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**The Struggle to Control Meanings:
The French Media Debate on the European Constitution**

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Introduction¹

Prior to deciding on the most appropriate ratification procedure for France with regard to the *Treaty establishing a Constitution for Europe (TCE)*, to give it its full title, the French President, Jacques Chirac, had been under considerable pressure from a large number of actors from both the domestic political scene and civil society who urged him—for different reasons—to let the matter be decided by referendum.² After Tony Blair's official announcement in April 2004 that a referendum was going to be held in the UK, support for the same procedure in France became increasingly vociferous. In the end, in an address to the French people on 14 July 2004, Chirac announced that the French would also be consulted by referendum.

During the campaign that followed Chirac's decision, coverage of the constitutional process in the French media was intense, much more so, for example, than had been the case in the other six EU member states being dealt with in this publication. The debate was animated by the constant arguments in which party leaders and the president engaged regarding the precise meaning and implications of the European Constitution in general and certain provisions in particular. The French media analysed for this chapter mostly dealt with this rather limited group of actors who challenged different readings of the Constitution and deconstructed the arguments of the 'opposing side.' After the French had voted against the Constitutional Treaty in the referendum of 29 May, 2005, new disagreements arose. The debate promptly turned to the consequences of this rejection both for France and for Europe as a whole, with different sides proposing different ways out of the ratification crisis.

This paper seeks to identify the patterns and dynamics of French public debate on the issue, analysing the various claims about the meaning and implications of the Constitution and of ratification failure as depicted in and reflected by the mass media. After a brief explanation of the sampling method and the data used (Section 1), an analytical section

¹ An early draft of this article was presented at the workshop "*Constitutional Ratification Crisis: Exploring the European Public Sphere*", European University Institute, Fiesole, 19-20 May 2006. I am grateful to Regina Vetter, Ulrike Liebert and the members of the ConstEPS team for their invaluable comments, as well as to John-Erik Fossum, Hans-Jörg Trenz, and Paul Statham for their comments.

² In what follows, "European Constitution," "Constitutional Treaty", "Constitution" and "TCE" will be used interchangeably as synonyms for the Treaty.

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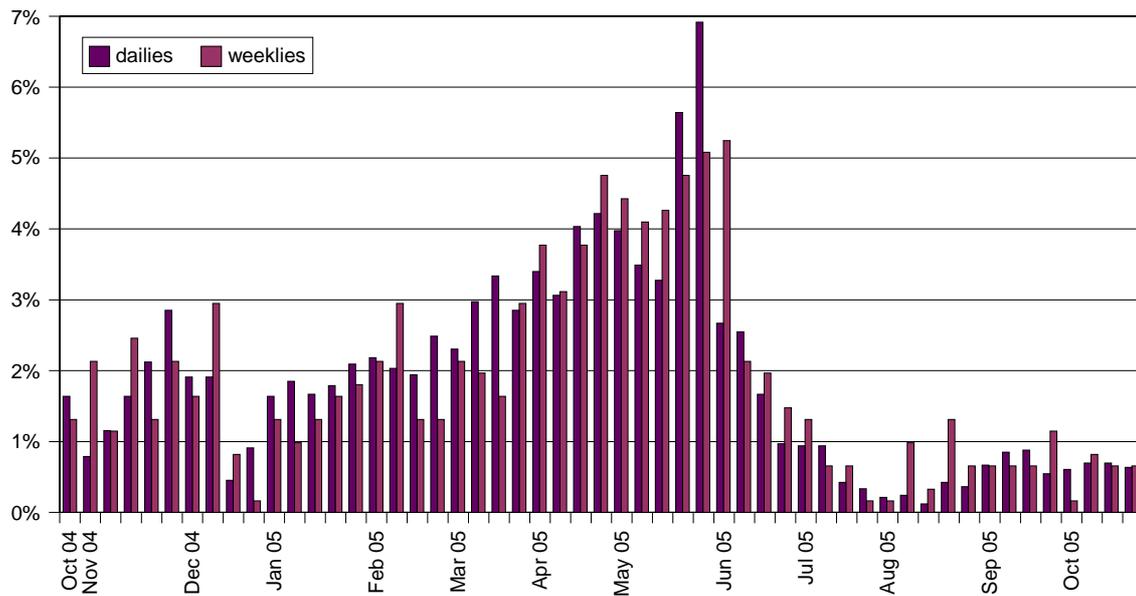
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identifies the key actors in the media, the constitutional topics that were discussed, the argumentative strategies employed, as well as the motivations behind and the justifications given for different assessments of and positions on the Constitution. The findings are examined against the backdrop of the major political cleavages and their respective visions of Europe and concomitant discursive strategies and practices which shaped the discussion. Drawing on these results, the paper concludes with an analysis of how the structure and content of the debate affected public opinion and how it may have been responsible, at least in part, for a French “No” despite a long period during which proponents of the Constitution still had a considerable majority.

I. Data

The empirical analysis presented in the following sections is based on a sample of French daily and weekly newspapers. In total a sample of 4,071 articles was used, or, in slightly different terms, around seventy articles per week on average—most of them from the two dailies (see Appendix 2). The aim of the selection of print media made was to represent the broad spectrum of opinion on the constitutional debate as covered by the French media. Special weight was given to the major quality newspapers—*Le Figaro* and *Le Monde*—representing the centre-right and centre-left of the debate, respectively. In addition, the most important weeklies in terms of circulation rates (*L'Express*, *Le Nouvel Observateur*, and *Le Point*) were also included (see Appendix 1). Next to the mass public print media, the debate at the extreme left of the political spectrum was also covered, taking the Communist newspaper *L'Humanité* as source material. Though the communist electorate was not decisive in determining the outcome of the referendum outcome, arguments from the extreme left cannot be considered irrelevant as they were echoed by constitutional opponents from the Socialist Party, who, in contrast, were highly influential during the campaign.

Fig. 1: Media Coverage of the Constitutional Debate in France by Week, October 2004 to October 2005



Note: Based on the dailies *Le Figaro* and *Le Monde* and the weeklies *L'Express*, *Le Nouvel Observateur* and *Le Point*; all articles included the search terms “constitution européenne” and/or “traité constitutionnel.”

During the period under review, discussion of the European Constitution was continuously present in the media, though the intensity of reporting and discussion fluctuated considerably.³ For the qualitative analysis, a sample of 26 articles was chosen from the total set of 4,071 articles to cover the different peaks of the debate as well as the most important topics and actors (see Appendix 3).

