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## France on the Eve of the European Presidency

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## Introduction

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The Irish “no” to the Treaty of Lisbon starkly brought the issue of relations between European construction and its citizens back to the surface. France, who said “no” to the Constitution, stood a much lower chance of rejecting the Treaty that followed it, since this time around it was ratified by a Parliamentary vote. While it does take over the presidency of the European Union (EU) for the second half of 2008, is France however fundamentally reconciled with a Europe that has such a difficult time connecting with its people?

Since the beginning of European construction, France’s relationship to Europe has been characterized by a fluctuation between “yes” and “no”: yes to the European Coal and Steel Community (ECSC) in 1950; no to the European Defence Community (EDC) in 1954; yes to the common market in 1957; General de Gaulle’s no to qualified majority and the United Kingdom’s accession, then yes to the UK and to the European monetary system in the 1970’s; almost no and then finally a yes to Europe in 1983, and then yes to the single market and even to the single currency; almost a no to Eastern enlargement and clearly a no to the European Constitution; and finally (under President Sarkozy) yes to the simplified treaty and to the new Eastern member states.

It seems as if France has been able to come to terms with the European project, and to the sacrifices of autonomy and national sovereignty that it implies, only on the condition – narcissist or egotistical – that it will help reach its own ambitions and even its dreams. Dreams of a strong Europe, a powerful Europe, one capable of standing up to the United States, but endowed with weak institutions, so as not to undermine free will and independence that go along with the nation-state. The American Zbigniew Brzezinski summarized the differences in motives between France and Germany in a skilful manner: the former is searching for a ‘reincarnation’ while the latter is aiming for ‘redemption.’

However the “no” in 2005 was without doubt a major turnaround in this long history. It was a turnaround for France since the French people, twice having approved referendums when consulted over Europe (entry for the UK, and the Treaty of Maastricht), this time massively rejected (at 55%) the European Constitution. It was also a turnaround for Europe itself. The Constitutional project, which moreover incorrectly bore this title, did not in itself constitute a qualitative leap towards federal integration. And yet two founding countries of the European project, France and

the Netherlands, rejected this referendum. The simplified treaty has certainly “saved” the contents of the “constitutional” project. But the quick discarding of the name and the symbols that went along with it (the European “laws”, the “minister” of foreign affairs, the currency, the flag, the anthem...) says a lot about European construction that, like an asymptote, seems to be nearing an impenetrable political integration threshold. And at the least, the Irish ‘no’ risks delaying the Treaty from coming into force for the moment.

President Sarkozy was the force behind the “Simplified Treaty,” and will strive to save it despite the Irish problem. The French presidency should mark the “return of France in Europe and Europe in France” (François Fillon) – an objective reflected in the presidency’s logo, combining the French and the European flags. And yet, the uneasiness is not disappearing. Even before the Irish ‘no,’ Bernard Kouchner expressed a widespread view when he declared that, “Europe is frustrating, it is bureaucratic, it does not inspire.” (May 2008, in the Czech Republic). President Sarkozy affirmed that, “we must move past a Europe that worries people, a technocratic Europe, a bureaucratic Europe, a Europe whose decisions no one can understand” (May 2008, Poland). These misunderstandings are moreover building up between Paris and Brussels, concerning for example the Union for the Mediterranean (UM), the evaluation of reforms and public accounts in France, the Euro’s management, or fiscal concerns over oil, etc.

France appears to be sticking to a staggered vision of Europe. Will the six months of the French presidency change anything in that regard? That however would assume that France will abandon some of its traditional expectations and will base itself more in the European mould. Yet nothing is less sure, as we will see.

## A Federal or Intergovernmental Europe?

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France, contrary to other founding European countries, has always retreated when faced with the plunge into federalism. Whenever it is a matter of progressing too quickly (defence in 1954, qualified majority in 1964, or even the ‘Constitution’ in 2005), an apprehensive reaction has always been the result. At Maastricht, the project for a single currency was also nearly rejected. Well before the vote over the Constitution, a poll taken by the BVA Institute in the fall of 2003 showed that 59% of people asked were favourable to a Europe of states that gives priority to national institutions, against 32% who prefer a federal Europe giving priority to European institutions. The “Community method,” and the “solidarités de fait,” so dear to Jean Monnet and Robert Schuman, and the economic and social deepening of Jacques Delors, marked a more reassuring path that cultivated the French and their political-administrative elites, and allowed France and Europe to advance in unison, more or less harmoniously.

