urban areas, it has strengthened since 1992. While a large proportion of big cities voted "yes", the further one moves away from the centre of big cities, towards their periphery, the more this support diminishes, in particular in Languedoc-Roussillon, Auvergne, Aquitaine, Burgundy and Lorraine. Levy (2005) also notes that, even in cities that lean towards the "no" vote, such as Lille and Montpellier, the central districts voted "yes" in greater numbers than those on the periphery. While Marseille and, to a lesser extent, Toulon and Nice, remain the exceptions that prove the rule, Paris distinguished itself by its massive "yes" vote (66.5%) and a 75% participation rate.

This territorial data needs to be combined with socio-economic factors. H. Le Bras and J. Levy (2005) note that 14 of the 16 *départements* with the highest percentage of "no" votes are near the north-east border and on the Mediterranean coast, the two regions in France that are the most affected by unemployment and poverty and have the highest share of single-parent families. They identify another large tract of the country that also

has a large number of “no” supporters. In this tract, which runs from lower Garonne to Champagne-Ardenne, social problems are less serious and support for the “no” vote seems to represent the U-turn in the middle class. But territorial differences can doubtless be explained by other factors, regarding identity, that we will address in the third section of this chapter.

Finally, the **political rift** can clearly be seen from an analysis of the results. While 58% of the supporters of the Socialist Party voted in favour of the Constitutional Treaty in the internal party referendum on 1st December, according to IPSOS, 56% of Socialist Party sympathisers opted for a “no” on 29 May (as opposed to 78% who voted “yes” for the Maastricht Treaty). The U-turn in the Green vote is also remarkable, with 60% voting “no”, while 57% voted “yes” in 1992. The record on the left was won, however, by Communist Party voters, about 95% of whom voted “no” (up to 98% according to IPSOS). This was equalled on the right only by the choice of far-right voters (FN), 93% of whom voted “no”. 63% of the Parliamentary Left, therefore, voted “no” and 73% of the Parliamentary Right voted “yes”.

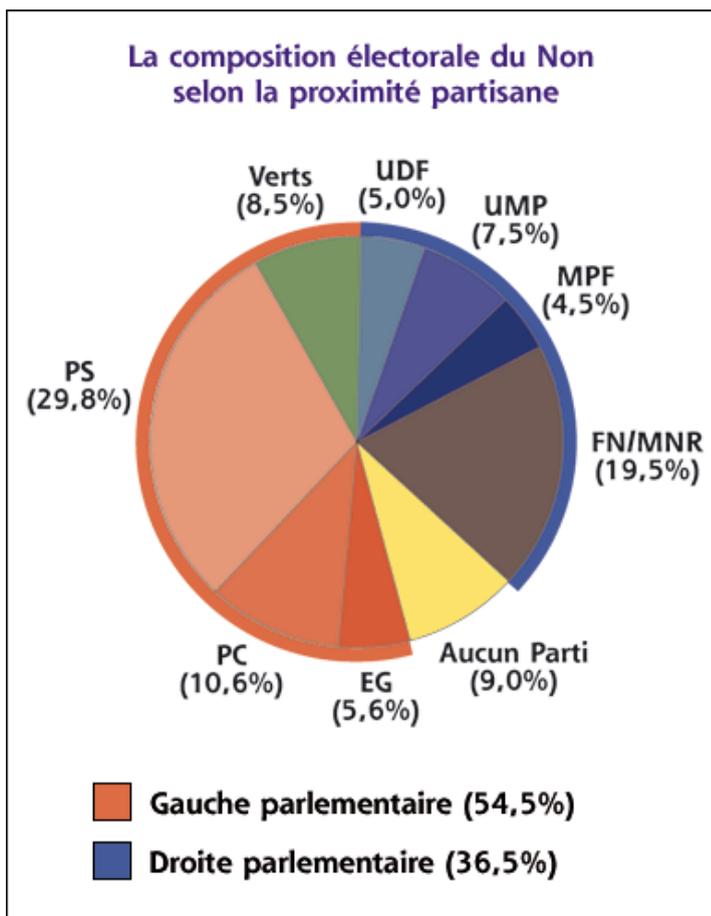
Voting table by political affiliation

	CSA		IPSOS			SOFRES		Eurobarometer	
	yes	no	Blank or spoilt	yes	no	yes	no	yes	non
Extreme left	14	86	1	6	94	/	/	/	/
Left	39	61	2	37	63	35	55	/	/
Of which PC	8	92	1	2	98	5	95	6	94
Of which PS	48	52	2	44	56	41	59	39	61
Of which Verts	39	61	3	43	60	36	64	39	61
Right	79	21	1	73	27	65	35	65	35
Of which UDF	82	18	1	76	24	76	24	75	25
Of which UMP	94	16	1	80	20	76	24	75	25
Of which RPF/MPF	36	64	4	25	75	/	/	/	/
Front national / MNR	17	83	1	7	93	4	96	5	95
No opinion	34	66	4	31	69	39	61		

Voting table by trade union affiliation (source: IPSOS)

	Yes %	Non %
CGT	22	78
FO	25	75
CFDT	57	43
CGC -CFE	85	15
CFTC	65	35
UNSA	49	51
SUD	21	79
Non-affiliated	46	54

