

BRIEFING NOTE

EU enlargement depends on Ireland

by Daniel Keohane

On October 19th, the Irish government will hold a second referendum on the Nice treaty. Irish voters – the only people who have been asked to vote on that treaty – voted ‘No’ to it in June 2001. The purpose of the treaty, agreed in December 2000, is to change the EU’s institutions so that it can cope with up to 12 new members. Unless every member-state ratifies the new treaty by the end of this year the Union may not be able to proceed with its plan to enlarge in 2004. The European Commission says it has no ‘plan B’ for proceeding with enlargement if Ireland votes ‘No’ again. While some have suggested that the parts of the Nice treaty which cover voting rules could be incorporated in the accession treaty for the new member-states, thereby allowing enlargement to happen on time, it is far from certain that this ruse would work. It is highly likely that an Irish ‘No’ would delay enlargement, certainly by months and perhaps by years. The credibility of the EU, and Ireland’s place in it, is at stake in the upcoming referendum.

Protagonists:

The Irish government, like the rest of Europe, was caught on the hop by the 2001 referendum result. But the government only had itself to blame: it ran a lacklustre campaign, which gave the impression of taking Irish voters for granted. Worse than the vote itself (54 per cent against, 46 per cent in favour) was the paltry turnout of less than 35 per cent, evidence that the government did not capture the imagination of the electorate.

This time around, complacency is not an option. The Taoiseach, Bertie Ahern, has made this referendum his top priority, and is treating the second vote like a general election. The Irish government intends to devote more time and money on a vigorous campaign to woo the Irish people to vote for Nice. Moreover, unlike last time, cabinet ministers are under strict instructions to show full support for the treaty.

The two main opposition parties, Fine Gael and Labour, are also supporting the government “for the sake of the national interest”. And significantly, the ‘Yes’ campaign has the support of new civil society groups such as the Irish Alliance for Europe – a consortium of pro-European academics, businesspeople, lawyers and farmers amongst others – who claim “Nice is too important to be left to the politicians”.

The ‘No’ side, an unusual coalition of groups from both sides of the political spectrum, ran an excellent campaign for the 2001 vote, using simple messages which appealed to voters’ instincts. Disappointed at the government’s inability to explain the issues at stake, the slogan “If you don’t know, vote no” hit home with many voters. Boosted by this victory, the anti-Nice political parties, notably Sinn Fein and the Greens, made significant gains in the May 2002 general election.

Issues:

The governing coalition parties, Fianna Fail and the Progressive Democrats, fresh from their summer re-election, have quickly turned their attention to Nice. The first difficult hurdle for the government is to convince the electorate that the Nice referendum deserves a re-run. Some voters will undoubtedly ask “which part of ‘No’ does the government not understand?” Bertie Ahern and his foreign minister, Brian Cowen, argue that the context has changed. The referendum question will include an additional clause stating that Ireland will not join an EU defence pact without another referendum, thereby guaranteeing that Nice does not affect Ireland’s cherished policy of neutrality. Ireland’s participation in the EU’s defence policy was a major issue in the 2001 campaign.

Pro and anti Nice camps are fighting the 2002 campaign on a wide-range of issues – just as in 2001. However, neutrality is not a central issue in the debate this time, in part due to the proposed constitutional guarantee. Instead, immigration has taken its place. In 2001, the anti-Nice side claimed to fully support the enlargement of the EU. This time around some of the leaders of the ‘No to Nice’ group have changed their tack, warning of “hordes from the east” flooding Ireland and taking jobs if Nice is passed. The government vehemently contests these controversial assertions, arguing there is no evidence to back up such claims.

The government is also insistent that Nice is necessary for enlargement, and that the electorate should not prevent Central and Eastern European states benefiting from EU membership in the same way as Ireland since it joined in 1973. The ‘No’ side are adamant that enlargement can proceed without the Nice treaty, for example by using the formula agreed in the Amsterdam treaty of 1997, which would allow up to five countries to join within the existing institutional framework.

Sinn Fein and the Greens support enlargement, but claim that Nice should be rejected because Ireland would lose influence under the terms of the treaty – losing votes in the Council of Ministers and the European Parliament, and giving up the automatic right to a commissioner. ‘Not so’ retorts the government, arguing that Ireland does well out of Nice. It would have the same votes in the Council of Ministers as Denmark and Finland, which both have more people. In an EU of 27 member-states, Ireland would have less than 1 per cent of the EU’s population but 2 per cent of the votes in the Council; the same right to a commissioner as every member-state; and over twice as many MEPs per inhabitant as Germany, France, Italy and the UK. Moreover, enlargement benefits Ireland. The majority of applicants are small states like Ireland; with a similar interest in ensuring the EU is not run by a *directoire* of bigger states.

