

EU-Déjà vu - Ireland's No to Lisbon John O' Brennan

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Introduction

The Irish referendum on the European Union's Lisbon Treaty, held on 12 June 2008, produced a negative outcome with the measure being rejected by the electorate by a margin of almost 54 per cent to 46 per cent. Thus for the second time in seven years Irish citizens declined to support a Treaty which their political elites overwhelmingly endorsed. The result plunged the European Union into yet another crisis, the latest following the rejection of the earlier Constitutional Treaty in referendums in France and the Netherlands in 2005. This article analyses the Irish referendum, the main actors and issues which influenced the campaign, and the reasons for the No vote. It argues that the two most significant phenomena which explain the result are the attachment of the Irish people to a particularistic conception of Irish identity combined with a lack of knowledge about both the EU decision-making system and the content of the Lisbon Treaty itself.

Actors and Issues

On the Yes side stood the Republic's dominant political party, Fianna Fáil, as well as the two largest opposition parties, Fine Gael and Labour, and Fianna Fáil's small coalition partner, the Progressive Democrats¹. On the No side many of the party political actors were familiar from previous referendums on EU issues. Sinn Féin has been actively opposed to European integration since the 1972 referendum (though it professes itself to be a pro-European party). The Socialist Party, the Socialist Workers Party and the Communist Party of Ireland also campaigned against the Treaty whilst independent Eurosceptic politicians such as MEP Kathy Sinnott and former MEP Dana Rosemary Scallon gave added voice to the opposition campaign.

So if these were the main actors active during the campaign what were the key issues which framed the debate? The first was the institutional re-calibration which included changes to the structure of the Commission and the *modus operandi* of the Council of Ministers. Essentially these arguments were about Ireland's voice and institutional representation in Brussels and the changes wrought by the Lisbon Treaty relative to the status quo. The No side argued that the legitimacy of the EU depended on full and equal representation of all member states in the decision-making structures. The right of each state to a seat at the Commission table at all times was thus sacrosanct. The loss of a commissioner for one term in three, effectively five years out of every fifteen, was presented by the No side as a significant further loss of sovereignty and influence for Ireland with no compensating 'side payments' offered within the broader institutional matrix. Public opinion, analysed both during and after the campaign, demonstrated a strong attachment to the idea of a permanent Irish commissioner and in this sense the No argument was certainly very successful.

The issue of an emerging European defence and security policy has featured strongly in Ireland's European debates since at least the Maastricht Treaty and was again a significant concern among voters in the 2008 poll. A number of political parties, including Sinn Féin, along with a range of civil society groups coalesced around this

theme and argued that Irish neutrality had been steadily eroded by successive treaties and by membership of NATO's Partnership for Peace (PfP), and would be further compromised by Lisbon. In effect the No side sought to paint a picture of untrammelled 'movement' in the area of defence and security policy, especially with the introduction of a so-called European Army - the Rapid Reaction Force - which would be equipped with aircraft carriers, Patriot cruise missiles, fighter aircraft and all the standard features of an aggressive military power bent on adventurism. The Government could not be trusted to protect neutrality and indeed was suspected of colluding with other EU member states in the 'creeping militarisation' of the EU.

From the beginning of the campaign, issues related to Ireland's place within the European and global economy featured strongly. The protection of Ireland's corporate tax regime assumed a central place in the campaign of those on the right of the political spectrum who placed the alleged threat to Ireland's corporate tax rate at the centre of their campaign. Asserting that the mainstream political parties could not be trusted on the tax issue, the right argued that Ireland's strategy should be to seek something stronger than the veto, namely a legally binding protocol which would guarantee absolute independence to set national tax policy. With fiscal autonomy constrained by Ireland's membership of the Eurozone, tax policy was presented as the key contemporary instrument of sovereign economic power. In an economy plunging into recession and amidst a growing popular consciousness of latent economic fragility, these arguments received a serious hearing. In marked contrast, the left critique of the European integration process focused on the alleged neoliberal bias of the European Commission and the ongoing attacks on 'Social Europe' by the European Commission, corporate Europe and the European Court of Justice (ECJ). A particular target of attack was the ECJ, which despite its record of robust interventionism on the side of workers rights, was routinely presented as a friend of the market rather than the worker: "the court's decisions are sustained attacks on the wages and working conditions of workers throughout the EU" according to Roger Cole of the Peace and Neutrality Alliance. The ECJ was continually interpreting the treaties in a way which favoured 'competition' over labour and local collective bargaining arrangements. In particular the Laval and Viking judgements featured strongly in No arguments, as 'evidence' of ECJ perfidy. Thus the Lisbon Treaty was the subject of attacks from both the left and right of the political spectrum, a phenomenon also clearly present in the 2005 referendums in France and the Netherlands.