The composition of the “no-vote” by IPSOS also has a lot to say:



IPSOS, post-referendum poll

But to talk of a “no” vote on the Left, as some commentators have done, is certainly something of a fast short-cut. We should not underestimate the almost mechanical effect of the “government-opposition” issue (as proved by the “mirror” results of 1992), backed up by the memory of the 2002 presidential election that we referred to above. Furthermore, the “centre-periphery” split that has always characterised French party positions on European issues remains very deep-rooted (the extreme left and the extreme right having been constant in their opposition to European integration, although on the basis of differing premises, while the centre parties have, generally speaking, been in favour). The weight of the “peripheral” vote, which is around 40% if one believes the diagram above, is also a form of replication of the April 2002 election. Chiriqui and Christian (2005) note that the parties in government only obtained 56% of votes, the lowest score in 20 years.

It should also be noted that the idea of “traditional” national sovereignty is still significant in France, since it constitutes a good quarter of the “no” votes and has penetrated the parties in government. In this respect, the 2005 referendum is a continuation of that in 1992. The Maastricht referendum campaign was, in fact, the first development in that it highlighted a pro-/anti-integration divide, which split the centre movements down the middle. This was reflected to a certain extent on the Left, with the campaign led by J-P Chevènement, but the personal commitment of Francois Mitterrand, the President at the time, made it possible to maintain relative cohesion within the Socialist Party. It was on the Right, and more specifically within the *Rassemblement Pour la République* Party, led by Jacques Chirac, that this split had the most resonance. Spurred on by P. Seguin and C. Pasqua, a significant fringe of the RPR, including a certain number of Gaullist barons, led a campaign against the Treaty. It was also on the right of this group that P. de Villiers first came into the public eye with the theme of safeguarding national sovereignty. In 2005, this pro-/anti- integration split reared its head again in the right-wing parties (a few movements within the UMP, such as “Debout la République”, and within the RPF and MPF), the far right (FN, MNR) and in J-P Chevènement’s movement.

On the other hand, it seems that we are perfectly justified in saying the “no surplus” between 1992 and 2005 can largely be attributed to the Left and that, in terms of political positioning on European issues, the campaign for the Constitutional Treaty has marked a new phase. A second split has appeared among the supporters of European integration, between those who support the current enlargement process and those for whom the European Union has moved in a direction that is too liberal and too “Anglo-Saxon”. From this feeling has arisen a movement wanting to be seen as “*alter-European*”, bringing together the various far-left movements, some of the Greens and the majority of Socialist Party sympathisers (with activists remaining, in the main, in favour of the Constitutional Treaty). In this ‘*alter*’ movement, it is difficult to distinguish between the

structural element, which is liable, therefore, to contribute to the development of a split, and political opportunism.

Doubts can, indeed, be cast on the depth of the points of convergence¹⁶ and the ostensible “pro-European” nature¹⁷ of this movement. This does not alter the fact that, during this one campaign, a Left coalition was created that called for the forging of another sort of Europe. The common denominator for this movement can be found in their “social” critique of European integration – the current EU is considered to be unsuitable for the preservation of social *acquis* – and in their aspiration towards a less market forces-led and technocratic Europe. Aware of the growing heterogeneity in the Union, a dynamic accentuated by the 2004 enlargement, which they have often criticised, many *alter-Europeans* have spoken out in favour of a Europe with a variable configuration, with L. Fabius going so far as to develop his theory of concentric circles.

These dissensions within the Left have generated an identity crisis within the Socialist Party, and one that has continued to feed the news since 29 May. Today the Party not only has to manage the split between the activists’ vote on 1st December and that of its voters on 29 May, but also has to contend with the difference in position of its minority movements, which have emerged strengthened by the “no” vote, and the position of all the European social democratic parties and the European Socialist Party which, in the main, are still in favour of the draft Constitution. As highlighted by M. Lazar (2005), the results of 29 May will force the Left to clarify its analysis of society and its political project.

THE PROBLEMS OF IDENTITY POSITIONING IN A GLOBALISED WORLD

Some analyses of the results of 29 May see the choice of mainly national concerns amongst “no” supporters” as a factor that has minimised the effect of the “no” vote. By focusing on local and even personal issues, “no” voters do not seem to have responded to the real question that they were asked, and, as a result, it would not be possible to draw any real conclusions at the European level. The difference in the “geographical reference” is, indeed, flagrant when one examines the motivations of “yes” and “no” voters, as can

¹⁶The various components of this movement talk, most notably, of fairly diverging historical positions. The movements of the far left have always been very hostile to the EU, considered to be “capitalist” (Lutte Ouvrière refused to campaign in 2005). The PCF has always refused European integration (in the name of its loyalty to the Soviet regime until 1989 and, after the fall of the Berlin Wall, on the pretext that the Union is a bridgehead for liberalism). On the other hand, supporters of the “no” vote in the Socialist Party, such as L. Fabius, H. Emmanuelli and J-L Mélenchon all voted in favour of the Maastricht Treaty

¹⁷ An analysis of the results shows that, when comparing a certain number of indicators, only one third of “no” supporters can be considered to be true “euophiles” (Brouard, Sauger, in Laurent, Sauger, 2005).

be seen from the table below. While discontent or fears as to the economic and social situation in France seem to dominate explanations of the "no" vote, "yes" supporters change direction to underline the weight of Europe in the world (and of France in Europe) or their attachment to European construction. Similarly, while "no" supporters make accusations against a Europe that is too liberal and are afraid that France will lose its identity, some "yes" supporters view the Constitution as a means of ensuring that an enlarged Europe functions correctly, and even as a stage in the journey towards political unification or a means towards a better choice of future.

