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The EU's Democratic Deficit and Repeated Referendums in Ireland

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Abstract This analysis tackles the question of whether the democratic deficit in the European Union is associated with repeated referendums—giving voters a second chance to vote "yes" for EU treaties. Looking at repeated referendums in Ireland on the Nice and Lisbon treaties, I argue that, broadly speaking, these referendums failed to give Irish voters the meaningful ability to contest the direction of EU policy or to choose among alternative policy options, an example of how the democratic deficit can endure even when the EU incorporates electoral mechanisms. I first discuss how this theoretical insight is evidenced by five aspects of the Irish referendums. Then, I examine three of these aspects more closely in case studies of the Nice and Lisbon referendums, focusing on how leaders (1) conceptualized the failure of the initial referendums as deriving from voter incomprehension, (2) planned repeated referendums in an additional effort to ratify the treaties, and (3) mobilized "yes" voters through extreme predictions about the consequences of second "no" outcomes. I conclude by discussing socio-economic trends seen from 2003 to 2014 and their implications for issues related to the EU's democratic deficit.

Keywords European Union · Direct democracy · Referendums · European politics · Irish politics

Introduction

This analysis tackles the question of whether the so-called democratic deficit in the European Union (EU) is associated with repeated referendums—giving voters a second chance to vote "yes" for EU treaties.[1] Since at least 1977, scholars, activists, and government officials have debated the extent to which a democratic deficit exists within European supranational institutions such as the EU (Milev 2004). According to the European Commission, the democratic

[1]Throughout this analysis, I use "referendums" (not "referenda"). According to editors at *Oxford English Dictionary*, "*Referendums* is logically preferable as a plural form meaning ballots on one issue (as a Latin gerund, referendum has no plural). The Latin plural gerundive *referenda*, meaning *things to be referred*, necessarily connotes a plurality of issues" (Butler and Ranney 1978, pp. 4).

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deficit thesis implies that "the European Union and its various bodies suffer from a lack of democracy and seem inaccessible to ordinary citizens" (Democratic deficit 2013). Recent scholarship has conceptualized the EU's democratic legitimacy in terms of one of three normative criteria: the output effectiveness of the EU for its citizens (Majone 1998; Moravcsik 2002; Menon and Weatherill 2008; Caporaso and Tarrow 2008; Haller 2009), the input participation by these citizens (Bellamy and Castiglione 2003; Hix 2008), and the throughput legitimacy of EU efficacy, accountability, and transparency (Schmidt 2009, 2013a).

These frameworks have not yielded scholarly consensus on the EU's democracy issues. Using the output framework, Andrew Moravcsik (2002) and Giandomenico Majone (1996, 2002) have challenged the deficit thesis, arguing that EU institutions are primarily regulatory and, as such, do not require democratic oversight. Conversely, others have suggested that the democratic deficit has persisted despite successive EU reforms, some of which were intended precisely to enhance its democratic legitimacy (Haller 2009; Armingeon and Baccaro 2012). Despite differences among scholars, many observers have come to recognize the gravity of these issues, especially as the EU has seen its output legitimacy weakened in the wake of the Eurozone crisis (Crum 2013; Schmidt 2013b; Youngs 2013). Now, the EU's future stability depends partly on its ability to overcome democracy concerns, especially since, according to Norris (2011), it is widely believed that institutions lacking deep foundations of legitimacy face heightened risk of breakdown.

In this analysis, I intervene into this democratic deficit debate by looking at repeated referendums in Ireland held on two EU treaties—the Treaty of Nice and the Treaty of Lisbon. Initially, Irish voters rejected referendums on both treaties, frustrating the plans of Irish and EU leaders. Soon after, these leaders organized second referendums in another effort to ratify the treaties. *How did Irish and European leaders react to the failure of the initial referendums and conceptualize Ireland's repeated votes? What implications do such behaviors hold for the issue of the EU's democratic deficit?* Taking these referendums as case studies, I examine whether deficit concerns have been addressed in certain instances where the EU has incorporated electoral mechanisms. This approach not only illuminates the perspectives of European leaders vis-à-vis democracy issues but also gives insight into how leaders' perspectives have led to decisions that may have reproduced these issues.

This analysis forwards two interconnected arguments—one theoretical and the other analytically embedded in Nice and Lisbon case studies.

The theoretical argument of this analysis is simply that Ireland's repeated referendums show how EU leaders and institutions can constrain policy contestation even when member states incorporate electoral procedures. This point follows from at least five aspects of the EU referendums in Ireland.

The Nice and Lisbon case studies critically deal with three of these aspects concerning EU referendums in Ireland. The argument here is that the three factors are indicative of how Irish leaders constrained the ability of voters to challenge the direction of EU policy by systematically presenting the rejection of the two treaties as politically indefensible. (1) First, some Irish and European administrators depoliticized the initial referendum outcomes, conceiving the electoral failures as symptomatic of voter incomprehension—not primarily convincing arguments or voter preferences. (2) Next, they planned second referendums in an effort to ratify the treaties, arguing that repeated chances would give citizens time to better inform themselves about the issues at stake. (3) Finally, to further isolate "no" campaigners and mobilize "yes" voters, leaders strategically emphasized the negative effects possible with second rejections. Hence, the repeated referendums did not give citizens the meaningful ability to choose among or pursue alternative policy options. Instead, the second votes primarily served the interests of Irish and European political leaders in their quest for treaty ratification.

Definitions and Theoretical Analysis

In this analysis, I define democracy as the ability of citizens to influence policy making through political processes (Aman 2004). Some scholars such as Cronin (2001) have argued that referendums serve as one of the more direct forms of democracy. This argument rests on the assumption that referendums enable citizens to shape the formation of laws in a more immediate way than through legislative procedures, which mediate popular preferences and policy outcomes. However, as suggested below, this conclusion may underemphasize the extent to which leaders can strategically utilize referendums for their benefit. Indeed, standard referendums—as opposed to direct citizen initiatives, popular referendums, and abrogative referendums—can often function as tools to serve the interests of leaders who hold power and already shape policy (Carson and Martin 1999; Walker 2003).

Next, I take the term "democratic deficit" to mean that a given political institution fails to incorporate contestation for political leadership or over the direction of policy (Follesdal and Hix 2006). This definition describes the features common across the various uses of the term, which, as Follesdal and Hix (2006) note, has no single or fixed referent. In fact, while the term can refer to the legitimacy problems of non-majoritarian institutions (Majone 2002), it can also refer to how European integration has occasioned an increase in executive power and a decrease in national parliamentary oversight (Raunio 1999). In addition, the term can refer to how the European Parliament has historically remained weak compared to the Council of Ministers or to how the EU has sometimes adopted policies opposed by the majority of citizens in member states (Follesdal and Hix 2006). At minimum, these definitions each imply that a political institution will contain a democratic deficit if its citizens do not have a meaningful ability to choose among or pursue alternative policy options.