The articles were coded using the QDA software *ATLAS.ti*, and a coding scheme developed in the course of the *ConstEPS* project. This includes codes for actors, topics, argumentative strategies, justifications, and context issues. Each statement on a constitutional issue was coded according to these different dimensions.

II. Analysis

The following section sums up the results from the media discourse analysis, grouped according to the different elements or dimensions determining each statement: the authors or actors issuing the statements, the constitutional topics addressed, the different rhetorical strategies used, and the way actors justify their statements. In this latter part, we will also compare the context in which the constitutional discourse is embedded (Turkish accession, “ServicesDirective”, etc.).

³ The period in question is 26 October 2004 to 30 October 2005

II.1 Actors

Most of the actors who featured in the media were of French origin. While approximately 70% of statements on the European Constitution can be attributed to French actors, only 23% came from actors from other member states.

Tab. 1: *Origin of Actors*

Actor origin	Occurrence*		No of articles**	
	No	% of total	No	% of articles
French	380	71	25	96
other MS/sub-EU	123	23	13	50
European origin	34	6	13	50
International	2	0	2	8
Total	539	100	26	100

* no of times the origin was coded in the articles

** no of articles that include actors of the respective origin

However, when foreign actors were quoted, as much space was devoted to their arguments as was allocated to those of their French counterparts. On average, they provided as many justifications and were quoted directly more or less as often. Interestingly, as a group they were, by and large, in favour of the Constitution (54% of positive statements), while their French counterparts were more critical (only 42% of consent).

Analysis of the actors' functions and positions reveals that party and government actors are mentioned most frequently, followed by voters and EU institutional actors. Within the group of party actors, party leaders figure most prominently. National parliamentarians were rarely quoted, much less so than Members of the European Parliament (MEPs).

Tab. 2: *Types of Actor*

Actor Type	Occurrence*		No of articles**	
	No	% of total	No	% of articles
EU institutional actors	49	16	10	38
Governments/executives/party actors	165	54	24	92
Experts/intellectuals	6	2	3	12
Citizens/civil society	82	27	19	73
Media	1	0	1	4
Total	303	100	26	100

* no of times the actor type was coded

** no of articles that include a given actor type

Other actors worth mentioning are trade unions (7 occurrences) and experts (6). Whilst 17% of all statements are from citizens, civil society organisations are hardly quoted.

Our analysis suggests that the more diffuse a group is, the more rarely its members present a detailed argument, and the less likely there is to be a direct quote from the group, even though there are exceptions to this rule.⁴

Turning to the political orientation of actors (including electorates where specified), it is striking that almost half of the quoted actors were from the moderate left, most notably the French Socialist Party. This was due, in part, to the split within the Socialist Party over the European Constitution, which was an important issue covered by the media. The centre-right was considerably less prominent, by comparison. The extreme right and the extreme left contributed 11 and 6% to the total number of statements, respectively. Members of the Liberals and the Greens were hardly ever mentioned.

Tab. 3: Actors by Political Affiliation

Actor name	Occurrence*		No of articles**	
	No	% of total	No	% of articles
Extreme left	13	6	7	32
Left	101	47	17	77
Right	65	30	14	64
Extreme right	24	11	13	59
Liberals	6	3	4	18
Greens	5	2	3	14
Total	214	100	22	100

* no of times the origin was coded in the articles

** no of articles that include actors of a given origin

The seven most important individual actors were without exception French, either key members of government or of the political parties. Contrary to the findings of our analysis according to political affiliation, the single most prominent actors were from the conservative UMP. Only two Socialists were among the top 10. While the coverage of the governing party was concentrated on a limited number of actors representing the official party position, the coverage of the division among the Socialists over the European Constitution included a larger number of party actors.

⁴ In an article on the Dutch referendum, a number of Dutch voters were interviewed in detail, each explaining why they voted against the Constitution (Fig. 9).

Tab. 4: Top 10 Named Actors

Actor name	French Party	Position	Origin	Occurrence*		No. of articles**	
				Total	in % of total	no.	in % of articles
Chirac, Jacques	(UMP)	for	F	22	10	9	35
Sarkozy, Nicolas	UMP	for	F	18	8	6	23
Fabius, Laurent	PS	against	F	16	8	6	23
Villiers, Phillipe de	MPF	against	F	16	8	9	35
Hollande, Francois	PS	for	F	11	5	6	23
Le Pen, Jean-Marie	FN	against	F	10	5	6	23
Raffarin, Jean-Pierre	UMP	for	F	8	4	3	12
Zapatero, Jose Luis		for	E	8	4	3	12
Barroso, Jose Manuel		for	EU	7	3	4	15
Juncker, Jean-Claude		for	LUX/EU	6	3	1	4
Total				213	100	26	100

* no of times the actor was coded in the articles

** no of articles that include the respective actor

An analysis of the individual actors that were most often referred to in the media reveals that the debate was dominated by a relatively small number of specific individuals. The conservative French president Jacques Chirac and his prime minister at that time, Jean-Pierre Raffarin, were the two most visible governmental actors. They were both in favour of the Constitution. Next to the president and the prime minister, four leaders of major parties were in the top 10: Nicolas Sarkozy from the governing conservative *Union pour un Mouvement Populaire* (UMP), Philippe de Villiers from the sovereigntist *Mouvement pour la France* (MPF), François Hollande from the *Parti Socialiste* (PS), and Jean-Marie Le Pen from the nationalist *Front National* (FN).

There was only one actor of equal importance who was neither a government member nor the head of his party: Laurent Fabius, the number two of the Socialist Party who campaigned against the Constitution and thus aggravated the split within the party. Interestingly, he received more attention than the leader of the socialist party François Hollande. In all other parties, the most important actors toed the official party line in the constitutional debate.

Three international actors make up the remainder of the top 10. Two of them were the heads of government in those member states which held referenda during the period of analysis, namely Spain and Luxemburg. These events were deliberately included in the sample. The third was José Manuel Barroso, the President of the European Commission, who was quoted on diverse issues in a number of articles. However, his image in France suffered considerably because of his strong support for the Services Directive and its country-of-origin principle.⁵

Actors and their arguments were rarely presented in the media as a debate, but rather independently of one another, a notable exception being the discussion between Chirac and de Villiers on the Constitution and Turkish accession (see p. 9 below). Only interaction

⁵ See, e.g., “En France, Barroso fait l’unanimité contre lui,” *Le Figaro*, 23 March 2005

between supporters and opponents of the Constitution within the Socialist party became an important issue in its own right. In this context, Laurent Fabius was often suspected of using the referendum purely strategically because he was a potential Socialist Party candidate for the French presidential elections in 2007.