But is it really a dialogue of the deaf or simply apprehension of the same reality from two opposing angles, that is, the globalisation phenomenon? It would be too ambitious here to conduct an in-depth analysis of the consequences of this "gigantic change of scale", in the words of Abeles (in Appadurai, 2001), which calls into question "the local and national dimensions that have, until now, characterised the way our societies operate". There is certainly no need either to go more closely into the issue in order to have an intuitive understanding that this world of "global flows" (Appadurai 2001) is overturning the "identity structures" that emerged from "a constant game of opposition between ourselves and the Other, between the interior and the exterior" (Abeles in Appadurai 2001). The 2005 vote is interesting because it is perhaps the first vote on a European issue that has fully incorporated the globalisation challenge, even if, today, this reflects a perception or a "feeling", rather than a true understanding of the facts.

An analysis of this difference of "scale of reference" between "yes" supporters and "no" supporters must today lie at the heart of any projection of the European project into the future. The difference is not so much between those who have understood the question asked and those who have not (and it would be even more patronising to correlate the level of education with the voting result), but between those who see Europe as having a role to play between the local-national level and the global as, in the words of Rosanvallon (2005), "a new space for experiencing the universal" and those who see it as the continental embodiment of an increasingly cynical global economic liberalism and of the phenomenon of identity displacement deriving from it. This alternative vision of Europe has been highly evident in the "no" approach, whether it be in the form of a national sovereignty "no", broadly reformulated in these terms, or the "alter-Europe" no, which, despite its declared (and no doubt often sincere) attachment to the European project, has frequently had recourse to a national protectionist attitude and to a reaffirmation of a particular identity in relation to the Other (the symbol of which is the "Polish plumber").

In this respect, it is interesting to return to the results of the French vote in relation to geographic areas and to look more carefully at voting in the cities. As we have seen, cross-checking against socio-economic data enables us to clarify this vote. But we are of

the opinion that, today, it also reflects a certain position on identity that is more in sync with the new globalisation situation. As J. Levy (2005) says, one can envisage that the “centres of France’s big cities have projected their political identity onto the political scene, assuming their cosmopolitanism in the etymological meaning of the word (‘town-world’) ». Again, in the words of Levy, “the acceptance of city dwelling involves confident exposure to all forms of “otherness”. Europe is one of these. On 29 May, urbanism thus logically asserted itself as a springboard and a shelter for “Europeanness””. This interpretation, in particular, explains the case of Paris, where all the *arrondissements* voted “yes”, including the most working class districts.

This approach also makes it possible to put into perspective those interpretations that aim to uncover similarities between the “no” positions of the far right and the far left, and even the Alter-Europeanist left. We were, perhaps, somewhat hasty in concluding that “no” voters can all be identified by their increasing xenophobia. Although no reason for the “no” vote exceeded 40%, the fact that 67% of “no” voters supported the proposal that “there are too many foreigners in France” has been highlighted many times. Certainly the “no” vote includes an overtly racist fringe and we must deplore the populist views of certain supporters of the “democratic” no, which went much too far in stigmatising the Other. We can also see in the apparent rejection of the *foreigner* an expression of the identity crisis referred to above. To return to Levy’s terms once more, “a single scale, an open scale: much depends and will depend on this choice”. And if the causes of the crisis are doubtless more subtle than they appear, there are many grey areas and the consequences of an incorrect interpretation of what Europe can do to facilitate this choice must not be minimised.

Table of reasons for the vote

REASONS FOR THE "YES" VOTE

	IPSOS						SOFRES	Louis Harris	Eurobarometer
	All	PS	Greens	UDF	UMP	Others			
Influence of Europe against the superpowers/ influence in the world	64	65	63	64	65	59	52	59	11
Ensuring the functioning of the institutions/ of the Europe of 25/ coherence of the EU	44	47	47	49	42	42	21	33	11 ¹⁸
Influence of France in Europe	43	36	35	39	51	38	42	26	12
Pursuing European construction /attachment to Europe	34	34	36	36	33	22	39	23	55 ¹⁹
Phase towards Europe/ political unification	28	29	42	30	26	32	26	/	8
Progress towards a social model for Europe	26	31	22	21	24	29	/	13	7
Progress in relation to existing treaties	25	25	18	31	24	31	19	/	/
Assessment of European construction	19	18	20	20	19	19	/	/	/
Affinities with political personalities supporting the "yes" vote	/	/	/	/	/	/	12	3	5
Improving one's choice of future/for future generations	/	/	/	/	/	/	/	12	11