And then there is the economy. Pro-Nice canvassers point out that if Irish voters say ‘No’ a second time-giving the impression that Ireland is no longer fully committed to the European project – Ireland will lose foreign investment and jobs. Whereas after enlargement, Ireland’s export-driven economy should expect to prosper in a bigger EU market. The anti-Nice campaigners reply that the rest of the EU will not kick Ireland out due to a second rejection of Nice, and Ireland can continue to prosper regardless.

Outcome is too close to call:

Many outsider observers think Ireland will vote in favour this time around, but it is far from certain how this vote will pan out. One recent opinion poll showed the pro-Nice side ahead by 10 per cent, But the same poll revealed that a massive 44 per cent of voters were undecided.

It is true that, in contrast to 2001, the ‘Yes’ side is much better organised, financed, and disciplined. The government is more willing to engage the electorate, and make an assertive case for Nice. And if the government can get its foot soldiers out on the ground this time, knocking on doors and advocating the merits of Nice, then the chances of a ‘Yes’ vote look better.

Nevertheless, there are numerous reasons to predict a negative outcome. The first is voter apathy. Studies have compared the 2001 referendum with previous EU treaty referenda, and the results show that the government lost due to ‘Yes’ voters not turning out, rather than a dramatic rise in the ‘No’ vote. Getting the vote out this time around will be crucial if the government is to have any chance of winning. However, the

electorate is facing its third vote this year, following a February referendum on abortion, and the May general election, and may not have the energy to put up with yet another campaign.

Other factors which could influence the outcome of the vote include euro-inspired price hikes for basic goods, which are irritating consumers, and damaging the popularity of the EU. And some traditionally pro-EU groups are less likely to vote 'Yes'. Many farmers are disgruntled at the Commission's recent proposals for reforming the EU's agricultural policy, and some may vent their frustration by voting 'No'.

The final, and probably the most important reason not to believe a 'yes' vote is a foregone conclusion, is anger at the government over its handling of the economy. Fianna Fail won the May election with the promise to continue the glory days of the booming "Celtic Tiger" economy. Public sector workers in particular were expecting wage hikes this autumn. But with the election over, the government is announcing spending cuts almost every week, effectively ruling out salary increases. The pro-Nice opposition parties have asked voters not to use Nice as a stick to beat the government with, due to unhappiness about the government's management of the public purse. But whether the electorate agrees with this advice remains to be seen.

Conclusion:

If the Irish vote 'No' a second time – just when the EU's accession talks are due to conclude – it would be a huge blow to the peoples of Central and Eastern Europe. They have been waiting to join the EU for a dozen years. A second Irish 'No' would mean there is no guarantee they can join the EU in 2004, or soon afterwards.

One possible 'Plan B' could be to extract from the Nice treaty the articles on the re-weighting of votes in the Council of Ministers, and the numbers of MEPs and commissioners, and insert these into the applicant states' accession treaty (there will probably be just one treaty for all the applicants). The rest of the Nice treaty would be cast aside. Under the Amsterdam rules it would then be possible for the EU to let in ten new members.

However, this institutional wheeze could not guarantee that enlargement proceeded smoothly. The Nice treaty was signed after a number of political trade-offs, covering voting rules, the extension of qualified majority voting and new procedures which allow groups of member-states to move ahead of the others in some policy areas. Some governments might not want to keep the re-weighting part of the Nice treaty without its other bits. Indeed, a national parliament could hold up ratification for months, or even years, over the loss of perceived "gains" from Nice.

Another option would be to delay enlargement, and renegotiate the terms of the Nice treaty during the next inter-governmental conference. Ironically, this revision is expected to start during the Irish presidency of the EU in the first half of 2004. Any new treaty signed in 2004 is unlikely to be ratified before 2006; some member-states may wish to hold referenda. There is evidently a risk of one member-state rejecting the treaty, thereby throwing the Union into disarray yet again.

A second rejection of Nice would also not be good for Ireland. It would probably cause one of the biggest foreign policy crises in recent Irish history. For a small country like Ireland, EU membership is crucial for increasing its influence in the world. But another 'No to Nice' will cast doubt on Ireland's traditional position at the heart of the EU, and damage prospective relations with the applicant states. Moreover, uncertainty about Ireland's European position will not help the island attract foreign investment – just as the economy is showing signs of slowing down.

The EU's future is in Irish hands, but which future Ireland will choose is too close to call.

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