By proceeding with caution, France agreed to the necessary sacrifices of sovereignty. It accepted qualified majority starting with the common market in 1986. It accepted an increased role for the European Parliament, notably beginning with the co-decision procedure introduced in the Maastricht Treaty. It sacrificed its currency for the Euro, and its monetary policy to the independence of the European Central Bank (ECB). France has always shown itself to be more cautious than Germany when it’s a matter of integrating foreign policies or federalizing and parliamentarizing European institutions, as the debates over the Constitution showed. But at the same time it proved itself willing, in a joint endeavour with Germany at the European Convention, to change the vote on foreign policy to a qualified majority (except, it is true – and this exception is not negligible – on security issues).

Paris was sure to preserve certain parts of its distinctiveness, for example in refusing a majority vote in cultural and audiovisual trade negotiations (which is sometimes called the “cultural exception”). France has never proposed giving up its seat on the UN Security Council to Europe, nor its nuclear deterrence capabilities. It has a difficult time working within the European Parliamentary culture, which is centred on consensual compromise. But after all Germany as well, despite appearing to be more federalist, has its own distinctiveness: it refused to allow its immigration policy to be decided by a vote at the European level, and it would not come around to the

idea that German soldiers could be sent on European military operations without the consent of the Bundestag. As for countries such as the United Kingdom, Denmark, or Sweden, they have multiplied their exemptions: with Schengen, the single currency, or even with the European Security and Defence Policy (ESDP).

Over the long run, there is no doubt that France, despite sometimes resisting, chose the European project by accepting the supranational decision-making that underlies it: a European Commission that formulates general European interest and holds the right to initiative, States that vote by a qualified majority, a European Parliament that co-decides, and a Court of Justice that guarantees the supremacy of the law. The Constitutional Council, the long-time guardian of national sovereignty, belatedly inferred the existence of a Community legal order embedded into the domestic legal order out of the constitutional reform of 1992, which had accompanied the ratification of the Maastricht Treaty and the birth of the EU (2004 decision).

For the rest, the debate between federalism and intergovernmentalism has today been mostly settled: Europe is a “federation of nation-states,” according to the Jacques Delors, meaning that it combines competencies at the federal level (such as trade policy, competition policy, monetary policy) with some competencies remaining at the national one (such as economic policy and, to a large extent, foreign policy). And this balance is not currently under revision, despite the persistence of a federalist lobby (a minority) as well a push for sovereignty (also being a minority voice).

## A Small or Large Europe?

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Nothing illustrates French hesitations over Europe better than the question of enlargement. From the two vetoes of General de Gaulle to the United Kingdom's entry (1963 and 1967) to the reluctance of François Mitterrand or Jacques Chirac regarding Eastern countries, the French authorities have constantly seemed to view enlargement as contrary to European integration and to French interests. At the same time, the somewhat unrealistic dream of a "hard core" for Europe is often brought back up in French discourse, as well as in German (the latest incarnation of this being, at the start of the 2000's, the proposal of certain Socialist French leaders, and then of Dominique de Villepin, to create a "French-Germany Union").

Two considerations enter into the equation here: political ambition and geography. It is clear that enlargement risks diluting European cohesion. The entrance of the UK, for example, was never expressed as sincere and complete support on the part of London for European construction, and to the contrary led to certain steps in reverse: for example the implementation of a "British cheque," which complicated the EU's financing, or granting the British, during negotiations over the Treaty of Lisbon, a declaration affirming that the Common Foreign and Security Policy (CFSP) would not affect the development and conducting of national foreign policies. More generally, enlarging Europe also complicates France's strategy to build Europe while at the same time trying to retain control of it: by definition, France's weight tends to decrease in relation to others over the course of enlargements (it holds less than 10% of the vote in the Council<sup>1</sup> and in the number of European Members of Parliament, and above all it has only one Commissioner out of the 27, while there were still two French Commissioners out of 20 with the EU-15).

