



Ireland's European referendum: second take, high stake

Submitted by david hayes on 29th September 2009

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The Irish people's second vote on the Lisbon treaty will have a decisive bearing on the European Union's constitutional future. The political misdirection of the "yes" side and the polemical vigour of the "no" put the result in the balance, says John O'Brennan.

About the author

John O'Brennan is a [lecturer](#) [11] in European politics and society at the National University of Ireland, Maynooth ([NUIM](#) [11]), and a research fellow of the NUIM's [Centre for the Study of Wider Europe](#) [11]. Among his books are [The Eastern Enlargement of the European Union](#) [11] (Routledge, 2006) and [The EU and the Western Balkans: Stabilization and Democratization](#) [11] through Enlargement (Routledge, 2008). His work has appeared in the *Australian*, *Die Welt*, *El País*, the *Guardian*, the *Irish Times*, the *International Herald Tribune*, the *Japan Times*, the *Scotsman* and elsewhere

The outcome of a national referendum rarely has great consequences beyond the borders of the country concerned. Such was the case, however, in the Republic of Ireland on 12 June 2008, when in [rejecting](#) [12] the European Union's Lisbon treaty (by a decisive margin of 53.4%-46.6%) Irish voters erected a new obstacle in the way of ratifying a new constitution for the EU.

Since the constitution can come into effect only if it is agreed by the union's individual twenty-seven member-states - and since Ireland is obliged to hold a referendum on any major European treaty change - a second poll was needed if the treaty-ratification process was to be unblocked. The result of this vote, to be held on [2 October 2009](#) [13], will as a result both take the measure of Ireland's evolving [relationship](#) [14] with the EU and have profound reverberations across the continent.

The June 2008 referendum followed the one on the Nice treaty in June 2001 in rejecting an EU agreement (a decision reversed in a second referendum in October 2002). The decision of a majority of Irish voters to say "no" to the [Lisbon treaty](#) [15] - which represented the culmination of a defined (if somewhat messy) constitutional process inaugurated at the Laeken summit in December 2001 - meant that efforts to clarify the EU's constitutional nature and to [simplify](#) [16] its institutional structure were paralysed.

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John O'Brennan's many publications on Ireland's relationship with the European Union include "[Ireland says No \(again\): the 12 June 2008 Referendum on the Lisbon Treaty](#) [23]" (*Parliamentary Affairs* [62/2], April 2009)



Also by John O'Brennan in **openDemocracy**: "[Kosovo: the hour of Europe](#) [24]" (14 January 2008)

The internal deficit

In assessing the [aftermath](#) [25] of the June 2008 vote, a striking fact is how divided against itself was the reaction of the Irish government (whose [Fianna Fáil](#) [26]-led coalition government was then as now led by the *taoiseach* [prime minister] Brian Cowen).

The *external* dimension of its response was considered and sophisticated. Dublin engaged in a protracted period of intense and very effective behind-the-scenes diplomacy that culminated in the [European council](#) [27] summit of 18-19 June 2009; this [secured](#) [28] significant legal guarantees from EU partners in relation to Irish prerogatives on abortion, military neutrality and taxation. Those [guarantees](#) [29] constitute the most important pillar of the government's case for the adoption of the treaty; its supporters argue that they offer demonstrable proof of a government that has "listened to the people".

In marked contrast, the *internal* dimension of the response was predictably haphazard and deficient. No serious attempt was made to provide and promote a civic-education programme or sufficient information channels which might explain why the Lisbon [treaty](#) [30] should be approved - a failure that has begun to be rectified only as the second referendum date has approached. This is despite the clear evidence that the main reason people voted "no" to Lisbon lay in the "knowledge deficit": fully 42% of respondents, consulted as part of the government-sponsored research into the failure of the referendum, cited a "lack of knowledge/information/understanding" as their reason for voting against the treaty.

The main source of this enduring pattern of communications failure is that European Union policy-making in Ireland takes place in a hierarchical system dominated by senior government ministers and a top echelon of civil servants. *Teachtaí Dála* (TDs, that is members of the *Dáil Éireann*) remain completely marginal to EU affairs; it is no exaggeration to say that the *Oireachtas* (Ireland's [parliament](#) [31]) has consistently failed in its duties of oversight and scrutiny of executive action in the EU arena. Indeed it exercises nothing like the influence of its parliamentary counterparts in other EU states of comparatively small size such as Austria, Denmark and Sweden.

Thus the real "democratic deficit" in respect of EU affairs in Ireland is entirely a domestically generated one: Irish parliamentarians have done little or nothing to adequately engage with or insinuate themselves into the EU policy-making process in their own state. In consequence the EU "space" in Ireland is one where the pro-integration side finds it increasingly difficult to [persuade](#) [32] voters to match the overwhelming support for Ireland's EU membership with active consent for changes to the EU constitutional order and policy agenda.

