



If the French vote no...the British will decide

by **Johannes Jarlebring***

A negative vote in the French referendum would not result in an immediate search for a “plan B”. Rather, most Member States would go on as planned with their ratifications, while a few key parties would act strategically in order to maximise their benefits. Arguably, the crucial choices for the future of the EU would, one way or the other, be made in the UK. Only after the UK’s choices, and depending on their content, parties wanting to move forward with European integration could be in a position to gather support for an alternative plan.

There are strong reasons to believe that most Member States would go on as planned with the ratification of the constitutional treaty if the French were to say no. First, the initial reactions of Heads of State or Government would be to avoid bringing the problem to the European level. As ratifications are politically and legally national processes, it is first and foremost the duty of the French to solve the situation, just as the Irish did in 2002. Second, to grant France substantial changes in the constitutional treaty would risk reopening the negotiations between all 25 Member States and set a dangerous precedent for future treaty changes. Third, there is already some agreement on how to proceed in case of negative votes. According to a common declaration, the European Council will discuss the matter if, two years after the signing of the treaty, 4/5 of the Member States have fulfilled the ratification process while one or more Member States have encountered difficulties.

Given these convincing arguments in favour of a “business as usual” approach, nothing decisive is likely to happen in the immediate

aftermath of a French no. Ratifications would probably go on more or less as foreseen in the different Member States, from the Netherlands to Poland. No doubt, the corridors in Brussels would be buzzing with rumours, and there would be informal discussions between the Member States, including, of course, at the highest level. But day-to-day decision-making would in principle go on as usual, although perhaps at a slower pace. Everyone would be waiting for a message from London.

In practice, it would be for the UK to call the shots. For a recently re-elected Tony Blair (or his successor), carrying through with the planned vote at the end of spring next year would mean playing a high-risk game. On the one hand, a positive vote in the UK would constitute Mr Blair's greatest victory. He would not only become the man who brought the UK into Europe, he would also pass the title of being "Europe's bad kid" on to France and kill any ideas about substantial renegotiation of the constitutional treaty. He would be in a position to say: "either the French says yes, or we keep Nice" (i.e. "Take it or leave it").

On the other hand, a negative outcome in a British referendum could prove disastrous for the UK. In a worst-case scenario, France, supported by Germany, would demand renegotiation of the constitutional treaty, including favourite topics such as taxes. In a somewhat more positive (and more likely) scenario, France would only demand what it sees as key points in the constitutional treaty, such as reform the voting system in the council, while remaining within the framework of the old treaties. In both cases, however, the UK would risk marginalisation, as, after a negative vote on the constitutional treaty, it would hardly be in a position to negotiate anything that implies further integration. Faced with the choice of moving forward into a "hard core" or moving backwards with the UK, most Member States would probably go for the former option.

The problem, from Mr Blair's perspective, is that it is much more likely that the British will vote no than yes. This is especially the case after a negative outcome in a French referendum. How could Mr Blair convince British citizens that they have to vote yes (to save jobs, growth, security etc) if the French have already voted no? This would speak in favour of postponing the British referendum. If, later, French leaders would somehow manage to convince its citizens to accept the treaty, the UK could carry on with its vote at that point. Arguably, the pressure from successful ratifications in 24 Member States would then have increased the odds for a positive vote in the UK. If, on the other hand, the French do not accept the constitutional treaty, the UK would still be in a fairly good position to play a constructive role in renegotiations. Simply put, it could present itself as part of the solution, rather than part of the problem.

In conclusion, it seems reasonable to believe that, if the French say no, crucial decisions about the future of the EU will be made by Tony Blair (or his successor) and the British citizens sometime next spring. The choice of whether to have a referendum or not, as well as the outcome of a possible referendum, will determine the fate of the constitutional treaty. Only after these choices have been made, and depending on their content, Member States wanting to move forward with European integration could be in a position to gather support for a "plan B".

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