



**Ireland's No to Lisbon: Learning the  
Lessons from the failure of the Yes and  
the Success of the No Side**

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## Abstract

*The Irish electorate voted No to the Lisbon Treaty on the 12<sup>th</sup> of June 2008. In the run-up to the second referendum on ratifying the Treaty on the 2<sup>nd</sup> of October 2009, a series of legally binding guarantees in relation to Irish competency over tax rates, abortion, workers rights, neutrality, and a guaranteed commissioner for each member state, were added to the referendum. The Irish government secured these agreements from the other member states in the belief that addressing these concerns would lead to a Yes result for the second Lisbon referendum. This paper, while not challenging the validity of these specific issues, highlights two factors, related to the structure of the EU debate in Ireland, which show that more long term issues were at play in the outcome of the first Lisbon referendum. Firstly, the No side was dominated by civil society groups. The appearance of these groups is not simply connected to specific European issues but is related to more profound divisions within Irish civil society. Secondly, despite a broad 'Yes to Europe Alliance' the majority of supporters of mainstream parties ignored their parties cues and voted No. This paper argues that this happened because of fundamental issues of party competition that prevented a unified and effective Yes campaign. The analysis of these two factors of the first Irish Lisbon Treaty referendum campaign, not only adds to the comprehension of the outcome of the vote and that of the second vote, but also draws wider comparisons to the EU debate in other member states.*

## **Ireland's No to Lisbon: Learning the Lessons from the Failure of the Yes and the Success of the No Side<sup>1</sup>**

John FitzGibbon  
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The Irish rejection of the Lisbon referendum in June 2008 is but the latest in a series of rejections of referendums on the European Union by member state citizens: Denmark in 2000, Ireland previously in 2001, and France and the Netherlands in 2005. Already the No to Lisbon vote has been the subject of intense academic enquiry in an attempt to understand the outcome. Findings from this body of research have put forward various reasons for the No vote, from opposition to an unpopular government, to a lack of understanding of the Treaty itself, to the outright dismissal of deeper involvement in European integration<sup>2</sup>.

The aim of this working paper is to add to this established body of literature by building on the initial research into the rejection of the Lisbon referendum and by looking at the causal factors that are more long-term and widely applicable. The first of these factors to be discussed is that of organised civil society opposition to European integration, which played a leading role in the rejection of Lisbon. While the presence of such civil society groups has been noted in previous studies of EU referendums in Ireland, as well as in Norway and the United Kingdom, this paper will go beyond narrative analysis and seek to answer why such groups oppose Europe. In previous Irish referendums on Europe, political parties led the No campaign. For Lisbon, civil society groups dominated the agenda despite the presence of anti-Lisbon political parties. What changed between these referendums that allowed civil society groups become so effective?

A second point to be discussed is the efficiency of the 'mainstream' political party led 'Yes to Lisbon' alliance. O'Brennan and Holmes have highlighted the ineffectiveness of the alliance and its general negative impact on the referendum

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<sup>1</sup> The author wishes to thank those who attended the Sussex European Institute's briefing on the Irish Lisbon vote in June 2008, together with three anonymous reviewers, for their comments which contributed greatly to the drafting of this paper from the presentation made there.

<sup>2</sup> See: John O'Brennan, (2009) 'Ireland says No (again): the 12 June 2008 Referendum on the Lisbon Treaty' in *Parliamentary Affairs*, Vol. 62, No. 2, 258-77; Michael Holmes, (2008) *EPERN Briefing Paper No. 16: the Referendum on the Treaty of Lisbon in the Republic of Ireland*, Sussex European Institute; Millward Brown IMF, (2008) *Post Lisbon Treaty Referendum Research Findings*, Dublin: Millward Brown IMF available at: <http://www.dfa.ie/uploads/documents/Publications/Post%20Lisbon%20Treaty%20Referendum%20Research%20Findings/1.pdf>.

campaign as a whole<sup>3</sup>. In contrast to their findings Hobolt has identified the importance of political parties “as pivotal information providers” to voters in EU referendums<sup>4</sup>. Indeed Garry et. al. highlighted the energetic cross-party Yes campaign as a crucial factor in the Yes outcome for the Nice II referendum in Ireland<sup>5</sup>. To understand the failure of the political party led ‘Yes to Lisbon’ alliance, the wider issue of the inherent instability of government opposition Yes campaigns to EU referendums will be discussed. Such instability has been noted in EU referendums in Denmark, France and the Netherlands. Understanding whether the failures of such campaigns have been caused by common European or nation-specific factors is important. Such a distinction will aid the clarification of whether these No votes in European referendums are part of a pan-European rejection of elite-level cues on Europe or whether they are down to factors specific to each member state.

The view from public opinion data and from the European level on why Lisbon was rejected has already been well-investigated. This working paper pursues a different approach and views the referendum from both the Yes and No sides. What unites such an approach is the impact of what Mair calls the “depoliticisation” of Europe on party politics in EU referendum campaigns<sup>6</sup>. Due to the EU being a non-contested issue across mainstream parties, only being contested on the extremities, civil society has taken it upon itself to lead opposition to European integration in Ireland.

This paper will detail how both situations have developed, and will explain the depth of the links between the two.

### **The Irish Political System and Europe**

Despite the rejection of Nice I and now Lisbon I, Ireland has been characterised as one of the most pro-European member states. Indeed from the onset of negotiations in the early 1960’s the two largest parties in Irish politics, Fianna Fáil

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<sup>3</sup> Ibid.

<sup>4</sup> See: Sara Hobolt, (2006) ‘How Parties Affect Vote Choice in European Integration Referendums’, in *Party Politics*, Vol. 12., No. 5, p. 641.

<sup>5</sup> See: John Garry et. al., (2005) ‘“Second Order” versus ‘Issue Voting’ effects in EU Referendums: Evidence from the Irish Nice Treaty Referendums’, *Geary Discussion Paper Series*, The Geary Institute: Dublin.

<sup>6</sup> See: Peter Mair, (2007) ‘Political Opposition and the European Union’, in *Government and Opposition*, Vol. 42., No. 1, pp. 7-12.

and Fine Gael<sup>7</sup>, have been deeply committed to the policy of membership. Following the overwhelming 'Yes' vote in favour of membership in 1972 the two parties have continued to be supportive of European integration. In Fine Gael's case they have put themselves forward as the most pro-European of all Irish political parties, by highlighting their involvement with the largest group in the European Parliament, the European People's Party<sup>8</sup>. The Fianna Fáil leadership have at different times struggled to prevent their republican and right-wing elements from criticising EU policies, but it has never threatened to spill over into a Thatcherite-like party rebellion or a split within the party ranks. With their domination of political office, pro-European policies have become the norm in Irish government<sup>9</sup>. In recent years, however, senior ministers have openly criticised EU policy and institutions, and even admitted to voting No in European referendums<sup>10</sup>. This can be seen as an example of the growing discrepancy between the ostensibly pro-EU position espoused by government parties and their vocal opposition to specific EU policies and institutions.

The third largest party in Irish politics, the Labour Party, originally campaigned against entry into the Common Market in the 1972 referendum as the party came under the influence of its militant trade union wing. In the Dáil<sup>11</sup> several Labour Party deputies vigorously challenged the government on the terms of the accession agreement. Labour's role in coalition government with Fine Gael in 1973-77 and 1982-86, however, cooled the party leadership's opposition to Europe somewhat. By the time of the Single European Act (SEA) referendum in 1987 the party leadership had moved towards a pro-European position, against the obvious sentiment of the party membership. The leadership felt that the party could no longer take an opposing position on an issue that was not salient with the electorate<sup>12</sup>. This chequered history of relations with Europe has seen tension within the party on Europe, with the party

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<sup>7</sup> Fianna Fáil being Conservative and until 2009 part of the UEN group in the European Parliament and Fine Gael as Christian Democrat and being Christian Democrat part of the EPP group in the European Parliament.

<sup>8</sup> See: Michael Gallagher and Michael Marsh, (2002) *Days of Blue Loyalty: The Politics of the Membership of Fine Gael*, Dublin: PSAI Press, pp. 158-161.

<sup>9</sup> See: Paul Sharp, (1990) *Irish Foreign Policy and the European Community*, Aldershot: Dartmouth, p. 170.

<sup>10</sup> Former Finance Minister McCreevey had a much publicised clash with the European Commission over Irish exchequer deficits, Minister O'Cuiv admitted he voted No to Nice I and argued that the Irish people were right to reject Nice in 2001.

<sup>11</sup> Irish Parliament.