Repeated Referendums and the EU's Democratic Deficit

On first glance, it appears that Ireland's repeated Nice and Lisbon referendums indicate an internal democratic deficit in Ireland—not the EU. After all, the Irish referendums were not required by the EU, but by Irish law, in part to address legitimacy concerns of Irish involvement in supranational institutions (Closa 2007). Hence, Ireland's repeated referendums appear to remain internal issues, although ones with clear consequences for the EU as a whole.

While some evidence supports this notion, I would nevertheless place greater emphasis on the ways in which Ireland's repeated referendums are more symptomatic of EU political culture than of particularities to Ireland. Indeed, referendums on EU treaties have been repeated several times in a number of member states at the counsel of EU officials (de Búrca 2011). Thus, as various member states have mandated repeated referendums, the Irish cases can shed light on the general dynamics of referendum politics in the EU (Closa 2007). In short, the repeated referendums give insight not only into Ireland's democracy issues but also into those of EU institutions.

More concretely, Ireland's repeated referendums give theoretical insight into the EU's democratic issues by showing how EU leaders and institutions can limit policy contestation even when member states incorporate electoral procedures for policy ratification. This insight follows from five aspects of the EU referendums in Ireland.

The first three aspects supporting this insight follow from the central argument embedded in the Nice and Lisbon case studies. That is, in the Nice and Lisbon cases, political leaders (1) framed the "no" outcomes as symptomatic of voter incomprehension, (2) did not accept the initial results and planned repeated votes, and (3) remarked that dire consequences would

ensue if the second referendums failed to pass. Later, these aspects are each discussed in detail. The point important to emphasize here is that these three strategies each had the effect of delegitimizing those who wished to contest the direction of EU policy. Put differently, leaders worked to render null the initial referendums and justify the second votes without revisiting the content of the policies at stake.

The final two aspects follow from more abstract considerations later covered in some, but not great, detail.

(4) The majority of Irish citizens reported having little knowledge of the Nice and Lisbon treaties and, indeed, of the EU in general, reflecting how EU institutions have been unsuccessful at engaging citizens in meaningful policy debate. The gap between the preferences of European citizens and the voting behaviors of their EU representatives further explains this alienation, as does citizens' limited efficacy with respect to EU policy changes (Karp and Banducci 2008). Such considerations reinforce the claim that, on the whole, the Irish referendums failed to incorporate policy contestation: Even though leaders at the EU level did, at times, adopt rhetoric about deliberative democracy, they negotiated and finalized the content of both the Nice and Lisbon treaties without attempting to systematically incorporate citizen input (Boucher 2009).

(5) Lastly, referendums on EU treaties have been repeated only after initial "no" outcomes, demonstrating how second referendums have served to sanction, not shape, EU policy. This fact also gives credence to the claim that the repeated votes primarily served to benefit national and EU officials: While leaders referred to voter incomprehension to justify the repeated Nice and Lisbon referendums, some of these same leaders have disregarded precisely such incomprehension in cases where EU referendums have been successful. As a consequence, Ireland's repeated referendums show how EU officials can pursue various strategies to maintain policy consistency at the expense of meeting the preferences of EU citizens or of incorporating certain forms of policy contestation.

Together, these five considerations suggest that Ireland's repeated referendums failed to give citizens the meaningful ability to choose among or pursue alternative policy options. It is in this sense that the democratic deficit can endure even when the EU or its member states incorporate electoral procedures for policy ratification. Even with such procedures in place, European elites have pursued policies removed from the preferences of citizens and, at times, constrained the ability of these citizens to forward alternative policies (Bruter 2012).

All this, however, is not to suggest that repeated referendums are under no circumstances normatively defensible. A repeated referendum may be justifiable if it occurs for non-tactical reasons or if safeguards stand in place to prevent the manipulation of a repeated vote. For example, a repeated referendum appears warranted if legal conventions require multiple votes for major policy changes. In a similar vein, a repeated vote may be justifiable if new facts are disclosed on an issue central to a past referendum. Also, a repeated referendum may be defensible if an independent, politically diverse panel oversees the conditions under which a referendum will be repeated. If, however, a government will only hold a repeated vote when an initial outcome contradicts the plans of its leaders, repeated referendums may, in fact, strategically constrain contestation over policy and benefit those in power (Carson and Martin 1999; Walker 2003). Overall, then, repeated chances may be normatively defensible if they occur for non-tactical reasons and if mechanisms stand in place to prevent the exploitation of referendums by those in government.

Contrary to the claims of Irish and European leaders, however, voters' (real or imagined) lack of policy understanding does not in itself seem to serve as a sufficient cause for a repeated referendum—especially if the likelihood of repetition is unequal for affirmative and negative outcomes. In countries that have held successful referendums on EU treaties, many citizens—

like in Ireland—have also acknowledged comprehending little of the treaty documents. For example, after referendums on the European Constitution in Spain and the Netherlands, 70 and 51 % of "yes" voters confessed having "very limited" knowledge of the Constitution (Qvortrup 2009). However, if voter incomprehension were a sufficient justification for a repeated referendum, European leaders would have been obliged to hold second votes in cases where EU referendums were successful and voters also professed having limited knowledge of policies at stake. As it stands, however, affirmative votes on EU treaties have never been challenged with second referendums, even when many or most citizens have reported having a weak grasp of relevant issues. In cases of repeated referendums, then, European leaders have referred to voter incomprehension largely to delegitimize the initial "no" outcomes, even as the repeated votes have served their political interests. Thus, citizens' limited understanding of a given referendum does not itself appear to serve as a sufficient criterion for a repeated vote. What appears especially inappropriate is citing voters' limited policy understanding to justify a second vote even when repeated chances only occur for outcomes upsetting those in power.

Methodology

Past scholars have principally focused on normative factors and public opinion polling to analyze the EU's democratic deficit (Jensen 2009; Olsen and Trenz 2010; Azman 2011; Kaniovski and Mueller 2011; Toshkov 2011). Instead, however, I use the Nice and Lisbon referendums as case studies to conceptualize whether the EU's democratic deficit can endure even when the EU or its members incorporate democratic mechanisms for policy ratification. This case study methodology can give insight into how the democratic deficit operates as a dynamic process existing within larger structures. Moreover, if the EU does contain a democratic deficit, it must at least partially derive from the perspectives and decisions of its political leaders. To understand these factors vis-à-vis the Nice and Lisbon referendums, I examine speeches, interview, memos, and official reports while applying a discourse analysis approach. In this approach, I focus more on the perspectives of government leaders than on the determinants of the initial "no" or final "yes" outcomes. This emphasis enables me to delve more deeply into how leaders planned and framed the second referendums. Overall, while weaknesses of case studies are that they may be selective and are not easily verifiable, the strengths are that they can observe effects in real contexts and provide an in-depth understanding of the issue under investigation (Eisenhardt 1989; Hitchcock and Hughes 1995).