¹⁸ Here we have put together the replies that are "vital for the correct functioning of the European institutions" and "vital for managing the integration of the new EU Member States"

¹⁹ Here we have added the following two replies "Vital for pursuing European construction" (39%) and "I have always been in favour of European construction" (16%)

Responsibility towards other European countries	/	/	/	/	/	/	11	/	/
Constructive vote	/	/	/	/	/	/	/	10	/
Avoiding a political crisis in France	/	/	/	/	/	/	/	5	/
Reinforces the economic and social situation in France	/	/	/	/	/	/	/	/	8
Reinforces the feeling of a European identity	/	/	/	/	/	/	/	/	6
For peace in Europe	/	/	/	/	/	/	/	/	6
Other	/	/	/	/	/	/	/	/	25

REASONS FOR THE "NO" VOTE

	IPSOS						SOFRES	Louis Harris	Eurobarometer
	All	PCF	PS	Greens	FN	Other			
Economic and social situation of France	52	57	54	59	54	40	/	25	26
Annoyance	/	/	/	/	/	/	40	31	
Risk of making unemployment worse	/	/	/	/	/	/	46	/	31
Constitution/Europe too liberal	40	57	49	50	18	45	34	32	19 ²⁰
Treaty needs to be renegotiated	39	44	47	55	17	36	35	38	
Preserving independence/identity of France	32	20	22	22	44	36	19	27	5
Turkey	35	23	26	16	56	37	18	22	6

²⁰ and 16% add "social model not sufficiently represented"

Assessment of European construction	27	26	25	27	29	24		18	
Text too difficult	/	/	/	/	/	/	34	/	12
Rejection of the political class	31	29	31	31	26	40	/	/	
Affinities with political personalities supporting the "no" vote	/	/	/	/	/	/	12	2	
Opposition to the government and to J. Chirac	24	22	26	15	38	19	/	37	18
Lack of information	/	/	/	/	/	/	/	/	5
Against European integration	/	/	/	/	/	/	/	/	4
Other	/	/	/	/	/	/	/	/	21

FAILURES OF DEMOCRATIC PRACTICE WITHIN A DEVELOPING EUROPEAN PUBLIC SPACE

When analysing the reasons for the "no" vote, another factor emerges that also deserves some attention: between 35 and 39% of those polled thought that their "no" vote would make it possible to renegotiate the Treaty. Eurobarometer indicates that over six out of ten French people considered that, in the event of the "no" vote winning, there would be renewed discussions, resulting in a document with a stronger social model bias. It is certainly possible to cast doubts on all the political leaders who supported the "no" vote, and who, being fully aware of the reality of the European compromise, knew that renegotiation would not take place (and certainly not in the short term) and yet, despite everything, they decided to make believe in the existence of a miraculous "Plan B". Their remarks, however, would have had little effect on the campaign had citizens been more aware of the fact that the Constitution had followed a democratic, European route over a period of several years before the final ratification verdict in the Member States.

How can we explain the fact that the Convention was described as "undemocratic" during the French campaign, while, despite its weaknesses - which we will discuss later - it represented an undeniable democratic advance in the "classic" revision process of European Treaties? How was it possible that debates on the provisions of the Treaty

dating back to 1957 were thrown into the arena as if they were as new as the phenomenon of the globalisation of commercial liberalism and unchecked competition that it was claimed they embodied? The answer seems fairly simple and is certainly not restricted to France such gaps between perception and reality can be attributed to the lack of debate on European issues in the Member States in “normal” times, outside the periods of “high drama” that only referenda have succeeded in creating until now.

Here we reach the core of the explanation for the results of 29 May, the one element that is linked to all the elements that we have already mentioned. We do not intend to continue to hammer out the message of the EU’s democratic deficit. This deficit is not, or is no longer, real; the European institutions function in a democratic manner and the national sphere is no longer the gold standard in the matter. We have seen that the French “no” has led to a political crisis that reflects a large number of democratic deficiencies on the national scale itself. Today at the start of the 21st century, it is debate that is missing from democratic practice²¹, defined by Fishkin and Luskin (2000) as “serious consideration”²² of the arguments and counter-arguments for and against public policy alternatives”.

This lack of debate is all the more harsh at the European level in that the public space for debate is in its infancy. The European media, the European political parties, European public opinion... but especially the links between the European, national and local political spheres are slowly being constructed, too slowly if we want the European project to continue beyond the next 50 years and the new generations. European issues are too often removed from national political deliberation (in particular within parliaments) and from discussion amongst citizens (now the new forms of participatory democracy offer multiple instruments that would make for a significant improvement in this domain).

Deliberation is even more important if the referendum instrument continues to be used for European issues (and as you will see further on, we are in favour of this). As Ackerman says (2005), it is vital in order to prevent the referendum amounting merely to a throw of the dice to decide between a “yes” and a “no” and to prevent them from falling

²¹ See in particular the article by P. Rosanvallon (2005): “democracy is not just a question of elections, and organisation by the public authorities, it is also increasingly a question of debate”.

