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Biography

Laurent Warlouzet is professor of history at Sorbonne Université, author of *Governing Europe in a Globalizing World: Neoliberalism and its Alternatives following the 1973 Oil Crisis* (Routledge 2018) and of *Europe contre Europe. Entre liberté, solidarité et puissance depuis 1945* (CNRS éditions 2022).

Abstract

This article contributes to the historical debate about the two French referenda of 1992 and 2005, the former on the Maastricht Treaty (a feeble “yes”) and the latter on the Constitutional Treaty (a resounding “no”), by adding three further elements that the passing of time has revealed. First, new sources on the history of European economic policies reveal the importance of the rise of neoliberal policies, and hence of their major importance in the second referendum. Second, the perspective given by subsequent events, such as the Brexit vote, sheds light on two factors hardly mentioned in studies about the 2005 referendum: the importance of the internet as a source of alternative information during the campaign, and the role played by a key pivotal figure – namely, a globalist associated with international liberalisation who eventually supported a Euroscepticist stance. Third, thanks to the 2005 referendum, Euroscepticism (to be differentiated from Europhobia) morphed into a mainstream ideology in France, including among part of the elite.

Introduction

The two French referenda of 1992 and 2005, the former being on the Maastricht Treaty and the latter on the Constitutional Treaty, have been watersheds in the history of European integration. The first, which resulted in a feeble “yes” (at 51% on 20 September 1992), unveiled the intensity of Euroscepticism and signalled the end of the “permissive consensus.”¹ The second, a resounding “no” (at 55% on 29 May 2005), doomed the Constitutional Treaty. Both of these referenda commanded high turnout (close to 70%) compared to other consultations in France, and therefore had a tremendous political significance in France and abroad. Since France is one of the major economic and diplomatic powers in Europe, any different result could have yielded immense consequences for European integration. A “no” in 1992 would probably have curtailed any chances of getting a common currency seven years later. The consequences of a French “yes” in 2005 are harder to gauge, since the Dutch would likely have voted “no” anyway a couple of days later, and because the United Kingdom had yet to approve the Treaty; but it certainly has cast a spell over any major institutional reforms, while simultaneously reigniting Euroscepticism.

More generally, these two referenda are exemplary case studies to examine the confrontation between European integration as an elite process and its popular reception. The sharp contrast between the blunt “yes–no” question raised in a referendum and the complex decision-making process of modern liberal democracies is even wider in the case of complex and overlapping European Union institutions. To some extent, the referendum synthesizes the confrontation between the sheer force of the democratic process as tyranny of the majority, and political liberalism based on the balance of power and devolving authority. Referenda are blunt instruments because they conflate complex questions into a black-and-white answer, and because voters often answer a question other than the one actually posed; however, they are also a major element of direct democracy. They are used in many countries—not the least of which is Switzerland—on a regular basis. Additionally, in terms of identity, the high turnout of these two referenda makes them ideal case studies to examine the perception of both the French and the European identity. In France, referenda also have a personal dimension, because it is the President who decides to hold them. Since 1959, French Presidents have wielded unusually large powers in Europe for a head of state, including the right to conduct foreign policy and to

¹ L. HOOGE, G. MARKS, *A Postfunctionalist Theory of European Integration: From Permissive Consensus to Constraining Dissensus*, in: *British Journal of Political Science*, 39 (1), 2009, pp. 1–23; C. STERNBERG, *The Struggle for EU Legitimacy. Public Contestation, 1950–2005*, Basingstoke, Palgrave Macmillan, 2013, p. 83.

hold a referendum, and thus to bypass the chambers. Therefore, the referenda on European integration were also tests of the President's popularity, especially in terms of foreign policy.

The 1992 and especially the 2005 referenda have generated a huge amount of literature.² These writings have generally underlined the significance of two mostly-political factors to account for the importance of the close “yes” vote and of the “no” vote. First, a yawning gap had emerged between pro-European, educated, metropolitan people and a more rural and inward-looking group of people who are wary of international entanglements. Second, national factors were at stake, in particular the unpopularity of leaders during both of these referenda. A stimulating piece comparing the 1992 and 2005 referenda concentrates almost exclusively on political factors, while neglecting not only economic factors, but also the content of the two treaties at stake, which it considered as mostly irrelevant to understanding the outcome of the vote.³

By contrast, this contribution will not only consider both of these factors, but will also add **three further elements** that the passing of time has revealed. **First**, new sources on the history of European economic policies in the late twentieth century reveal the importance of the rise of neoliberal policies, and hence of their major importance in the second referendum.⁴ Following a distinction already made in *Governing Europe in a Globalizing World*, neoliberal policies are defined here not merely as market-oriented policies (i.e., policies of free trade and free markets), but rather as deliberate attempts to retrench the welfare states by the reduction of social provisions and of legislation shielding the poorest from the negative externalities of the

² See below and: F. DE LA SERRE, C. LEQUESNE, “France and the European Union,” in A. CAFRUNY, GLENDA ROSENTHAL (eds), *The State of the European Community*, Boulder, Lynne Rienner Publishers, 1993, pp. 145–157; Y. BERTONCINI, *Dix ans après le non : crever l’abcès*, Notes de la Fondation Jean Jaurès, Paris, May 2015; B. CAUTRÈS, *Les clivages socio-politiques sur l’intégration européenne et le vote du 29 mai 2005*, in A. LAURENT, N. SAUGER (eds), *Le référendum de ratification du Traité Constitutionnel européenne : comprendre le « non » français*, Paris, Les Cahiers du Cevipof, 2005, pp. 142–160; O. DUHAMEL, *L’imprévisible référendum européen*, in O. DUHAMEL, B. TEINTURIER (eds), *L’État de l’Opinion*, Paris, Seuil, 2005, pp. 47–58; J.-D. GIULIANI, *Les Français et l’Europe : l’âge de la maturité*, in O. DUHAMEL, B. TEINTURIER (eds), *L’État de l’Opinion*, Paris, Seuil, 2005, pp. 199–219; G. IVALDI, *Beyond France’s 2005 Referendum on the European Constitutional Treaty: Second-Order Model, Anti-Establishment Attitudes and the End of Alternative European Utopia*, in *West European Politics*, 29, 1, 2006, pp. 47–69; D. REYNIÉ, *Le vertige social-nationaliste : la gauche du Non*, Paris, La Table Ronde, 2005; Y. MÉNY, *Les désillusions d’un Européen convaincu. Propos recueillis par Didier Chabanet, Olivier Rozenberg*, in *Politique Européenne*, 4, 2015, pp. 120–133.

³ F. VASSALLO, “The Failed EU Constitution Referendums: The French Case in Perspective, 1992 and 2005,” in F. LAURSEN (ed), *The Rise and Fall of the EU’s Constitutional Treaty*, Martinus Nijhoff Publishers, Leiden, 2008, p. 411.

⁴ L. WARLOUZET, “The Implementation of the Single Market Programme (1985–1992): The Examples of Car Emission and of Competition Policy,” in M. GEHLER, W. LOTH (eds), *Reshaping Europe: Towards a Political, Economic and Monetary Union, 1984–1989*, Nomos Verlag, Baden-Baden, 2020, pp. 247–262.

markets.⁵ In this sense, neoliberals are a radical version of the proponent of market-oriented policies. **Second**, the perspective given by subsequent events, such as the Brexit vote, sheds light on two factors hardly mentioned in studies about the 2005 referendum: the importance of internet as a source of alternative information during the campaign, and the role played by a key pivotal figure—i.e., a globalist associated with international liberalization who eventually supported a Euroscepticist stance. Laurent Fabius played this role in the 2005 referendum and was able to mobilize voters against a perceived neoliberal Europe, whereas Philippe Séguin was defeated in 1992 because he was unable to do so. Therefore, it is argued that it is crucial to concentrate not only on top political leaders, such as Presidents François Mitterrand in 1992 and Jacques Chirac in 2005, but also on the moderate leaders of the “no” camp, since they played an instrumental role in reaching moderate voters. **Third**, thanks to the 2005 referendum, Euroscepticism morphed into a mainstream ideology in France, including among the elite. Euroscepticism should be differentiated from outright Europhobia, the latter being a sheer rejection of the European integration process, while the former expresses a willingness to support European integration and reorientate it in a different direction—usually a direction that is more intergovernmental (but sometimes also one that is more socially friendly). In this paper, the most blatant opponents to the EU, such as Marine Le Pen, will be designated as Europhobic, and not as Eurosceptic. These two categories (Europhobic and Eurosceptic) have swelled since 2005.⁶

As it is paramount to reconstruct the historical context, this article will proceed in a chronological order: the first section will cover the 1992 referendum on Maastricht, the second will tackle the 2005 rejection of the Constitutional Treaty, and a third will envisage the main direct consequence of those votes in domestic politics,—i.e., the rise of Euroscepticism.