I hope to control for idiosyncrasies of the Irish context in several ways. First, I compare the Nice and Lisbon cases with the results of and reactions to other referendums on EU treaties. Such comparisons help control for the particularities of the Irish political environment (Yin 2002). Second, I highlight alternative explanations to avoid overdrawing conclusions from the Irish cases. Finally, I examine whether the conclusions from the Nice and Lisbon cases also apply to instances where the EU incorporated other electoral mechanisms.

Case Analyses

Nice Referendums

In 2001, Irish voters rejected a referendum on the Treaty of Nice. Soon after, Irish and European political leaders organized a second referendum in an effort to ratify the treaty. In

this section, I outline how Irish leaders reacted to the first, failed referendum and framed the repeated vote on the Nice Treaty. Leaders rendered null the initial referendum's failure by conceiving this failure as symptomatic of voter incomprehension and by later planning another vote. Then, together with a host of other tactics to mobilize potential "yes" voters, leaders used extreme language to highlight the negative effects of a second "no" outcome. In this fashion, the Nice referendums did not give citizens an opportunity to choose among alternative policy options, particularly as leaders pursued tactics that delegitimized those seeking to contest EU policy.

On June 7, 2001, Ireland's political leaders asked voters to ratify the Treaty of Nice, a set of amendments to existing treaties intended to accommodate the EU's eastward expansion (Albi 2005). The Republic of Ireland was the only EU member to put the treaty to a referendum. This particularity derived from an Irish Supreme Court decision, *Crotty vs. An Taoiseach* (1987), which requires a constitutional amendment (and thus, referendum) for every proposed EU treaty that goes "beyond the scope" of existing treaties. Voters thus had to support the Nice Treaty in a referendum before the Irish Parliament could incorporate it into law—a mechanism periodically used for EU treaties in other member states such as Denmark (Closa 2007).

Government leaders in Ireland overwhelmingly supported Nice ratification, but could not, due to another Supreme Court ruling, McKenna v. An Taoiseach (1995), spend public money on the pro-Nice campaign. Instead, the government could only use public funds to carry out an "informational campaign" that presented arguments both for and against the Nice Treaty. This campaign was pursued through the Referendum Commission, which was given a budget of 3.175 million euros to present pro- and anti-Nice views through broadcast commercials, booklets, and Internet advertisements (Tonra 2006).

Due to the 1995 ruling, Irish political parties were tasked with organizing the pro-Nice campaign. These parties strongly backed the document: The treaty was supported by the Labor Party, Fine Gael, Fianna Fáil, the Progressive Democrats, and other mainstream parties that, taken together, took around 85 % of the vote in Ireland's 1997 general election (O'Brennan 2005; "General Election of Friday 6 June 1997" 2013). To gain support for the treaty, these parties focused on the overall benefits of the EU and on how Eastern European applicants to the EU sought to emulate the Irish developmental experience (Tonra 2006). On the other side, only three smaller parties—the Green Party, Sinn Féin, and the Socialist Workers Party—opposed the document, mobilizing support from Catholic and anti-globalization activists (O'Brennan 2005). In general, while the Irish government carried out the informational campaign through the Referendum Commission, mainstream parties organized the explicitly pro-Nice operation.

Despite support from mainstream political parties, the first Nice referendum failed by 7 percentage points, with 53.87 % of voters opposing the referendum and a turnout of only 34.8 %. In fact, turnout was so low that the "no" side proved victorious even though the "no" vote as a proportion of the electorate actually decreased compared to past referendums on EU treaties (Attitudes and behaviour 2001). Even so, the subdued overall turnout and comparatively higher showing of potential "no" voters stemmed from multiple causes.

Many factors led to the first vote's low turnout. According to some political scientists, Ireland's strong economic position in 2001 contributed to the low turnout. Voters sought to maintain the economic status quo by voting against the referendum and, more often, by not voting at all, resulting in a turnout of just 34.8 %—lowest ever for an Irish referendum on an EU treaty (Qvortrup 2002). Also, all EU member governments declared their support for the Nice Treaty when it was finalized in February of 2001, a fact that gave leaders the sense that the document would likewise be backed by the Irish public (Murphy 2002). This assumption may have contributed to complacency on part of government and pro-Nice leaders: Even EU

administrators such as Giuseppe Buccino admitted being "astonished" by the Irish government's lack of organization on the Nice campaign ("Cable 02ROME3313_a" 2002). More importantly, however, the low showing of voters reflected growing indifference, even animosity, toward the EU in Ireland. Indeed, on the eve of the 2001 referendum, only 40 % of citizens still supported full integration and 54 % stated that they would be indifferent at the hypothetical dissolution of the EU (Attitudes and behaviour 2001). As citizens grew more wary of the integration pursued by leaders, it is likely that their sense of efficacy to influence EU policy also declined, another predictor of low turnout (Karp and Banducci 2008; Hadjar and Beck 2010). On balance, contextual circumstances and public opinion changes led to the weak initial turnout.

Also numerous were the factors prompting the comparatively higher mobilization of "no" voters. First, political parties faced an election cycle in 2001–2002 and, as a result, limited their financial contributions to the pro-Nice operation (O'Brennan 2005). Furthermore, pro-Nice parties—which were, in fact, electoral competitors—failed to secure a shared political vision, a development that reduced the cohesiveness of their messaging and aided the smaller but better organized "no" campaign (Qvortrup 2002; Tonra 2006). This "no" campaign advertised widely with accessible messages such as, "You will lose: power, money, and influence," capturing support from civil society groups, leftists, conservative Catholics, and anti-globalization activists (Laffan 2002; Tonra 2006). These diverse groups were mobilized by discussion on how the Nice Treaty would weaken Irish control over immigration restrictions, economic practices, abortion rules, and military neutrality policies (Sweeney 2003). Some anti-Nice campaigners also sought to advance their position in domestic debates on judicial conduct, the death penalty, and the ratification of the International Criminal Court (O'Mahony 2001). As these factors gave greater urgency to the anti-Nice operation, several scholars have described how the first referendum may have invited a small but measurable level of protest voting against the government, particularly among about 6 % of "no" voters (Gilland 2002; de Búrca 2011). Overall, a number of factors explain the comparatively higher showing of the "no" side.