²² By “serious consideration”, Fishkin and Luskin mean that there needs to be at the very minimum: (1) open and sincere participation in a process where all the arguments are put forward and evaluated on their merits; (2) a sufficient degree of exhaustiveness whereby the arguments put forward by the supporters of one position are counter-balanced by those who hold an opposing point of view; (3) a sufficient level of attention and mutual respect for the arguments and concerns of the other participants; (4) a sufficient level of truth in the factual elements.

into populist traps. This debate is also fundamental within our “public opinion-based democracies”, where omnipresent surveys and opinion polls themselves contribute to the construction of a certain type of reality and, by segmenting society, distort our perception of the political community (Ewald in FIP 2005)²³. Finally, it is a must in societies where the impact of the media, and in particular television, is enormous²⁴.

²³ According to M-O Padis (May 2005), “the omnipresent opinion polls cruelly highlight the lack of political discussion and the difficulty of presenting voting issues to voters”.

²⁴ As C. Piar et J. Gerstlé have shown (in Laurent, Sauger 2005), the role of the media cannot, of course, be dissociated from the analysis of the results of 29 May. If they have been criticised for their approach, which is biased towards the “yes” vote, – which seems to be undeniable from a purely quantitative approach – they have also significantly helped to validate the views of “no” supporters by focusing the attention of a critical section of the public on a national (and European) situation, where social problems were omnipresent (the “social avalanche” that flooded the televised news is, moreover, compared to the security issue during the 2002 presidential campaign).

III – THE WAY FORWARD

The French rejection of the Constitutional Treaty on 29 May was followed by the Dutch rejection a few days later. As of November 2005, 13 States have ratified the Treaty²⁵, two through a referendum with positive results – Spain and Luxembourg. The other countries that still need to ratify it have all decided to postpone the parliamentary or people's decision²⁶. The Heads of State and of government have decided not to address the issue of whether the ratification process should continue. Despite numerous appeals by the European institutions and by a large number of European leaders to continue with ratification, we know that other countries, led by the United Kingdom (where a referendum on the European Constitution would be far too high a political risk for T. Blair) have no interest in doing so. The recent declarations of the President of the Commission also reinforces the position of those who would like to stop the process. In these circumstances, the decision of the Council of the European Union made this June, to introduce a "break for reflection and discussion" is simply the reflection of an unspoken disagreement that leaves behind the impression that a crisis exists without actually calling it a crisis²⁷. And there is no doubt that it is this ambiguity that is creating a wait-and-see climate that is spectacularly lacking in ideas and even in analysis.

We know that the European construction process has had a far from tranquil history. It is a succession of more or less serious crises and of periods of more or less dynamic or inspired recoveries. It is vital that we maintain this historical perspective in order to avoid exaggerating the consequences of today's difficulties. Nevertheless, nobody can deny that the current crisis has many new features. Firstly, it is slowing down a movement, which, for the first time considered itself to be truly "constituent" (there is certainly much to be said with regard to the use of this term, but the fact is that it has been used). Secondly, as we have tried to show above, it is not a result simply of economic circumstances, but of trends that have been emerging for at least ten years. Finally, it affects the enlarged Europe of 25 and has occurred during a period of real uncertainty as to what the "frontiers" of the European Union should be. Even if, here and there, we hear voices suggesting that Pandora's box be discreetly closed again to return to the old tried and tested methods that are strictly functional or diplomatic, we think that any solution of this sort would make the problem worse. Even exercising the caution that is the duty of

²⁵ Belgium is in the final phase of a parliamentary ratification procedure. Refer to the following site, which is updated on a regular basis: http://europa.eu.int/constitution/ratification_fr.htm

²⁶ It appears that Estonia has not really changed its timetable.

²⁷ Cf. N. Gnesotto (2005) who talks of an "invisible crisis".

any observer who does not yet have sufficient hindsight, it is no exaggeration to say that European construction is at a real crossroads in its history.

If we look at the analyses and proposals conducted before and after 29 May by political personalities, European institutions, think tanks and other civil society bodies, we can identify “emerging from the crisis” scenarios applicable to the 25 Member States, which fall into four categories. The first are the least “accommodating”: at one extreme, they comprise those who say that the Constitutional Treaty is dead in the water, that it should be forgotten and that we should live with the Treaty of Nice for some time to come²⁸ and, at the other extreme, those who promote the method already used in the cases of Ireland and Denmark – the adoption of a few Protocols or opt-outs that would make it possible to resubmit a practically un-amended text to the Dutch and the French without too much delay²⁹. The second category includes the “Nice +” scenario, that is, those who recognise that a return to the Treaty of Nice for a long period of time is more than probable and who propose recovering a few elements from the Constitutional Treaty which could come into force without ratification, from the joint foreign service to the Minister for Foreign Affairs himself (even though this option is more than contested in legal terms) via the provisions of the citizens’ initiative or control of national parliaments³⁰.

The third type of proposal goes slightly further and proposes “recovering” part of the text of the Constitution by organising a “small intergovernmental conference”.³¹ Finally, a fourth option proposes renegotiating the text, which would affect the three parts of the Constitution document to varying degrees (often with the emphasis placed on the third part, on EU policies) by opening a true constituent procedure on the basis of different

²⁸ T. Blair (speech on 23 June 2005); M. Barroso see Philippe Ricard, “M. Barroso enterre la Constitution et veut remettre l’UE au travail” [“M. Barroso buries the Constitution and wants to put the EU back to work”], *Le Monde*, 22.09.05.