In sum, the actor analysis shows that French debate on the European Constitution centred on a small number of national politicians with limited inclusion of European actors or actors from other member states.

II.2 Constitutional Topics

When considering the most salient topics in the French debate on the European Constitution, one should bear in mind that the context and the contents of the debate changed over time. At certain junctures, general debate on the Constitution itself predominated, while at others, the Constitution was discussed mainly in direct relation to some specific issue of domestic or European relevance. Table 5 shows the development of the most salient issues over time.

Tab. 5: Key Events in the French Constitutional Debate

<i>Time</i>	<i>Key Event</i>	<i>Focus of the French Constitutional Debate</i>	<i>No. of Articles</i>
Oct 2004	Signing of the Constitutional Treaty in Rome	<ul style="list-style-type: none"> Broad discussion of the Constitution and its impact, including issues of fundamental rights, democracy, and French sovereignty Context debate on Turkish accession and the Constitution, e.g. fundamental rights and secularism 	228
Nov 2004	French Socialist Party internal referendum	<ul style="list-style-type: none"> Mostly debate within the Socialist Party and journalists' comments; issues: liberal vs. social Europe, public services, democracy, fundamental rights 	250
Dec 2004	European Council on Turkish accession	<ul style="list-style-type: none"> Turkish accession predominant 	286
Jan 2005	Chirac starts campaigning	<ul style="list-style-type: none"> General debate on various aspects of the Constitution Context issues: Turkish accession and services directive ("Bolkestein") 	282
Feb 2005	First wave of national protests (working time)/ Spanish referendum	<ul style="list-style-type: none"> Discussion of the implications of the Constitution on French social policy Timing of referendum Context issue: Services Directive 	321
Mar 2005	Second wave of national protests (wages in public sector)/ First survey with "No" majority	<ul style="list-style-type: none"> Discussion of social consequences of the Constitution continues Consequences of a French "No" Services Directive the predominant context issue 	471
Apr 2005	Intensive campaigning for the referendum within France	<ul style="list-style-type: none"> Broad debate on the Constitution, including all topics mentioned above 	615
May 2005	End of campaign/ referendum	<ul style="list-style-type: none"> Broad debate on the Constitution Central issue, even before the referendum: consequences of a French "No" for France and for Europe 	739
Jun 2005	Dutch referendum	<ul style="list-style-type: none"> Consequences of French (and Dutch) rejection 	480
Jul 2005	Luxembourgian referendum/ Brussels summit (budget)	<ul style="list-style-type: none"> Consequences of French (and Dutch) rejection Ways out of the ratification crisis 	116
Aug 2005	Vacation: almost no debate	<ul style="list-style-type: none"> Ways out of the ratification crisis 	59
Sep 2005	French party meetings	<ul style="list-style-type: none"> Ways out of the ratification crisis 	117
Oct 2005	Announcement of "Plan D"	<ul style="list-style-type: none"> Ways out of the ratification crisis 	107

Turning to the actual statements referring to constitutional topics, they can be largely clustered into three types: the Constitution in general, substantive issues within the Constitution, and questions of process.

Tab. 6: Types of Constitutional Topic

Topic types	Occurrence*		No of articles**	
	No	% of total	No	% of articles
Constitution as such	221	39	26	100
Substantive topics	101	18	18	69
Constitutional process	250	44	26	100
Total	572	100	26	100

* no of times the issue type was coded in the articles

** no of articles that include a certain issue type

Detailed analysis of the topics shows that it was not substantive issues that were at the heart of the debate, but rather general statements about the Constitution and the process, including a large number of statements on ratification campaigning and on referenda in France and other member states. The Constitutional Convention, on the other hand, was rarely mentioned as a topic, and some of the topics that were most salient during the Convention—like institutional reform or cultural policy—did not play a significant role during the constitutional debate.⁶

Due to the complexity of the European Constitution and the richness of the substantive issues it covers, its analysis by the newspapers was necessarily selective.⁷ Thus, in the qualitative sample analysed here, not even one fifth of the whole range of constitutional topics was covered.⁸ Among these, the Charter of Fundamental Rights and some of its provisions figure most prominently. Two other topics, services of general economic interest (or SGEIs) and the inclusion of a reference to the Christian heritage of Europe, gained particular prominence due to public debates on these issues that partly overlapped with the constitutional debate. The former was especially salient during the wave of protests against the thinning out of public services in the countryside, while the latter was regularly discussed in connection with Turkish accession.

⁶ See Schulz, Tobias: “France: The President takes all”, in: *Policy-Making Processes and the European Constitution: A Comparative Study of Member States and Accession Countries*, eds. Thomas König; Simon Hug, 2006

⁷ In order to supplement the information from the mass media, the French voters resorted to guides to the Constitution. By mid April 2005, more than half a million of these books had already been sold, five of the guides entering the top ten best-seller list of the time (“La Constitution sur le podium des best-sellers”, *Le Figaro*, 28 April 2005).

⁸ The coding scheme includes 213 constitutional topics that are based on the titles of the Constitution. Of these topics, only 37 were considered in the sample articles.

Tab. 7: Top 10 Substantive Constitutional Topics

Single topics	Occurrence*		No of articles**	
	No	% of total	No	% of articles
Charter of Fundamental Rights of the Union	17	17	8	31
Services of general economic interest	7	7	5	19
Revision procedures: ordinary, simplified	6	6	1	4
Christianity/Christian inheritance	5	5	4	15
Charter - Enforceability/legal status/legal standing	5	5	1	4
Charter - Solidarity	4	4	3	12
Qualified majority in EC/Council	4	4	2	8
Citizens' initiative	4	4	2	8
Competition rules	4	4	2	8
Charter - Freedoms	4	4	1	4
Total	101	100	26	100

* no of times the topic was coded in the articles

** no of articles that include a given topic code

The Charter of Fundamental Rights was often promoted by supporters of the TCE as its major achievement. Jacques Chirac emphasized the democratic advances it entails (*Le Figaro* 1), while constitutional opponents stressed certain presumed insufficiencies such as the leaving out of the right to abortion or of the principle of a secular state (*Le Monde* 7). Generally speaking, the rights enshrined under Title IV (“Solidarity”) of the charter are interpreted positively by supporters of a European Constitution but denounced as insufficient by its opponents.