As tactical factors and contextual circumstances explain the 2001 defeat, the first "no" outcome upset the expectations of Irish and European political leaders. These leaders viewed the Nice ratification as uncontroversial, since, as noted, governments of all EU members had already declared their support for the treaty (Murphy 2002). In reaction to the Nice defeat, Irish and EU leaders planned a repeated referendum on the treaty. Some of these leaders also (a) employed voter incomprehension rhetoric in a way that delegitimized the initial referendum and (b) used extreme language in a manner that galvanized potential "yes" voters for the second Nice referendum.

Voter Incomprehension Rhetoric

Some leaders conceptualized the weak support for the Nice referendum by referring to voter incomprehension. As Minister of Foreign Affairs Brian Cowen stated in a 2001 speech, "Although the case for the Nice Treaty was, to my mind, very strong, clearly the public were not convinced, or didn't exercise a franchise arising out of a failure to communicate the substance of the issues involved" ("Statement by Minister Cowen" 2001). Cowen admitted, "two million voters simply didn't vote at all because of this failure by us to connect with the public." However, leaders remained careful to qualify such rhetoric, working to de-emphasize the admission of government failure, as it was the government's task to inform voters about the treaty. For instance, in the same speech, Cowen softened his prior statement by maintaining that the government "made strenuous efforts to inform the public on the issues at stake"

through a 14-page white paper sent to every household in the Republic of Ireland. This qualification reflects the complex rhetorical strategies that leaders such as Cohen employed: They presented the failure of the first referendum as stemming from voters' lack of information but simultaneously underemphasized the logical conclusion of this acknowledgement—that the government failed in its informing duties.

Other government leaders also pointed to voter incomprehension to explain the defeat of the Nice referendum. One government report stated that citizens did "not fully appreciate the importance of the European Union in their daily lives…this lack of recognition…stems from the fact that most people feel alienated from the EU's work and are unsure about what the EU is and what its role and objectives are" (European governance: a white paper 2002, pp. 3-4). This report went further than Cowen, interpreting the failure of the first referendum as a symptom of the Irish public's lack of knowledge about the EU—not only their nescience regarding the Nice Treaty. Charlie McCreevy, Ireland's Minister of Finance, shared this view. In a 2002 speech, he "acknowledged at this juncture that the verdict on the previous referendum on Nice did reflect serious concern amongst the electorate on…concerns as to the information and accountability deficits in relation to EU matters" (McCreevy 2002). In this way, these and other leaders implied that an ill-informed electorate was to blame for the initial "no."

This rhetorical strategy had two interrelated effects. It (1) implied that voters would support the Nice Treaty when well informed and (2) depoliticized the failure of the first referendum by obscuring the political arguments behind the "no" campaign.

First, this rhetorical strategy implied that informed voters would support the Nice Treaty. If voter incomprehension had led to the failure of the first referendum, it followed that a more informed electorate would stand behind the treaty. Moreover, leaders could point to voter incomprehension to defend why they insisted on Nice ratification despite the initial "no." Leaders thus externalized the failure of the initial referendum by emphasizing the incomprehension of the electorate, a strategy that justified the EU's intention not to consider alternative policy options.

Second, by pointing to the incomprehension of the electorate, leaders depoliticized the failure of the first Nice referendum. More concretely, this depoliticization occurred as Irish and European leaders downplayed the political arguments mobilizing "no" voters. For example, Irish Prime Minister Bertie Ahern worried, "it would be unfortunate for Ireland if the vote last week were misconstrued as an anti-enlargement vote" ("Statement by Bertie Ahern" 2001). With this interpretation, however, Ahern had to explain how the "vast majority" of citizens supported EU enlargement even as voters rejected the very treaty that would have enabled such enlargement. And, to explain this discrepancy, Ahern referred to voter incomprehension and to how domestic issues removed from EU matters had unduly influenced voters' choices and resulted in protest voting ("Statement by Bertie Ahern" 2001). However, at the time of the 2001 referendum, government satisfaction was, in fact, quite high at 59 % (and, in fact, dropped to just 33 % prior to the second, successful referendum; Gilland 2002). Moreover, political scientists have empirically shown that attitudes toward the EU in Ireland predicted voting patterns in the first and second Nice referendums better than attitudes toward national political parties or the incumbent national government (Garry et al. 2005). Consequently, voter incomprehension language obscured the political weight behind the "no" outcome and diverted attention from the significant, if temporary, move of Irish public opinion away from integration.

However, as noted, political arguments did sustain the "no" campaign. For example, one of Ireland's leading "Euro-skeptics," Anthony Coughlan (1999), emphasized the costs of EU enlargement, discussing the burdens that the EU's eastward expansion would place on Irish

citizens. Indeed, as O'Brennan (2004) notes, concerns about enlargement sustained the methodical "no" campaign. This campaign articulated anxieties about greater EU integration and its possible implications for military, economic, immigration, and abortion policies. Yet, by pointing to voter incomprehension, Irish leaders downplayed these arguments, presenting the rejection of the Nice Treaty as politically untenable.

Extreme Predictions

In addition to employing rhetoric about ill-informed voters, Irish leaders made extreme predictions, discrediting the anti-Nice campaign by suggesting that a second "no" outcome would isolate Ireland politically and economically from Europe. This development came to resemble what theorist Adi Ophir (2013) has termed the "politics of catastrophization," where political leaders magnify problematic events via extreme rhetoric into "something terrible, awful, and unbearable" that threatens the very existence or future of the state. Like Ophir's theory would predict, this rhetoric worked to legitimize and raise public support for the repeated referendum.

Some leaders framed the consequences of a second "no" outcome by pointing to Ireland's reputation, stating that the standing of the Irish would be diminished if voters rejected the Nice Treaty a second time. According to Junior Foreign Minister Tom Kitt, at stake in the second vote was "nothing less than [Irish citizens'] good reputation as good Europeans" (O'Neill 2002). David Byrne, Ireland's EU Commissioner, addressed the European Movement Ireland with a similar contention ("EU Commissioner David Byrne" 2001). For Byrne, "as the only Member State of the current European Union to hold a direct referendum of the people on the issue of the Nice Treaty, the people of Ireland are speaking, not only for themselves, but for all the citizens of Europe." In a related vein, Labour Party leader Ruairí Quinn implied that the Irish would be discredited if they caused the "disappointment and devastation" of those in Central and Eastern Europe with a second "no" (Kirk 2001). Likewise, on the day of the second vote, Deputy Prime Minister Mary Harney stated in an interview that the Irish did "not want to be the people that said no" to EU enlargement ("Uncharted territory after no vote" 2008). Some leaders thus suggested that citizens could avoid further damaging their reputation by voting "yes" in the second referendum.