The referendum result: Ireland votes No to Lisbon

On a turnout of 53.13% the proposed constitutional amendment was defeated by 53.4% to 46.6%. So what factors explain the outcome? The first striking behavioural aspect of the outcome was the turnout. Prior to Lisbon most commentators expected that the higher the turnout the more likely it was that the Yes side would prevail. But the Lisbon referendum, although producing a significantly high turnout, did not see this pattern repeated, as most additional voters seem to have voted against the Treaty. Turning to a more sociological approach to the profile of Yes and No voters, a number of issues arise. The Eurobarometer survey shows that the main supporters of the Treaty were indeed to be found in the higher occupational classes: senior managers (66%), the 'self-employed' (60%), professionals (58%), and those with higher levels of education (57%)². On the other hand blue collar voters were largely supportive of the No vote, especially those members of trade unions such as UNITE

and the TEEU which urged their members to vote No. So a distinct social class cleavage was very much in evidence. Other factors such as age, gender and geography also help to explain some aspects of the vote.

If this data provides valuable information about electoral behaviour there are two substantive issues which help us to contextualise that behaviour. The first is the way in which Irish conceptions of identity may have influenced voters' perceptions of the Lisbon Treaty and Ireland's place in the integration process. Voters testified that a major reason for voting No was to 'keep Ireland's power and identity'. During the course of the campaign this impulse toward a 'sovereigntist' position increased, from 16 to 24%. John Coakley argues that, notwithstanding the strong currents of support for European integration, Ireland's enduring attachment to nationalist values should not be under-estimated: "a history of vigorous nationalist agitation, a tradition of suspecting powerful neighbours and a long-standing emphasis on national sovereignty have been outstandingly characteristic of Irish political culture"³. Fully 12% of respondents to the Eurobarometer survey voted No to "protect Irish identity" (the second most important reason for voting No), suggesting that the identity dimension emerges as crucial in explaining the outcome. At the very least this suggests that the 'European' layer of Irish identity is in reality so thin that the consistently high professions of support for the EU in opinion polls may now be considered highly suspect. Where that support has been tested at the ballot box, two out of the last three popular votes have produced anti-integrationist outcomes.

The second substantive issue with a bearing on the outcome concerns voters' knowledge about the Treaty and the EU more generally. A considerable body of data accumulated during previous referendums and from Eurobarometer tracking polls demonstrates that, although the Irish remain amongst the most enthusiastic about EU membership, there remains a significant knowledge vacuum, with a large majority of citizens professing to know little or nothing about how decisions are made at EU level and how the EU institutions function. Eurobarometer polls consistently demonstrate that support for the EU is related to relative levels of knowledge. Support for the Treaty dropped to 39% among those who were only vaguely aware of the issues and to a mere 10% amongst the two in five voters who said they did not know what the treaty was all about⁴. The post-referendum Eurobarometer survey confirmed that once again lack of knowledge constituted the most important reason for not voting (22%)⁵. Further data support this statistic: fully one fifth of No voters and one sixth of Yes voters did not know if the Lisbon Treaty would be good or bad for Ireland⁶.

The significance of the knowledge vacuum is particularly evident in the strategies adopted by the No side in particular. Two specific phenomena can be identified. First, the No campaign centred on short, sharp messages easily understood, which provided voters with easy to process (negative) images of the EU and the Lisbon Treaty, in contrast to the Yes messages which invariably came across as complex if not tortured (the EU as an abstract and variegated public good). Second, the No side demonstrated an ability and willingness to distort and misrepresent both the content of the Lisbon Treaty and the nature of the European integration process. There are multiple examples that can be offered in evidence. No campaigners argued that under Lisbon Ireland would lose a commissioner, without pointing out that every other EU state would also lose a commissioner for one term in three. They continually argued that Irish influence in Brussels would be reduced because of the changes to Ireland's