<sup>12</sup> See: Patricia O'Donovan, (1999) 'Irish Trade Unions and the EU' in Jim Dooge (ed.) *Ireland in Europe 1972-1998: A Vital National Interest*, Dublin: IPA, pp. 44-6.

leadership advocating a Yes vote on all European referendums post-SEA,<sup>13</sup> while ordinary members and certain backbench TD's have come out strongly against European Treaties<sup>14</sup> including Lisbon<sup>15</sup>.

The leadership of the three largest parties, who at present hold 148 of the 166 seats in parliament hold a pro-European position. Given that these parties dominate Irish electoral politics and government, pro-Europeanism has become the default policy position of mainstream Irish politics. The EU has become “depoliticised” in Irish mainstream politics, in that the large, centrist parties accept Irish participation in the European project.

Of course opposition to the EU continues to exist in Irish politics, but only on the margins. Taggart identified the Green Party, Sinn Féin, the Workers' Party and the Socialist Party as ‘protest based parties [within the Irish party system] who have taken an anti-EU position as an adjunct to their general opposition to the functioning political systems’<sup>16</sup>. All of these parties, with the exception of the Green Party, have campaigned against every European Treaty, largely on the basis of their negative impact on workers' rights and Irish sovereignty<sup>17</sup>. With the Green Party's accession to government after the general election in 2007, the Party held a special convention where a two-thirds majority of Party members was almost achieved to approve of the Lisbon Treaty. As a compromise to full party support for the Treaty, the Party leadership was allowed to campaign according to their conscience on the referendum<sup>18</sup>. As a result of this convention vote, the Party moved from a Eurosceptic position to a more ‘Eurocautious’ position in favour of the current trajectory of European integration, which was taking “decisive action on climate change”<sup>19</sup>. With the continued electoral decline of the Workers' Party and loss of the

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<sup>13</sup> See: ‘Gilmore launches drive for Lisbon Yes vote’, *The Irish Examiner*, 12<sup>th</sup> May, 2008.

<sup>14</sup> See: Michael Holmes, ‘The development of opposition to European integration in Ireland’. Paper presented to the annual conference of the UACES, 2-4 September 2002, Belfast.

<sup>15</sup> As will be discussed later on the Trade Union movement has grown particularly critical of European integration and those Labour Party members associated with TUs have reflected this criticism. Additionally those Labour Party members and TDs who are members of Irish CND have criticised the EU for its perceived increased militarisation.

<sup>16</sup> See: Paul Taggart (1998) ‘A Touchstone of Dissent: Euroscepticism’, *European Journal of Political Research*, Vol. 33, No. 3, p. 378.

<sup>17</sup> Author interview with Mary-Lou McDonald MEP, Sinn Féin, 31<sup>st</sup> March 2008; Author interview with Joe Higgins, former TD and Socialist Party leader, 31<sup>st</sup> March 2008.

<sup>18</sup> See: Holmes, *EPERN Briefing Paper No. 16*.

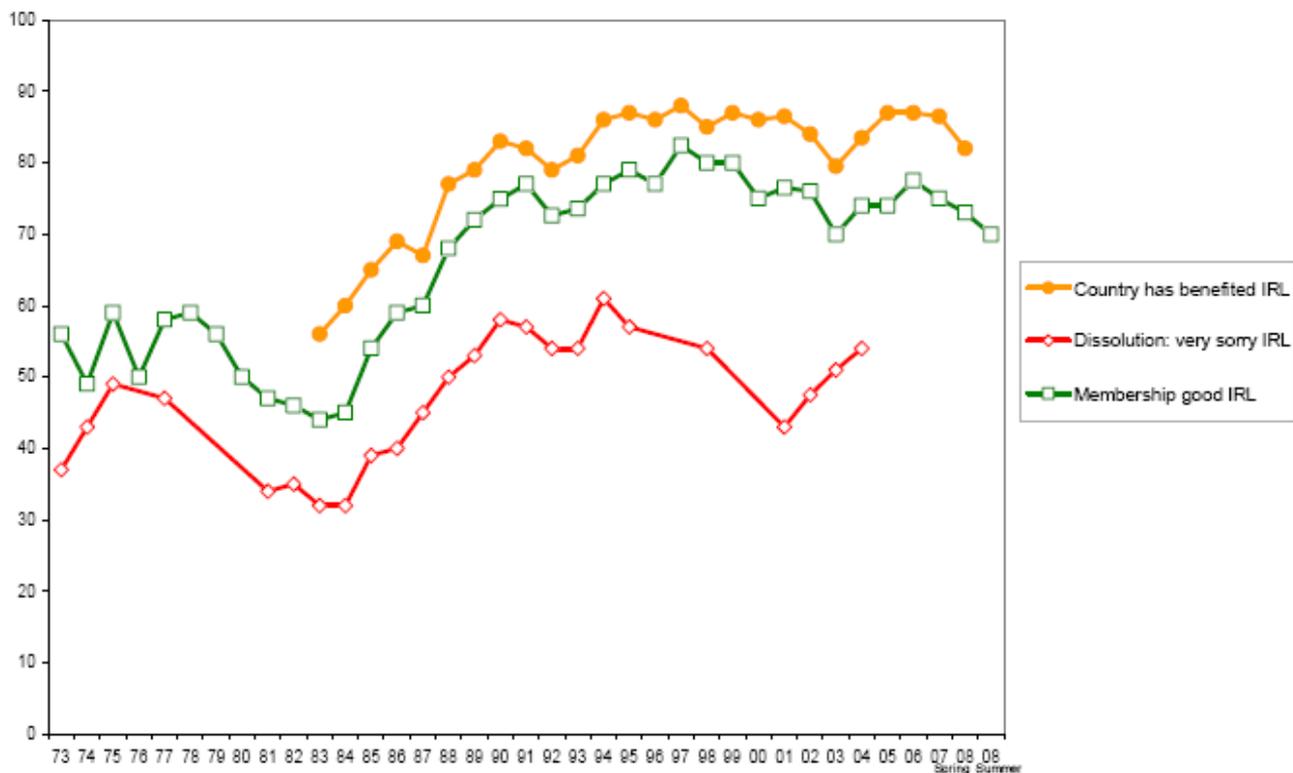
<sup>19</sup> Author interview with Sen. Deirdre de Burca, Green Party spokesperson on Europe, 20<sup>th</sup> August, 2008.

Socialist Party's sole TD<sup>20</sup>, Sinn Féin are left as the only parliamentary Eurosceptic party. We can see that since 4 out of 166 TDs belong to a Eurosceptic party, there is a low-level of Euroscepticism in the Irish party system.

A brief analysis of the Irish party system leads to the conclusion that opposition to European integration is on the political margins. In the 2007 general election Eurosceptic parties and TD's took 4.7% of the seats in the Dáil and 8% of first preference votes. Whereas pro-European mainstream parties took 90% of the seats and received 79% of the first preference votes. On the basis of the outcome of national elections, the Irish Party system and the Irish electorate appear to hold strongly pro-European positions.

### Irish Attitudes toward Europe and Referendums on Europe

*Figure 1: Trends in Support for European Integration – Ireland and the EU membership good, country has benefited and dissolution very sorry 1973 – 2008*



Source: Richard Sinnott et. al. (2009) 'Attitudes and Behaviour in the Referendum on the Treaty of Lisbon: Report prepared for the Department of Foreign Affairs', UCD: Geary Institute

Parallel to that of the party system, the Irish electorate has been broadly positive towards European integration (*figure 1*); however, O'Brennan in his analysis

<sup>20</sup> Teachta Dála, Member of Parliament.

of Irish European referendums argues that over each vote positive outcomes were based largely on the utilitarian impact of the economic benefits of membership in the shape of CAP payments and structural funds. Such economic benefits encouraged voters to support referendums on Europe to “keep the money coming from Brussels”<sup>21</sup>. His argument is that the increasingly visible impact of EU funds on Irish infrastructure and incomes was the main driver behind this trend. His point appears to be backed up by the findings of Sinnott et. al. (see *figure 1*) who find that despite high levels of support for the EU in Ireland (80% believing the country has benefited from membership) general enthusiasm for membership (that of “feeling sorry” should the EU be scrapped) is at only 51%. Additionally, levels of knowledge of the EU amongst the Irish electorate (43% agree that they “understand how the EU works) is below the EU average (47%). Finally, the percentage of the Irish electorate identifying themselves as Irish (national) only (45%) was again higher than the EU average (41%)<sup>22</sup>.

