REFERENDUM OUTCOMES AS AN INPUT TO EUROPEAN DECISIONS

Professor  Richard Rose

Centre for the Study of Public Policy & Robert Schuman Centre, EUI

prof_r_rose@yahoo.co.uk

Referendums & European Democracy Workshop

European University Institute Florence

26 January 2018
REFERENDUM TOPICS: EXCLUSIVELY NATIONAL OR MULTI-LEVEL

*Exclusively national: e.g.
  Change in national electoral system.
  Laws on marriage and abortion. Taxation.

*Multi-lateral: Affects both country and EU.
  Once for all approval of joining the EU.
  EU Treaties requiring unanimous consent.
MULTI-LATERAL POLICIES INCREASING

*Growing interdependence of trade, currency, migration, environment makes national governments more dependent on what other governments do

*Interdependence Increases demand for EU action and domestic salience of EU policies

*In a global system of interdependence, no institution controls such things as climate change, currency exchange rates

*Systemic interdependencies without institutionalization cause EU policies to lose effectiveness, legitimacy (Scharpf)

(See R. Rose, “Responsible Party Government in a World of Interdependence”, West European Politics, 37,2, 253-269).
SUBSIDIARITY STRIKES BACK

* EU has no treaty capacity to call referendums or to prevent them

* Relies on doctrine of acquis to prevent policy repeal, and on European Council members to deliver their national parliaments

* All but two EU member states make provisions for referendums

* Referendums to confirm membership now part of past

* Referendums increasingly about proposed or existing policies
POLICIES AT STAKE IN REFERENDUMS SINCE 2005

*Multi-purpose. Major transfer of national powers to EU, e.g Lisbon treaty

*Single policy: E.g. refugee quota

*No challenge to EU. Opting in or out of a differentiated integration policy
Most National Referendums Since 2005 Challenge Both EU & National Government

Direct democracy rejects both EU legal authority and democratic representatives (7)
- European Constitution: France, Netherlands, 2005
- Migration of workers: Switzerland, 2014
- Withdrawal from EU: United Kingdom, 2016
- Justice & Home Affairs opt out: Denmark, 2015
- Rejects EU-Ukraine association agreement, Netherlands, 2016

Direct democracy rejects EU legal authority, approves democratic representatives (2)
- Eurozone financial terms: Greece, 2015
- Migration quota: Hungary, 2016

Direct democracy confirms elected representatives but EU policy vetoed (2)
- European Constitution: Spain, Luxembourg, 2005

Direct democracy confirms EU legal authority and democratic representatives (3)
- Lisbon Treaty: Ireland, second ballot, 2009
- Fiscal Pact: Ireland, initial ballot, 2012
- Unified Patent Court: Denmark, initial ballot, 2014
NATIONAL REFERENDUMS SHOW NO NATIONAL CONSENSUS ON EU

NATIONAL REFERENDUMS ON EU ISSUES SINCE 2005

% anti-EU vote

100%

98%

50%

52%

40%

38%

33%

23%

2005 Spain
2006 France
2005 Netherlands
2008 Ireland
2009 Ireland
2012 Ireland
2014 Denmark
2014 Switzerland
2015 Greece
2015 Denmark
2016 Netherlands
2016 UK
2016 Hungary

NATIONAL REFERENDUMS INPUTS IN A MULTI-LATERAL PROCESS

National political system  EU institutions

Political demand → Referendum called → Rejects EU policy → EU deliberates → EU responds

↑

National government
EU STRATEGIES FOR COUNTERING REFERENDUM THREATS

*Legal Coercion*
- Restricting migration: Switzerland, 2014
- Negotiating Brexit: United Kingdom, 2016

*Legal and Instrumental Coercion*
- Eurozone finance: Greece accepts as lesser evil, 2015
- Fiscal Pact: Ireland accepts as there is no alternative, 2012

*Main Powers Retained, Secondary Concessions*
- Anticipatory concessions: Many countries, Lisbon Treaty, 2006–8
- Post hoc concessions: Second Irish referendum on Lisbon, 2009
- Symbolic concession: Netherlands, Ukraine agreement, 2016

*Risk Avoidance: Differential Integration*
- Assumes laggards will join: Schengen, Eurozone agreements
- Economic and Fiscal Pact: UK veto avoided; minimum 11 states
- Home Affairs: Denmark allowed opt outs, 2015

*Sustaining Uncertainty to Avoid Conflict*
- Hungarian rejection of EU migrant quota, 2016 ongoing