voting weight in Council, without acknowledging the new rules on population size and majoritarian principles which favoured small states. A particularly egregious misrepresentation concerned Article 113 on taxation, which many components of the No side argued would mean that Ireland's veto on corporate taxation would be eliminated. In fact Article 113 applies only to indirect taxation, but this did not stop the lie being perpetrated on a wide-ranging basis. Finally, No campaigners repeatedly used an alleged quote from Giscard d'Estaing, the former French President and Chair of the Convention which paved the way for the European Constitution. Giscard was outrageously misquoted: "Public opinion will be led to adopt, without knowing it, the proposals that we dare not present to them directly... All the earlier proposals will be in the new text, but will be hidden and disguised in some way... What was already difficult to understand will become utterly incomprehensible, but the substance has been retained"⁷. The quote was taken from an article penned by Giscard in *Le Monde* on 15 June 2007. In fact Giscard was arguing *against* any recycling of the Constitutional Treaty and specifically warning about the backlash that this would produce. And he was referring exclusively to France and not any other EU member states. He was emphatic in describing the use of the quotation out of context by Irish No campaigners as "extremely dishonest"⁸. It seems instructive that not a single Irish journalist or media outlet bothered to chase down and translate the *Le Monde* even after it began to be used extensively by No campaigners. Partly this might reflect the new prominence within the Irish media market of Eurosceptic British news organizations such as Rupert Murdoch's News Corporation and the Mail Group. But it also reflects very poorly on the capacity and willingness of the Irish media to adequately scrutinise the claims made by prominent actors in the referendum campaign.

Conclusion

The rejection of the Lisbon Treaty plunged Ireland into a profound political crisis, not least because EU leaders indicated an unwillingness to re-negotiate any part of the Treaty: it would be up to Ireland to find an Irish solution to this European problem. Coinciding with this impasse in Irish-EU relations, an economic recession began to present serious difficulties as the public finances deteriorated to their worst state in 25 years, thus presenting Brian Cowen's government with the most challenging set of circumstances in which to think about moving forward. The Irish rejection of Lisbon also led directly to ratification problems in other member states, as procedures were set in motion by Euro-sceptic actors in the Czech Republic, Poland and other states to legally challenge domestic ratification processes. It also dealt a serious blow to the incoming French Presidency of the EU, and it was not long before President Nicholas Sarkozy was disabused of any notion that a specifically Irish solution (a second referendum) could be found to the ratification problem, at least in the short term⁹.

The outcome of the referendum may seem paradoxical to some, in that Eurobarometer opinion polls of attitudes to the EU continue to demonstrate that Irish people are strong supporters of the integration process. In June 2008, 78% of Irish people believed Irish membership of the European Union to be a good thing, 80% believed that Ireland has benefited from EU membership and 77% had a positive image of the EU (far more than the EU average of 48%). The problem is that these favourable attitudes vary considerably in intensity. It seems clear from the post-referendum data that the pro-European side manifestly failed to provide voters with either normative or utilitarian reasons to endorse the Treaty. The 'soft bloc' of support for European

integration crumbled in the face of a vigorous No campaign and a lack of confidence among citizens in their ability to understand both the content of the Lisbon Treaty and the nature of EU decision-making processes.

¹ In the 2007 General Election in the Republic Fianna Fáil emerged with the largest number of seats in the Dáil with 77 seats (41.6% of the vote), a loss of 4 from the 2002 election. Fine Gael won 51 seats (27.3% of the vote), an increase of 20 seats, and Labour won 20 seats (10.1% of the vote), unchanged from 2002. The Progressive Democrats were decimated at the polls winning just 2 seats (2.7% of the vote) for a loss of 6 seats from 2002

² Eurobarometer 245, p.6

³ J. Coakely, "Irish public opinion and the new Europe", in M. Holmes (Ed.), *Ireland and the European Union Post-Nice*, Manchester, Manchester University Press, 2005, p. 107

⁴ R. Sinnott, *The Irish Times*, 20 May 2008

⁵ Eurobarometer 245, p.3

⁶ *Ibid.*

⁷ See, for example, P. McKenna, "Lisbon Treaty should not be given the Green light", *The Irish Times*, 17 January 2008; T. Allwright, "Don't sign an EU contract you don't understand", *The Irish Times*, 27 February 2008

⁸ L. Marlowe, "Lisbon No campaign was dishonest in misusing his quote, says Giscard", *The Irish Times*, 26 June 2008

⁹ "Sarkozy accepts there is no quick fix to Lisbon crisis", *The Irish Times*, 22 July 2008