European media coverage of the Irish Lisbon referendum rejection pointed out the contradiction of Ireland having high support for EU membership and the benefits of EU structural funds, with a No vote to the latest EU Treaty<sup>23</sup>. Looking at the level of support for Irish membership in the EU, however, does not reveal the full picture of Irish support for the EU. O’Brennan<sup>24</sup> and Gilland<sup>25</sup> both highlight the linking by successive Irish governments of Irish involvement with Europe to “money from Brussels”. At a wider level this means that a solidly pro-European identification has not been created within the Irish electorate, as the high levels of Irish only identity and low levels of enthusiasm for the EU show. The impact of these attitudes on the outcome of EU referendums according to Sinnott et. al. is that “in EU referendums in Ireland nothing can be taken for granted”<sup>26</sup>. They base this assertion on the increase in the number of No votes, and the fluctuation in the Yes vote and most importantly on the overall turnout (*Table 1.1*).

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<sup>21</sup> See: O’Brennan, ‘Ireland says No (again)’.

<sup>22</sup> See: Sinnott et. al., ‘Attitudes and Behaviour in the Referendum on the Treaty of Lisbon’.

<sup>23</sup> See: ‘Sarkozy will neues Referendum in Irland’, *Sueddeutsche Zeitung*, 19<sup>th</sup> June, 2009.

<sup>24</sup> See: O’Brennan ‘Ireland says No (again)’.

<sup>25</sup> See: Karin Gilland, (2002) ‘Ireland’s (First) referendum on the Treaty of Nice’, *Journal of Common Market Studies*, 40, p. 527.

<sup>26</sup> See: Sinnott et. al. ‘Attitudes and Behaviour in the Referendum on the Treaty of Lisbon’.

*Table 1.1 Irish EU Referendum Votes and Results*

<b>Referendum</b>	<b>Turnout</b>	<b>%</b>	<b>Yes</b>	<b>%</b>	<b>No</b>	<b>%</b>	<b>Result</b>
Accession (1972)	1,264,278	70.9	<b>1,041,890</b>	<b>83.1</b>	211,891	16.9	Yes
SEA (1985)	1,085,304	44.1	<b>755,423</b>	<b>69.9</b>	324,977	30.1	Yes
Maastricht (1992)	1,457,219	57.3	<b>1,001,076</b>	<b>69.1</b>	448,655	30.9	Yes
Amsterdam (1998)	1,543,930	56.2	<b>932,632</b>	<b>61.7</b>	578,070	38.3	Yes
Nice I (2001)	997,826	34.8	453,461	46.1	<b>529,478</b>	<b>53.9</b>	No
Nice II (2003)	1,446,588	49.5	<b>906,317</b>	<b>62.9</b>	534,887	37.1	Yes
Lisbon (2008)	1,621,037	53.1	752,451	46.6	<b>862,415</b>	<b>53.4</b>	No

Source: Michael Holmes, (2008) *EPERN Briefing Paper No. 16: the Referendum on the Treaty of Lisbon in the Republic of Ireland*, Sussex European Institute: Sussex

### **The Irish Decision to Hold a Referendum: One out of Twenty-Seven**

Given the unpredictable nature of EU referendums in Ireland, as mentioned above, why was Ireland the only member of the EU to hold a referendum on the Lisbon Treaty? A referendum on the Lisbon Treaty was held in Ireland on the basis that it is a constitutional requirement following the Crotty Supreme Court judgement in 1987. This judgement asserts that any European treaty that impacts specifically upon Irish foreign policy must be held to a referendum<sup>27</sup>. From this ruling it has become established as the convention that each successive European Treaty is to be put before the the Irish people regardless of its compatibility with the original Supreme Court ruling. Following the signing of the Lisbon Treaty, and with reference to the French and Dutch No votes, several prominent pro-European media commentators made a case for mounting a legal challenge to the Crotty ruling and allowing for parliamentary ratification of the Lisbon Treaty. Such a challenge was determined to be politically untenable by the Minister for European Affairs, Dick

<sup>27</sup> See: Gilland, 'Ireland's (First) referendum on the Treaty of Nice', pp. 527-8.

Roche, and by opposition party leaders and so Ireland proceeded as the lone state with a Lisbon referendum<sup>28</sup>.

Only on April 25<sup>th</sup> 2008 was the date for the referendum formally announced. Before that it had been an issue of contestation between opposition party leaders, who demanded that a date be set so that they could begin campaigning, and the Taoiseach (PM), Bertie Ahern, who refused to disclose the date until he had gained the maximum political advantage<sup>29</sup>. The timing of the referendum was continually delayed by the Taoiseach due to his appearances before a tribunal of inquiry into alleged corruption. Both government and opposition parties were transfixed with unfurling events at the tribunal which climaxed in the resignation of the Taoiseach and the installation of the Minister for Finance, Brian Cowen, as Taoiseach on May 7<sup>th</sup>. Holmes points out that the allegations of corruption at the tribunal helped to create an atmosphere of cynicism about politics and politicians amongst the public as the resignation of the Taoiseach ended his participation in the tribunal with many questions unanswered. He argues astutely that the Lisbon Treaty as the next important political event following this was on the receiving end of this cynicism for politics<sup>30</sup>.

### **Civil Society and Opposition to the EU**

This distrust of the political system fed into the Lisbon Treaty campaign. Della Porta<sup>31</sup> and Tarrow<sup>32</sup> amongst many others have shown that protest groups emerge from civil society at times of such hostility towards political parties. The Lisbon referendum campaign saw the extensive involvement of social movements, almost wholly on the No side, who campaigned vigorously against the Treaty in opposition to the largest political parties. Analyses of both Norwegian and Danish referendums on the EU have discussed the role of civil society based protest

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<sup>28</sup> See: Charles Lysaght, 'Did we need a referendum in the first place?', *The Irish Independent*, 22<sup>nd</sup> June 2008; Paul Gillespie, 'Engaging with public will help to ratify treaty', *The Irish Times*, 3<sup>rd</sup> May, 2008.

<sup>29</sup> See: Michael O'Regan, 'Kenny told June 12<sup>th</sup> most likely date for referendum' *The Irish Times*, 3<sup>rd</sup> April 2008.

<sup>30</sup> See: Holmes, *EPERN Briefing Paper No. 16*

<sup>31</sup> See: Donatella Della Porta, (2006) *Social Movements, Political Violence and the State: A Comparative Analysis of Italy and Germany*, Cambridge University Press: Cambridge.

<sup>32</sup> See: Sidney Tarrow, (1998) *Power in Movement: Social Movements and Contentious Politics*, Cambridge University Press: Cambridge.

movements in opposing them. Usherwood has written extensively on the presence of “extra parliamentary” group based opposition to European integration in the UK<sup>33</sup>. Gilland in looking at the Irish referendums on Nice I and II, mentioned the presence of the *No to Nice* alliance of civil society groups<sup>34</sup>.

For the Irish Lisbon I vote, despite the presence of the anti-Lisbon Sinn Fein, civil society groups dominated the No campaign. This is in contrast to the examples discussed above where ultimately anti-EU civil society campaigns were subservient to those of Eurosceptic political parties. The other cases of civil society opposition to the EU will firstly be looked at before the factors motivating civil society groups to oppose the Lisbon Treaty in Ireland will be discussed. Finally, an explanation will be made as to how and when such groups become effective.

Usherwood’s research on Eurosceptic groups in the UK found them to be closely tied to political parties and that they needed to be seen in terms of being ‘extra parliamentary’ in that they reflect the policy on Europe of Eurosceptic factions within established parties. Without the structural opportunity of a referendum on Europe, such groups operate largely at the elite political level and campaign through the national media. *Business for Sterling* and the *Open Europe Institute* are two examples of such groups. Though nominally non-partisan both groups were founded, funded, and staffed by Conservative Party members and supporters. As Usherwood has detailed, they are a continuous presence in any public debate on Europe in the UK<sup>35</sup>.

In Norway the *No to the EU* movement organised the No campaign in Norway’s referendum on membership in 1994. This group acted as an umbrella organisation for the various disparate elements in Norwegian politics and society that opposed membership of the EU: farmers and fishermen’s unions, nationalists, and the opposition Center and Socialist Left parties<sup>36</sup>. While the group campaigned across political lines and accommodated almost all groups that opposed EU membership, Pettersen et.al. point out that the No to the EU group provided public credibility to the Center and Socialist Left parties. It showed them to be in cooperation with civil society groups, and therefore acting in the national interest and not in the interests of

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<sup>33</sup> See: Simon Usherwood, (2002) ‘Opposition to the European Union in the UK: The Dilemma of Public Opinion and Party Management’, *Government and Opposition*, Vol. 37, No. 2, p. 223.