⁵ This definition builds on: L. WARLOUZET, *Governing Europe in a Globalizing World: Neoliberalism and Its Alternatives Following the Oil Crisis*, Routledge, London, 2018, pp. 32–35. See also: L. WARLOUZET, *Europe contre Europe. Entre liberté, solidarité et puissance depuis 1945*, CNRS éditions, Paris, 2022.

⁶ For this argument, see also: P. STATHAM, R. KOOPMANS, A. TRESCH, AND J. FIRMSTONE, “Political Party Contestation: Emerging Euroscepticism or a Normalization of Eurocriticism,” in R. Koopmans and P. Statham (eds), *The Making of a European Public Sphere: Media Discourse and Political Contention*, Cambridge UP, Cambridge, pp. 245–273.

A Feeble “Yes” to Maastricht in 1992

Signed on 7 February 1992, the **Maastricht Treaty** represented a watershed from both the political and the economic points of view.⁷ The European Economic Community (EEC) was due to be superseded by a fully-fledged European Union (EU), with European citizenship encompassing concrete rights (such as the right to vote and the right to be elected in certain elections in other EU countries), more cooperation occurring in foreign policy, justice and police affairs becoming institutionalised, and enhanced powers being handed over to the European Parliament. Most of all, a common currency was due to be implemented in 1999. This was a major step, since issuing currency is one of the basic competences of any political authority, along with the monopoly of the legitimate use of physical force. As a result, for better or worse, Maastricht represented a major institutional watershed, with considerable supranationalisation of some competences. The EU was not a federal state, but it became a semi-federal organization encroaching on many core areas of state sovereignty.

From an economic point of view, the Maastricht Treaty represented a new balance between the three types of economic Europe—i.e., market-oriented, social, and neomercantilist—by tipping towards the former at the expense of the latter. The Economic and Monetary Union was firmly encompassed in a market-oriented framework, first because the future European Central Bank was due to be independent and to focus mainly on inflation, and second because countries joining the common currency were due to prove their track record in terms of stability policy (regarding inflation, interest rates, deficit, and debt). Even if those features bear the mark of the German ordoliberal vision of currency stability, it must not be forgotten that European monetary unification was first and foremost sought by the French and the Italians, from centre-left and centre-right alike, in order to lower their interest rates, and hence facilitate their funding. For them, the welfare-state enhancement was predicated upon successful stability-oriented rules. This development was not linked to European integration, but rather to financial difficulties triggered by the 1970s economic crisis.⁸

The neoliberal dimension was visible in the interpretation of the texts, rather than in their provisions. The Maastricht Treaty could also be interpreted in a neoliberal way if the rules on the European Monetary Union led to a convergence towards more austerity without any trade-offs. In the same spirit, the single-market project defined in the 1986 Single European Act was

⁷ See the *Journal of European Integration History*, 19, 1, 2013, special issue on Maastricht edited by M. J. GEARY, C. S. GERMOND and K. K. PATEL.

⁸ L. WARLOUZET, *Governing Europe*, *op. cit.*, pp. 136–155.

a compromise between several visions. Various actors, notably British Prime Minister Margaret Thatcher and British Commissioner for Competition Leon Brittan, interpreted it in a neoliberal way, whereas for Delors it was a balance between market-oriented, social and neomercantilist objectives.⁹

As a matter of fact, other features of the Maastricht Treaty clearly bore the imprint of social Europe in a broad sense.¹⁰ The adoption of decisions protecting the environment was facilitated, and social partners were empowered to conclude collective agreements that could become legally binding upon approval by the Council of Ministers. In parallel, redistributive policies were regularly strengthened both internally, with cohesion policy towards the poorest region, and externally, towards the former communist bloc countries.

Finally, neomercantilist Europe was clearly in decline, not directly through Maastricht, but thanks to a more assertive competition policy that threatened the most dirigist part of national industrial policy through adversarial decisions in terms of state aids and mergers. Other blows to neomercantilist Europe that were unrelated to the Maastricht Treaty but were decided in 1992 include the reduction of protection for some sectors shielded from non-European competition such as cars (with the end of voluntary export restraints) and agriculture (with a reduction in direct subsidies requested within the GATT Uruguay Round negotiations that were launched in 1986 and which would eventually be agreed upon in November 1992—i.e., after the referendum).¹¹ The various projects of industrial policies devised by the president of the Commission, Jacques Delors, were largely in tatters due to the staunch opposition of neoliberal governments such as that of the British Thatcherite John Major.

To conclude, the Maastricht Treaty was clearly driven by a market-oriented dynamic, and to some extent by a neoliberal one (notably, in some elements of the European Monetary Union and of the Single Market, depending on their interpretation); but the European integration process as a whole still contained a social dynamic, embodied by the president of the Commission Jacques Delors's quest for a social Europe.

⁹ On the difference between Delors's and Brittan's visions of the Single Market, see: L. WARLOUZET, "The Implementation of the Single Market Programme (1985-1992): The Examples of Car Emission and of Competition Policy," in M. GEHLER, W. LOTH (eds), *Reshaping Europe: Towards a Political, Economic and Monetary Union, 1984-1989*, Baden-Baden, Nomos Verlag, 2020, pp. 247-262.

¹⁰ Here again, I elaborate on the typology presented in *Governing Europe*, in which I associated social and environmental policies in the same category. See: L. WARLOUZET, *Governing Europe*, *op. cit.*, 25-28.

¹¹ L. COPPOLARO, "Globalizing GATT: The EC/EU and the Trade Regime in the 1980s-1990s," in *Journal of European Integration History*, 24, 2, 2018, pp. 335-352.

The **context** was marred by a severe economic and geopolitical crisis. Western Europe was mired in a deep and worsening recession in 1992, which contrasted with the optimistic forecasts made by the Commission (notably in the Cecchini report) about higher growth triggered by the single market programme. This triggered monetary tensions, due to which the British and Italian currencies were forced out of the European monetary system in September 1992 just days before the French referendum on the Maastricht Treaty. The French franc resisted, but it was the worst crisis of the European monetary system, and it cast doubt over the implementation of the European Monetary Union. Of course, this recession was not unique to Europe and had also been affecting the USA since 1990, but it certainly cast a shadow over the economic rationale of the European project.

From the geopolitical point of view, tensions in ex-Yugoslavia degenerated into a full-blown civil war. EEC member states were unable first to prevent it and then to restore peace. The symbol was painful for the European Economic Community, not only because the much heralded European Common and Foreign Security Policy was an abject failure, but also because it seemed unable to promote peace on the continent even in its close neighbourhood. World War I had erupted in 1914 precisely in this region, through the escalation of a conflict between Serbia and Austria-Hungary. In addition, the reunification of Germany created some worry in France. Other less serious but annoying hurdles included the Spanish-British spat over Gibraltar, which delayed the adoption of decisions on easing controls on internal borders, and difficult negotiations over the GATT Uruguay Round, in which France was cornered into accepting a more liberal deal than it would have wished to.

Initially, the Maastricht Treaty's ratification was meant to be a relatively straightforward process of parliamentary vote, despite the occasional hurdles anticipated in the restive assembly at Westminster. Of course, past ratification had already been difficult, including in the most pro-European countries—such as Germany, where the Bundesrat raised concerns about the Single Act in 1986, since it encroached on the Länders prerogative. But the fact that the Danish people rejected the Maastricht Treaty by referendum on 2 June 1992 came as a shock. It was a close call, with the “no” gathering 50.7% of the vote, despite the approbation of the Danish parliament, the Folketing, on 12 May 1992.¹² A couple of weeks later, the Irish resolutely voted “yes” to the Treaty on 18 June 1992 in the second referendum scheduled. One year later, in

¹² S. VANHONNACKER, “From Maastricht to Karlsruhe: The Long Road to Ratification,” in F. LAURSEN, S. VANHONNACKER (eds), *The Ratification of the Maastricht Treaty: Issues, Debates and Future Implications*, Martinus Nijhoff, Dordrecht, 1994, p. 5.