²⁹ O. Duhamel, in particular, defended this position after 29 May. Without necessarily adopting a position as to whether a second referendum was opportune, those who pleaded for continued ratifications after 29 May were numerous, see for example: J. Borrell (2005), speech to the European Council on 16 and 17 June; Giovanni Grevi and John Palmer came out in favour of the continuation of the ratification process (2005); see also Tosato and Greco (2005).

³⁰ See in particular S. Kurpas (2005), “Should ratification proceed? An assessment of different options after the failed referenda”: option suggested as the most probable; see Charles Grant (2005) “Europe beyond the referendums” (07.05); see also Vaughne Miller (2005) “The future of the European Constitution” (Chapter: “Implementing reform without the Constitution”).

³¹ See in particular Bertelsmann Stiftung, Center for Applied Policy research, “Treaty Amending the Treaty of Nice”, June 2005. J. Delors (2005) sees in the signing of an agreement with limited intergovernmental objectives

variations³². We need to add the "differentiation" scenarios to these four solutions for the 25. First, those that focus on the Constitutional Treaty itself and that exclude the countries that have not ratified the field of application of the text (either these countries leave the Union and renegotiate an agreement with the latter, or those countries that have ratified adopt a new Constitutional Treaty together³³). The particularly impractical side of these options has often, however, led to their rejection: it does indeed seem very difficult to apply arrangements of an institutional nature in a differentiated way³⁴. And this has led to other sector differentiation proposals, in the form of increased cooperation, or hardcore proposals or proposals on the Schengen model³⁵.

Here we will not endeavour to propose a master plan for "saving Europe", but will instead suggest avenues for reflection and action, which will borrow essentially from the second and fourth scenario categories. These avenues are not the result of reflection without any basis in reality. They derive directly from the lessons that we think we can learn from the analysis presented in the first two sections of this document. Indeed we hope to have proved that, although the French "no" vote must be seen in relative terms both with regard to its "contextual" aspects and in terms of general support for European integration, which remains dominant in France, the underlying causes linked to the entrenched and worrying socio-economic data, the emergence of a true identity problem in the face of globalisation and the absence of any real democratic deliberation can no longer be avoided. They must help us to formulate far-reaching responses.

These avenues reflect our determination to maintain the dynamic engendered by the adoption of the Constitutional Treaty. Naturally, they cannot replace the determination to manage Community *acquis* despite the crisis, a factor that we must not lose sight of. Furthermore, it is obvious that, in these proposals, the method is more important than

³² In his article "L'enjeu européen du "non" français" ["The European issue of the French "no" vote"], P. Lamy (2005) comes close to this solution since he recommends keeping Part 1 and 2 and re-debating Part 3 openly. J. Delors (2005) also suggests a new Convention for the two options to which he gives priority together with that of "an intergovernmental agreement with limited objectives". See also the permanent Civil Society Forum (mentioned by Agence Europe on 06.06.05), which would like to see a Convention. Similarly, Andrew Duff would like a pan-European referendum (ECAS, 29.06.05) after a new Convention. European MPs, such as Duff and Voggenhuber, seem to be moving towards a similar scenario for the European Parliament report, since it would be a question of retaining the parts of the Treaty that are the least controversial and organising a new Convention that would reflect on the other parts.

³³ Lucia Serena Rossi (2005), p.8; see also Gian Luigi Tosato and Ettore Greco, "The EU Constitutional Treaty: how to deal with the ratification Bottleneck", (2004).

³⁴ Lucia Serena Rossi (2005), p.6

³⁵ See the UMP meeting and the positions taken by N. Sarkozy. See also the Proposals of P. Douste -Blazy before the Association of the French Diplomatic Press; Daniel Vernet, "M. Douste -Blazy souhaite une avant-garde européenne" ["M. Douste -Blazy would like a European avant-garde"], *Le Monde*, 24.09.05.

the timetable, which can be adjusted. The proposal made here, nevertheless, while endeavouring to be realistic, does not intend to postpone any large-scale action until 2010. We cannot ignore the speed at which other large countries and regions in the world are evolving and gradually moving into economic and geo-strategic positions in which a weakened and divided Europe would have little influence. We must never lose sight of the historic perspective, but neither must we avoid any analysis of future prospects. In this respect, the crossroads of this new century could be as crucial as that encountered by the founding fathers in the middle of the last century.

USING THE “BREAK FOR REFLECTION” AND THE BUDGET DEBATE WISELY:

If, as we have highlighted above, the decision to take a break in the ratification process is a minimum compromise rather than a true shared vision, we should also be proud that the 25 have not dashed headlong towards one exit or the other, without taking time to think about the extent and the real causes of these rejections of the Constitutional Treaty. But that does not prevent us from drawing lessons from an analysis of the “no” vote that can immediately be used to ensure that this break is not a futile one. These lessons indeed provide us with elements to direct our debates, both in terms of form and in terms of substance.

