Hard-won ratification

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The governments of the Twelve committed themselves to securing the ratification of the Treaty on European Union before the end of 1992, but they underestimated the difficulties that it would encounter.

The European Parliament was the first to deliver its verdict. Indeed, it could give only an advisory opinion, given that Germany had been unsuccessful in ensuring that the Treaty confer on it power of assent (in other words the right to reject), but the national German, Italian and Belgian Parliaments stated that they would ratify only if the European Parliament approved it. However, the Members of the European Parliament deemed the Treaty inadequate. Accordingly, in their resolution of 7 April 1992, they invited the national parliaments to ratify the Treaty on account of its positive aspects, but they drew up a long list of its shortcomings, such as the role that the European Parliament and Commission were to play in the intergovernmental 'pillars' and economic and social policy.

Ratification by national parliaments did not appear to be problematic, since the United Kingdom and Denmark, the countries most hostile to the Treaty, secured the derogations which they had requested. However, with the slowdown in growth in 1992, the rise in unemployment rates and the powerlessness of the Twelve to intervene in the civil war in former Yugoslavia, the general conditions were less favourable for a united Europe. The very purpose of the European Union might have been called into question. As for the very dense and complex Maastricht Treaty, the layman found it very difficult to comprehend, and the general public became even more sympathetic to arguments concerning sovereignty.

Denmark was the first country to cast its vote. However, in the referendum held on 2 June 1992, while the political parties, trade unions and leading newspapers predicted a 'Yes' vote, the 'No' vote won by 50.7 %, with a high turnout of 83 %. Yet the Danes had approved the 1986 Single Act by a considerable majority. It appeared, therefore, that they accepted the Economic Community but rejected the Union, which would have jeopardised their sovereignty, with particular regard to currency and defence. It was a shock to the Community. The Council immediately decided that the ratifications would continue as planned and that the Danish 'No' vote would be dealt with at a later stage. It ruled out any further renegotiation of the Treaty. Yet, despite everything, the Danish rejection encouraged those opposed to the Union in the other countries.

Thankfully, some days later, on 18 June, the Danish vote was offset in part by the successful 'Yes' vote in Ireland, which secured 68.7 % of the vote in the referendum, despite the reservations expressed by those defending the sovereignty and neutrality of the country. For Ireland, its integration into the Union remained vital, as it had brought significant funding and allowed the economy to take off in a spectacular fashion.

Overwhelming majorities were recorded in the majority of Member States where ratification took place in parliament, the only opponents being a small group of Communists and Ecologists, Flemish nationalists in Belgium and Basque nationalists in Spain. The Grand Duchy of Luxembourg voted on 2 July, Belgium on 17 July in the Chamber of Deputies and on 4 November in the Senate, Greece on 31 July, Italy on 17 September in the Senate and 29 October in the Chamber of Deputies, Spain on 29 October, Portugal on 10 December and the Netherlands on 12 November in the Lower House and on 15 December in the Upper House.

The fate of the Treaty lay truly in the hands of France, which, along with Germany, had been behind it. Opposition from some Gaullist MPs, all the Communists and a few Socialists became apparent once the Constitution had been revised, an essential prerequisite for ratification, and was encouraged by the Danish 'No' vote. That is why, on 3 June, instead of having the decision taken by Parliament, President François Mitterrand decided to hold a referendum, the success of which would be guaranteed, according to the polls. The date set was 20 September 1992. It would have been an ideal opportunity to hold an in-depth debate on the ultimate objectives of and procedures for achieving European integration and to heighten awareness among the French about the Europe of the Twelve, its institutions and achievements. Yet this was a difficult task because of the complex nature of the Community system. As for the Treaty of Maastricht, a copy of the text in full was sent to every voter, but it confused the great majority of those — not very many — who might have tried to read it. The, often extreme, criticisms levelled by opponents to the Treaty and European

integration had a greater impact.