The issue is also geographic. Up until the enlargement in 1995, the European Community mostly expanded to France's neighbours and to Mediterranean countries such as Greece, Spain,

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<sup>1</sup> If the Treaty of Lisbon enters into force, France's voice in the qualified majority system will go from 8.5% (in the Nice balanced system) to 12% (according to the criteria based on population). However, the actual influence of a country in decision-making is based on a more complicated formula, since there are other criteria taken into account (it is necessary to have a majority in the number of States, for example) and the proportion of influence finally depends on the ability to unite a blocking minority. Be that as it may, the Treaty of Lisbon will make decision-making easier, and will increase the influence of the large States (Germany in particular, but also France).

and Portugal. Until the beginning of the 1990's France was in a perfectly central position within the EU. Harmony between France and the European project was without doubt the strongest when Jacques Delors presided over the European Commission, and when the French approved the Treaty of Maastricht. Enlargement towards the north and then to countries in the east changed the situation. It was then that English became the major language within European institutions: despite France's effort to teach French to diplomats of the older member states, French is spoken less and less and represents less than 15% of the documents produced by European institutions. France is no longer at the geographic and political centre of Europe. It is to a much greater extent Germany that has taken up that position – or, more exact, a French-German partnership with a strengthened Germany.

For quite some time, the French authorities have tried to reconcile enlargement with European construction. It was the famous triple objective of “completing – deepening – widening” of the Hague Summit (1969) that opened the way for UK accession. Likewise, the single market accompanied enlargement to the Mediterranean, and the European Union and the single currency preceded enlargement to Northern and Eastern countries. But the motor has stalled with the “Constitution” project, and it appears that there is no new European integration project motivating a Union that already has a population of 500 million and includes 27 member states and has promised accession to the Balkans and Turkey.

Has France today acknowledged, according to Philippe Herzog's theory, that “a political Europe will be continental or will not exist at all?” Even if the dream for a “hard centre” seems to have been dispelled, the hesitant reaction in respect to enlargement still exists, as was shown by establishing an obligatory referendum for any new member, introduced by Jacques Chirac in 2004 to calm the fears of those against Turkish accession and to rally the French around the Constitutional project. The parliamentary majority today wants to keep an obligatory referendum for any country that would represent more than 5% of the EU's population, this being aimed at Turkey but also at Ukraine. Others, like Michel Rocard, have gotten over the hope for a political Europe, and for this reason are not at all hesitant in integrating Turkey, which however originates from a different civilisation (Islam), and will soon be the most populated country (after Russia) on the European continent in the widest sense. Remember as well, to close with a paradox, that it was General de Gaulle, opposed to the British ‘Trojan Horse,’ who accepted through the association agreement with Turkey (1963) the prospect that this country would one day join the Community.

Continued enlargement in the EU has one last consequence. It forces France to expand its horizons. Traditionally, France has been a Mediterranean power. Its Mediterranean appearance is more than just a warm destination for tourists and retirees, but it has become a connection, a bridge with North Africa from where several

million immigrants or descendants of immigrant come and settle in France (without mentioning the million “pieds noirs,” repatriated from Algeria). France defended the development of a Mediterranean policy with the “Barcelona Process,” launched in 1995. It constantly oversaw that during negotiations over the distribution of foreign aid, Mediterranean countries were well taken care of.

This Mediterranean response remains mentally anchored in the minds of leaders and more broadly speaking public opinion. This goes along with the feeling that enlargement to the East has not profited France as much as it has Germany. These impressions are partly unfair, since France has also been able to invest in and capture certain parts of the Eastern market, and if it is lagging behind in relation to German companies, it is no less so than in other emerging markets in South America or Asia. Nevertheless, President Sarkozy, in launching his Union for the Mediterranean, first conceived as a project distinct from the European Union and then finally redefined as an extension of the Union’s Mediterranean policy, intuitively took on a profound French aspiration to expand the horizon to the South, just as Germany and the new member states aim for Eastern enlargement. The French authorities are trying to present the Eastern and Southern policies as complementary and not in competition with each other, and the UM will be one of the chief projects of the French presidency – a symbolic fact, and one that conforms to Paris’ traditional foreign and European policy.