<sup>34</sup> See: Gilland, ‘Ireland’s (First) referendum on the Treaty of Nice’, pp. 527-32.

<sup>35</sup> See: Usherwood, ‘Opposition to the European Union in the UK’, p. 223.

<sup>36</sup> See: Ingrid Sogner and Clive Archer, (1995) ‘Norway and Europe: 1972 and Now’, *Journal of Common Market Studies*, Vol. 33, No. 3. p. 403 (pp. 389-410).

party competition<sup>37</sup>. When it came to the campaign itself the Center Party leader, Anne Enger, led the group and was the recognised figurehead of the No side. This role in leading opposition to Norwegian membership of the EU contributed to the party's success in the previous general election in 1993, when the referendum was a major political issue, and the party was perceived as the party of No voters.

The *No to Nice* group was the umbrella organisation for the No side during the first Nice referendum in Ireland. Headed by the leader of the anti-war *Peace and Neutrality Alliance* NGO, veteran Eurosceptic campaigner Roger Garland, the group took a similar form to the *No to the EU* group in Norway in joining civil society groups and political parties together. Membership included, anti-war groups, NGOs, ecological groups, anti-nuclear groups, the Socialist Party, as well as the Green Party, and Sinn Fein. The group had a simple and effective slogan, "No to Nice: No to NATO", and organised effective mass meetings where all the groups and parties shared the same platform. As with the Norwegian case, the impression remained that the Greens and Sinn Fein were using the *No to Nice* group to legitimise their anti-Nice campaign by aligning themselves with civil society. This impression was given further credence when for Nice II, the *No to Nice* group was not supported by the Greens and Sinn Fein. Instead they launched their own separate anti-Nice II campaigns following their significant electoral success in the general election that took place between the two Nice votes<sup>38</sup>.

The common thread between the Norwegian *No to the EU* group in the 1994 accession referendum, the Irish *No to Nice* group in the Nice I referendum, and the UK Eurosceptic groups Usherwood discusses, is their close involvement with political parties. This is not to say that the political parties in each case were not motivated by genuine ideological opposition to the EU but that they used these civil society groups to push forward their own policy on Europe. Civil society groups were in most cases happy for political parties to do this as parties possessed the resources, experience and organisation to be effective in challenging the EU in referendums or the media. What makes the Irish Lisbon I No campaign deviant from these examples is that civil

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<sup>37</sup> See: Per Ant Pettersen et. al., 'The 1994 EU Referendum in Norway: Continuity and Change', *Scandinavian Politics*, Vol. 19, No. 3, p.276 (pp. 257-81).

<sup>38</sup> See: John FitzGibbon, 'The Triumph of Strategy over Ideology? Euroscepticism in the Irish Party System', Paper Presented at the *Conference Euroscepticisme Populisme*, University Paris X Nanterre, 28/6/2007.

society groups took center stage. Not only were they dominant over anti-Lisbon political parties but, as will be discussed, they successfully challenged pro-Lisbon parties as well. The Irish Lisbon I vote represents the emergence of civil society as *the* effective leader of opposition to the EU in Ireland.

### Who Opposed Lisbon in Civil Society and Why?

*Table 2.1 Breakdown of Main Campaigners on No Side, Irish Lisbon Referendum*

<b>Name</b>	<b>Pol. Party/Group</b>	<b>Issues of Contestation</b>	<b>Focus of Contestation</b>
Sinn Féin	Political Party	Sovereignty/Workers Rights	Commission, Council
Socialist Party	Political Party	Workers Rights	Commission, Council, ECJ
Libertas	Group	Sovereignty/Tax	Commission, Council
Cóir	Group	Sovereignty/ Abortion/ Catholic Values	Commission/ECJ
People's Movement	Group	Sovereignty/Workers Rights	Commission/ECJ
People Before Profit Alliance	Group	Sovereignty/Workers Rights	Commission, ECJ

Source: Author's calculations based on counting the number of references to each group/party in articles relating to the Lisbon referendum in *The Irish Times, Irish Independent, Irish Examiner, Sunday Business Post, Sunday Tribune*.

Table 2.1 lists out those No campaign groups that were perceived to be the most active from a tabulation of the three main daily broadsheets and two broadsheet Sunday newspapers. What is evident from this table is that civil society groups outnumbered political parties in the significance of their role in the No campaign. Additionally, there was no overarching No alliance or single all-encompassing No movement, as was present in Norway and the Irish Nice I vote. Each political party and group operated independently. What Table 1.1 does not show however, is the extent to which the civil society based No groups dominated the campaign itself through their early, extensive, and expansive strategy. While Sinn Féin and the

Socialist Party received extensive media coverage due to each having a high profile spokesperson on the Treaty, the issues of the campaign were set firmly by the civil society groups.

The importance of the Libertas group to the referendum campaign is obvious as they started their Lisbon referendum campaign before the government had even announced a date for the referendum to be held in the first place. From the start, Libertas highlighted a series of arguments for rejecting Lisbon that would come to dominate the agenda of the entire debate and be specifically addressed by the government in their strategy for getting Lisbon passed after the rejection.

Libertas' first argument was that passing Lisbon would force Ireland to abandon its low tax policy, thus encouraging the many multinational companies that have bases in Ireland to avail of the low taxes to leave, taking hundreds of thousands of jobs with them. The success of their campaign is evidenced by the belief of 43% of voters that Lisbon meant the loss of Ireland's low corporate tax rate (12.5%), despite the assurances of all of the country's main business groups that it did not<sup>39</sup>. Secondly, Libertas argued that the proposed reduction in size of the EU Commission would lead to the loss of Irish influence in the EU, to the benefit of the big states over the small states. The securing of a guaranteed Commissioner for every member state has now become the cornerstone of the Irish government's plan for securing a Yes vote in the proposed second Lisbon referendum. Libertas put the issue on the agenda as an example of what the group believed was Lisbon's role in the "relentless erosion of Irish national sovereignty by an unelected and unaccountable Brussels bureaucracy"<sup>40</sup>, that sought to undermine the independence of small states in the EU in favour of "Franco-German domination"<sup>41</sup>. In addition to their billboard campaign, Libertas engaged in media launches handed out leaflets, organised meetings, and toured the country in a campaign bus. The media focus intensified on Libertas and its leader, multi-millionaire businessman Declan Ganley, as their emergence became perceived as the 'story' of the campaign. The result of this attention was the elevation of Ganley to unofficial leader of the No campaign by the media<sup>42</sup>.

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<sup>39</sup> See: Milward Brown IMF, *Post Lisbon Treaty Referendum Research Findings*

<sup>40</sup> Author interview with Declan Ganley, 14<sup>th</sup> August, 2008.

<sup>41</sup> Ibid.

<sup>42</sup> See: Michael Clifford, 'The stature of Libertas and all things Ganley', *The Sunday Tribune*, 17<sup>th</sup> May, 2009.

The origin of the Libertas campaign comes from Ganley himself. His opposition to Lisbon originated in the proposed harmonisation of taxes by EU Commissioner Kovacs which clashed with his interests as an entrepreneur. Ganley sees proposals for tax harmonisation across the EU as an attempt by the European Commission to impose bureaucratic control over business in Europe. Moreover this was compounded by his belief that the EU was actively challenging Europe's Christian heritage and trying to replace it with a secular society. He points to the failure of the former European Constitution to either mention God or acknowledge the Christian heritage of Europe as the most obvious example of this. Given the scale of his resources Ganley was able to found and develop a protest group, Libertas, specifically to campaign against Lisbon and what he perceived to be its impact on his interests<sup>43</sup>.

In contrast to the high media profile campaigning and expensive billboards of Libertas were the more grassroots and direct campaign of C oir and the People's Movement. Although each group represents extreme opposite ends of Irish society, right and left wing respectively, they are both linked in their opposition to further European integration specifically to the increasing authority of the European Court of Justice (ECJ) to make decisions that impact at a national level<sup>44</sup>.

For C oir, whose main purpose was to oppose the introduction of abortion into Ireland and to defend "traditional Catholic values", the fear was that the Irish pro-choice lobby would take a case against the Irish state to the ECJ who in turn would use the European Charter of Fundamental Rights as a basis for legalising abortion in Ireland<sup>45</sup>. For the People's Movement their fears had already been realised with the ECJ ruling in the Laval case which they believed fundamentally undermined workers rights and would lead to a "race to the bottom" as regards the importation of cheaper Eastern European labour to the detriment of Irish workers<sup>46</sup>. Both groups relied on an extensive network of volunteers to conduct their campaign strategy which relied on

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<sup>43</sup> Author interview with Declan Ganley, 14<sup>th</sup> August, 2008.