The ‘No’ camp naturally included Georges Marchais’ Communist Party and Jean-Marie Le Pen’s National Front, but it also included eminent figures from the Gaullist opposition (Charles Pasqua and Philippe Séguin) as well as the Socialist majority (Jean-Pierre Chevènement), who were not representative of their parties, which were by and large in favour of the Treaty, but who had the ability to sway public opinion. The ‘No’ campaign began by immediately emphasising the Danes’ rejection and continued throughout the summer. It condemned the loss of national identity which the Treaty embodied and blamed the Community for economic problems and the rise in unemployment.

The ‘No’ camp, being too confident, reacted late, at the end of the holidays, in response to the increasing ‘Yes’ vote in the polls. It was on the defensive, stressing the future advantages of Europe without placing enough emphasis on the achievements made in integration. The Socialist Party swung into action, led by the French Prime Minister, Pierre Bérégovoy. The leaders of the Opposition, Valéry Giscard d’Estaing, Leader of the UDF (Union for French Democracy), and Jacques Chirac, Leader of the RPR (Rally for the Republic), were in favour of a ‘Yes’ vote. The climax of the campaign came on 3 September with a televised speech by President Mitterrand hitting back at criticism from Philippe Séguin.

The referendum held on 20 September 1992 saw a high turnout (69 % of registered voters), and the ‘Yes’ vote won by only a narrow margin, securing 51.04 % of the vote. The voters were divided into three thirds: one third for, one against and one consisting of abstentions and spoilt ballot papers. The split between the French did not follow the traditional Left-Right divide but rather the Centre-Left and Centre-Right and both Left and Right extremes. These divisions occurred in all parties. A socio-cultural split was also apparent, depending on the voters’ educational background: the ‘Yes’ vote was generally supported by the most well-informed citizens, capable of understanding the benefits of the European Union. Ratification was therefore achieved, despite the narrow victory margin, and the threat of a disastrous crisis for European integration was avoided.

The Germans expressed concern regarding the single currency, which involved the disappearance of the Deutschmark, an instrument and symbol of German economic power, the considerable ‘No’ vote in the French referendum and the transfer of certain powers from the German *Länder* to Brussels. A revision of the Basic Law, required to bring it into line with the Treaty, allowed the Bundestag to approve the ratification by an overwhelming majority on 2 December. However, the deposition of the instruments of ratification was delayed by several actions brought before the Constitutional Court, which, in its ruling of 12 October 1993, deemed the Treaty compatible with the Basic Law but placed restrictions on the development of the European Union, which should not attribute to itself more powers nor raise its own taxes, taking the view that the European Parliament did not possess sufficient powers and legitimacy.

The two most hostile countries remained: Denmark and the United Kingdom.

Denmark did not wish to give up the benefits of its membership of the Community but blatantly rejected the innovations introduced by the European Union. A ‘national compromise’, approved by Parliament on 30 October, called for a special statue within the Union, whereby Denmark could opt out of the single currency, defence, citizenship and Community powers in the areas of justice and policing. The Edinburgh European Council of 11 and 12 December accepted the demands. There was to be no renegotiation on the Treaty but rather confirmation of the derogations already granted under the protocols annexed to the Treaty of Maastricht. A second referendum was held in Denmark on 18 May 1993. The ‘Yes’ vote won by a considerable majority, securing 56.8 % of the vote (86 % turnout).

In the United Kingdom, given the derogations secured in Maastricht on the single currency and social policy, the parliamentary ratification process got off to a good start. However, following the Danish ‘No’ vote, the Conservative majority was reduced in the April 1992 elections. Anti-European conservatives, along with Margaret Thatcher, called for the parliamentary procedure to be stopped. Opponents to the Treaty were spurred on by the narrow ‘Yes’ majority in France, the sterling crisis and its withdrawal from the European Monetary System. The British Prime Minister, John Major, had to agree to await the outcome of the second

Danish referendum. Finally, on 20 May 1993, following the successful outcome in Denmark, the House of Commons approved ratification, with most of the Labour MPs abstaining.

The Treaty of Maastricht was finally able to enter into force on 1 November 1993.