1993, the Danish would vote again, and would this time adopt a slightly revised version of the Maastricht Treaty, which granted them an opt-out for European and monetary integration, among other things.

Initially, no referendum was scheduled in France; but on 3 June 1992, one day after the Danish referendum, President François Mitterrand pledged to hold a public consultation on the Treaty despite the fact that a process of parliamentary ratification was already under way. No referendum on European affairs had been held in France, except in 1972 over the EEC enlargement to include Britain, which ended in a massive “yes” (68%) with a relatively low turnout (60%, against more than 85% for the 1974 Presidential election), a symbol of the “permissive consensus.” The French parliamentary ratification had not been straightforward, because it had been delayed by a constitutional issue: on 9 April 1992, the French Constitutional Council declared that some provisions of the Maastricht Treaty were in breach of the French Constitution.¹³ This forced Mitterrand to request amendments to the Constitution, which were adopted by the Congress (the reunion of the two chambers, the National Assembly and the Senate) on 23 June 1992. In the meantime, the National Assembly had largely approved the modifications to the Constitution on 12 May by 398 votes versus 77. Hence, when Mitterrand chose to put the text to a popular vote, it had already been largely approved by the Members of Parliament.

The choice of the referendum gave an opportunity for Eurosceptic and Europhobic parties to be heard. Parliament’s large ratification vote reflected the broadly pro-European stance of the moderate parties that largely dominated the Assembly. By contrast, the far-left (notably the French Communist Party, or PCF) and the far-right (the Front National, or FN) were not well represented in Parliament, because of the majority voting system that gives an advantage to moderate parties. The two-step majority voting system was adopted by De Gaulle after the disastrous experience of the French Fourth Republic (1946–1958), when proportional voting triggered government instability. Only in 1986 was proportional voting adopted by the Socialist president Mitterrand in an attempt to divide the right. As a result, the National Front brought in 35 deputies out of 577. But majority voting was reinstated thereafter, reducing the FN tally to one, despite the fact that its share of the vote—nearly 10%—had remained the same. The PCF did better than the FN (11% of the vote and 27 deputies) due to its working-class strongholds, but it was in steep decline. Hence, the French Assembly was dominated by moderate—the

¹³ P. KERAUDREN, N. DUBOIS, “France and the Ratification of the Maastricht Treaty,” in F. LAURSEN, S. VANHONNACKER (eds), *The Ratification of the Maastricht Treaty*, *op. cit.*, pp. 148–152.

French Socialists and the French Gaullist right (RPR)—and centre to centre-right (UDF, etc.)—formations. The far-left and the far-right represented 20% of the vote but only 5% of the deputies. As a result, the staunchest opponents to European integration were underrepresented in the Assembly and had a chance to be heard during the referendum campaign trail. The PCF, one of the most orthodox communist parties in Western Europe (in contrast to the more moderate Italian Communist Party), had always been against European integration, which they derided as an American capitalist plot. Once in government, from 1981 to 1984, it had to cope with the policy—the communist ministers fully accepted the 1983 commitment to the European Monetary System—but the party’s discourse remained hostile to European integration and was predicated upon egalitarian centralized economic policies carried out by the state. The FN was originally created by former supporters of the Vichy regime—the antisemitic and authoritarian regime that emerged under Nazi occupation—and by opponents of the decolonisation of Algeria. Fiercely nationalistic, it was, in those days, much more openly racist and antisemitic than the current Rassemblement National (RN). Both of these parties represented an illiberal stance that was adamantly hostile to the political and economic liberalism promoted by European integration.

Even among **moderate parties**, the Maastricht Treaty had created fault lines.¹⁴ The main left and centre-left party, the Socialist Party, headed by Laurent Fabius, was in favour of the Treaty, but it kept a relatively low profile, since it anticipated a defeat at the next election. Some of its members, such as Jean-Pierre Chevènement, were opposed to it; but this was to be expected, as Chevènement represented the national-Marxist wing of the party. He had already resigned in 1983 after the adoption of stability-oriented reforms designed to keep France in the European Monetary System.¹⁵

The other main party, the right and centre-right Gaullist party RPR, was more divided. Its leader, Jacques Chirac, had originally been a mainstream Gaullist, staunchly defending the common agricultural policy as a minister for agriculture in 1972–74, and as a Prime Minister in 1974–76. Later, he became a resolute opponent to the pro-European president Valéry Giscard d’Estaing, and thus increased his Eurosceptic profile. On 6 December 1978, he launched the “Cochin Appeal” (“Appel de Cochin”), in which he stigmatized the “party of the foreigners” (“parti de l’étranger”) that threatened France. This Eurosceptic outburst was mainly the result

¹⁴ P. KERAUDREN, N. DUBOIS, *op. cit.*, pp. 155–160.

¹⁵ On this major crisis, see: L. WARLOUZET, “Le spectre de la crise financière française de 1983. Influences et solidarités européennes,” *Vingtième Siècle. Revue d’histoire*, 138, 2018, pp. 93–108.

of internal competition for the leadership of the French right. Chirac quickly came back to a more moderate position. As prime minister in 1986–88, Chirac again endorsed a mainstream pro-European stance, but without much vigour. With regard to the Maastricht Treaty, he endorsed it only on 4 July 1992, “without enthusiasm, but without qualms” (“sans enthousiasme, mais sans états d’âme”).¹⁶ Many members of the Gaullist party, including prominent members such as Philippe Séguin and Charles Pasqua—both of whom were important ministers in the Chirac government between 1986 and 1988—defended the “no,” as did former senior ministers of Charles de Gaulle (e.g., Michel Debré, Maurice Couve de Murville and Pierre Messmer). Chirac himself was a former junior minister under Charles de Gaulle; so, his endorsement of the Maastricht Treaty represented a major decision, even though his party was deeply divided over the issue.¹⁷ The official RPR campaign was evenly split between the “no” and the “yes” votes. The other right and centre-right party, the UDF, was more united behind a pro-European stance, except for the nationalist Philippe de Villiers, who became one of the leaders of the “no” camp. The Greens, who were of relatively negligible numbers in those days, were split evenly between supporters (e.g., Brice Lalonde, Antoine Waechter) and opponents (e.g., Alain Lipietz, Dominique Voynet).

The **official campaign** pitted the “yes” camp, initially driven by Élisabeth Guigou, the hyper-efficient but slightly cold minister of European Affairs, against the “no” camp, in which Philippe Séguin played the role of the informal leader of the moderate opponents to the ratification. Born in 1943, Séguin was a *pupille de la Nation*, or war orphan (his father died in World War II). After earning a bachelor’s in history and a diploma from the École nationale d’administration, he became one of the leaders of the social wing of the Gaullist party. Minister of social affairs in 1986–88, he criticized the neoliberal tendencies of the RPR. He mobilized early against the Maastricht Treaty, with a first article in the right-wing newspaper *Le Figaro* on 27 November 1991.¹⁸ He expounded his criticism of the Treaty in a major discourse delivered on 5 May 1992 at the National Assembly during the debate on the constitutional reforms that were a prerequisite for the ratification. The discourse was drafted with the help of Henri Guaino, then a collaborator to Frank Borotra, a member of the National Assembly. In it, Séguin exposed a classical vision of France as a centralised and unitary country based on popular sovereignty, one that had been born at Valmy in 1792 during the French Revolution

¹⁶ J. POZZI, “Le RPR face au traité de Maastricht : divisions, recompositions et réminiscences autour de la dialectique souverainiste,” in *Histoire @ Politique*, 24, 2014.

¹⁷ A. DUPLHY, C. MANIGAND, *La France au risque de l’Europe*, Armand Colin, Paris, 2006, p. 62.