<sup>44</sup> Author interview with Frank Keoghan, Chairman People's Movement, 31<sup>st</sup> March 2008; and Richard Greene, 'C oir's anti-Treaty stance has been vindicated by succession of events', *The Irish Examiner*, 4<sup>th</sup> September 2008.

<sup>45</sup> See: Richard Greene, 'C oir's anti-Treaty stance has been vindicated by succession of events', *The Irish Examiner*, 4<sup>th</sup> September 2008.

<sup>46</sup> Author interview with Frank Keoghan, Chairman People's Movement, 31<sup>st</sup> March 2008.

three main outlets; public information meetings, pamphlet drops on households and the most widespread strategy of posters.

Cóir had extensive experience of campaigning against EU referendums in its previous incarnation as Youth Defence. In its reincarnation, Cóir broadened out its membership to include individuals not previously associated with Youth Defence and in fact became an umbrella group of anti-abortion and fundamentalist Catholic activists numbering some 2,000 members<sup>47</sup>. Its members broke with the Catholic Church in that they favoured direct action against both individuals and institutions that would allow the legalisation of abortion, and additionally gay marriage, in Ireland. Their actions centred mostly on holding protest rallies outside family planning clinics and protesting against individual politicians who advocated liberalising of laws on abortion and gay marriage<sup>48</sup>. As Youth Defence the group was ostracised by other anti-EU treaty campaigners for their perceived extreme position on abortion and alleged links to neo-Nazi organisations in Italy<sup>49</sup>. Conscious of the damage these links had on their previous campaign against Nice II, the group rebranded itself to Cóir and avoided direct references to abortion and instead focused specifically on the issue of sovereignty and the loss of Ireland's guaranteed commissioner: "The New EU Won't Hear You, See You or Speak for You" is a typical example of their campaign rhetoric<sup>50</sup>.

The People's Movement, which began campaigning against the Maastricht Treaty, experienced an increase in membership as Labour and Green Party members disaffected at their respective party leaderships pro-Lisbon stance volunteered to campaign against Lisbon<sup>51</sup>. The group's leadership noticed a substantial difference with the Lisbon campaign as compared to others, due particularly to the numbers of young people volunteering to help the group's activities. The leadership believe this was down to widely held belief amongst these young people that the type of Europe

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<sup>47</sup> See: Greene, 'Cóir's anti-Treaty stance has been vindicated by succession of events'

<sup>48</sup> See: Elaine Edwards, 'McDowell heckled at 'civil partnership event'', *The Irish Times*, 26<sup>th</sup> May 2006.

<sup>49</sup> See: Derek Scally, "'Neo-Nazis' affirm links with Youth Defence', *The Irish Times*, 12<sup>th</sup> October, 2002.

<sup>50</sup> Available at Cóir website, [http://www.lisbonvote.com/info/POSTER\\_MONKEYS.pdf](http://www.lisbonvote.com/info/POSTER_MONKEYS.pdf), accessed 4<sup>th</sup> May 2009.

<sup>51</sup> Author interview with Frank Keoghan, Chairman People's Movement, 31<sup>st</sup> March 2008.

that Lisbon was creating was “not the Europe that they had grown up with”<sup>52</sup>. This was their perception of an inherent neo-liberal bias in the policies of the Commission and rulings of ECJ. The origins of their campaign began with the large protest in Dublin in April 2006 when over 30,000 people took to the streets to protest against Irish Ferries firing some 300 Irish workers in favour of cheaper Eastern European labour<sup>53</sup>. A move that they believed was sanctioned under EU law. From then on the People’s Movement sought to campaign against any future EU treaty on the grounds of protecting workers rights and preventing a “race to the bottom” in terms of working conditions that an expansion of the Single Market or of new EU legislation might bring. The leadership of the People’s Movement believed that job losses such as those at Irish Ferries were allowed to happen because Ireland had adopted wholesale neo-liberal “EU economic law” and that the “political class [had] given up the ability [of the Dáil] to challenge such laws” and protect the rights of Irish workers<sup>54</sup>.

Cóir and the People’s Movement were motivated to campaign against the Lisbon Treaty because they made the connection between the real or imagined threat to their specific issues of interest by the EU institutions and the extension of that threat with the ratification of the Lisbon Treaty. While the issues that were the founding causes of both groups were specific to the Irish case, it was events at an EU level, the ECJ ruling on the Laval case and the linking of the ECJ to decisions made by the European Court of Human Rights, that caused them to campaign against EU treaties and not just Lisbon.

Laffan and O’Mahony make the point that successive Irish government have used EU law and directives as a highly effective means of bringing in contested legislation, particularly with regard to social and economic liberalisation, without the need to face down entrenched interests at a domestic level<sup>55</sup>. With Lisbon, those groups that saw themselves as ‘losers’ of this implementation of EU laws and their enforcement by the ECJ, fundamentalist Catholics and Trade Unionists, organised themselves into protest groups outside of their institutionalised ‘parent’ groups to

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<sup>52</sup> Ibid. Further confirmed by findings of post vote analysis, see: ‘Poll reveals Lisbon treaty was sunk by young voters’, *The Irish Examiner*, 20<sup>th</sup> June 2008.

<sup>53</sup> See: Jack O’Connor, ‘Stronger and better enforced labour regulation is needed’, *The Irish Times*, 10<sup>th</sup> October 2006.

<sup>54</sup> Author interview with Frank Keogh, Chairman People’s Movement, 31<sup>st</sup> March 2008.

<sup>55</sup> See: Brigid Laffan and Jane O’Mahony, (2008) *Ireland and the European Union*, Palgrave: Basingstoke, pp. 38-43.

campaign not specifically against the government but against what they perceived as the source of the attack on their interests; the EU itself.

While the Irish Catholic Church (hereafter referred to as ‘the Church’) and the Trade Union (TU) umbrella group, the Irish Congress of Trade Unions (ICTU), were both in favour of Lisbon, prominent members of both were openly sceptical of the trajectory of European integration that Lisbon represented<sup>56</sup>. Open criticism of Lisbon would have earned a severe reprimand to the Church and the Irish trade union movement from the Government as a rejection of the Social Partnership process. Both are members of the process which is used by the Government to formulate wider economic policy with strong input from both the Church and TUs. Rejection of this Social Partnership process would weaken their political hand in full participation of this process which has been extremely beneficial to both. Thus the leadership of the Church and the TUs could not act on their members’ anger at the impact of participation in European integration on their interests. Active members of the Church and TUs were left with no other option but to take their campaign into civil society based protest movements, where both sides received tacit support from their reciprocal established organisation. The “depoliticisation” of the EU that Mair argues has happened in the party system has become apparent at the elite level of Irish civil society, in the leadership of TUs, the Church and farmers organisations.

The ‘Yes Alliance for Europe’ was portrayed as a broad coalition of Church, TU, business and political support in favour of ratification of Lisbon<sup>57</sup>, however this broad coalition appeared to have operated almost exclusively at the elite level of these bodies beyond their ordinary members. The actions of C  ir and the People’s Movement represent the total rejection of elite level cues by interest group members on EU referendums. What they also show is that certain sections in Irish civil society hold the perception that it is EU institutions that impact negatively on their interests and not simply the Irish government. While both C  ir and the People’s Movement sought to bypass their institutionalised representative interest groups and the Government in their Lisbon campaign, Libertas sought to challenge the Government’s leadership on the EU in Ireland. Libertas acted as a direct challenge to the mainstream political approach to Europe, that of full participation in the current

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<sup>56</sup> See: ‘SIPTU to support Lisbon if conditions are met’, *The Irish Examiner*, 31<sup>st</sup> May 2008.

<sup>57</sup> See: Pat Leahy, ‘Yes side must now place play catch-up’, *The Sunday Business Post*, 4<sup>th</sup> May, 2008.

trajectory of European integration, and sought to convince the Irish electorate that “another Europe is possible”<sup>58</sup>. While the electorate may not have fully agreed with this position they did not agree with the mainstream political parties position either, and so Government and political party leadership on the EU issue in Ireland was destabilised.

### **When and How Civil Society Groups are Effective**

While understanding why specific groups in civil society organised themselves to oppose the ratification of the Lisbon Treaty is important in analysing the relationship between Irish society and the EU; the obvious following question is how did they become effective? Tarrow has long sought to explain why protest movements emerge and act differently in separate countries, and his work provides a template by which to examine why social movements emerge in the form they do and thus answer as to their effectiveness.