In terms of form: if discussions are organised in the Member States, they must, on the one hand, allow for true deliberation and, on the other, give rise to an improved dialogue between the democratic European and national domains. We suggest that all the political players involved at the European and national levels (regional and local) commit themselves to results to be set out in a “Citizens’ Compact”, which would be proposed by the European Parliament and adopted by all the European institutions, which would involve national players. This Compact would, in particular, ensure that European issues are firmly rooted in national parliaments, which would have to discuss all major European issues and, in particular, those that cause anxiety amongst their citizens. It would also have to envisage transnational forms of citizens’ debates³⁶.

In terms of substance: if one returns to the different factors that make it possible to understand the French “no” vote, we believe that discussions should make it possible (1) to clarify the things that the EU can and cannot do; (2) to bring to the table the debate on the economic and social model that the EU wants to preserve and promote; (3) to

³⁶ The complete proposal put forward by EPIN (European Policy Institute Network), a European network of “think tanks”, concerning this Citizens’ Pact is available on the Notre Europe site: www.notre-europe.asso.fr.

dare to address the most difficult issues that affect the identity of European citizens in a globalised world.

Action must also be taken to reduce the socio-economic split and the elitist nature of the European project. The budget debate will be at the core of European negotiations over the next months. Two types of policy must be maintained and encouraged at all costs: the policies for cohesion and the mobility of citizens. Cohesion has given European integration a dimension that is far from having lost all its meaning: solidarity. How can we envisage re-launching the European project if we do not take seriously the threat to cohesion around the project caused by the alienation of certain regions or categories of citizens, for reasons of insecurity or unemployment? It is vital that mobility policies, whether through cultural, educational or training programmes, voluntary service or assistance to civil society, remain at the centre of EU concerns. The EU cannot penetrate to the core of the reasons for the differences in levels of education or social status within national societies, and that is certainly not its role. But it can gain real added value by facilitating dialogue between citizens, whatever their level of qualification, so that increasingly large numbers of them can have access to the European experience, not only periodic access to information on Europe.

CONTINUING WITH THE RATIFICATIONS WHILE POSTPONING THE EUROPEAN COUNCIL MEETING IN 2007

Some people will laugh at this plea for the continuation of the ratification process, and yet it is based on an analysis that deserves serious consideration. If the democratic failures of a European space that is still in its infancy lie – as we claim – at the heart of the rejection of the Constitution in France and the gradual alienation of citizens throughout the EU, how can we envisage a re-launch being implemented through a denial of democracy? Indeed, why should the French and Dutch rejections deprive the populations of the Member States that have not yet ratified the text of access to a truly democratic debate and to the expression of their vote? Furthermore, why should these rejections have a greater democratic value than that of the 13 who voted “yes”?

As difficult as this may seem today, we need to follow the democratic process all the way through. There is another reason for this: when adopting Declaration 30, the Heads of State and government stipulated that “if, after two years from the signing of the Treaty establishing a Constitution for Europe, four-fifths of the Member States have ratified the said Treaty, and one or more of the Member States have encountered difficulties in proceeding with the said ratification, the European Council will examine the issue”. It seems a bit premature to conclude that this Declaration has no meaning any longer because the countries that said “no”, two of which were founder countries, including France, are not those in which we imagined that difficulties would arise.

For this Declaration to come into play, at one time or another the countries that have ratified the Treaty must "be counted" and the 25 must decide together what should be done. Certainly, November 2006, the critical date for ratification provided for in the Declaration, may seem inappropriate today. A final meeting after the 2007 French and Dutch elections could be more propitious. If the 4/5 threshold is achieved or if it is close enough, as seems to be indicated by the current ratio, two options would be available to the Council of the European Union: either to decide whether it is possible to envisage a second attempt at ratification in the countries that have rejected the referendum on the basis of *ad hoc* undertakings and agreements, or to restart a joint process of revision of the Treaty, but deeming that the ratification threshold is high enough for the text of the Constitution and not the Treaty of Nice to be used as a basis for renegotiation. In this way, we would be laying the first stone for the gradual removal of unanimity on the revision and ratification of European Treaties, a subject that we develop below.

LAUNCHING A NEW CONVENTION IN 2008 ON PART III OF THE TREATY

In our opinion, this option can be envisaged and is even desirable, including in the event that the "no" countries decided to submit the document to the vote of the people again (option 1 in our scenario above). Indeed, the prospect of a new revision on the basis of the Constitution could be an encouragement to vote yes. We also believe that work on the Convention needs to continue. The Praesidium of the Convention decided not to discuss Part III essentially for two reasons: because the Laeken mandate did not go as far as that and because many were not prepared to open up this Pandora's box, which is basically a collection of all the provisions of previous Treaties and contains many of the discussions on the project for society to which Europeans want to have access today. But, at the time, many voices were asking for the opening of Part III of the text and the time factor played a major role. After all, the Convention had already embarked on a road that went beyond the framework of Laeken and, if the members of the Convention had not been afraid of endangering the entire project, it would not have been impossible for the majority of the members of the Convention to have forced the issue of Part III onto the agenda. So it was not a real taboo and to make some improvements to it would, in a way, finish the work that the Convention had begun. In many cases, it would have been enough to implement a simple "update" of these provisions on the basis of the development of Community *acquis* and of the contents of the first part of the Treaty.