¹⁸ P. SÉGUIN, “France, réveille-toi !,” *Le Figaro*, 27 November 1991.

and was now threatened by both the reinforcement of European institutions and the rising power of local authorities, with the two dynamics advancing hand in hand. Decentralization was seen as the return of feudality. This process was independent from European integration—it originated in the 1982 decision of the Socialist government to devolve powers to local authorities—but was fostered by it through EEC regional policy. More generally, Séguin criticized a non-democratic integration by stealth, since, in his eyes, the Treaty of Rome was quite limited. He targeted in particular the growing use of qualified majority voting at the Council, which he rightly opposed to the 1966 Luxembourg compromise that was promoted by Charles de Gaulle and that granted every member state a right to veto when a “vital national interest” was at stake. However, the revival of the use of qualified majority voting had already happened with the 1986 Single Act Treaty and thus was not a novelty of Maastricht. Séguin feared that qualified majority voting would soon be used for social, defence and foreign policy, with a possible transfer to the European Union of the permanent membership of the UN security Council of the seats held by France and Britain. Lastly, he lashed out at the growing role of unelected judges (those of the European Court of Justice), thus directly threatening the power of French politicians. Séguin and Guaino drew on a previous charge against the European Defence Community drafted by Michel Debré (the “hyper-Gaullist” prime minister under Charles de Gaulle in 1958–62): the European treaty was considered a secretive technocratic federalist project that threatened the full sovereignty of the French people.¹⁹

Even though Séguin experienced a setback right after this discourse, when the deputies overwhelmingly voted in favour of the process of constitutional reforms, his standing was enhanced. He became the informal leader of the Eurosceptic camp—those who were not Europhobic, unlike the far-left and the far-right, but who were in favour of a more intergovernmental Europe. A few years after the Maastricht referendum, a new term appeared to designate them: “*souverainiste*,” from the French word for “sovereignty” (“*souveraineté*”). The term originated in Quebec, where it referred to the promoters of the independence of this French-speaking region of Canada.²⁰

¹⁹ B. BRUNETEAU, “Le discours du 5 mai 1992 à l'Assemblée nationale : source ou aboutissement du souverainisme eurosceptique français ?,” in K. ALLENO, B. BRUNETEAU (eds), *Philippe Séguin, un intellectuel en politique ?*, Nancy, Presses universitaires de Lorraine, to be published in 2021. On Debré as a “hyper-Gaullist,” see: G.-H. SOUTOU, “Michel Debré, une vision mondiale pour la France,” in S. BERNSTEIN, P. MILZA, J.-F. SIRINELLI (eds.), *Michel Debré, Premier ministre*, PUF, Paris, 2005, p. 403

²⁰ E. ANCEAU, “Souverainisme,” in O. DARD, F. ROUVILLOIS, C. BOUTIN (dir.), *Dictionnaire du Conservatisme*, Editions du Cerf, Paris, 2017, p. 901.

The campaign became more animated over the summer, as the “no” camp gathered steam. At first, the “yes” camp benefited from a clear lead (70% in June), probably linked to the persistence of a traditional “permissive consensus”; but its advance eroded and eventually disappeared once the debate unfolded. The “no” camp was energized by Philippe de Villiers, a right-wing politician who deployed an inflammatory rhetoric, castigating the Maastricht Treaty for creating a socialist superstate based on costly redistributive policies and “provoking a wave of immigration.”²¹ De Villiers targeted the projects of social Europe devised, with some support in the French socialist government, by Delors in Brussels. He also played on Germanophobia with some success.²² This course of events convinced Mitterrand to take part in the fight himself. Many leading figures of parties that supported the “yes” camp were not ready to vigorously campaign for the Treaty only a couple of months before decisive national elections were to be held in 1993. The President confronted Philippe Séguin, the informal leader of the “no” camp, in the most dramatic and high-profile event of the campaign, a widely broadcasted televised debate held on 3 September 1992. Mitterrand was seen to have won the debate, as Séguin remained deferential, pedagogical and moderate in his intervention, by contrast with the more energetic and simplifying style of other leaders of the “no” such as Philippe de Villiers. In the end, Séguin remained subdued in his confrontation with the formidable political beast François Mitterrand, notably because the French President was already seventy-five years old and suffered from poor health. The longstanding Gaullist deputy Robert-André Vivien encapsulated the debate in a vivid observation: “It was Ramses II without bandages against Asterix without magic potion.”²³

The **results** of the voting were close: a tiny majority of 51.04% for the “yes” with a high turnout of 69.70%, which later turned out to be slightly higher than the turnout of the closest national elections, the 1993 elections to the national Assembly.²⁴ According to a poll conducted one month before the vote, the supporters of the Socialists were overwhelmingly in favour of the Treaty (84%). It was the same for the centre-right UDF party of Valéry Giscard d’Estaing and for the Greens (Les Verts), but with a slim majority (53–54% for the “yes”). Around 70% of

²¹ “M. de Villiers expose ‘sept raisons de dire “non” à Maastricht,’” *Le Monde*, 12 August 1992.

²² “L’intervention de M. Mitterrand à l’émission ‘Aujourd’hui l’Europe’ sur TF1. Les réactions des partisans du ‘non,’” *Le Monde*, 5 September 1992.

²³ “C’était Ramsès II sans bandelettes contre Astérix sans potion magique,” quoted in J. POZZI, *op. cit.*

²⁴ The turnout was 69.7%; and for the 1993 parliamentary elections, 68.9% for the first round and 67.5% for the second round.

those who felt close to the RPR and PCF defended the “no,” as well as more than 80% of the FN supporters.²⁵

To sum up, the “no” vote gathered not only the traditional Europhobic vote of the far-left and of the far-right, but also a Eurosceptic vote that came mainly from the right. From a sociological point of view, the main fault line followed neither a partisan line nor a division in gender or in age group.²⁶ A regional element played a role, since the regions where a Christian-democratic tradition existed (i.e., Brittany and Alsace) have always been more supportive of European integration than the more secular region in the centre. Overall, the most important factors to explain the vote were socio-professional groups and diplomas. The “no” vote won among farmers (71%), manual workers (58%), shopkeepers and craftsmen (56%), and, more generally, among those whose level of qualification was below the baccalaureate. Conversely, the “yes” won among university-degree holders (71%), managers (*cadres et professions supérieures*: 70%), and intermediate professions (57%). The same rift was visible when the support for socially liberal reforms (e.g., opposition to the death penalty) was polled. Overall, liberal and educated people were pitted against a group more preoccupied by local concerns, and more wary of external forces.

The feeble “yes” marked a watershed in the assertion of Euroscepticism, and not only of Europhobic anti-Europeanism. The “no” camp was carried by a staunch intergovernmental camp, which did not really complain about a neoliberal Europe, but, rather, which was opposed to any drift towards federalism and away from French egalitarian centralism. After Maastricht, pro-European leaders were faced with a much more demanding task to explain and defend European integration. The “permissive consensus,” according to which citizens passively supported European integration, was over.²⁷ The proportion of unconcerned people was diminishing.²⁸ This notion had probably eroded before the referendum, since the French leadership talked more publicly about European integration from the mid-1980s onwards, when the “relaunch of Europe” ended up with the internal market programme and the project of a European Monetary Union, both projects being largely supported—and initiated to some extent—by President Mitterrand. The French people were less ignorant about a European

²⁵ P. KERAUDREN, N. DUBOIS, *op. cit.*, pp. 147–180.

²⁶ O. DUHAMEL, G. GRUNBERG, “Référendum : les dix France,” in SOFRES, *L’État de l’opinion 1993*, 1993, 79-85 ; P. KERAUDREN, N. DUBOIS, *op. cit.*, p. 167.

²⁷ C. STERNBERG, *The Struggle for EU Legitimacy: Public Contestation, 1950–2005*, Palgrave Macmillan, Basingstoke, 2013, p. 83.

²⁸ A. DULPHY, C. MANIGAND, “L’opinion française, vers l’euroconscience et le désenchantement,” in A. DULPHY, C. MANIGAND (éd.), *Les opinions publiques face à l’Europe communautaire. Entre cultures nationales et horizon européen*, Peter Lang, Brussels, 2004, p. 25.

integration process that they broadly supported (at 71% in 1991), but became more critical of it.