Others in European governments and the media made more striking predictions, referring to the negative effects of a second "no" outcome for Ireland's economy and for the future of the EU. For example, Polly Toynbee (2002) wrote in *The Guardian*, "What if Ireland votes 'no'?...The calamity would have no obvious remedy." Toynbee continued, stating, "If Ireland selfishly votes against EU enlargement, it will convulse Europe and be treated as xenophobic pariah." Likewise, in a 2002 speech, Ireland's Minister for Finance, Charlie McCreevy, predicted severe economic consequences if Ireland rejected the repeated referendum:

> The issue at stake in this debate could not be higher. The choice is between a continuation of the confident, forward-looking approach which has served Ireland so well…or a retreat to an inward-looking attitude and a resultant peripheral presence in the EU…we simply cannot afford the risk of what a No to Nice will mean for Foreign Direct Investment…another "No" would threaten jobs by creating economic uncertainty, greatly reduce Ireland's influence in the EU (and hence the world) and so damage the country's image (McCreevy 2002).

Here, McCreevy predicted adverse domestic consequences if citizens did not support the repeated referendum. In the days before the second referendum, Prime Minister Ahern further developed this argumentative line. At Ireland's National Forum on Europe, he stated, "If

Ireland fails to ratify the treaty by the end of the year the European Union will be faced with an unprecedented and unpredictable crisis" ("Mintoff's Off to Dublin" 2002). Ahern therefore stated that the EU—not only Ireland—would face a crisis if voters rejected the repeated referendum. In a similar fashion, Office Director for EU Institutional Issues, Giuseppe Buccino, stated that a second "no" outcome would send the EU into "political shock" from which the organization may "never recover" ("Cable 02ROME3313_a" 2002). Irish and European leaders called on voters to prevent economic and political unrest by supporting the Nice Treaty. This rhetoric worked to legitimize and capture citizen support for the repeated referendum.

It remains unclear to what extent such rhetoric was hyperbolic, but evidence suggests that it may merit some qualification. On the one hand, a second "no" result could have delegitimized the Nice Treaty and discomposed EU officials. Moreover, it is possible that a second "no" outcome could have led analysts to place blame on the Irish public for delaying EU enlargement. On the other hand, however, partial EU enlargement could have continued even with a second "no": The EU could have included five new members under pre-Nice provisions (Left 2002). Likewise, leaders could have admitted ten new member states by inserting articles from the Nice Treaty into applicant states' accession treaties (Keohane 2002). Alternatively, a third option would have been to delay enlargement, waiting to renegotiate the terms of the Nice Treaty at an intergovernmental conference (Keohane 2002). Again, it remains unknown if elites' response to the initial "no" served as hyperbole or identified likely implications of a second "no" outcome. At minimum, it appears that, no matter the validity of these negative predictions, leaders tactically stressed them in a way that isolated the anti-Nice campaign and enhanced the turnout of the "yes" base.

The Second Referendum

On October 19, 2002, the second Nice referendum passed with 62.9 % support and 49.5 % turnout. Due to the turnout differential from the first to the second referendum (34.8 to 49.5 %), the success of the repeated referendum does not indicate a dramatic change in voting behavior so much as it reflects a change in who was mobilized to vote. That is, the 15 % increase in turnout implies that citizens who had been indifferent non-voters for the first referendum were motivated to turnout for the "yes" side in 2002. This mobilization stemmed from the greater media attention given to the Nice Treaty, a more assertive and accessible "yes" operation, and increased campaigning by the Referendum Commission (Sinnott 2003; FitzGibbon 2010). The change in turnout also likely reflects the mobilizing force of leaders' extreme language, which stressed the negative effects of a second "no." These factors combined to inspire the better showing of "yes" voters.

However, the second referendum was successful not due to modifications to the Nice Treaty, breaking with precedents for how the EU dealt with prior referendum defeats (Sweeney 2003). EU officials initially suggested that they would revisit the content of the Nice Treaty. Following the 2001 referendum, EU officials stated that the results "could not be finessed" and that they would renegotiate aspects of the Nice Treaty in response to the Irish rejection ("Ireland rejects EU expansion" 2001). Such a renegotiation, however, never took place, as Irish leaders only reworded the second referendum to emphasize Ireland's military neutrality—an act that left the Nice Treaty unchanged and shows how the EU had moved away from precedents for handling the defeat of EU referendums (Sweeney 2003). For example, in 1992, Danish voters rejected a referendum held on the Treaty of Maastricht. About 51 % of voters rejected this treaty with a turnout of 83.1 % (Suine and Svensson 1993). After this rejection, political leaders in Denmark negotiated with EU officials and received four opt-outs from the

treaty before holding a second, successful referendum (with 56.7 % support and 86.5 % turnout; Nohlen and Stöver 2010). This example shows how, early on, the EU did allow some policy contestation after failed referendums but later maintained the thrust of EU policy after electoral defeats.

Overall, Ireland's Nice referendums illustrate how the EU's democratic deficit can persist even in the implementation of referendums: Leaders constrained the ability of Irish citizens to contest EU policy by depoliticizing the failure of the first referendum, planning a repeated vote, and highlighting the negative consequences of a second "no." The democratic deficit—the constrained ability of citizens to influence EU policy—endured precisely in the execution of the repeated vote.

Lisbon Referendums

On June 12, 2008, Irish voters rejected the Treaty of Lisbon with 53.1 % turnout and 53.4 % of voters opposing the treaty. As in the Nice case, Ireland remained the only country to hold a referendum on the Lisbon Treaty (Quinlan 2009). Moreover, as I argue in this section, Irish and EU leaders reacted to the Lisbon failure by again referring to voter incomprehension and employing extreme language about the effects of a second "no." Like earlier, these strategies limited meaningful contestation over EU policy.

Some factors make the Lisbon case unique, particularly as more citizens voted in the first referendum and the "yes" campaign employed more cohesive tactics.

Both pro- and anti-Lisbon activists planned more vigorous campaigns, resulting in a higher voting rate of 53.1 %—almost 20 percentage points above the turnout for the first Nice referendum and 5 percentage points above the turnout for the second (de Bruyn 2012). Due to this higher turnout, leaders could not argue that a second referendum would be "more democratic" simply by boosting turnout. Indeed, low turnout did not serve as a cause sufficient to invalidate the first Lisbon and Nice referendums in the eyes of Irish and European leaders. Instead, the fact that the results frustrated the long-term initiatives of these leaders prompted the second votes.

