

Abstract

The main purpose of the master thesis called: "European referenda - the right choice? Focused on the Nice Treaty referendums in Ireland" is to reflect on the role of European referenda in representative democracies of the EC/EU either member or candidate states. Referenda give citizens a direct say over their futures. Provided they are preceded by well-organised national debates they usually raise the level of public awareness and understanding of the EU across Europe. On the other hand, they might be very dangerous political instruments with several serious drawbacks. Especially, the unpredictability of referenda is one reason why most governments have ratified EU agreements in their parliaments, assuming a majority would vote in favour.

The Republic of Ireland is one of the countries that has had several referenda in recent years dealing with contentious social, political and EC/EU matters in particular. Ireland has traditionally been one of the most enthusiastic supporters of the EU and has benefited from generous EU structural funding and Common Agricultural Policy subsidies that have helped to boost its economy - the so-called "Celtic Tiger". Surprisingly, the Irish people voted against ratification of the Treaty of Nice in a referendum on 7 June 2001. For the second time in the history of EU treaty ratifications, the people of a small member state have voted against an EU treaty. The Nice Treaty contains amendments to the EC/EU Treaties, including institutional reforms to help prepare the EU for enlargement up to 27 members. It needed to be ratified by all member states by the end of 2002. Fourteen of the former EU member states ratified the Treaty through parliamentary means. Irish voters were worried about the militarization of the EU, for which the Nice Treaty makes provision, and about the reduction of the role of small countries in decision-making. Moreover, the Nice Treaty is structured in such a way that sub- groups of states will henceforth be able to

initiate new common policies and new forms of co-operation without all EU member states having to give their agreement. This process is known as “enhanced co-operation”.

The Irish ‘NO’ was greeted with shock and disappointment, but the European Council together with the Irish prime minister Bertie Ahern have ignored the result and have decided that national ratification processes and the enlargement negotiations should continue. Without any re-negotiations of the Treaty, the Republic of Ireland held a second referendum on the Nice Treaty on 19th October 2002. The Irish government has made several legislative provisions, especially under the Referendum Act 2001, in order to get the “correct” result. All the events in Ireland clearly show how referendum as a voting system might be influenced and abused. It is a sad reflection on the state of democracy in Europe and it definitely does not help combat the EU democratic deficit.

Therefore, this paper looks closely at the background to the Irish referendum, the implications of the vote for Ireland and for Europe as a whole, and options for action in the light of the referendum result. It primarily tries to verify the sceptical hypothesis if referendum is a relevant way of getting the information about the both public opinions and preferences. It goes without saying that if the Irish had said ‘YES’ in the first referendum there would not have ever been a second one about the same issue.