Neoliberal Europe and the 2005 Referendum

The 2004 Treaty establishing a Constitution for Europe was considered a success for the French government.²⁹ Signed in Rome on 29 October 2004, it originated not in a close intergovernmental conference, like all international treaties, but rather in an open constitutional assembly, the Convention on the Future of Europe, which was designed to address the criticism of aloofness and of the lack of transparency of European institutions. The Convention was energetically chaired by a former French president, Valéry Giscard d'Estaing, who rather successfully defended longstanding French goals for European integration, such as a reinforcement of the European Council and of the coordination of European foreign policies. A stable president of the European Council and a European minister of foreign affairs were to be nominated. The 2004 Treaty was mainly a political watershed. Its economic content was less innovative, even if its text encompassed all previous treaties, including numerous provisions concerning various political and economic policies. The most important change in this regard concerned the notion of an “internal market where competition is free and undistorted,” which appeared as one of the Union’s objectives (Article I-3), whereas in the Treaty of Rome, the equivalent notion was inserted in article 3 on the main policies to be implemented, and not in article 2 on the main objectives.³⁰

In terms of **ratification**, and by contrast with Maastricht, the use of the referendum had been decided quite early on. As soon as 14 July 2004, even before the signature of the Treaty, President Jacques Chirac had decided to hold a popular consultation on this issue. Parliamentary ratification took place on 1 March 2005, and the vote was held on 29 May 2005. After the close referendum on Maastricht, and the parliamentary ratification of subsequent treaties that were perceived as sequels to Maastricht—i.e., the treaties of Amsterdam (1997) and of Nice (2001)—it seemed impossible to avoid a popular blessing for such a treaty, whose objective was precisely to overcome the perceived democratic deficit. It aimed at mobilizing the European

²⁹ C. MAZZUCELLI, “The French Rejection of the European Constitutional Treaty: Two-Level Games Perspective,” in F. LAURSEN (ed), *op. cit.*, pp. 163–4; NICOLAS JABKO, “The Importance of Being Nice: An Institutional Analysis of French Preferences on the Future of Europe,” in *Comparative European Politics*, 2, 3, 2004, pp. 286–291.

³⁰ D. BROUSSOLLE, “Les métamorphoses du statut de la concurrence dans les traités européens,” in *Bulletin de l'observatoire des politiques économiques en Europe*, 24, 2011, pp. 33–40.

people right after the massive Eastern enlargement of 2004, which was seen as a reunification of the European continent. The campaign was longer than for the Maastricht Treaty. Only four months had elapsed between the presidential decision to hold a referendum and the vote in 1992, versus ten months in 2004–5. This allowed for a wider debate to unfold, with the text of the Treaty being distributed in all households by post. Interestingly, irrespective of the political orientation, two-thirds of the persons polled by a Eurobarometer study conducted after the vote declared that they had a sufficient level of information at the time of voting, which was an indication of the depth of the debate.³¹

The **political landscape** bore some similarities to the 1992 Maastricht, except that among the two main parties, it was now the centre-left that was divided, rather than the centre-right. As usual, the far-right and the far-left were mobilized against the treaty. On the right, Jacques Chirac was again the leader, this time as president of the Republic. He had oriented his centre-right party, still designated as “Gaullist” in France, towards a more pro-European stance, but without federalist overtones. It joined the European People’s Party, originally a grouping of pro-European Christian democrats, in 1999.³² As president, Chirac had a less pro-European image than François Mitterrand: he often complained of the behaviour of the Commission, and maintained a difficult relationship with his German counterpart, Gerhard Schröder, notably during the Nice Treaty negotiations (this includes up to the Iraq War in 2003, after which their personal relationship improved). By contrast, Mitterrand had a better relationship with Delors and especially Kohl, and he was better at hiding their inevitable disagreements. On the left, the main party was still the centre-left Socialist Party. It was headed by the pro-European leader François Hollande, its first secretary (who was later president of the Republic in 2012–17). It was more divided than in 1992 for two reasons. From a political point of view, the Socialist Party was now the opposition to the government and could therefore be more critical than in 1992, when both the president and the prime minister belonged to it. From an economic point of view, it was confronted with a rising criticism about the neoliberal momentum of European integration. Faced with the prospect of a divisive debate over this contested issue, the first secretary decided to hold an internal referendum on the party’s support of the Constitutional Treaty on 1 December 2004.³³ It ended up with a high turnout (78%) and a relatively clear “yes”

³¹ EUROPEAN COMMISSION, “La Constitution Européenne : Sondage Post-Referendum en France,” *Eurobaromètre*, June 2005, p. 30.

³² A. DUPLHY, C. MANIGAND, *La France au risque de l’Europe*, Armand Colin, Paris, 2006, p. 62-63.

³³ E. TREILLE, “Désunions européennes. Le référendum interne du Parti socialiste français sur la Constitution,” in A. COHEN, A. VAUCHEZ (eds), *La Constitution Européenne. Elites, mobilisations, votes*, Bruxelles, éditions de l’Université de Bruxelles, 2007, pp. 183–192.

(58%). Major senior socialists such as former ministers Henri Emmanuelli and Jean-Luc Mélenchon, younger future ministers such as Arnaud Montebourg and Vincent Peillon, and most of all the heavy-weight Laurent Fabius were hostile to the European Constitution.

Laurent Fabius then played a major part in the campaign—that of the unofficial leader of the moderate “no” campaign, much like Philippe Séguin in 1992. A moderate socialist patrician from the upper Parisian bourgeoisie who had become prime minister, he gave a veil of respectability to the “no” camp. As prime minister (1984–86) and as minister of economics (2000–2), he had enacted decisive reforms to liberalize the French economy and was therefore considered as belonging to the moderate wing of the Socialist Party. In 2004, however, he castigated the Constitutional Treaty for its lack of social thrust. He insisted on the possibility of negotiating a “Plan B”— i.e., a new Constitutional Treaty that would fulfil all of his requests regarding social Europe, notably some fiscal harmonization for companies, and more Franco-German cooperation.³⁴ He did not specify that those requirements did not command any majority in the 2004 European Union and that they did not stand any chance of being obtained. The reference to Franco-German cooperation was especially irrelevant in this context, since on almost all issues, the bilateral relationship was at a low ebb, especially in terms of social Europe. Nevertheless, this request had a massive impact on French voters, because it resonated with the messianistic and Gaullist mantra of the French “greatness” (*grandeur*), with Paris guiding the world towards enlightenment and progress. A 2005 Eurobarometer observed that 83% of the “no” voters considered that the victory of the “no” vote would lead to a more social-friendly treaty, whereas only 30% of the “yes” voters thought that a “no” would lead to a more social Europe.³⁵

The fear of a more **neoliberal Europe** was grounded on solid facts. The neoliberal tendencies of certain European leaders have existed since the 1980s within European institutions, first in competition policy with steady attacks against national industrial policies, and second with a European and Monetary Union devised mainly around stability-oriented criteria. Under the Delors presidencies of the European Commission (1985–1995), this neoliberal streak was balanced with more social and neomercantilist initiatives.³⁶ After his departure, neoliberal commissioners such as Leon Brittan became more influential.³⁷ Competition policy and its

³⁴ “Fabius présente son ‘plan B’. Les grandes lignes de la renégociation du traité constitutionnel souhaitée par l’ex-Premier ministre, en cas de victoire du non,” *L’Obs*, 18 May 2005.

³⁵ “La Constitution Européenne : Sondage Post-Referendum en France,” *Eurobaromètre*, June 2005, pp. 25–26.

³⁶ L. WARLOUZET, *Governing Europe, op. cit.*, pp. 192–4.

³⁷ On Leon Brittan’s neoliberalism: J. JOANA, A. SMITH, *Les commissaires européens. Technocrates, diplomates ou politiques?*, Presses de sciences-po, Paris, 2002. On competition policy in the 1990s: L.

neoliberal tendencies strengthened, which led to numerous debates against proponents of a more social and neomercantilist Europe within the Commission in the 1990s. The high point of neoliberalism was reached under José Manuel **Barroso**, who chaired the European Commission between the end of 2004 and 2014—i.e., during the referendum campaign.³⁸ Despite being fluent in French, Barroso was disliked in France, notably because he hosted the Azores summit in March 2003 (when he was prime minister of Portugal) with US President George W. Bush, British Prime Minister Tony Blair, and Spanish Prime Minister José María Aznar, to demonstrate the European support for the Iraq War, a deeply unpopular conflict in France.