Tarrow explains that most “opportunities [for protest movements] are situational” and “compensate [...] for weaknesses in cultural, ideological, and organisational resources”<sup>59</sup>. Thus it can be seen that not only did civil society Eurosceptic groups have the “structural opportunity” of a referendum to mobilise around they were also presented with the “situational opportunity” of a disorganised opposition, which will be analysed in detail later<sup>60</sup>. The main figures in C oir, the People’s Movement and other groups have been actively campaigning against European referendums since the Maastricht Treaty, and in relation to a few individuals, since the accession Treaty. This high level of specific experience with European referendums allowed the leadership of the No groups to firstly recognise the structural and situational opportunities that were available to them; and secondly to provide them with the organisational capacity to act decisively on these opportunities.

While the change of Taoiseach was dominating Irish politics in early 2008, No groups were actively campaigning in opposition to the Treaty. The referendum campaign began in December 2007 not when the Taoiseach announced the date of the referendum but when the civil society group Libertas began a poster campaign outlining the points on which they believed the Irish public should reject the Lisbon

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<sup>58</sup> Author interview with Declan Ganley, 14<sup>th</sup> August, 2008.

<sup>59</sup> See: Tarrow, *Power in Movement*, p. 77.

<sup>60</sup> Ibid.

Treaty<sup>61</sup>. Other No groups moved forward with their campaigns to take advantage of the prominence being given to No arguments in the media as well as to prevent Libertas from dominating the No side<sup>62</sup>. Soon after the signing of the Lisbon Treaty these groups knew that a referendum was inevitable and began to organise themselves for a campaign. Both the Catholic C  ir<sup>63</sup> and the left wing People’s Movement<sup>64</sup> began to organise volunteers to drop leaflets, print and place posters, and hold discussion meetings by February 2008. They engaged in these tactics specifically as they recognised the effectiveness of direct campaigning on the electorate from their success in Nice I. In contrast to the actions of these No groups, the main Yes campaign, ‘Alliance for Europe’, was not formed until late April 2008<sup>65</sup>, by which time civil society groups had taken advantage of this situational opportunity and set the agenda of the Lisbon campaign.

A crucial role played by Libertas, was in providing mainstream voters who opposed the treaty but were uncomfortable with falling on the side of supporters of the terrorist Irish Republican army (IRA), extreme left policies, and traditional Catholic values. with an ‘acceptable’ form of Euroscepticism. Libertas appealed to their concerns about the direction Lisbon was taking the EU whilst also crucially coming without domestic policy baggage. Since the first rejection of Nice, high profile individuals within the three largest parties have expressed concern about the EU project but party loyalty always prevented any widespread party revolt on Europe<sup>66</sup>. Libertas emerged as a non party political flag of acceptable dissent on Europe for disgruntled Fine Gael and Fianna F  il voters to rally around. Ganley was keenly aware of this latent No vote and he targeted it specifically but he admitted that Libertas had underestimated the sheer numbers of mainstream voters who were ready to come out and vote No. They focused on Ireland’s relationship with Europe and not on domestic issues to attract these voters<sup>67</sup>. Libertas did this by specifically raising the corporation tax issue, hitting a nerve with the Irish middle class who rely

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<sup>61</sup> Author interview with Naoise Nunn, Libertas campaign manager, 14<sup>th</sup> August 2008.

<sup>62</sup> Author interview with Frank Keoghan, Chairman People’s Movement, 31<sup>st</sup> March 2008.

<sup>63</sup> C  ir, the Gaelic word for truth, the group is made up of anti-abortion and fundamentalist Catholic campaigners.

<sup>64</sup> A left wing pro trade union and Irish republican group.

<sup>65</sup> See: Pat Leahy, ‘Yes side must now place catch-up,’ *The Sunday Business Post*, 4<sup>th</sup> May, 2008.

<sup>66</sup> See: Holmes, *EPERN Briefing Paper No. 16*

<sup>67</sup> Author interview with Declan Ganley, 14<sup>th</sup> August, 2008.

on multinational corporations for employment and have benefitted greatly from a low taxation regime<sup>68</sup>. The success of Libertas's campaign based on mainstream policy arguments can be traced to the lack of opposition to the EU amongst mainstream Irish parties. In Norway or the UK such arguments would be articulated by the Center or Conservative parties respectively. In Ireland a civil society group was required to put such arguments before the public.

Garry et. al. have shown that an early, energetic campaign with a clear message was vital in encouraging mainstream voters to come out and vote Yes after they absented themselves for the Nice I vote<sup>69</sup>. The People's Movement and C oir not only motivated their respective sections of Irish society but through their rigorous campaigns ensured that voters were exposed to their arguments for voting No to Lisbon. If we acknowledge that these No groups had a better campaign than the Yes side, then applying Garry et. al.'s analysis of Nice I to Lisbon it is obvious that the nearly three months of extra campaigning done by these two groups contributed towards the surge in No voters. Added to the strategy of Libertas to allow Eurosceptic voters of mainstream pro-European parties to feel comfortable in voting No, then the impact of these civil society based anti-Lisbon campaigners can be viewed as very important to the outcome.

While no definitive causal link between the relatively high turnout and corresponding large No vote and the activities of Libertas, C oir and the People's Movement can be conclusively proven, their relevance to the campaign as a whole is without question. The issues first articulated by Libertas in the first Lisbon referendum campaign have formed the basis of the government's strategy for the next vote on Lisbon<sup>70</sup>. The poster campaigns of the People's Movement and C oir were the focus of extensive criticism by the mainstream political parties as their effectiveness became apparent<sup>71</sup>. While the Irish Alliance for Europe and Government figures were quick to dismiss Sinn F ein and Socialist Party arguments against Lisbon as purely "political opportunism", they found it much more difficult to refute the claims of civil

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<sup>68</sup> Author interview with Naoise Nunn, Libertas campaign manager, 14<sup>th</sup> August 2008.

<sup>69</sup> See: Garry et. al., 'Second Order' versus 'Issue Voting' effects in EU Referendums:', *Geary Discussion Paper Series*, Dublin: UCD

<sup>70</sup> See: 'Government lines up a number of Lisbon opt-outs', *The Irish Examiner*, 22<sup>nd</sup> November, 2008.

<sup>71</sup> See: 'Labour criticises 'alarmist' no vote poster campaign', *The Irish Examiner*, 15<sup>th</sup> May, 2008.

society based anti-Lisbon campaigners and thus much more difficult to convince the electorate to vote Yes to Lisbon<sup>72</sup>. The civil society No campaign presented itself as free from political influence and instead focused specifically on the issues they thought important about Lisbon. Unable to accuse them of political opportunism the Yes side found it difficult to deal with their diverse range of issues.

Irish civil society based opposition to Europe is different from that of its counterparts in Norway and the UK. In Norway and the UK despite the presence of civil society opposition, political parties dominate the anti-EU debate. With the Lisbon I campaign Irish civil society dominated the No side, pushed anti-Lisbon parties to the side and challenged mainstream political parties leadership on the EU issue in Ireland. They were able to achieve this by utilising campaign tactics honed from the experience of the failures of previous EU referendum campaigns and the success of the No to Nice campaign in 2001. The repeated structural opportunity of referendums provided Irish Eurosceptic groups not only with the opportunity to defeat European treaties but also with the opportunity to build experience in both campaigning and organising against European treaties. The situational opportunity of a weak and divided Yes campaign allowed civil society groups unhappy with the impact of European integration on their interests, to take full advantage of the structural opportunity of a referendum on the Lisbon Treaty and campaign successfully for its rejection.

### **Party Politics and Government-Opposition Dynamic in Referendum Campaigns**

The “situational opportunity” for anti-Lisbon civil society campaigners of a weak and divided Yes campaign can be demonstrated by the destabilisation of Government and political party leadership on the EU issue in Ireland. 37% of Fianna Fáil voters, 48% of Fine Gael voters, and 61% of Labour voters voted No despite their parties Yes position<sup>73</sup>. The Green Party, despite being a member of government, was officially neutral on Lisbon and although the party’s elected members campaigned widely for a Yes vote, 53% of Green Party voters voted against the Lisbon referendum. Sinn Féin

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<sup>72</sup> See: Connor Sweeney, ‘Mandelson criticises Lisbon Yes campaign’, *The Irish Times*, 20<sup>th</sup> June, 2008.