Other details also differentiate the first Lisbon referendum from the initial Nice vote. Whereas the initial pro-Nice operation did not convey cohesive messaging, the pro-Lisbon campaign consistently centered on the tangible benefits of integration. A brief from Daniel Mulhall, Ireland's Director of the Department of Foreign Affairs, to an English diplomat, Elizabeth Green, reveals the thinking behind this pro-Lisbon strategy. According to Mulhall, the Lisbon Treaty "is largely incomprehensible to the lay reader. Most people would not have the time to study the text" (Waterfield 2008). Consequently, the Irish government's aim leading up to the first Lisbon referendum was "to focus the [support] campaign on the overall benefits of the EU rather than the treaty itself." This remark explains how the pro-Lisbon campaign attempted to "persuade busy people that they have a personal stake in the outcome [of the Lisbon referendum] sufficient to make it worth while exercising their franchise." Irish leaders advised the pro-Lisbon operation to focus not on the Lisbon Treaty itself but on the overall benefits of the EU. To implement this strategy, EU institutions and the Irish government provided considerable funds for their initial Lisbon campaigns. The Irish government allotted 5 million euros for the information campaign while the European Commission spent 88 million euros on its pro-Lisbon drive (Tierney 2012). Thus, while the anti-Lisbon operation again focused on the negative effects of further integration, the well-funded support campaign stressed the broad benefits of the EU (FitzGibbons 2009).

As Irish and European leaders invested greater resources into the pro-Lisbon campaign, the failure of the referendum again upset leaders' expectations. Three months prior to the

referendum, Deputy Prime Minister Brian Cowen had stated, "I believe that we will succeed on this occasion also, and that the people will vote to ratify the [Lisbon] Treaty. I think the arguments in favour are unassailable and I have absolute confidence in the maturity and good sense of the Irish public" ("Tánaiste's speech" 2008). When the 2008 referendum was defeated, Cohen expressed surprise, declaring that "there [was] no quick fix" to pull the EU out of "uncharted territory" ("Uncharted territory after no vote" 2008). After expressing shock at the 2008 defeat, leaders soon planned a second referendum and pursued tactics that again discredited the initial "no" outcome.

Voter Incomprehension Rhetoric

Once again, some leaders referred to voter incomprehension in a way that delegitimized the failure of the first referendum. Joan Burton of the Irish Labour Party argued that the Lisbon Treaty had, like the Nice Treaty, been too obscure, confounding voters despite more robust "yes" campaigning. For Burton, "the message from this result is that whenever the EU draws up a treaty they should make it intelligible to ordinary people. That was one of the biggest problems of this campaign—thousands and thousands of people couldn't even understand what the treaty was about" (McDonald and Stratton 2008). Ireland's Minister for Foreign Affairs, Micheál Martin, agreed. In a 2009 speech, Martin stated, "the main reason for voting 'No' or abstaining in last year's referendum was a lack of knowledge of the treaty. 'Yes' and 'No' voters were unified in their criticism of what they viewed as the dearth of clear, accessible information" (Martin 2009).

Observers and other political leaders echoed this view. For analyst Michael Bruter, "[Ireland] is a pro-European country, but [Irish voters] didn't understand the treaty—why it was needed, what it was going to change" (Lyall and Castle 2008). Likewise, the Vice-President of the European Commission, Margot Wallström, stated that anxiety over the Lisbon Treaty grew "in the absence of clear information and communication" (Wallström 2008). In a similar vein, Deputy Prime Minister Cohen charged the "no" camp with compounding voter incomprehension by alluding to "issues that clearly weren't in the treaty at all" ("Ireland rejects EU reform treaty" 2008). Joan Burton expressed a similar view, stating, "there was a lot of misinformation by the no camp in this campaign" (McDonald and Stratton 2008). It is certainly possible that, as accepted by at least three academic sources, "no" campaigners promulgated misinformation (O'Mahony 2010; Sinnott and Elkink 2010; Elkink et al. 2011). Moreover, although government satisfaction was far higher during the failed 2008 Lisbon referendum than during the successful vote in 2009, survey data shows that 4 % of "no" voters opposed the treaty to protest against policies of the Irish government (*Lisbon Treaty post-referendum survey, Ireland* 2009; Sinnott and Elkink 2010). However, on the whole, leaders' rhetoric delegitimized the initial rejection, as the "no" outcome was presented as the by-product of voter incomprehension, not citizens' preferences. This rhetoric also justified the second referendum, framing the second vote as opportunity for the Irish to make a more informed choice. Leaders thus presented the defeat of the Lisbon Treaty as politically indefensible, undermining those who sought to contest Irish or EU policies—even policies increasingly removed from citizen preferences.

Like in the Nice case, however, explaining the Lisbon failure with reference to voter incomprehension may need some qualification. Garry (2013) has also shown that, in both referendums, perceptions of how the Lisbon Treaty would impact Ireland were stronger predictors of voters' choices than "second-order" factors strictly concerning domestic politics. Also, according to a 2008 EU study, over half of those who failed to turnout in the first referendum cited unfamiliarity with the Lisbon Treaty to explain their decision. At the same time, however, only a quarter of "no" voters mentioned this reason (Post-Referendum Survey

in Ireland 2008). Furthermore, according to this EU study, "a large majority of Irish voters (68 %) said the 'no' campaign was the most convincing; even a majority of "yes" voters felt that way (57 %)" (pp. 5). Hence, the political arguments of the "no" campaign (which focused on immigration policies, the distribution of resources, and concerns over military neutrality) convinced the majority of Irish voters—even the majority of those who voted *for* the referendum. Yet, by downplaying these arguments via voter incomprehension rhetoric, Irish and European leaders delegitimized the "no" outcome and insisted that a second vote would allow citizens to better inform themselves about the policies at stake.

Extreme Predictions

As Irish and EU leaders referred to voter incomprehension, they also employed extreme language to frame the repeated vote, emphasizing negative effects possible with another "no."

The more restrained of this rhetoric focused on the disappointment of outsiders. In a 2008 speech on the initial Lisbon rejection, John Bruton, EU Ambassador to the USA, stated,

> Americans I met were just baffled by the decision. They could not understand it. They had been led to believe that Ireland's was the EU's biggest success story—a poor country transformed into a rich one by a combination of EU membership, American investment, and good long-term educational and fiscal thinking by successive Irish governments. ("Speech by Ambassador John Bruton" 2008)

In this remark, Bruton contrasted the historical good sense of the Irish with the seemingly ungrateful choice of voters in 2008. It followed, then, that Irish citizens risked further harming their country with a second "no," but could restore its reputation by a "yes" outcome.