Several neoliberal inflections were already visible in the European Commission's policy in 2005. First, the Lisbon Strategy adopted in 2000 was reformed in 2005 under the Commission's influence: the aims of full employment and of environmental protection were less salient compared to pro-market structural reforms.³⁹ Second, the Bologna process of the Europeanization of higher education, which was not neoliberal at the start (indeed, universities were created in the twelfth century as genuinely European institutions based on the mobility of teachers and students), became more influenced by pro-market logics from the Barroso period onwards.⁴⁰

Last but not least, Barroso fully supported the infamous Bolkestein directive. The Dutchman Fritz Bolkestein was originally a Shell executive before becoming minister under Ruud Lubbers and leader of the Dutch Liberal Party. He is praised by the pro-Thatcher historian John Gillingham as being a dynamic promoter of radical market-oriented reforms.⁴¹ His name was associated with his draft text aimed at liberalizing the service sector with almost no harmonization. For a short-term stint, a service worker would follow mainly the legislation of his/her home country. Some sectors, such as finance, were excluded, but others that stood at the heart of the welfare state, such as healthcare, were included. Barroso made the adoption of this directive one of his top priorities. However, in many European countries, this directive

WARLOUZET, "The Internal Market and Competition," in V. DUJARDIN et al. (eds), *The European Commission, 1986–2000: Histories and Memories of an Institution*, Publications Office of the European Union, Luxembourg, 2019, pp. 257–280.

³⁸ L. WARLOUZET, *Europe contre Europe*, *op. cit.*

³⁹ J.-C. BARBIER, *La longue marche vers l'Europe sociale*, Paris, PUF, 2008, pp. 63–103; P. POCHE, *A la recherche de l'Europe sociale*, Paris, PUF, 2019; N. HAIGH, *EU Environmental Policy: Its journey to Centre Stage*, Routledge, New-York, 2016, Chapter 1 ; L. WARLOUZET, *Europe contre Europe*, *op. cit.*

⁴⁰ Pauline Ravinet indicates a neoliberal turning point around 2003–2005: PAULINE RAVINET, "La Commission européenne et l'enseignement supérieur. La néo-libéralisation du discours comme ressort de pouvoir ?," *Gouvernement et action publique*, 2, 2014, pp. 92–94.

⁴¹ J. GILLINGHAM, *European Integration, 1950–2003: Superstate or New Market Economy?*, Cambridge UP, Cambridge, 2003, p. 468.

materialized the fear of a new threat, the “Polish plumber”—i.e. the efficient, low-wage worker who came from the countries of Central and Eastern Europe that had joined in 2004, and who could thus migrate freely in Western Europe. The “Polish plumber” became a byword for unrestricted Darwinian competition, in France as the “*plombier polonais*,” but also in Germany (“Polnischer Klempner”) and in the United Kingdom. Later on, the Polish tourism agency appropriated this concept and twisted it, with an attractive young Polish plumber proclaiming, in front of pictures of nice Polish historical buildings: “I’m staying in Poland—do come over.” (*Je reste en Pologne, venez nombreux*.) As such, the Polish plumber represented one of the few pan-European slogans that bear witness to an EU-wide public arena of discussion about the Constitutional Treaty, at least in the Western part of Europe. A transnational movement of protest, with demonstrations in Brussels and Strasbourg, took off in 2005.⁴² Eventually, the draft directive was watered down in 2006, but the harm had already been done.

The Bolkestein directive also demonstrated how **enlargement** played against the Constitutional Treaty. In 1983, Milan Kundera, the Czech author exiled in France, had published a well-known article in which he lamented that Central Europe was a “kidnapped West,” trapped in the East but fully belonging to “Europe,” as a Western endeavour.⁴³ As a matter of fact, the 2004 enlargement was celebrated by people demonstrating in the new member states. The older member states were warier; but they did not see a horde of impoverished Eastern Europeans flooding the West, as some had feared after the 1989 upheavals.⁴⁴ Instead, the East had begun a long process of catching up with the West, even though it remained poorer in 2005. However, the Bolkestein directive transformed the enlargement from a political and cultural feast of reunification into a neoliberal Darwinian race to the bottom. It deepened the French malaise with enlargement, which clearly undermined France’s centrality in the European Union at the expense of Germany.

Besides, most Central and Eastern European states were more pro-USA than Paris. In 2002, when Warsaw bought F16 fighter jets at the expense of French Mirage 2000s, it was considered a blow to the old Franco-Polish alliance, and to European cooperation more generally, from the French point of view. But for the Polish, the move was logical, since the French army did not move when Germany invaded Poland in 1939 despite the alliance, whereas the USA had played

⁴² A. CRESPIY, “The Vanishing Promise of a More ‘Social’ Europe: Public Services Before and After the Debt Crisis,” in A. CRESPIY, G. MENZ (eds), *Social Policy and the Eurocrisis*, Palgrave Macmillan, Basingstoke, 2015, pp. 119–121.

⁴³ M. KUNDERA, “Un Occident kidnappé ou la tragédie de l’Europe centrale,” in *Le Débat*, 1983, pp. 3–22.

⁴⁴ P. LAGROU, “La crise européenne,” in P. MAGNETTE, A. WEYEMBERGH (eds), *L’Union européenne : la fin d’une crise ?*, ULB editions, Brussels, 2008, pp. 17–19.

a major role to secure victory during World War II and during the Cold War. This historical background was lost in France, where only 31% of French respondents to a Eurobarometer administered in the autumn of 2005 responded that they fully supported enlargement.⁴⁵

The possibility of Turkey's membership, which was actively discussed in those years, added to the malaise. In the end, the ratification campaign was largely geared by the debate over neoliberalism and over enlargement, whereas both themes were relatively secondary in the Constitutional Treaty, whose main innovations were institutional.

Internet became another important factor in the campaign. The World Wide Web was relatively widespread among Europeans, with internet usage reaching 41% of the EU population in 2004, and 50% in 2006.⁴⁶ The Convention debate was open and largely publicized on the web. However, it had relatively little impact on Europeans, including among Eurosceptics.⁴⁷ Conversely, during the French referendum campaign, the internet usage increased dramatically, especially among opponents to the Constitutional Treaty.⁴⁸ A study on 295 websites showed that 67% were clearly in favour of the “no.” 82% of “no” websites animated by political militants belonged to the left. Among the 10 most quoted websites, eight defended the “no.” Many websites played a pedagogical role to decipher the intricacies of the European integration process, while others indulged in inaccurate reporting. In this regard, one of the most widespread arguments was the assertion that the adoption of the euro led to more inflation, whereas macro-economic statistics demonstrated that the reverse was true,⁴⁹ even if anecdotal evidence could dispel those cold figures and provide another impression.

The **results** of the referendum were both in line with those of the 1992 vote on Maastricht, and different, since they expressed a more leftist Euroscepticism, as a wide poll of 3,353 respondents showed.⁵⁰ Overall, far-right and far-left voters remained opposed to European integration. The most striking shift concerned the moderate parties, with the two centre-right/right parties becoming overwhelmingly in favour of the Treaty at 75-80%, while the two centre-left/left parties moved from “yes” to “no.” The Socialist Party started from a staunch

⁴⁵ F. VASSALLO, *op. cit.*, p. 420.

⁴⁶ <https://www.internetworldstats.com/eu/fr.htm> [accessed 27 November 2020]

⁴⁷ S. USHERWOOD, “Sceptical or Simply Opposed? Anti-EU Groups and the Constitution,” in A. COHEN, A. VAUCHEZ (eds), *La Constitution Européenne. Elites, mobilisations, votes*, ULB Editions, Brussels, 2007, pp. 167–181.

⁴⁸ G. FOUETILLOU, “Le web et le traité constitutionnel européen. Écologie d'une localité thématique compétitive,” in *Réseaux*, 147, 2008, pp. 229–257; Christophe FORCARI, “Pour le référendum, l'Internet a voté non,” *Libération*, 23 August 2005.

⁴⁹ INSEE, *L'essentiel sur l'inflation*, 23 July 2020.

⁵⁰ P. LEHINGUE, “Les interprétations polyphoniques d'un scrutiny,” in A. COHEN, A. VAUCHEZ (eds), *La Constitution Européenne. Elites, mobilisations, votes*, ULB editions, Brussels, 2007, p. 255

“yes” majority in 1992 (78%), to a slim “no” majority in 2005 (56%). The move was even more pronounced for the Greens, who went from a 53% “yes” in 1992 to a 60% “no” in 2005. The 2005 Eurobarometer based on a poll conducted after the vote, broadly confirmed those figures, and it observed that the mobilization had been stronger among opponents to the Treaty.⁵¹ The main arguments put forward by opponents were the opposition to the Chirac presidency and to the Raffarin government, and the detrimental effects of the Constitutional Treaty on the French economic situation, since it was considered too market-oriented and not social enough.⁵² By contrast, “yes” voters were motivated mainly by a broad support for European integration, and less by economic and national arguments.