## A Social or Liberal Europe?

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Every country has its own history, traditions, fears, ambitions. England, along with the Netherlands and the US, is a liberal and business oriented country. Germany has been torn between a commercial tradition (Hanse) and a protectionist tradition (Prussia), but its recent history has been marked by the trauma brought on by monetary devaluations (the massive inflationary crisis of the 1920's, then the monetary reform of 1948), and its liberalism (moderated by social concerns that go back to at least Bismark) turned its back on the state socialism of the Nazi era. As for France, it has traditionally been a state controlled, Colbertistic, mercantilist, and protectionist country, despite a liberal tendency that has periodically popped up in its history (under Louis-Philippe and Napoleon III for example).

Even at the origin of the European project, the French authorities demonstrated their worries of confronting the common market and opening up. France took its time, and the most decisive turnaround was made in 1983 when François Mitterand's team definitively shelved the "socialism in one country" (Marcel Gauchet) in choosing economic realism, dictated by "external constraints," and from Europe. This turnaround still has consequences today, since it led to the arrival of the single currency, accompanied by a strict budgetary system to whose rules Paris is beholden to today.

Despite everything, the rallying to a "liberal" Europe was not carried out without a bit of "social" injected into Europe. Traditionally, it has been the leftist governments that have strived for a "social Europe," of which France's partners were not always in favour of. But beyond the social, there is the larger concept of solidarity, which in the French tradition should be a corollary to a political Europe, just as it is a corollary to the nation. For example, France has been promoting the Regional Policy since its birth in the 1970's and its extension was pushed by Commissioner Delors during the completion of the common market, in the name of the balance summed-up in the triptych: "competition that stimulates, cooperation that strengthens, and solidarity that unites." Governments and politicians from the right have also carried on this aspiration, for example Michel Barnier when he was the Commissioner responsible for Regional Policy (he was a defender of an ambitious policy to help all regions of the EU, against advocates of a narrow policy that concentrated only on the regions that were lagging behind the most), or the Raffarin government and their efforts to guarantee a directive to protect the services of general economic interests within the European Constitution.

It is possible to think that Nicolas Sarkozy, elected on a liberal platform, has turned his back on this French tradition. However the French president, without taking up the word “social Europe,” has salvaged a part of its contents: for example when he highlights the necessity of a “protective Europe;” when he pleads for a less strict interpretation of the rules limiting the public deficit and for an increased role of governments in the management of the euro and its exchange rate; when he asks for a reduction in taxes on oil products; when he praises sustainable development and food security; or when his government is opposed to large agricultural concessions in the framework of World Trade Organization (WTO) negotiations. Finally, there are old tendencies in France’s European policy that diverge from aspirations of other certain member states (such as Germany and the Netherlands, defenders of the European Central Bank’s independence, currency stability, and orthodoxy in the management of public accounts; or Scandinavian countries, which have their own way of reconciling social equality and economic efficiency).

## The Outlook for a Strong Europe

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Whether one takes General de Gaulle and his “united states” in an intergovernmental nature, or his successors rallied around a “political union,” French leaders during the 5<sup>th</sup> Republic have wanted to see in European construction a sort of counter-balance to American power, not necessarily leading to rivalry, but at least an equilibrium in Transatlantic relations. Despite resistance from traditional Gaullists and their “chevènementist-souverainist” counterparts to the left, Paris has come to support successive steps leading to the affirmation of a European foreign policy, first under the form of “European Political Cooperation,” at the start of the 1970’s, then through the CFSP beginning with the Treaty of Maastricht. Of course this was done without ever sacrificing the rights essential to national sovereignty.