<sup>73</sup> See: Milward Brown IMF, *Post Lisbon Treaty Referendum Research Findings*.

as the only anti-Lisbon party in the Dáil saw the vast majority of its supporters, 88 %, following the party line<sup>74</sup>.

*Table 3.1 % of No voters, breakdown by party support*

<b>Party</b>	<b>% Supporters voting No on Lisbon</b>
Fianna Fáil	37
Fine Gael	48
Labour	61
Green Party	53
Sinn Féin	88

Source: Milward Brown IMF, (2008) *Post Lisbon Treaty Referendum Research Findings*

The mainstream political parties were joined on the pro-Lisbon side by business groups, trade unions, and institutions such as the Church. While this appears to be wide and representative of society, and a strong enough coalition to sway the mainstream in favour of Lisbon, the lateness of its full mobilisation negated any positive impact the coalition's efforts may have had. Thus, we can understand why 70% of those who voted believed that Ireland's corporation tax would be affected by Lisbon despite all the main business groups arguing that it was not<sup>75</sup>. Likewise 45% of No voters were convinced of the potential for abortion to be made legal in Ireland by Lisbon due to the arguments of the C6ir group and were not swayed by the arguments of the Catholic Archbishop of Dublin, who told all Catholics that they could vote for Lisbon with good conscience should they wish<sup>76</sup>. A similar situation was present in the Danish vote on EMU membership in 2000 where "a united front of politicians, business leaders and trade unionists" was not enough to persuade the Danish voters to vote Yes to the Euro<sup>77</sup>. Here Qvortrup believes that the Yes side managed to squander a substantial lead in the opinion polls due to a lacklustre campaign brought down by political manoeuvring between the parties making up the Yes side.

There are strong similarities between the Danish No to membership of the Euro and the Irish No's to Nice I and Lisbon I. That is domestic issues, based around

<sup>74</sup> Ibid

<sup>75</sup> See: Gene Kerrigan, 'Brace yourself for bullying and threats', *The Sunday Independent*, 22<sup>nd</sup> June 2008.

<sup>76</sup> See: Milward Brown IMF, *Post Lisbon Treaty Referendum Research Findings*.

<sup>77</sup> See: Mads Qvortrup (2002), 'How to Lose a Referendum: The Danish Plebiscite on the Euro, in *The Political Quarterly*, Vol. 72, No. 4, pp. 195.

national party competition, were used as arguments for a Yes vote. “Depoliticised” European arguments were not employed, with the result being a failure for the Yes sides in all cases to rise above domestic party squabbling. As Garry et. al. discuss in their comparison of the Nice I and Nice II, the domestic issue effect of Nice II was markedly reduced from Nice I as mainstream opposition parties specifically dealt with voter antipathy toward the government and urged them to vote on European issues: “Hold Your Fire. Fianna Fáil Can Wait. Europe Can’t.” was a Labour Party slogan<sup>78</sup>. From this research the single biggest indicator of a swing from No to Yes and from abstention to Yes among voters in Nice II was support for European enlargement. The Nice II Yes campaign organised amongst the pro-Lisbon political parties used the issue of enlargement as a unifying argument to get around the left-right, rural-urban divide in Irish politics with a European dimension largely unencumbered by national concerns. Participants in the Millward Brown survey who voted No to Lisbon, recalled the Nice II Yes campaign and its focus on largely European issues. There was much dissatisfaction, among such voters with the failure of the Yes side to list specific reasons why Lisbon was “good for Ireland and good for Europe”; ultimately, one No voter concluded, “there was not one issue contained in the Treaty which was used to ‘sell’ Lisbon to me”<sup>79</sup>.

### **The Effect of “Depoliticisation” on Yes to Europe Referendum Campaigns**

In contrast to their European arguments in support of Nice II, the main opposition parties Fine Gael and Labour openly stated that one of the main aims of their Lisbon campaign was to promote their local and European candidates for the 2009 elections<sup>80</sup>. While the No side focused on getting their argument across, the Yes campaign was focused on raising awareness of candidates for an election that was a year away. The Millward Brown survey noted this cynicism amongst voters towards the Yes side with a clear majority of both Yes and No voters feeling that the Yes campaign was “more about self-promotion than highlighting any tangible benefits of ratification”<sup>81</sup>. The pro-EU opposition parties ignored the lessons of Nice I and Nice II, and engaged in such a “self-promotion[al]” campaign as they were presented with the problem of supporting an EU Treaty explicitly bound to the political authority of

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<sup>78</sup> See: Garry et. al., ‘‘Second Order’ versus ‘Issue Voting’ effects in EU Referendums’.

<sup>79</sup> See: Millward Brown IMF, *Post Lisbon Treaty Referendum Research Findings*.

<sup>80</sup> See: ‘Gilmore launches drive for Lisbon Yes vote’, *The Irish Examiner*, 12<sup>th</sup> May, 2008.

<sup>81</sup> See: Millward Brown IMF, *Post Lisbon Treaty Referendum Research Findings*.

their main electoral rivals new leadership. The Fianna Fáil led government bound itself to the Lisbon treaty by appointing the Ministers for European Affairs and Foreign Affairs to lead the Yes campaign, and the new Taoiseach announced that Lisbon would be the first major test of his leadership<sup>82</sup>. The assumption by the pro-EU opposition parties was that the government would secure the ratification of Lisbon, while they would secure the electoral success of their local and European candidates in following elections. This assumption appears perfectly rational as policy options are restricted for pro-EU opposition parties facing a referendum on the EU.

Adapting Kirchheimer's three different "modes of opposition", it can be seen that there are three options for pro-EU opposition parties faced with a referendum on the EU<sup>83</sup>. Explicitly advocating a No vote was out of the equation given the pro-EU policy of both parties; therefore the policy options available to both parties were:

- 1.) Campaign strongly for a Yes vote. This favours their pro-EU policy but risks giving political support to rival government parties in the event of a Yes vote. (elimination of opposition)
- 2.) Do nothing/remain neutral. This saves resources for a forthcoming general election and results in political damage to rival government parties in the event of a No vote<sup>84</sup>. But it also conflicts with their pro-EU policy as it can be interpreted as a No vote. (opposition on principle)
- 3.) Campaign for Yes vote on domestic political issues. This raises the profile of party candidates/party policy, while denying political support to rival government parties. While not conflicting with a pro-EU policy it raises the chances of a No vote. (classical opposition)

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<sup>82</sup> See: Áine Kerr, 'Cowen issues rallying call as 'Yes' vote edges in front', *The Irish Independent*, 9<sup>th</sup> June, 2008.

<sup>83</sup> See: Otto Kirchheimer, (1956) 'The Waning of Opposition in Parliamentary Regimes', in *Social Research*, Vol. 24, No. 1, pp. 127-56.

<sup>84</sup> As Gilland points out was the case in 2001, and Szczerbiak and Taggart point out was the case in many Central and East European countries membership referendums in: Aleks Szczerbiak and Paul Taggart, 'Conclusion: Towards a Model of (European) Referendums' in Szczerbiak and Taggart, (2005) (eds.) *EU Enlargement and Referendums*, Routledge: Oxford, p. 207.

Fine Gael and Labour as pro-European opposition parties chose *Option 3*. They explicitly stated that they would use the Lisbon campaign to raise the profile of their European and local election candidates for the elections to be held the following year. So the funds and campaign strategy of the two main opposition parties were not so much focused on getting Lisbon passed but on getting candidates elected for elections in a year's time. The causal factor that pushed Fine Gael and Labour into pursuing this strategy was due to the politicisation by party competition of the ratification campaign. From the beginning of the debate on the Treaty in Parliament, opposition and government parties disagreed over the announcement of the date for the referendum.

For Nice I, *Option 2* was chosen as both parties decided not to waste resources on campaigning for a treaty closely associated with the government parties. Instead they focused on planning for the forthcoming general election. But For Nice II both parties chose *Option 1* and campaigned vigorously for the Nice Treaty on distinctly European issues. Fine Gael and Labour succeeded in winning more of their voters on to the Yes side for Nice II, despite an increase in dissatisfaction with the government amongst their voters from Nice I<sup>85</sup>.

The importance of party cues in European referendums has been argued by Hobolt<sup>86</sup>. However, looking at the last three Irish referendums on the EU the campaign option taken by the opposition pro-EU parties needs to be taken into account before an evaluation of the effectiveness of party cues can be made. Given the complex interaction of the depoliticisation of the European issue amongst mainstream parties, intense party competition, and frequent EU referendums; the assumption that all pro-EU parties act similarly during European referendum campaigns is simplistic at best. The last three referendums on the EU in Ireland have witnessed three different policy actions by pro-EU opposition parties. With two of those three referendums voted down against the cues of the dominant political mainstream, the variable nature of party cues on Europe is apparent.