However, despite the victory of the “no” by 54.7% versus 45.3%, the French people were not Europhobic. Even after the vote, 88% of the persons polled estimated that the French membership of the EU was positive, including 83% of the “no” voters.⁵³ Only among the far-right voters (FN/MNR) was the negative opinion slightly majoritarian (at 54%). Even EU institutions remained broadly popular (at 53% on average), especially among younger voters (62% of 18- to 24-year-olds). Therefore, the 2005 vote expressed a Eurosceptic vote against the EU liberal drift, rather than an opposition to the European Union in general.

Beyond the French case, the 2005 vote expressed a split between a pro-European educated metropolitan group, and more inward-looking uneducated rural and small-city dwellers.⁵⁴ The “yes” vote had a strong correlation with the level of education and with the size of the city of vote.⁵⁵ In terms of social groups, manual workers voted massively (76%) against the Treaty.⁵⁶ This trend is similar to the EU as a whole, where growing support for the Constitution rose in parallel to level of education.⁵⁷ More generally, academic studies have shown that European opinions are sometimes independent of the Left–Right Divide, and mostly correlated to citizens’ relationships to authority and cultural liberalism (in terms of attitude towards

⁵¹ EUROPEAN COMMISSION, “La Constitution Européenne : Sondage Post-Referendum en France,” *Eurobaromètre*, June 2005, p. 4.

⁵² EUROPEAN COMMISSION, “La Constitution Européenne : Sondage Post-Referendum en France,” *Eurobaromètre*, June 2005, pp. 15–16.

⁵³ EUROPEAN COMMISSION, “La Constitution Européenne : Sondage Post-Referendum en France,” *Eurobaromètre*, June 2005, pp. 21–23.

⁵⁴ R. DEHOUSSE, *La fin de l’Europe*, Flammarion, Paris, 2005; S. GOULARD, “Union Européenne. Les racines de la crise,” *Politique internationale*, 2005, pp. 1–14.

⁵⁵ P. LEHINGUE, *op. cit.*, p. 264.

⁵⁶ EUROPEAN COMMISSION, “La Constitution Européenne : Sondage Post-Referendum en France,” *Eurobaromètre*, June 2005, p. 13.

⁵⁷ EUROPEAN COMMISSION, *Eurobaromètre 64. L’opinion publique dans l’Union Européenne*, 2006.

foreigners, gender equalities, LGBTQ rights, death penalty, etc.).⁵⁸ Voters have been opposed to a neoliberal process of globalization that destroyed the ancient reassuring landscape of stable communities (often idealized), rather than specifically motivated by an anti-EU streak, because European Union institutions have remained largely unknown.⁵⁹ In France, this split became more vivid in the 1990s and 2000s, when the far-right National Front (now Rassemblement National) spread from its southeast stronghold (where many opponents to the independence of Algeria chose to settle and became the original constituency of the Far-Right) to small and outer-urban towns and to rural areas, where the people felt threatened by neoliberal reforms that rendered employment more precarious and led to the replacement of stable and well-paid jobs in industry with more flexible employment in the service sector.⁶⁰ The depreciation of diplomas also aggravated a sense of frustration for many French citizens of humble backgrounds, whose children often held higher diploma than themselves but had less opportunities of upward social mobility, and in fact often the reverse.⁶¹

The Post-2005 Hangover: Institutional Fatigue, Brexit and Mainstream Euroscepticism

The 2005 French referendum had a paradoxical legacy on European integration, as it marked both probably the highest point of citizen interest in European integration, and the beginning of a period of crisis of the European project. This conundrum is explained by the institutional disappointment following the vote, as it is always difficult to interpret a referendum's results. Should the 55% of French "no" voters lead to more or to less Europe? It was impossible to respond to this question, since the "no" vote conflated Europhobic voters who were against all forms of European integration and Eurosceptic voters who would like a more social Europe or a more intergovernmental Europe.⁶² But even if only the promoters of a social Europe were

⁵⁸ O. ROZENBERG, "Monnet for Nothing? France's Mixed Europeanisation," *Les Cahiers Européens de Sciences-Po*, 4, 2011, p. 11; more generally on cosmopolitanism, see also: T. RISSE, *A Community of Europeans? Transnational Identities and Public Spheres*, 2010; and an on studies on attitudes towards Europe: C. BELOT, "Le tournant identitaire des études consacrées aux attitudes à l'égard de l'Europe. Genèse, apports, limites," *Politique européenne*, 30, 2010, pp. 17–44.

⁵⁹ S. DUCHESNE, E. FRAZER, F. HAEGEL, V. VAN INGELGOM, *Citizens' Reactions to European Integration Compared: Overlooking Europe*, Basingstoke, Palgrave MacMillan, 2013, xii.

⁶⁰ C. GUILLUY, *Atlas des fractures françaises : les fractures françaises dans la recomposition sociale et territoriale*, Paris, L Harmattan, 2000.

⁶¹ Louis CHAUVEL, *Le Destin des générations*, PUF, Paris, 1998.

⁶² ANTONIN COHEN, ANTOINE VAUCHEZ, "Anatomie du 'moment constituant' européen : les espaces politiques et sociaux de l'avenir de l'Europe," in ANTONIN COHEN, ANTOINE VAUCHEZ (eds), *La Constitution Européenne. Elites, mobilisations, votes*, Bruxelles, éditions de l'Université de Bruxelles, 2007, p. 16.

taken into account, the translation of their wishes would have been difficult, as there was no majority in Europe for most French projects (notably fiscal harmonization). Even among the “no” voters in favour of a social Europe, many disagreed over far-reaching projects, such as more solidarity towards the poorer countries of Central and Eastern Europe, or more environmental-friendly legislation. Moreover, the fate of Europe could not be decided only by the French “no” voters, whereas the Spanish and Luxembourg voters had already approved the Treaty by popular referendum, and twelve other countries approved it by Parliament. Abandoning the Constitutional Treaty was already a blow for them. The fact that France was one of the largest European countries, that the Dutch “no” occurred a couple of days later, on 1 June 2005, and that both countries were founding members of the European Community forced European leaders to abandon the Treaty. But it was not a preordained outcome, since several smaller countries were forced to vote a second time when they rejected a treaty. This was the case for Denmark in 1992–3 concerning the Maastricht Treaty (and later on for Ireland concerning the Lisbon Treaty in 2008–9).

In the end, the awkward situation was saved by a clumsy compromise, the 2007 Treaty of Lisbon. It took over some of the institutional innovation from the Constitutional Treaty, but inserted it in a more intergovernmental framework. Instead of an open Convention, the negotiation took place in the traditional and secretive framework of an intergovernmental conference. It led to an indigestible treaty full of cross-references, unlike the Constitutional Treaty, whose first part was relatively short and straightforward compared to other European treaties.

The **economic balance of the Treaty** was slightly altered. Under insistence from the newly-elected French president Nicolas Sarkozy, the reference to “free and undistorted competition” disappeared from the article on the EU objective, and was left to an annexed protocol of the Treaty. The “service of general interest,” which could appear threatened by some of the neoliberal tendencies of the EU competition policy and internal market initiatives (such as the directive Bolkestein), was mentioned in a dedicated protocol. Lastly, combating climate change was inserted as an explicit objective of the EU environmental policy. This unappealing compromise led to an “institutional fatigue” at the EU level—namely, an unwillingness to solve EU problems via new treaties. The treaty-spree of 1992–2007, with five treaties being signed in fifteen years (Maastricht, Amsterdam, Nice, Rome and Lisbon) came to an end.

The 2005 French vote had long-term resonance beyond the Treaty of Lisbon. To some extent, **the Brexit vote** of 2016 bears some resemblance to the 2005 French vote. Of course, many

characteristics differ, with Europhobia being far stronger than Euroscepticism. The 2005 French voters were overwhelmingly in favour of staying in the European Union and simply rejected its orientation rather than its existence. The French Eurosceptics wanted more social Europe, whereas many Brexiteers despised European social policy and wanted less European regulation. The TUC expressed its support for the “remain” vote. Lastly, the role played by internet in the 2005 referendum foreshadowed the even wider usage of social media that was to play a huge role in the 2010s. There were other common features, notably the split between cosmopolitan urbanites and inward-looking residents of small towns, an opposition captured by the expression “‘Anywheres’ vs. ‘Somewheres,’” coined by the British journalist David Goodhart and used by the post-Brexit prime minister Theresa May.⁶³ In addition, the decisive role of the moderate leaders of the “no” camp should be underlined. Both Laurent Fabius and Boris Johnson belonged to a cosmopolitan elite implementing liberal policies. They promised that a “no” vote would quickly lead to new treaties that would be more favourable to the national interest, but this idealistic outcome never materialized.

