

Why did Ireland Reject the Lisbon Treaty in 2008?: John Fitzgibbon

The Irish referendum on 12 June 2008 rejecting the Lisbon Treaty has produced substantial research and comment. Using in-depth post-referendum voter analysis the major conclusions drawn in the literature are that Irish voters voted No simply because they did not understand the Treaty or were opposed to specific EU policies that were and were not included in the Treaty.

While I do not question the validity of this research, I want to place these factors in a wider context. Since the rejection of the first Nice Treaty in 2001, there has been confusion as to how the Irish electorate can remain overwhelmingly positive toward EU integration yet reject two EU treaties. In this paper I argue that while the individual factors behind the Lisbon rejection discussed in previous research on Lisbon are relevant, the phenomenon of organised civil society opposition to European integration and the inherent instability of political party based pro-EU referendum campaigns provide a more incisive analysis of the increasing trend of Irish Euroscepticism.

From the onset of negotiations in the early 1960s the two largest parties in Irish politics, Fianna Fáil and Fine Gael, have both been deeply committed to the policy of membership. With their domination of political office, pro-European policies have become institutionalised in the Irish government. The leadership of the third-largest party in the state, the Labour Party, has also moved towards a pro-European position, as has the Green Party. Opposition to the EU is characteristic of the membership of Sinn Féin, the Workers' Party and the Socialist Party.

The Irish Lisbon vote took place amidst substantial shifts in Irish politics. The resignation of a popular 11-year Taoiseach, Bertie Ahern, and the following shift in the leadership of the majority Fianna Fáil party consumed the focus not just of the political elite but also of the media for the months preceding the Lisbon vote. The new Taoiseach, Brian Cowen, immediately made passing Lisbon his number one priority, but appeared to be more preoccupied with solidifying his political base and celebrating his accession to high office than with organising a Yes to Lisbon campaign. Given all these developments Europe was certainly not on top of the Irish political agenda until only the final few weeks of the campaign.

While the change of Taoiseach was dominating Irish politics, various groups from civil society 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 it believed the Irish public should reject the Lisbon Treaty on. With Libertas and its leader, multi-millionaire businessman Declan Ganley, launching its No campaign and receiving extensive media coverage, other No groups were forced to move forward 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. Both the Catholic Cóiir, a group made up of anti-abortion and fundamentalist Catholic campaigners, and the left-wing People's Movement began to organise volunteers and begin leaflet drops and discussion meetings by February 2008 to bring their own specific arguments against Lisbon to the electorate. Only on 25 April 2008 was the date for the referendum formally announced, and the main Yes campaign, 'Alliance for Europe', was not formed until late April.

Civil society groups were more significant than political parties in their role in the No campaign and 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.

From the start Libertas highlighted its two arguments for rejecting Lisbon that would dominate the agenda of the entire debate.

Its first argument was that passing Lisbon would force Ireland to abandon its low tax policy and hence the many multinational companies that have bases in Ireland to avail themselves of the low taxes would leave, taking hundreds of thousands of jobs with them. The success of this campaign is evidenced by the belief of 43 per cent of voters that Lisbon meant the loss of Ireland's low corporate tax rate (12.5 per cent), despite the assurances of all of the country's main business groups that it did not.

The second Libertas argument was 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 big states over the small states, 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'.

In addition to a billboard campaign, Libertas engaged in media launches and used a campaign bus which toured the country handing out leaflets and organising meetings. Media focus intensified on Libertas and Ganley as their emergence became perceived as the 'story' of the campaign with Ganley being elevated to the unofficial leader of the No campaign by the media. Voters were presented with slick, media-savvy advertising and a respectable and engaging figurehead in Declan Ganley. His personal story of returned emigrant, self-made millionaire and practising Catholic provided a personalised element to the arguments of the No side.

It appears that 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. 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.

Perhaps the most important 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 IRA and extreme left policies with an 'acceptable' form of Euroscepticism.

In contrast to the high media profile campaigning and expensive billboards of Libertas were the more grassroots and direct campaigns of C6ir and the People's Movement. Although each group represents extreme ends of Irish society, right-wing and left-wing respectively, they are 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.

For C6ir, whose main purpose is to oppose the introduction of abortion into Ireland and to defend 'traditional values', the fear was that the Irish pro-choice lobby would take a case against the Irish state to the ECJ which in turn would use the European Charter of Fundamental Rights as a basis for legalising abortion in Ireland. For the People's Movement, its 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. Both groups relied on an extensive network of volunteers to conduct their campaign strategy, which relied on 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 referenda in its previous incarnation as Youth Defence. Cóir has broadened out its membership to include individuals not associated with Youth Defence and has in fact become an umbrella group of anti-abortion and fundamentalist Catholic activists numbering some 2,000 members. Its members have broken with the Catholic Church in that they favour direct action against both individuals and institutions that would allow the legalisation of abortion, and additionally gay marriage, in Ireland. As Youth Defence the group was ostracised by other anti-EU treaty campaigners for its perceived extreme position on abortion and alleged links to neo-Nazi organisations in Italy. Conscious of the damage these links had caused to their previous campaign against Nice II, the group rebranded 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.