Irish leaders, including Prime Minister Brian Cohen, made similarly drastic statements about a second Lisbon defeat. In a speech the night prior to the second referendum, Cohen declared, "Today I am appealing to every person in this country who believes that Ireland and Europe are better together to help achieve a Yes vote. This referendum is above party politics, it is about the future of our country for generations and for generations to come" (McDonald and Pidd 2009). Here, the second vote took on historical significance: A "no" outcome would induce hardship for "generations to come"; a "yes" result would be the "right thing for our own future and the future of our children" (Cendrowicz 2009). Likewise, for Fianna Fáil politician Seán Ó Neachtain, Ireland would "lose influence and power" if the Lisbon Treaty—the "only treaty we can get"—was not passed (Stephan 2011, pp. 81). Moreover, for Deputy Prime Minister Mary Coughlan, Lisbon ratification was crucial for preserving as many as two thirds of Irish jobs (Deloy 2009). Similarly, according to *The Guardian,* Irish administrators admitted that the "failure to ratify the treaty is deeply embarrassing and a body blow to the credibly of Ireland in Europe…slowing the process of EU reform would fatally weaken Ireland's influence" (McDonald 2008). These examples underscore how many leaders formulated the second Lisbon vote in dramatic terms.

Other leaders in Europe took a similar approach as they framed the second Lisbon referendum with extreme language. In diplomatic cables, European envoys repeatedly referred to the Irish "crisis" as they discussed the steps necessary to gain Lisbon ratification ("Cable 08Dublin433" 2010). In a similar vein, Luxembourg Prime-Minister Jean-Claude Juncker professed, "This [first] vote doesn't resolve any of the European problems; it almost makes every European problem bigger. It was a bad choice for Europe. There's no plan B" (Neuger and O'Brien 2008). The European Commissioner for Internal Market and Services made analogous remarks, stating that, in "these fragile economic circumstances," a second "no" outcome would be a "gamble too far." This official went on to state that another "no" could

"rapidly turn what is a very serious economic problem for Ireland into a full blown economic crisis" (McCreevy 2009). These comments again illustrate the extent to which some leaders emphasized the negative consequences possible with a second "no."

As earlier, however, this extreme language may necessitate some qualification. A second "no" may have decelerated European integration, perhaps leading to delays and treaty revisions. Even so, such an outcome did not appear fatal even to Lisbon ratification. French President Nicolas Sarkozy, German Chancellor Angela Merkel, and EU Commissioner José Manuel Barroso each issued statements asserting that the ratification process would continue in the wake of the first Lisbon vote (Barroso 2008; Vucheva 2008; Miller 2009). Furthermore, even with a second "no," European leaders could have (a) renegotiated the substance of the Lisbon Treaty, (b) found a mechanism to continue further integration with the 26 remaining member states, or (c) let the EU status quo remain in place without further integration (Barrett 2008). European Affairs Minister of France, Jean-Pierre Jouyet, also explored a legal arrangement that would have allowed Ireland to ratify the Lisbon Treaty even with another "no" (Hughes 2008). Nonetheless, it is impossible to assess the counterfactual impact of a second rejection. However, regardless of whether the effects predicted by leaders were or were not likely, leaders emphasized them in a way that discredited the initial "no" and helped mobilize the "yes" base.

The Second Referendum

Irish voters backed the second Lisbon referendum with 67.1 % support and 59 % turnout, again reflecting various tactical and contextual changes. Turnout remained relatively constant from the first to the second referendum (only going from 53 to 59 %). Unlike in the Nice case, then, it appears that a substantial proportion of initial "no" voters cast "yes" ballots in the second Lisbon referendum. As Quinlan (2012) has argued, this reversal is partly explained by changing economic circumstances, greater funding for the "yes" campaign, and guarantees from Irish and EU leaders. Such guarantees "clarified" Irish tax and military policies with respect to the Lisbon Treaty but did not alter the letter of the document ("Irish declaration" 2009). In addition, the second "yes" campaign enlisted the influential support of Irish celebrities such as soccer star Robbie Keane, the U2's The Edge, Nobel laureate Seamus Heaney, and author Deirdre Purcell (Clancy 2009). Also, by stressing the negative consequences of a second "no" result, leaders' extreme language may have contributed to the success of the "yes" side. These diverse factors combined to prompt the second referendum's "yes" outcome.

However, as Irish and EU leaders pursued various tactics to ensure treaty ratification, some in Ireland reported feeling external pressure to vote "yes." As noted, a 2008 EU report demonstrated that the majority of voters considered the arguments of the first "no" campaign more convincing—even most citizens who voted *for* the treaty. This finding suggests that a majority of "yes" voters may have sided with arguments they found less compelling. Moreover, at least 11 % of "no" voters (the only group asked about such feelings) reported experiencing external pressure to vote "yes" in the second referendum (Lisbon Treaty referendum survey 2009). Admittedly, however, some elements of public opinion did change from 2008 to 2009: According to a 2009 EU study, the final "yes" outcome was primarily driven by how four times more voters believed that the Lisbon Treaty would help the Irish economy (Lisbon Treaty referendum survey 2009). Despite this change, and despite how the percentage of citizens convinced by the "no" campaign did decline prior to the second vote, the majority of the Irish electorate still failed to find the "yes" arguments more compelling (Lisbon Treaty referendum survey 2009). As one article noted, "the vast majority of people asked as

they departed a polling centre said they had voted in favour of the charter. But many were doing so through gritted teeth. 'I begrudgingly voted Yes because I felt I had to, to a certain degree,' reported one citizen" ("Lisbon Treaty: Europe holds breath" 2009).

On balance, Irish and European leaders framed the Lisbon votes just as they did the Nice referendums. In both cases, some leaders conceptualized the failure of the first referendums as deriving from voter incomprehension—not primarily political argumentation or citizens' preferences. After planning repeated referendums on the treaties, a number of these same leaders employed extreme language to mobilize citizens for the repeated chances. These strategies limited policy contestation by presenting one option (supporting the referendums) as imperative and another (rejecting the treaties) as politically indefensible.

Other Defeated EU Referendums

The democratic deficit has endured in other cases where the EU or its member states have incorporated electoral mechanisms. These additional examples further show how referendums and EU reforms have not necessarily increased the ability of EU citizens to give meaningful policy input.

