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The French are about to shoot themselves in the foot in the referendum on the EU constitution

by André Nilsen

Having spent three beautiful spring weeks in Paris, I am becoming increasingly worried that the French are indeed going to reject the EU constitution in the May 29 referendum. Even the ENA-educated government official who is housing me is going to vote “non”.

Instead of focusing on the far reaching ramifications such a choice would have for the future of France,

Europe, and the world, the public debate is largely driven by a host of domestic issues and based on some highly parochial assumptions about the consequences of a rejection.

If the French government does not very soon take the lead in focusing the debate on the real issues at stake and correcting some widespread misconceptions, the current negative majority in the opinion polls

MAIN POINTS

The French debate on the EU constitution shows little appreciation of the disastrous implications a “non” will have for the French dream of a social Europe in a multipolar world. A renegotiated text would be less French in character and could shift the balance of power in favour of the UK.

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will probably just continue to grow until referendum day.

The constitution has in many ways taken the back seat in the debate, which instead focuses on all sorts of other issues – like the divisions within both the left and the right, the dismal performance of the incumbent government, Chirac vs Sarkozy, the employment prospects of French electricians in the face of a suspected flood of Eastern European cheap labour should the services directive ever be agreed, and worries about another flood from the South East if Turkey in a decade's time should be allowed to join the EU.

This kind of issue displacement is also seen in the confused debates in other Member States who have made the regrettable choice to opt for referendums instead of trusting the time honed institutions of representative democracy.

What seems to be fairly unique to the French debate, however, is the pervasiveness of some rather dubious conjectures about what will happen next in the event of a “non” victory.

A frequently heard story is that the current constitution text is not French enough – by which the Socialist critics mean that its provisions on economic policy are not

sufficiently social and the Gaullist opponents imply that its provisions on foreign policy would place too great constraints on a French voice in international affairs – and that by rejecting it France can use her influence in the ensuing renegotiations to secure a better text.

If the French, however, act in accordance with this story, they will shoot themselves in the foot. A “non” on May 29 will not only wreck havoc on the French ambition to create a social Europe rather than a neoliberal free trade area, it will also derail the French vision of a multipolar world governed by multilateral institutions rather than a unipolar world run by American unilateralism.

On the one hand, approving the current text would be the greatest single step imaginable towards the French vision of the world. It would turn the EU into a global player that could improve global governance by providing a much needed balance to the US. Rejecting the constitution would be seen as a clear sign of division and weakness. A French “non” would therefore paradoxically be cheered most happily in the White House.

On the other hand, the current text is as social as you can possibly get it given the current balance of power among play-

ers with different interests in European politics. Although there admittedly is not much of a European welfare state in it, neither is there anything that threatens the national welfare states, essentially, leaving the issue for each Member State to decide.

Any renegotiated text would most certainly be less social in character. This is due to the fact that any renegotiations would differ from the original drafting process in at least three respects.

First, it is highly unlikely that a former French President would be called in to coordinate the negotiations again – if for no other reason than that these guys are in fairly short supply.

Second, the new Member States from Eastern Europe would probably be far more assertive in a new intergovernmental conference than they were in the previous one when they were still very much distracted by enlargement issues – and if their recent aggressive tax cuts and strong support the services directive are anything to go by, they have slightly different ideas about what a social Europe means than France.

Third, now that the neoliberal-leaning Barroso team has got into office, the Eu-

ropean Commission would be unlikely to be as much of an ally to France as in the past – the current situation stand in stark contrast to the Delors days.

Thus, rather than the bold political vision espoused by the current text, a renegotiated text would most likely boil down to a limited ‘least-common-denominator’ agreement.

The idea that France in spite of these adverse contextual changes could force through a more French text in a renegotiation is nothing but wishful thinking.

The French are deeply mistaken if they think they are so indispensable that they can pose ultimatums to the rest of the Member States. It may have worked in the ‘empty chair’ crisis of 1966, but today France is likely to be told what the UK has heard every time they have acted as an obstacle: If you don’t like it, then shut up and step aside so the rest can move on.

Although the French so far have been able to rely on their European credentials to define the integration project, they should not take for granted that the tables may not turn if they now reject the text, resulting in a marginalization of France in Europe – there would certainly be no

credibility left for the old founding father to lecture new members of the family on how to be a 'good European' – and as a consequence a weakening of her voice in international affairs.

A French “non” could indeed ironically result in a long term strategic shift of power in favour of Downing Street.

The French should keep in mind that what was widely seen as the most likely outcome just a couple of months ago – that the UK would be the only country to finally reject the constitution and as a consequence would have to accept an association agreement without any power or influence akin to the one Norway currently suffers from – would enable France (with Germany) to return to the centre stage of European integration and use the more effective policy-making provisions in the constitution to shape both economic and foreign policy.

Instead, if both France and the UK reject the constitution – God forbid it being rejected by the French and approved by the British! – France will find herself alongside Britain at the periphery of Europe.

At best, since nobody wants a Europe run solely by the Germans, European politics would become like a doughnut with all

the action in the periphery and a big gaping hole in the middle – where otherwise a social Europe acting as a force for good in international affairs could have been.

In the worst case, if indeed as argued here a renegotiated text proved less social and more neoliberal, it would be the British who would be best placed to move centre stage and seize the steering wheel.

It is still not too late for the French government to turn the tide and secure a “oui” but time is running short. If France indeed says “non” to the constitutional designs of Valéry Giscard d'Estaing, they might end up having 'missed a good opportunity to shut up', to borrow the words of another French President.

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