Overall, the 2005 vote was a manifestation of the rise of Euroscepticism, which became part of the new **mainstream**. This is visible in the post-2005 French political landscape. While French presidents all voted for the Constitutional Treaty, the Prime Minister from 2007 to 2012, François Fillon (who had already voted “no” to Maastricht in 1992), did not. One of his successors, Manuel Valls (2014–16) voted “yes,” but with great reluctance, after having campaigned for the “no” for the December 2004 Socialist Party referendum. The main adviser to President Nicolas Sarkozy, Henri Guaino, had played a role in the 1992 “no” campaign as a collaborator of Philippe Séguin. **Nicolas Sarkozy himself abstained during the 1992 parliamentary vote on the ratification of the Maastricht Treaty, and, according to one of his advisor when he was President, Patrick Buisson, he was personally against the 2005 Constitutional Treaty, although he publicly supported it.**⁶⁴

Many prominent ministers of François Hollande (president from 2012 to 2017) voted “no”: Laurent Fabius (foreign affairs), Arnaud Montebourg (economy and industry), Vincent Peillon (education), Christina Taubira (justice), Benoît Hamon (deputy minister for economy, and then minister for education), etc.

⁶³ D. GOODHART, *The Road to Somewhere: The Populist Revolt and the Future of Politics*, C. Hurst, London, 2017.

⁶⁴ P. BUISSON, *La Cause du Peuple*, Perrin, Paris, 2016, quoted in S. KEDDACHE, *L'Europe, la France, la puissance selon J. Chirac et N. Sarkozy*, master 2 in history, Sorbonne Université, 2021.

The 2017 French presidential election was also a testament to the rise of Euroscepticism. It is representative, because its turnout was close to 80%. The election of the pro-European president Emmanuel Macron hid the fact that the three most successful candidates behind him—Marine Le Pen, Jean-Luc Mélenchon and François Fillon—were all long-time critics of the EU, the first being Europhobic and the last two hard Eurosceptics. Each of them reaped 20% of the vote. The two other significant candidates were Benoît Hamon (6.3% of the vote), a more moderate Eurosceptic who voted “no” in 2005, and Nicolas Dupont-Aignan (4.7% of the vote), a staunch Europhobic, who allied with the far-right candidate Marine Le Pen for the second round. All in all, slightly less than half of the voters chose Eurosceptic candidates (Fillon, Mélenchon and Hamon), more than a quarter opted for the Europhobes (Le Pen, Dupont-Aignan, Poutou, Asselineau and Arthaud), and a quarter for the Europhile (Macron). As a result, almost all of the 75% of the French voters who did not vote for Macron cast their ballot for a candidate who had supported the “no” in 2005.

This mainstream Euroscepticism, rather an outright Europhobic rejection of European integration as such, has also become more widespread among other elites, such as in the media, even if it is more indirect. It is visible in the extremely feeble coverage of EU affairs. A recent study estimates that only 3% of the broadcast time of TV news is devoted to EU affairs.⁶⁵ More often than not, the EU is presented as a cumbersome and technocratic affair. Among intellectuals, many important mainstream French political thinkers are uncomfortable with the process of European integration.⁶⁶

Even among French specialists of European integration, the release of academically rigorous and openly critical analysis of the process of European integration has multiplied since 2005, and has become mainstream at least since the disastrous eurozone crisis.⁶⁷ Writing in early 2016, before the Brexit vote, one of the most renowned French scholars in EU studies, Didier Georgakakis, recognized that “It has become increasingly difficult for an intellectual to support Europe with the previous enthusiasm.”⁶⁸ As an example, Clement Fontan and Oriane Calligaro,

⁶⁵ R. BROU, R. LAUWERIER, T. VERDIER, *Renforcer l'information des Français sur l'Union européenne : le défi du cycle européen 2019–2024*, Fondation Jean Jaurès, Paris, December 2019.

⁶⁶ J. LACROIX, “Frontières et territoires dans les critiques adressées par la pensée politique française au procès d'intégration européenne,” in P. MAGNETTE, A. WEYEMBERGH (éd.), *L'Union européenne : la fin d'une crise ?*, ULB editions, Brussels, 2008, pp. 51–68.

⁶⁷ B. BRUNETEAU, *Combattre l'Europe. De Lénine à Marine Le Pen*, CNRS éditions, Paris, 2018, pp. 232–260; S. KAHN, “L'Europe doit-elle déranger les historiens ?,” *European Law Journal*, 2021.

⁶⁸ D. GEORGAKAKIS, *European Civil Service in (Times of) Crisis: A Political Sociology of the Changing Power of Eurocrats*, Palgrave Macmillan, Basingstoke, 2017, p. 301; see also on this sombre mood among Europeanists: O. ROZENBERG, “Faut-il continuer à étudier l'Union européenne ? Introduction,” *Politique européenne*, 4, 50, 2015, pp. 6–15.

the directors of the leading French academic journal in European studies, *Politique Européenne*, have been stern critics of EU institutions' policies in their research. Tellingly, those researchers are well-established scholars who have benefited from international and notably European funding to conduct some of their studies, as is usual for internationally-recognized academics. Obtaining European funding is especially hard at a time of austerity for universities, and only research with an excellent evaluation by their peers (and not by European institutions who delegate the evaluation to academics) is successful. Hence, Euroscepticism has become so mainstream among parts of academia that the EU fully supports critical academic research if it fits the criteria of academic excellence. This does not mean that Euroscepticism is hegemonic among the academic research on the EU, but that it is an important trend, alongside more Europhobic and more pro-EU stances.

Conclusion

With hindsight, the 1992 and 2005 referenda were two major milestones in the assertion of a mainstream Euroscepticism among the French people and elite. Since then, the European Union has appeared as more threatening than before for a French national identity based since de Gaulle at least on the idea of greatness—the willingness to influence world affairs—on a strong welfare state and on an assertive neomercantilism, visible in Colbertist industrial policies. All three of these features seem to be jeopardized by German reunification and the Eastern enlargement, which has diminished French diplomatic clout, and by the rise of European neoliberal policies in the 1990s and early 2000s. The Bolkestein directive transformed the enlargement from a political and cultural feast of reunification into a neoliberal Darwinian race to the bottom. Paradoxically, it reoriented the debate on two themes—neoliberal Europe and the enlargement—that were not the major innovation of the Constitutional Treaty (whose main novelties lay in the institutional realm).

Those two referenda were useful to deepen the debate about European integration in France, even though the interpretation of their meaning was difficult. It proved as impossible to implement an elusive Plan B after the 2005 referendum as it was to negotiate a quick Brexit and to conclude beneficial international trade agreements right after the 2016 Brexit vote. In any case, it is difficult to forecast the consequence of a “no” vote whose outcome has to be negotiated with others. The situation is different from a purely national referendum, where the

decision remains fully in the hand of the voters. If a project involving many partners, and which has already been accepted by many people, is turned down, it cannot easily be renegotiated.

The moderate leaders of the “no” camp played an instrumental role in convincing part of the pro-European voters to shift sides. Philippe Séguin, Laurent Fabius, and to some extent Boris Johnson endorsed this role. The first was probably too cautious, courteous and respectful of institutions to be successful, while the British one had chosen the opposite way—usually characterised as “populist”—which triggered electoral success. Those moderate leaders allowed anti-EU arguments to leave the fringe of the far-right and of the far-left, and to acquire a veneer of respectability. Thanks to them, Euroscepticism has been differentiated from Europhobia, the latter being associated with radical nationalism. In France, this Eurosceptic movement mixing “*souverainisme*” and an opposition to a neoliberal Europe became part of the mainstream among the French people and the elite. This explains why in 2017 more than three-quarters of French voters cast their ballot for politicians who had voted “no” in 2005. Emmanuel Macron’s Europeanism appears to be more an exception than the rule.