Apart from this strong interest in the Charter, no single issue can be identified as particularly important. However, the importance attached to particular issues changed over time, each period of the debate having a different focus (see Table 1):

- During the early phase of the debate, questions of process were more important than questions of content. At first, coverage of the signing summit included information on procedures of ratification in the EU. Then, in November, the internal referendum in the Socialist Party became the major issue, accompanied by what were sometimes rather critical statements on the constitutional debate and the campaigning.
- At the time of the December 2004 European Council Meeting, Turkish accession was very much on the agenda. It was linked to the discussion of the proposed reference to Christianity in the preamble to the Constitution, most notably by Philippe de Villiers. In the early phase of the constitutional process, he claimed that requests to leave out the reference to Christianity were actually a veiled attempt to facilitate the smooth entry of Turkey into the EU (*Le Monde* 7). Jacques Chirac, one of the strongest advocates of Turkish accession to the EU despite domestic pressure, retorted: “Listen [...], the roots of Europe are as much Islamic as they are Christian” (*Le Monde* 3).
- In January and February 2005, the general debate on the Constitution slowly gained momentum. No single event can be identified as a trigger for the bulk of the debate at this point. The Spanish referendum was hardly covered.
- Somewhat more attention was devoted to the first wave of discussions about the Services or “Bolkestein” Directive, a Commission draft on the mobility of services in

Europe.⁹ In addition, the provisions concerning Services of General Economic Interest (SGEIs) became a hotly-debated topic at a time when France faced a period of social unrest, partly due to a thinning out of public services in the countryside and culminating in mass protests in mid March 2005. Early on, Jacques Chirac stressed that the Constitution underlined the “irreplaceable character of public services” (*Le Figaro* 1). Jean-Pierre Raffarin, in a similar vein, argued that “for the first time, a treaty of the Union confirms the fundamental nature of the role of public services” (*Le Figaro* 7). These arguments did not convince constitutional opponents, predominantly but not exclusively on the left. The latter stressed that the term “public services” was not even included in the Constitution and that all state aid had to adhere to the EU’s rules on competition. By that time, the Bolkestein Directive had become a symbol of the ‘ultra-liberal character’ of the EU and its ‘undermining’ of French social policy. For José Bové, leader of a French agricultural syndicate, “it [the Constitutional Treaty] is inspired by the same ideology underlying the famous General Agreement on Trade in Services (GATS), cornerstone of the dismantling of public services in Europe” (*Le Monde* 1).

- As the date of the referendum came closer, debate once again became more general, peaking in the week before the referendum.¹⁰ Afterwards, the French rejection was of course the major issue, as well as ways out of the constitutional crisis.

II.3 Argumentative Strategies

Much is also revealed by the way in which the various actors presented their arguments. Definitive and designative statements on the Constitution are almost exclusively linked to the authors of articles. However, most of the statements by both actors represented in the articles and by the authors themselves *qua* actors are evaluative or advocative. All the actors presented have a clear position with regard to the Constitution, none of them changing sides during the period of analysis.

In terms of either evaluative or advocative statements, there were slightly more negative statements than positive ones. A closer look at these statements according to topic reveals that although supporters and opponents took issue with the arguments of the other group (in other words, no important issue was mentioned exclusively by one side or the other), some topics were evaluated positively more often than others.

⁹ See II.4

¹⁰ *Le Figaro* and *Le Monde* totalled 228 articles in this week, an average of 19 per newspaper per day.

Tab. 8: Argumentative Strategies

Statement categories	Occurrence*		No of articles**	
	No	% of total	No	% of articles
Definitive	7	1	6	23
Designative	55	10	23	88
Evaluative	265	48	26	100
<i>positive</i>	81	15	21	81
<i>negative</i>	122	22	25	96
<i>important/influential</i>	22	4	12	46
<i>unimportant/uninfluential</i>	3	1	3	12
<i>easy</i>	10	2	6	23
<i>difficult</i>	16	3	10	38
<i>neutral/undecided/ambivalent</i>	10	2	6	23
Advocative	226	41	26	100
<i>for</i>	117	21	25	96
<i>against</i>	109	20	21	81
Total	553	100	26	100
Positive/for	198	36	26	100
Negative/against	231	42	26	100

* no of times the argumentative strategy was coded in the articles

** no of articles that include the respective argumentative strategy

Supporters consistently used positive statements with regard to the Constitution itself and its substantive topics, but they were sometimes critical about parts of the constitutional process. Jacques Chirac, for example, who always argued in favour of the Constitution, evaluated the campaign negatively. He is supposed to have said to a friend: “The French really are fools. They don’t understand anything about it! We have to educate them.” (*Le Figaro* 3).

Laurent Fabius, on the other hand, turned every argument against the Constitution. For example, even though favouring enhanced cooperation and a stronger Europe, he believed that the Constitution had to be changed to make such cooperation easier (*Le Figaro* 2). José Bové argued that the citizen’s initiative was a mere ‘invitation’ to the Commission to submit a proposal, concluding that “the citizens still don’t have any power” (*Le Monde* 1).

The polarized nature of the conflict shows that what was at issue was not a factual discussion of the Constitution and its different articles. Much rather, the debates provided the occasion to influence public opinion in one direction or the other by exploiting the complexity of the Constitution and its remaining ambiguities. In addition to our aforementioned examples, namely the reference to a European Christian heritage or the provisions on SGEIs, a number of other issues were contested.

This struggle is most clearly represented in an article published the day before the referendum (*Le Monde* 7). The introduction consisted of a positive and negative statement by a supporter and opponent of the Constitution respectively on each of six major issues. The six controversial questions identified were:

- Will fundamental rights be better guaranteed by the Constitution?
- Is the Constitution liberal?

- Will Europe be more or less social?
- Will the Union be more democratic?
- Will Turkish accession be simplified?
- Can the Treaty be revised?

Needless to say, given the controversial frames of reference by which public debate was structured, neither the media nor the public were capable of reaching a general consensus on any one, let alone all of these issues.