Successive Irish governments have used EU law and directives as a highly effective means of bringing in progressive legislation, particularly with regard to social and economic liberalisation, without the need to face down entrenched interests at a domestic level. With Lisbon those groups that perceive themselves as 'losers' in this implementation of EU laws and their enforcement by the ECJ, fundamentalist Catholics and trade unionists, organised themselves into protest groups outside their institutionalised 'parent' groups to 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 (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. 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 of which both are members and 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 in 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 protest movements based in civil society.

While both Cóir 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 trajectory of European integration, and sought to convince the Irish electorate that 'another Europe is possible'. 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, with 37 per cent of Fianna Fáil voters, 48 per cent of Fine Gael voters and 61 per cent of Labour voters voting No despite their parties' Yes position.

Sheer superiority in resources has always given Yes sides far great campaign strength in terms of reach and agenda setting with the Irish public. With Lisbon for the first time the resources expended by the No side (almost wholly by Libertas) gave them a clear advantage over the Yes side, which began to spend money only belatedly and reluctantly. Libertas billboards across the country displayed anti-Lisbon messages for months, allowing the No side to set the agenda and forcing the Yes camp into refuting No arguments instead of putting

forward Yes ones. While no definite 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 Yes side contained the standard pro-European coalition of mainstream political parties, business groups 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 fully negated any positive impact it might have had. Thus we can understand the situation where 70 per cent of those who voted believed that Ireland's corporation tax would be affected by Lisbon despite all the main business groups arguing that it would not. Likewise 45 per cent of No voters were convinced of the potential for abortion to be made legal in Ireland by Lisbon due to the arguments of the C oir group and not those of the Catholic Archbishop of Dublin, who told all Catholics that they could vote for Lisbon with good conscience should they wish.

The start of the Yes campaign was negatively affected by the refusal of the then Taoiseach Bertie Ahern to name a date for the referendum, and this became a source of antagonism between the government and opposition parties as they claimed that his failure to set a date was symptomatic of his inability to run the country. Thus the Yes side was formed in an atmosphere of mutual distrust and party political divisions and not out of a spirit of mutual appreciation for the furthering of European integration in Ireland.

It has been argued that political party Euroscepticism can be characterised as a government opposition dynamic: political parties are Eurosceptic because it gives them an issue on which they can challenge the government, as all member state governments are pro-EU given that they have taken part in the negotiations on an EU settlement. But Eurosceptic research holds the proposition that mainstream opposition parties do not actively campaign against EU treaties lest they be seen as 'bad Europeans' by their ideological EU counterparts. Policy options are therefore restricted for pro-EU opposition parties which are 'forced to spend money on posters, canvassing, organise meetings and campaign like in a general election' though without the potential reward of elected office and instead 'only a pat on the head for being a good European'. The impetus for pro-EU opposition parties is either minimum involvement to save resources for forthcoming general elections or to use the referendum for domestic political purposes. Fine Gael and Labour 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 was not so much focused on getting Lisbon passed but on getting candidates elected for elections in a year's time.

The opposition and government had politicised the referendum campaign from the very start as they clashed in the D ail over the announcement of the date for the referendum. This failure to develop a cross-party coalition to campaign in favour of the ratification of Lisbon, together with the overt linking of the outcome of the referendum to the success of the new leadership of the Fianna F ail party, pushed the opposition towards the only acceptable political option available to them: that of advocating a Yes vote, while at the same time criticising the Fianna F ail-led government Yes campaign. Such a strategy covered both of their concerns: firstly it guarded against charges that they were Eurosceptic 'extremists'; and secondly it allowed them to attack the government for failing to be as good Europeans as they were by politicising the Yes campaign. This strategy would not have presented itself had not the long-drawn-out resignation of Taoiseach Ahern become connected to the Lisbon ratification process. This made the Lisbon process less about European integration and more about domestic political concerns for the opposition parties.

I have sought to highlight two important issues arising from the Irish Lisbon referendum, the first being the role of Eurosceptic civil society groups in the campaign, and the second being the instability of the combined government and opposition Yes campaign. The other studies I mentioned at the start of this paper list many specific points which were important factors in the outcome of the Lisbon referendum in Ireland. In my paper I have sought not to contradict those individual points but rather to highlight two wider elements that in addition played a crucial role in the result.

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