The ESDP was also presented as a step towards “European power,” a Europe equipped with tools that it had lacked up until then: in addition to diplomacy, military power. Paris looked to profit from its return into the military structure of the Atlantic Alliance against a balancing of responsibilities between the Europeans and Americans, which came about through greater European defence autonomy, notably in its capability in operational planning. When, during the Iraqi crisis, Paris and Berlin dared to stand up to the American political front, the idea of more narrow cooperation on defence issues between only a few countries was brought up.

But these aspirations finally ended up joining the enlarged framework of the ESDP, with the measures from the European Constitution project today taken up in the Treaty of Lisbon (notably the creation of a collective defence clause, combined with the role played by the North Atlantic Treaty Organisation (NATO), and structured cooperation that will be created between those countries that are the most capable and the most eager in defence).

Did the French “no” to the Constitution mark the end of European might? It is possible given the liberated relationship Nicolas Sarkozy has with the USA and his demonstrated intention to return to the Alliance’s built-in military structure. But the situation is not so simple. The French president has made the ESDP one of the French presidency’s priorities and intends to reach these goals not only in terms of European military capabilities but also the structure of European planning. The president’s speech highlights concerns over

protection and independence: “It is impossible to imagine Europe as a political force, an economic force and one of the richest regions in the world without the capability to independently guarantee its security.”<sup>2</sup>

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<sup>2</sup> Statement by Nicolas Sarkozy, president of France, on French-Polish relations and European construction, Warsaw, May 28, 2008

## The EU Presidency: Is France Conforming?

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French policy-makers have been working to reassure their partners these last few months, to put into perspective the ambitions of the coming presidency, and to build a program that is both respectable and realistic. They have been helped along by the European agenda, which ensures that France will not have any one big issue to deal with under its presidency, as was the case with the “financial outlooks” under the British presidency (2005), or the Treaty following the Constitution under the German presidency (2007). Even the crisis created by the Irish “no” should take care of itself without much French investment: by proceeding with the ratification of the 26 and by finding, at the end of the process probably during 2009, a solution to the particular problem posed by Dublin. Thus, certain internal preparations for the coming into force of the Treaty of Lisbon should also be slowed down and kept for future presidencies to handle.

Apart from the Union for the Mediterranean, all other priorities for the French presidency are in fact a part of standard and on-going European developments.

- The development of a legislative package on fighting global climate change, based on the commitments made under the German presidency (decrease greenhouse gas emissions by 20%, increase the amount of renewable energies in EU energy consumption by 20%); this will allow the EU to take part in “post-Kyoto” negotiations in Copenhagen in 2009 from a strengthened position;
- The strengthening of all aspects of energy security in Europe (energy economies, diversification of energy sources and supplies, energy solidarity in the EU);
- An assessment of the state of the Common Agricultural Policy, in view of world food security;
- A European agreement on immigration, in order to protect the Schengen space from illegal migrations, to harmonise policies on asylum, and to define a common approach to co-development.

- And lastly, advances in the European Security and Defence Policy, which will be accompanied by an update of the European Security Strategy (the European doctrine in terms of the CFSP, which dates from 2003).

Out of some of these issues, one can clearly see French concerns at stake (for example defending the Common Agricultural Policy (CAP), or the importance of the ESDP) or concerns that are close to the heart of the current government (immigration). But in truth, all of these matters are global issues, in which European action focuses around the challenges brought on by globalisation (the shortage of energy or food products, climate change, migratory flows brought on by poverty, and of course international security). The French prime minister clearly recognizes this in affirming that, “Europe is all the more legitimate because it acts where its value is indisputable, that is to say where an action at the European level is immediately understood by the largest number of people.” The president stated this even more clearly in wanting a Europe that “protects Europeans, that protects the European model.”

France has certainly not lost its wariness and its staggered vision for Europe. It is possible that these impulses will reappear after the French presidency. There is in any case in the modesty shown by its leaders, in their concern over being of service to the “European general interest” and in highlighting the consuming challenges of globalization, an acknowledgment of reality. What must now be done is to convince the people, the French in particular, that their return on investment from sacrificing democratic sovereignty for European construction will come in the form of Europe’s ability to progress in a globalised world.