Even though in total, there were more negative than positive statements on the Constitution (see Table 8), the functioning of the Union as well as the Charter of Fundamental Rights were most often supported. Many argued that with the Charter, the TCE reflects the founding principles of the French political system: “the Constitution enshrines the French model. Not to approve it would mean to deny our ideals.” (*Express* 2)

The part of the TCE on the Union’s policies fares worst getting twice as many negative statements as positive ones. This evidence seems to support the argument that a shortened Constitution that did not include the third part would have been much less controversial in France.

Tab. 9: Contentious Constitutional Topics: Positive and Negative Statements by Constitutional Topics

Constitutional topics	Positive evaluations/ statements for		Negative evaluations/ statements against	
	no. of statements	positive in %	no. of statements	negative in %
Constitution as such	90	43	119	57
Preamble/Part I	15	54	13	46
<i>Christian inheritance</i>	1	20	4	80
Charter of fundamental rights	19	63	11	37
<i>Charter of fundamental rights as such</i>	10	67	5	33
Policies of the Union (Part III-1)	9	35	17	65
<i>Services of general econ. interest</i>	5	71	2	29
Functioning of the Union (III-2, IV, protocols)	6	75	2	25
<i>Revision procedure</i>	4	67	2	33
Constitutional process	67	46	79	54
<i>Constitutional debate</i>	7	58	5	42
<i>Ratification campaign</i>	12	31	27	69
<i>French referendum</i>	7	47	8	53
<i>Spanish referendum</i>	6	46	7	54
<i>French rejection</i>	5	26	14	74

In terms of the constitutional process, it is striking that most statements supported the general principle or idea that having a debate on the Constitution provides a sufficient or suitable basis for voters to make their decision. However, for many of the actors, the actual debate in France and the ratification campaigning did not live up to their expectations.

Both camps accused each other of confusing the voters' minds and blurring issues. After the referendum, negative evaluations of the French rejection of the European Constitution had a clear majority.

The only issue arising out of the ratification crisis that received attention in the French media was the renegotiation and redrafting of the Constitution, proposed by some and contested by others.

II.4 Motivations and Justifications

One of the most striking features of the French debate is the pro-European consensus that spans the entire spectrum from the extreme left to the centre-right. Only the sovereignists and the extreme right were against further European integration, fearing the loss of both national sovereignty and international influence.

Tab. 10: Categories of Justification

Justification categories	Occurrence*		No of articles**	
	No	% of total	No	% of articles
Interests	145	37	22	85
<i>European common interests</i>	51	13	17	65
<i>Member state interests</i>	58	15	19	73
<i>Sectoral interests</i>	13	3	11	42
<i>Actors' strategic interests</i>	20	5	11	42
<i>Constitution as elite product</i>	3	1	3	12
Ideas	107	27	21	81
<i>European history</i>	14	4	7	27
<i>European identity</i>	8	2	5	19
<i>Other collective identities</i>	19	5	8	31
<i>Visions of Europe</i>	64	16	15	58
Democracy	101	26	20	77
Political ideologies	38	10	8	31
Total	391	100	26	100
National/domestic (incl. other MS)	97	25	20	77
European	137	35	23	88
Transnational	157	40	22	85

* no of times the justification was coded in the articles

** no of articles that include the respective justification category

The motives and justifications used in the debate are very diverse: interests, ideas and identities as well as democratic values all figure prominently. Three categories of arguments—actors' strategic interests, sectoral interests, and political ideologies—are mostly attributed to other actors than the speaker and are therefore less common than the other categories. Interestingly, though French politicians were by far the most prominent in the media, the predominant pattern of justification is either explicitly European or alludes

to transnational or universal values. In other words, many French political leaders claimed to be arguing and acting in the interest of Europe rather than national interests.¹¹

Altogether, the most commonly used justifications are economic and social interests, both for member states and for the whole of Europe in general. For Jacques Chirac, the Constitution asserts that “social progress is inseparable from economic progress” (*Le Figaro* 1). The European Socialist Party takes up this claim, arguing that with the Constitution, a “socially just” and “economically competitive” Europe could be constructed (*Le Figaro* 2). Constitutional opponents on the left, on the contrary, feared that the Constitution would not protect Europe from “widespread fiscal and social dumping” (Jean-Luc Mélenchon in *Le Monde* 7). José Bové argued that the Constitutional Treaty “will worship the European politics induced by a liberal vision of Europe” (*Le Monde* 1).

With regard to national political interests and national sovereignty, there was a principled disagreement between supporters on the right and the opponents on the left. Jean-Pierre Raffarin pointed out that the new voting procedures in the Council would give France more weight than the Nice treaty (*Le Figaro* 7), and Nicolas Sarkozy solemnly asserted that France should be “in Europe’s first place, not its last” (*Le Figaro* 13). On the other hand, a common argument of the left was that the Constitution would “set in stone” a certain economic and social model and would thus no longer allow member states to pursue their own policies. As Marie-Georges Buffet, leader of the French Communist Party, put it: “the Constitutional Convention is a concentrate of all the devastating measures adopted by this [i.e., the French Conservative, S.M.] government, combined with a prison sentence of decades.”

Tab. 11: Top 10 Justifications

Justification	Occurrence*		No of articles**	
	No	% of total	No	% of articles
E.03. Democracy	29	7	10	38
E.02.04.01. National	19	5	8	31
E.01.02.04. political	18	5	10	38
E.04.12. liberalism	15	4	4	15
E.01.01. European common interests	14	4	8	31
E.01.04. Actors' strategic interests	13	3	10	38
E.02.05.14. Social Europe	13	3	8	31
E.03.10. Creation of public information/debate	12	3	8	31
E.01.01.06. social	11	3	5	19
E.01.02.01. economic	11	3	6	23
E.01.02. Member state interests	10	3	9	35
Total	391	100	26	100

* no of times the justification was coded in the articles

** no of articles that include the respective justification

¹¹ See Mergier, Alain: “Pourquoi le ‘non’ était possible”, in: *Le jour où la France a dit non. Comprendre le referendum du 29 mai 2005*, ed. Gilles Finchelstein, 2006, pp. 16-7

Analysis of the different visions of Europe referred to in the actors' statements is very revealing: there is agreement among a large majority of the French that more integration, leading towards a politically and socially strong Europe, is desirable.

This consensus in favour of a political Europe is well summarized by Nicolas Sarkozy's rhetorical question: "How can you refuse to vote for a political Europe [...]?" Jean-Pierre Raffarin stressed that he would not promote a Europe without a social dimension (*Le Figaro* 7). Jacques Chirac and constitutional supporters on the left agreed that the Constitution is the best available protection against ultra-liberalism (*Le Monde* 7).