Of course there is another more fundamental reason for opening up a revision of Part III, which emerges from the whole analysis of the French "no" vote developed above. There is no doubt that this part of the Constitution came to embody the economic and social model of the EU, so criticised by "no" supporters, in an improper manner. And indeed, because it is of a more "programmatic" nature, this part, rather than the others, contains

elements that could form the basis of an in-depth discussion of the project for society that Europeans would like to bring to their own countries and onto the international scene at the beginning of the 21st century. And through this, the debate on the project should also help citizens towards a better understanding of what the EU can do to reinforce a shared identity that is both open to the world and, at the same time, preserves certain “particularities” of a model that remains dear to them. This discussion should also reach an agreement on a “simplified” method of revision of the third part of the document, which should fall outside the strictly constitutional section.

Yet again, however, the substance must not distance us from the form and structure of a democratic European space, and must encourage us to reflect on the model for the Convention. The convention has undeniably embodied immense progress in terms of democracy and transparency in the procedure for revision of the Treaties. And it should be remembered that its creation under the terms of the Laeken Declaration met with considerable reticence on the part of certain Member States, which wanted to form a framework for its mandate and especially to maintain the IGC as the final place of decision. The experience of the Convention must be repeated in order to establish a more solid basis for the European institutional system. The model must, however, be revisited in order to avoid a future resurgence of the problems that appeared in the way it functioned and to reinforce its democratic nature.

This question could be dealt with in a study just as it stands. It will be sufficient here simply to identify four axes on which we should work to improve the way it functions: (1) a definition of its mandate, which must no longer depend solely on the European Council, but which should be the subject of joint work by the institutions, involving citizens upstream; (2) the designation of members on the basis of specific elections, at least according to transparent rules; (3) the method of nomination of the Praesidium and its relations with the members of the Convention must be better defined and involve the Convention itself; (4) the Convention and the Praesidium must work together in an even more transparent manner and find a means of hearing civil society, rather than merely listening to it.

We do not support the replacement of the Convention by a constituent assembly that would be solely parliamentary. Despite its flaws, the EU system is federal by nature and the legislative power lies in the hands of the representatives of the people *and* the States; therefore, they must have their place amongst the representatives of the Council and thus the governments. On the other hand, within this perspective, it would be useful to reflect on the need to keep on an IGC to conduct the work of the Convention. Some will certainly say, and quite rightly, that the risk of removing the IGC would involve a greater “intergovernmentalisation” of the Convention, but is it not a risk worth running if

we want this new start to be an occasion for a leap forward in quality towards a more European and more democratic approach?

ORGANISING RATIFICATION OF THE TEXT THROUGH A EUROPEAN REFERENDUM IN 2009

This stage necessarily occurs as a result of the previous ones. The efforts made to democratise the revision process at the European level cannot continue to be spoiled by the total absence of elements of "europeanisation" in the ratification phase. The European public space cannot take its first steps in all the processes preceding ratification and then fail to survive, or scarcely survive, when this happens. However many shuttles we envisage between the national and European levels, if ratification is maintained solely at the level of Member States and is postponed in time, then the risk of losing a large part of the European dimension on the way would be too great. That is why we think it is time to organise a European referendum and to regard it as a success if a majority of peoples and an (even overqualified) majority of States are reached. The two majorities are vital to reflect the dual legitimacy of the Union. The 2009 European elections could provide the opportunity for this shared European event.

CONCLUSION

The referendum of 29 May in France was a shock for dedicated Europeans, even if most of them were expecting that the feeling of alienation from the European project would express itself sooner or later, given the trends that were emerging. The fact that these trends arise most frequently based on the perception of citizens rather than based on reality does not mean that we should underestimate their importance. The various "schisms" in French society point most worryingly towards the elitist nature of the European project. The difference in the frame of reference between the motivations for the "yes" and the "no" votes sends us back to the heart of the identity problem, regarding the relevance of Europe in the globalisation issue. Ignorance of European issues, combined with a lack of debate outside referendum periods, take us back to the weakness of democratic practices within the European public space.

While taking the measure of the vote on 29 May, this study has defended the idea that we absolutely must not remain paralysed by this shock, paradoxically, perhaps, as much because some of the data of an economic nature should enable us to relativise the extent of the "no" vote, if only because these deeper-rooted causes and trends should provoke far-reaching responses to match the historic challenge facing European decision-makers.

Readers will have understood that we are not afraid of pushing the democratic process as far as it will go, in the short term by organising a real debate in the Member States, in the medium term by pursuing the ratifications and, in the longer term, by redefining a method of revision and ratification of Treaties that will allow us to move forward rather than becoming bogged down by practices that, although reassuring, are no longer viable. Democracies at the beginning of the 21st century are having problems finding their way through globalisation. The European Union can no longer simply "accommodate" them within shared economic realities; it must guide them towards a new political space. The current crisis reveals how urgent it is to preserve and extend this dynamic rather than hindering it.

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