

# REFERENDUM OUTCOMES AS AN INPUT TO EUROPEAN DECISIONS

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## 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)

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(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

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### *Direct democracy rejects both EU legal authority and democratic representatives (7)*

European Constitution: France, Netherlands, 2005

Lisbon Treaty: Ireland, 2008

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

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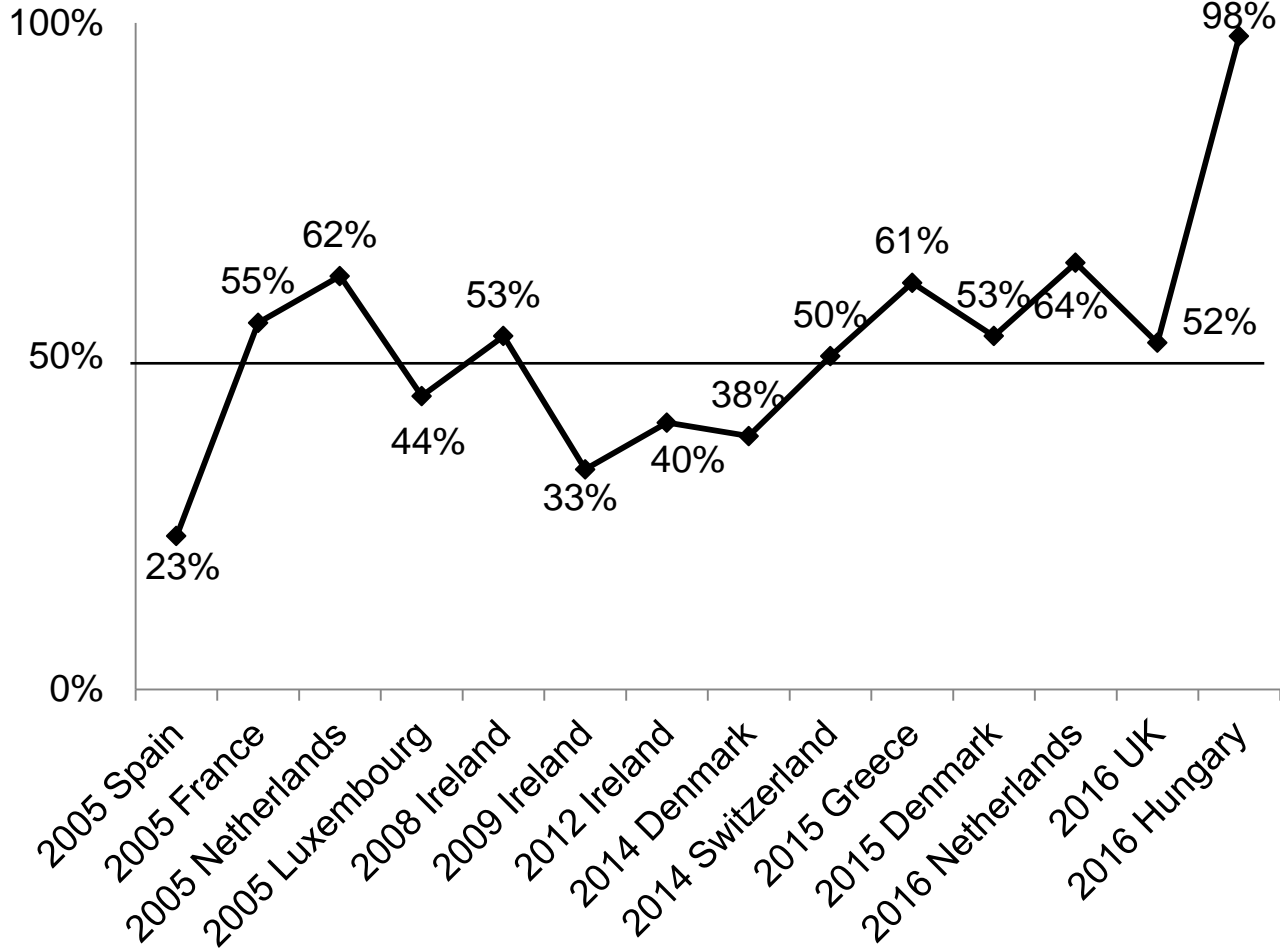
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## NATIONAL REFERENDUMS SHOW NO NATIONAL CONSENSUS ON EU

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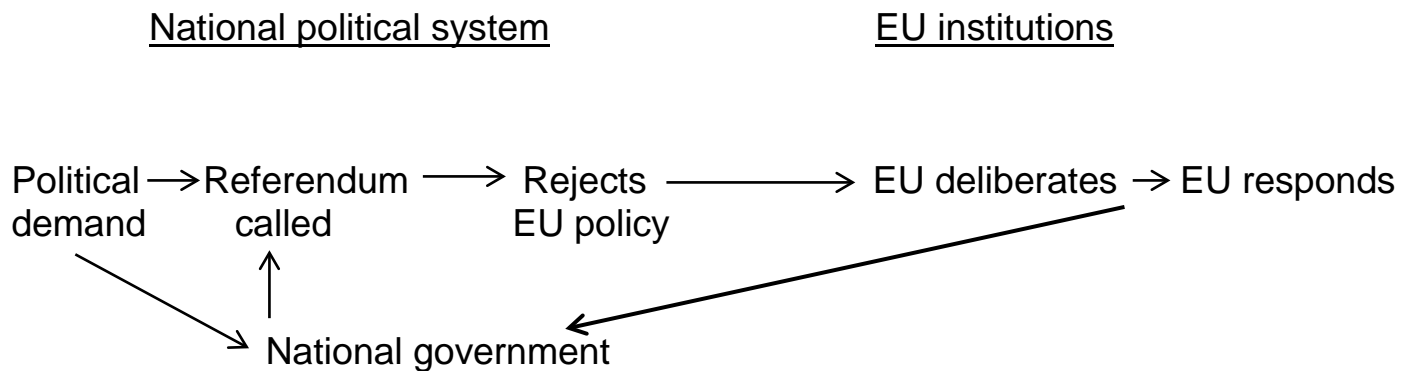
NATIONAL REFERENDUMS ON EU ISSUES SINCE 2005

% anti-EU vote



## NATIONAL REFERENDUMS INPUTS IN A MULTI-LATERAL PROCESS

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## EU STRATEGIES FOR COUNTERING REFERENDUM THREATS

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### *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

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