But this vision of a political and social Europe is also shared by constitutional opponents on the left. Laurent Fabius argued that renegotiation of the Treaty would be necessary to make it more social and less liberal (*Nouvel Observateur* 2). Henri Emmanuelli, already an opponent of the Constitution when Fabius had not yet made any public statement, proposed a large-scale European anti-unemployment plan that presupposed a level of integration not yet reached under the current treaties (*Le Monde* 8).

This consensus goes hand in hand with a common rejection of a vision of Europe as nothing more than a common market: this is either presented as outdated or set up as the undesirable vision of Europe worth fighting against. However, then again, there is disagreement about whether the Constitution upholds this model of Europe or whether it goes beyond the common market to found a stronger Europe more in line with the "French vision."¹²

In this context, the Bolkestein Directive with its country-of-origin principle was crucial as a symbol of the primacy of economic goals and the concomitant neglect of French social concerns. In the infamous image of the Polish plumber, evoked by the French media and taken up by Frits Bolkestein himself, fear of unemployment and simple xenophobia were effectively combined.¹³ These were attitudes to which Philippe de Villiers regularly appealed in his campaign against the Constitution.¹⁴ But the same argument also had an impact on the left, to the extent that many saw it as a confirmation of nationalist tendencies among the French socialist electorate.¹⁵ In this context, neither the Polish political elite nor Polish civil society could voice their opinion in the French media. The Polish media, for their part, however, scrutinized these French assertions very critically.¹⁶

¹² See Perrineau, Pascal: "Le référendum français du 29 mai 2005: l'irrésistible nationalisation d'un vote européen", in: *Le vote européen 2004-2005: De l'élargissement au référendum français*, ed. Pascal Perrineau, 2005, pp. 232-3

¹³ Compare Cambadélis, Jean-Christophe: "Pourquoi le 'non' a été irrésistible", in: *Le jour où la France a dit non. Comprendre le référendum du 29 mai 2005*, op. cit. Interestingly, neither the Polish nor the British debate and their contrasting views on the European Constitution and the Services Directive were covered in the French media.

¹⁴ See http://fr.wikipedia.org/wiki/Plombier_polonais

¹⁵ See Dominique Reynié: *Le vertige social-nationaliste: La gauche du Non et le référendum de 2005*, 2005

¹⁶ Aleksandra Wyrozumska: "Who wants to die for the Constitution? A national debate on the constitutional treaty in Poland," ConstEPS Working Paper, 2006

The vision of a stronger, political Europe was only contested by the sovereignists and the extreme right, represented by Philippe de Villiers and Jean-Marie Le Pen respectively. They both argued that the Constitution would be a serious impediment to French sovereignty.

Finally, in order to understand the French debate and the French rejection fully, it is also useful to look at the contexts in which the Constitution has been discussed, with some actors deliberately creating such links. This was most obviously so in the case of Philippe de Villiers, who claimed that ratifying the Constitution would open the door for Turkish accession, even when the French constitution had already been changed to make a referendum on future accessions mandatory. This change had been initiated by Jacques Chirac who intended to keep the two debates separate—with mitigated success.

Many commentators suspected Chirac and other potential candidates for the French presidential election to use the referendum strategically. Laurent Fabius was said to be speculating his reputation would gain from a French ‘No’ and make him “the only big candidate of the left for the future presidential election” (*Nouvel Obs* 1).

Another important context issue was the aforementioned Services Directive. Although it is not part of the Constitution, the debate surrounding the country-of-origin principle has been interpreted as a general indication of the liberal stance of the EU institutions: “the Bolkestein proposition gives an example of what will be the implementation of their constitution” (*L’Humanité* 1). Jacques Chirac, conscious of the danger the Directive presented to the referendum, rejected it as “unacceptable” and called for its “complete redrafting” (*Le Monde* 5). Once again, there was broad consensus on the undesirability of the Directive, but a great deal of discussion on whether or not it was in line with or even enshrined in the Constitution.

III. Synthesis

By integrating the dimensions of the above media discourse analysis (actors, justifications, etc.) for the quotes analysed, a number of different discourses can be identified. The most important ones are presented in subsection III.1 below where the results of section II are synthesised. In sub-section III.2, we will explore the degree of Europeanisation of the French debate, inferring from the different analytical dimensions.

III.1 Constitutional Discourses in the French Debate

As the above findings show, among the supporters and opponents of the European Constitution in France, two different kinds of cleavage can be identified. First, there were the ‘usual suspects’: the Eurosceptics on the one hand and the pro-Europeans on the other. However, only the extreme right and the sovereignists are outspoken Eurosceptics and rejected the Constitution because it was perceived as a step towards further integration. Their discourse therefore centred on arguments of national sovereignty and identity. The French sovereignist MEP Jean Marie Coûteaux, for example, reacted to the European

Parliament's decision to support the Constitution by saying that "it's a scandal that [the EP] interferes like this in national affairs!"

This line of reasoning is hardly surprising and is common to right-wing parties in other EU member states. However, as polls have shown, this group of voters was only a rather small minority, and this standard European polarisation was not decisive in the referendum.

A large majority of the French elite and the French population spanning from the extreme left to the centre-right, subscribed to a vision of a more political and more social Europe, a vision that is in stark contrast with the liberal common-market vision of Europe. There was thus a cleavage between visions of Europe, though the liberal vision was almost exclusively attributed to foreign actors or some unspecified other group. For the majority of the French, and especially for voters for the Socialist Party who eventually voted against the Constitution, the question was whether the Constitution lived up to this vision of Europe.