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<sup>85</sup> See: Garry et. al., 'Second Order' versus 'Issue Voting' effects in EU Referendums'.

<sup>86</sup> See: Hobolt, 'How Parties Affect Vote Choice in European Integration Referendums'.

Harmsen<sup>87</sup> and Marthaler<sup>88</sup> have discussed the disharmony in the Dutch and French Yes campaigns on the Constitutional Treaty referendums respectively. However in both those cases prominent elements from political parties advocating a Yes vote broke away from their party and explicitly campaigned for a No vote on the grounds of specific opposition to various EU policies, *and* of opposition to the ruling Government. This is more reminiscent of the explicit “flanking Euroscepticism” along classical left/right political lines that Marthaler explains was so evident in the French Constitutional Treaty campaign<sup>89</sup>. In that case prominent opposition Socialist Party politicians made a connection between the supposed neo-liberal economic bias of the Treaty and the neo-liberal policies of the Chirac government and campaigned for a No vote to reject both<sup>90</sup>. In the Dutch case Harmsen noted the hesitancy with which a cross party Yes campaign was launched and the underlying tensions that held back the campaign from matching the rigour of the No campaign.

The example of the French and Dutch No votes on the Constitutional Treaty, and the Danish vote on Euro membership, appear to confirm that inherent tensions in government and opposition joint Yes campaigns on EU referendums make them far more susceptible to failure rather than representing a broad political consensus as it would first appear from the outside<sup>91</sup>. Whether there is an inherent instability in such coalitions is a moot point however. Contrasting the fortunes of the Irish Lisbon Yes campaign to that of the Irish Nice II Yes campaign, it can be seen that government and opposition parties can work effectively together to secure the ratification of European referendums. The difference appears to be in the level of politicisation at the inception of the referendum campaign. For Nice II the campaign was instigated as one of national importance and was conducted by the Yes side in a unified fashion “in the national interest”<sup>92</sup>. For Lisbon the campaign was politicised by government/opposition party competition from the beginning, with the campaign divided as a result. The failures of this campaign were then successfully exploited by

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<sup>87</sup> See: Robert Harmsen (2005) *EPERN Briefing Paper No. 13: The Dutch Referendum on the Ratification of the European Constitutional Treaty*, Sussex European Institute: Sussex.

<sup>88</sup> See: Sally Marthaler (2005) *EPERN Briefing Paper No. 12: The French Referendum on the Ratification of the Constitutional Treaty*, Sussex European Institute: Sussex..

<sup>89</sup> See: Sitter, ‘Opposing Europe’.

<sup>90</sup> See: Marthaler, *The French Referendum on the Ratification of the Constitutional Treaty*.

<sup>91</sup> See: Harmsen, *The Dutch Referendum on the Ratification of the European Constitutional Treaty*.

<sup>92</sup> See: Garry et. al., ‘‘Second Order’ versus ‘Issue Voting’ effects in EU Referendums’.

the civil society groups discussed in the previous section, and the Lisbon Treaty was rejected.

It would thus appear that government and opposition political party pro-European referendum campaigns can succeed but only when their pro-EU policy positions come first, and domestic policy differences are cast aside.

## **Conclusion**

This paper highlighted two important issues arising from the Irish Lisbon referendum; the first being the role of Eurosceptic civil society groups in the campaign, the second being the instability of the combined government and opposition political party Yes campaign. The other studies mentioned at the start of this paper list many specific points which were important factors in the outcome of the Lisbon referendum in Ireland. This paper sought not to contradict those individual points but rather to highlight two additional factors that played a crucial role in the rejection of the Treaty. These factors are not unique to Ireland, their presence has been noted in other member states.

What motivated Irish Eurosceptic campaigners based in civil society to mobilise was the perception that their interests were under attack by EU institutions. They specifically targeted the EU itself and not the government. Their interests were supposedly represented by their institutionalised interest groups at the national level, however they rejected these cues to vote Yes, and organised themselves to actively campaign against the Lisbon Treaty. As this paper discussed, the active campaigning of such groups against European treaties highlights the serious divisions that have emerged between Irish civil society and the political mainstream. Their success against political and elite civil society cues to vote Yes confirms the arguments of Della Porta and Tarrow as to the role of social movements in affecting politics.

In contrast to the success of the No side, the 'Irish Alliance for Europe's' campaign was undermined by the early politicisation of the referendum by domestic party competition. This allowed the government/opposition tensions inherent in cross party campaigns to destabilise the Yes campaign. Opposition pro-European parties were always in a difficult position as regards their support for a government party dominated Yes campaign. The linking by the ruling Fianna Fáil party of their new leaders authority to the success of the campaign made that position all the more

difficult. While not attacking the Treaty itself, Fine Gael and Labour attacks on the government's conduct of the campaign and their focus on raising the profile of European and local election candidates, undoubtedly hindered the running of the Yes campaign. Recent European referendums in France and the Netherlands have shown similar unharmonious tendencies among pro-European political parties in Yes campaigns. It would appear that far from government/opposition dynamics on Europe being played out on the margins of the political spectrum, they are now being seen in the mainstream as well.

These two issues while appearing to be independent of each other are in fact closely linked. The depoliticisation of the EU issue in mainstream politics has denied an effective political outlet for the opposition of certain Irish civil society groups to European integration. This has caused such groups to mobilise in active campaigning against the EU around the "structural opportunity" of referendums on EU treaties. These campaigns have been effective due in part to the policy options taken by pro-EU mainstream parties on EU referendums. The benefits of campaigning in such referendums have been reduced for opposition parties as the issue at hand is uncontested and linked to the ruling government party/ies. This has created a "situational opportunity" of weak and divided Yes to EU referendum campaigns that has allowed civil society based No to EU referendum campaigns have a significant impact on the outcome of these votes.

All the mainstream parties appear to have pursued *Option 1* in the campaign for ratification of Lisbon II; that of campaigning strongly for a Yes vote<sup>93</sup>. The Government asked the public to view Lisbon II as an issue of "national importance"<sup>94</sup>, and look beyond party politics. Fine Gael and in particular the Labour Party, with their "Labour for Europe" campaign, organised their own individual Yes to Lisbon drives<sup>95</sup>. This appears to have been an effort by the pro-European parties to distance an unpopular government from the Lisbon Treaty referendum, and to reverse the situation of Lisbon I where significant numbers of their supporters ignored their cues to vote Yes. The business lobby, Irish Business Employers Confederation (IBEC), funded the formation of two pro-Lisbon civil society groups. 'We Belong' counted

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<sup>93</sup> See: Aidan O'Connor, 'Kenny calls truce in display of political unity on treaty vote', *The Irish Independent*, 12<sup>th</sup> September, 2009.

<sup>94</sup> See: Jason Michael, 'Martin warns of No consequences', *The Irish Times*, 22<sup>nd</sup> July, 2009.

<sup>95</sup> See: 'Labour promises Obama-style Lisbon campaign', *The Irish Independent*, 17<sup>th</sup> July, 2009.

among its public supporters famous Irish sporting, business and entertainment figures<sup>96</sup>. ‘Generation Yes’ while founded and funded by IBEC, was run by graduate students<sup>97</sup>. This group specifically targeted young voters, the majority of whom voted No to Lisbon, through new media such as social networking sites<sup>98</sup>.

The goal of these two significant tactical changes from the Lisbon I Yes campaign was firstly to target mainstream party voters voted No the first time around. Secondly it was to actively engage and involve ordinary members of civil society in a campaign for a Yes vote, in a non-party political group. Their creation by the Yes side is perhaps the clearest indication of the failures of pro-European Irish political parties in reaching out to voters on EU referendums, and the success of civil society groups in convincing voters to vote No to Lisbon.

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<sup>96</sup> See: Diarmuid Doyle, ‘The Yes campaign needs an enthusiast, someone who tingles with excitement at the very mention of Brussels... The Minister for Europe Dick Roche fits that bill’, *The Sunday Tribune*, 6<sup>th</sup> September 2009.

<sup>97</sup> See: Mary Fitzgerald, ‘Team Yes – who’s who, how they are funded and what their strategy is’, *The Irish Times*, 14<sup>th</sup> September 2009.

<sup>98</sup> See: [www.facebook.com/GenerationYes](http://www.facebook.com/GenerationYes).

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