The political cast

Where the referendum campaign itself is concerned, the *dramatis personae* are familiar. The various forces polarise according to two positions: on one side, anti-system, or perhaps more accurately "anti-politics" groups - drawn largely from civil society, broadly (but not exclusively) Eurosceptic in outlook, and united in their hostility to the Lisbon treaty); on the other, the confirmed Euro-enthusiasm or Euro-pragmatism of the establishment political parties, trades unions, and business community.

Amongst the motley crew of "no" groups, the ultra-Catholic rightwing group [Cóir](#) [33] has run the most visible and competent campaign. The group, with more than a decade's activism to its name, is opposed to abortion, divorce and homosexuality; it argues that the Lisbon treaty encourages (*inter alia*) euthanasia and prostitution. *Cóir's* particular focus during the campaign continues to be the charter of fundamental rights, which it alleges will be used as a surreptitious vehicle to introduce extreme secular legislation that would further erode Irish identity and attachment to Christianity.



But in a departure from its central obsessions, *Cóir* has also penetrated the public consciousness like no other organisation by arguing that the Lisbon treaty will facilitate a [reduction](#) [34] in the [minimum wage](#) [35] in Ireland from €8.65 (\$12.6) to [€1.84](#) [36]. In an economy severely battered by the global economic retrenchment and with unemployment heading for 15% of the workforce, this message has particular resonance. Much of the energy of the "yes" campaign has focused on countering such claims.

The minimum wage and related employment issues have also been central to the campaigns run by the newly elected Socialist Party MEP [Joe Higgins](#) [37] and by other leftwing civil-society organisations such as the [People's Movement](#) [38] and the [People before Profit](#) [39] alliance. They claim that the Lisbon treaty has not changed and constitutes a means of accelerated deregulation and the privatisation of public services. They rail against the alleged neo-liberal bent of the European commission and the unelected "Brussels bureaucracy", and the supposed "race to the bottom" provoked by inter-state competition for multinational investment within the EU single market.

A great surprise of the campaign has been the return to active campaigning by multi-millionaire businessman [Declan Ganley](#) [40] and his Libertas organisation. In 2008, [Libertas](#) [41] placed the alleged threat to Ireland's *laissez-faire* corporate-tax regime at the centre of its campaign in arguing that the EU represented an economic threat to Irish competitiveness and as something which no longer constituted an unvarnished public good from an Irish perspective. Ganley stood [unsuccessfully](#) [42] for election to the [European parliament](#) [43] in the Ireland North-West constituency in June 2009, and declared that because he had not been given a mandate from the people he would not campaign in the second referendum. His abrupt [entry](#) [44] into the fray prompted equal measures of fear and loathing on the "yes" side.

The last battle

In contrast to the first [referendum](#) [45], the Libertas message is focused almost exclusively on dissatisfaction with the government, and in particular the uncharismatic [Brian Cowen](#) [46]. Ganley's most striking billboard taps into voters' anger and disgust at the bailout of the banks by arguing that the only job the Lisbon treaty will save is that of the deeply [unpopular](#) [47] Cowen, whose approval rating of around 15% is the lowest ever recorded by a *taoiseach*. Public dissatisfaction centres especially on the prospect of savage cuts in public spending which will see the salaries of public servants fall for the second time in 2009 alone, as well as a significant reduction in state spending on education, healthcare and welfare provision. The challenge for the "yes" side as the campaign [moves](#) [48] to a climax is to ensure that it does not turn into a plebiscite on the *Fianna Fáil*-led coalition.

The current opinion-poll ratings indicate that the "yes" side commands a lead of around 48%-33%, with 19% of the electorate undecided (according to an *Irish Times* survey [published](#) [49] on 25 September 2009, for example). But the picture is far from clear-cut. It's true that surveys continue to indicate that Irish people are strong supporters of the integration process and Irish membership of the EU; the problem is that these favourable attitudes vary considerably in intensity and constitute what [Richard Sinnott](#) [50] calls a "soft bloc" of support for the EU.

In the June 2008 referendum this "soft bloc" of support crumbled in the final week of the campaign 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. The main indications are that voters now look set to reverse that decision and approve the treaty. But nobody in Dublin or Brussels is taking Irish voters for granted.

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Paul Gillespie, "[Ireland breaks Europe's democratic code](#) [52]" (24 June 2004)

Fred Halliday, "[Thinking straight about Ireland](#) [53]" (27 May 2005)



Joseph Curtin & Johnny Ryan, "[The Lisbon treaty and the Irish voter: democratic deficits](#) [25]" (13 June 2008)

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