The discussion centering on the idea of a social Europe illustrates very well the dominant structure of the French discourse as a whole. Two opposing discourse strands can be identified: for supporters, the Charter of Fundamental Rights was a major achievement because it also included social rights under the heading of 'Solidarity.' They also repeatedly argued that the text was supported by the vast majority of European trade unions. Opponents of the Constitution, on the contrary, concentrated on its third part (the policies and functioning of the Union), pointing out how often "competition" is mentioned in comparison to "social," stressing the limited legal importance of the Charter, and, last but not least, depicting the Services Directive as an example of how the EU ranks competition above social goals. In the end, the spectre of an 'ultraliberal' Europe 'à la Bolkestein' repelled many voters on the left.¹⁷

Interestingly, the idea that Europe's future lies in a closer social and political integration of its member states was only questioned by the far right, though this idea is far from being majoritarian in a number of other member states.¹⁸ In this respect, the French constitutional debate suffered from its self-centeredness and its lack of openness with regard to actors and arguments from other member states. The idea of the Constitution as a compromise between conflicting visions of Europe was hardly ever mentioned.¹⁹

¹⁷ In March 2005, public opinion surveys for the first time showed a "No" majority and attributed this in part to the debate on the Services Directive, which peaked at that time (see Section II.2). The change was most radical among the left-wing electorate: within two weeks, support for the Constitution dropped from 54% to 45. But also on the right, support weakened from 72 to 67% (Ipsos: "Référendum sur la constitution européenne: l'expression d'une angoisse," 20.3.2005; CSA: "Le baromètre d'intentions de vote au référendum sur la constitution européenne (8ème vague)," 17.3.2005)

¹⁸ See, for instance, Kathrin Packham: "From the Contentious Constitution to the Awkward Other ... Social Model. The Constitutional Debate in the British Print Media," ConstEPS Working Paper, 2006

¹⁹ Unlike France, the issue of compromise was regularly stressed in the Estonian media (see Tatjana Evas: "[The] Estonian constitutional debate—Nordic with a Russian twist").

III.2 Patterns of Europeanisation

In order to assess the degree of Europeanisation of the debate, a number of indicators can be used along the different dimensions of the analysis.

The most commonly studied indicator is the presence of EU-level actors or actors from other member states. Over the whole period, French political leaders dominated the debate, with occasional but rare appearances by actors from outside France. Their part in the debate was appreciable only when genuinely European events (for example, the summits) or events in other member states (such as ratifications) were in the news. Even when reporting on referenda in other member states, the media, with few exceptions, focused on assessments by political leaders rather than on the opinions of the voters.

Turning to argumentation and justification patterns, the segmented character of the French debate needs to be further qualified. The Constitution was often put into a European perspective via context issues, i.e. issues that were connected to the Constitution but not part of it. The most important ones were Turkish accession, the Services Directive, and the Maastricht referendum. The most prominent national context issue—previous and forthcoming presidential elections—only came fourth in order of importance.²⁰

Our analysis of justifications yields a similar picture: justifications with a European scope—such as allusions to European common interest, different visions of Europe as a whole, or Europe’s common history—were much more common than justifications with purely national scope. Even more popular, however, was the strategy of appealing to universal values such as human rights or democracy.

Conclusion

The complexity of the Constitution and the large range of issues it contains made it particularly susceptible to selective and biased discussion in the mass media. The major political leaders—almost exclusively French party or government actors—were engaged in a discursive struggle to influence the debate. This struggle did not only take the form of positive or negative evaluations, but also involved attempts to foreground those issues that would best support the respective politicians’ positions.

It could be argued that opponents of the European Constitution were more successful in influencing the general debate: Turkish accession, the Bolkestein debate, the discussion of public services—all issues which shed a bad light on the Constitution. Once they were firmly on the discursive agenda, supporters of the Constitution were forced into a defensive position, especially the French president who constantly tried to react to new allegations

²⁰ Despite this low relevance of national context issues in the media, some authors argue that the referendum was first and foremost a sanctioning of President Chirac and the French government (e.g. Perrineau, Pascal: “Le référendum français du 29 mai 2005: l’irrésistible nationalisation d’un vote européen”, op. cit.).

and redirect the debate to focus on substantive constitutional issues.²¹ He used many of the means at his disposal at the level of national politics (for instance, changing the French constitution to silence the Turkish accession debate) and at a European level (forming a coalition of heads of state against the Bolkestein Directive). Whilst Turkish accession was not a decisive issue for those who actually voted “No” (at least not for those on the left), the Bolkestein Directive seems to have had considerable impact, casting the Constitution as a means of perpetuating the liberal-economic image of European integration, something which was a major drawback especially in times of high unemployment and social unrest.²²

In the end, the French did not approve the TCE because many perceived it not as a step in the direction of a political and social Europe, but rather as an attempt by the political elite to install permanently a liberal, common-market European Union. Thus, seemingly paradoxically, a pro-European majority has called a halt to the European integration process.²³

²¹ see Mergier, Alain: “Pourquoi le ‘non’ était possible”, op. cit., p.22

²² This is confirmed by surveys conducted during the actual poll that asked voters about their principal reasons for their rejection of the Constitution. General dissatisfaction with the economic and social situation in France as well as the liberal stance of the Constitution were the two most important reasons for the electorate as a whole as well as for the voters of the Socialist Party (Ipsos: “Référendum 29 Mai 2005: Le sondage sorti des urnes,” 30.5.2005).

²³ compare Mergier, Alain: “Pourquoi le ‘non’ était possible”, op. cit.

Appendix

Appendix 1: Description of the Analysed Media

Type of media	Name of newspaper		Political orientation	Ownership	Circulation rate 2004	Source/ search engine	No. of articles	
	French	English					total	selected for analysis
Dailies	Le Figaro	The Figaro	centre right	Socpresse	440,000	Factiva	2254	10
	Le Monde	The World	centre left	Le Monde SA	510,000	Factiva	1616	10
Weeklies	L'Express	The Express		Groupe Express Expansion	650,000	Factiva	220	2
	Le Nouvel Observateur	The New Observer		Le Nouvel Observateur SA	660,000	Factiva	211	2
	Le Point	The Point		Pinault-Printemps	470,000	Factiva	182	1
Sectoral public	L'Humanité	The Humanity	communist	L'Humanité/Communist Party	70,000	humanite.fr	4380	1

Appendix 2: Selected Articles by Print Media and Month

Month	L'Express			Le Figaro			Le Point			Le Monde			Le Nouvel Observateur			All newspapers		
	Articles	Per Cent	Selected	Articles	Per Cent	Selected	Articles	Per Cent	Selected	Articles	Per Cent	Selected	Articles	Per Cent	Selected	Articles	Per Cent	Selected
04 10	4	1.9		128	6.3	1	2	1.1		92	6.4		2	0.9		228	5.6	1
04 11	20	9.3	1	110	5.4	1	11	6.1		94	6.5	1	15	7.1	1	250	6.1	4
04 12	10	4.6		157	7.7	1	15	8.3		86	6.0	1	18	8.5		286	7.0	2
05 01	16	7.4		159	7.8	1	12	6.6		87	6.1	1	8	3.8		282	6.9	2
05 02	16	7.4		175	8.6	1	15	8.3		98	6.8	1	17	8.1		321	7.9	2
05 03	13	6.0		254	12.5	1	25	13.8		158	11.0	1	21	10.0		471	11.6	3
05 04	35	16.2		304	15.0	1	25	13.8	1	217	15.1	1	34	16.1		615	15.1	3
05 05	57	26.4	1	382	18.8	1	24	13.3		242	16.9	2	34	16.1		739	18.2	4
05 06	24	11.1		207	10.2	1	24	13.3		184	12.8	2	41	19.4	1	480	11.8	4
05 07	4	1.9		48	2.4	1	7	3.9		51	3.6		6	2.8		116	2.8	1
05 08	6	2.8		21	1.0		8	4.4		20	1.4		4	1.9		59	1.4	0
05 09	5	2.3		39	1.9		9	5.0		57	4.0		7	3.3		117	2.9	0
05 10	6	2.8		43	2.1		4	2.2		50	3.5		4	1.9		107	2.6	0
Total	216		2	2027		10	181		1	1436		10	211		2	4071		26

* Total for March 2005 including sample article from *L'Humanité*

Appendix 3: List of Articles Included in the Qualitative Sample

Reference	Date	Title of Article (English)	Title of Article (French)	Author
<i>Le Figaro</i> 1	Oct 24 th	Constitution signed in Rome against background of crisis	La Constitution signée à Rome sur fond de crise	<i>Alexandrine Bouilhet</i> , journalist
<i>L'Express</i> 1	Nov 1 st	Left - Socialist Party: Maastricht II	Gauche - PS: Maastricht, bis	<i>Aude Rossignaux</i> , journalist
<i>Nouvel Obs</i> 1	Nov 25 th	The 120,000 of December 1 st	Les 120 000 du 1er décembre	<i>Daniel Jean</i> , journalist
<i>Le Figaro</i> 2	Nov 27 th	Holland gets Zapatero's support	Hollande reçoit le soutien de Zapatero	<i>Nicolas Barotte</i> , journalist
<i>Le Monde</i> 1	Nov 28 th	It's a No! for me	Pour moi, c'est "non"	<i>José Bové</i> , leader of an antiglobalist agricultural organisation
<i>Le Monde</i> 2	Dec 14 th	Mr. Le Pen wants the Front National put on a state of general alert	M. Le Pen veut mettre le FN en état d'"alerte générale"	<i>Elie Barth</i> , journalist
<i>Le Figaro</i> 3	Dec 16 th	Isolated in his camp, the President confirms his choice	Isolé dans son camp, le président assume son choix	<i>Anne Fulda</i> , journalist
<i>Le Figaro</i> 4	Jan 3 rd	The big European shaker	Le grand shaker européen	<i>Baudouin Bollaert</i> , journalist
<i>Le Monde</i> 3	Jan 13 th	MEPs call for unconditional support for the Constitution	Les eurodéputés appellent à soutenir sans réserve la Constitution	<i>Rafaële Rivais</i> , journalist
<i>Le Figaro</i> 5	Feb 21 st	Europe in Spanish time	L'Europe à l'heure espagnole	<i>Alain-Gérard Slama</i> , journalist
<i>Le Monde</i> 4	Feb 22 nd	Spanish voters say "yes" to the European Constitution	En Espagne, les électeurs disent "oui" à la Constitution européenne	<i>Martine Silber</i> , journalist
<i>Le Monde</i> 5	Mar 17 th	A shock directive	Une directive choc	<i>n.n.</i> , journalist
<i>Le Figaro</i> 6	Mar 18 th	Sarkozy "not worried" by first survey showing "No" majority	Le premier sondage favorable au non « n'inquiète pas » Sarkozy	<i>Judith Waintraub</i> , journalist
<i>L'Humanité</i> 1	Mar 19 th	In Brussels, Bolkestein's not at the party	À Bruxelles, Bolkestein n'est pas à la fête	<i>Jean-Paul Piérot</i> , journalist
<i>Le Figaro</i> 7	Apr 6 th	Referendum: passionless debate in the Assembly	Référendum : débat sans passion à l'Assemblée	<i>Guillaume Perrault</i> , journalist
<i>Le Point</i> 1	Apr 14 th	This "No" with which everyone's obsessed	Ce « non » qui obsède	<i>Carl Meeus</i> , journalist
<i>Le Monde</i> 6	Apr 29 th	All Europeans	Tous Européens	<i>J.-M. C.</i> , journalist
<i>L'Express</i> 2	May 9 th	France's horizon is Europe	L'Europe est l'horizon de la France	<i>Henri Lachmann</i> , journalist
<i>Le Monde</i> 7	May 28 th	The six key issues of the campaign	Les six thèmes-clés de la campagne	<i>Jean-Louis Andreani</i> and <i>Thomas Ferenczi</i> , journalists
<i>Le Figaro</i> 8	May 30 th	The main reactions	Les principales réactions	<i>Rodolphe Geisler</i> , journalist
<i>Le Monde</i> 8	May 31 st	Impass	L'impasse	<i>J.-M. C.</i> , journalist
<i>Nouvel Obs</i> 2	Jun 2 nd	Injured Europe	L'Europe blessée	<i>Daniel Jean</i> , journalist
<i>Le Figaro</i> 9:	Jun 2 nd	The Dutch reject the European Treaty	Les Néerlandais rejettent le traité européen	<i>Francois Hauter</i> , journalist

Reference	Date	Title of Article (English)	Title of Article (French)	Author
<i>Le Monde</i> 9	Jun 17 th	The twenty-five try to limit the consequences of the European crisis	Les Vingt-Cinq tentent de limiter les conséquences de la crise européenne	<i>Thomas Ferenczi, Arnaud Leparmentier and Philippe Ricard</i> , journalists
<i>Le Figaro</i> 10	Jul 1 st	Tony Blair in command of Europe	Tony Blair aux commandes de l'Europe	<i>n.n.</i> , journalist
<i>Le Monde</i> 10	Jul 12 th	The Luxemburgers say "Yes" in the referendum on the European Constitution	Les Luxembourgeois disent oui au référendum sur la Constitution européenne	<i>Jean-Pierre Stroobants</i> , journalist