The French and Dutch referendums held in 2005 on the European Constitutional Treaty parallel the Irish cases. In France and the Netherlands, voters rejected referendums on the Constitution, despite broad support from French and Dutch leaders. French voters rejected the document by a margin of 55 to 45 % with a turnout of 69 %; in the Netherlands, voters rejected the document by a margin of 61 to 39 % with a 62 % turnout (Kölling 2013). These defeats came as citizens in both countries expressed concerns about the Constitution and its effects on national sovereignty (*The European Constitution: Post-referendum survey in the Netherlands* 2005; "Dutch say 'devastating no' to the EU constitution 2005). For example, the leading motivation behind the French "no" was the predicted effects of the Constitution on French employment numbers (Post-referendum survey in France 2005). Additionally, prior to the French referendum, the text of the Constitution became a bestseller as voters sought to read it at the request of national leaders (Maatsch 2007). However, some European officials, including Giscard D'Estaing, an architect of the Constitution, criticized French leaders for encouraging citizens to study the document. According to D'Estaing, "The discovery of this document was felt by many voters to be an aggression and a threat. It consolidated the negative attitude that the Constitution was too 'complicated,' that reading it was reserved to specialists" (Waterfield 2008). Hence, just as Irish leaders had stated after the Nice and Lisbon defeats, D'Estaing argued that the content of the European Constitution had confounded voters, thereby contributing to the Constitution's defeat in France. D'Estaing also suggested that voters should have focused on the overall benefits of the EU, not on the explicit content of the Constitution—another parallel to the Irish cases, where the pro-EU campaigns focused more on the general advantages of integration than on the substance of the treaties. These similarities show the consistency with which some EU leaders have framed defeated referendums.

Moreover, although distinctions exist between the Constitutional and Irish cases, these very differences again show how EU leaders and institutions can limit contestation over policy despite (and sometimes through) electoral mechanisms. Unlike in the Nice and Lisbon cases, lawmakers in France and the Netherlands ratified something of a modified version of the European Constitutional Treaty—the Treaty of Lisbon—without further referendums. On the one hand, this treaty lacked earlier constitutional symbolism. However, on the other hand, EU administrators included into the Lisbon Treaty much of the Constitution's content simply by framing this later document as a "treaty" rather than a "constitution." The European Commission itself asserts that the "majority of the institutional and policy changes in the Constitution

are included in the Treaty of Lisbon, but presented in a different form" ("The Treaty of Lisbon: Introduction" 2010). This example shows how EU administrators sometimes draw on legal nuances to overcome electoral defeats and maintain the consistency of EU policy. Taken together, the French and Dutch cases again illustrate the persistence of the democratic deficit, which can endure when the EU and its member states incorporate electoral processes. Generally speaking, such processes have failed to give EU citizens the ability to pursue alternative policies and have sometimes limited policy contestation.

Likewise, other attempts to enhance the EU's democratic legitimacy have also achieved limited results. As of 2014, for example, the main branch of the EU that received direct electoral input was the European Parliament. However, the Parliament participated in the legislative process with two other bodies, the Council of Ministers and the European Commission—neither of which directly received voter input (Peterson and Shackleton 2006). Furthermore, some scholars have suggested that successive EU treaties have increased the EU's political power without creating a parallel increase in the European Parliament's authority (Wisniewski 2013). Perhaps more importantly, studies also suggest that a gap exists between the preferences of EU citizens and the voting behaviors of their delegates in the European Parliament (Kaniovski and Mueller 2011). This evidence further suggests that the EU often fails to incorporate deliberation for alternative policies, even those supported by a large proportion of citizens.

Further Developments, 2003–2014

Socio-economic trends from 2003 to 2014 complicated the idea that Irish voters rejected the initial Nice and Lisbon referendums due to incomprehension: Economic developments and immigration patterns demonstrate the relevance of concerns emphasized by the "no" side.

While Ireland's "Celtic Tiger" phase did stem in part from EU integration, this integration came at a cost following the 2008 financial crisis. During Ireland's debt crisis, Irish policymakers could not use gradual currency deflation to increase competitivity and spark economic recovery, as Ireland no longer had a domestic currency (Armingeon and Baccaro 2012). Unable to perform currency devaluation, Irish and EU leaders instead pursued "internal devaluation," driving down domestic wage and price levels in the hope of rebooting economic growth. This strategy, however, exacerbated unemployment and failed to jump-start growth (Armingeon and Baccaro 2012; Leddin 2012). In turn, some citizens in Ireland grew resentful of EU institutions, as the prevalence of Euro-skepticism in the country increased by 7 percentage points from 2007 to 2011 (Serricchio et al. 2013). Consequently, Ireland's economic experience following the 2008 crisis demonstrates that "no" campaigners did have relevant concerns for EU integration. Because integration has involved a partial loss of national control over policy, Irish leaders had fewer options to mitigate economic problems. Additionally, the options available to these leaders may have impacted Ireland more negatively than alternatives available prior to integration.

In a similar fashion, immigration trends seen from 2003 to 2010 indicate how some "no" voters had relevant concerns for how integration would impact Ireland. During the Lisbon and especially Nice referendums, "no" campaigners speculated about "floods of refugees" coming from Eastern Europe (O'Brennan 2004, pp. 9). By 2003, more than 50 % of the Irish public favored reducing immigration flows into Ireland (International migration outlook 2010). Additionally, like "no" campaigners anticipated, immigration to Ireland increased after 2003, when the EU accepted Eastern European states such as Poland, Slovenia, Hungary, and the Czech Republic. Ireland received 60,000 immigrants in 2003, 84,600 in 2005, 107,800 in 2006, and 151,100 in 2007 before immigration levels dipped after the 2008 financial crisis

(Population and migration estimates 2013). Still, it is important to acknowledge that these inflows may have benefited Ireland's economy (Barrett and Bergin 2009). However, this immigration nevertheless signals how "no" campaigners did have pertinent conceptions of how further integration would impact Ireland. In short, these trends undercut the contention that "no" campaigners failed to articulate a relevant vision of EU consolidation.

Moreover, as successive reforms have not necessarily resolved the EU's democracy issues, its economic programs following the 2008 financial crisis may have weakened its output legitimacy. For example, austerity measures enacted by the EU in Greece, Spain, Ireland, Portugal, Belgium, and Italy represent prominent instances where EU policies did not appear to have clear short-term benefits to justify limited citizen input. These measures also undermined the notion that the EU deals with regulatory issues too technical to concern ordinary citizens, and sparked sustained protests across Europe (Roberts and Kington 2012). The EU's weakened output legitimacy thus contributed to dissatisfaction: By 2011, a majority of Europeans had come to oppose further integration (Di Mauro and Fraile 2012).

However, at the same time that economic trends have intensified legitimacy concerns surrounding the EU, its leaders face at least three challenges in efforts to cultivate greater democratic oversight. First, EU dissatisfaction potentially reduces the willingness of citizens to engage with EU organizations, even if these institutions were further reformed (Armingeon and Baccaro 2012). Second, the main source of political identity in Europe remains tied to nation states, complicating the establishment of more robust supranational democracy (Graziosi 2006). Third, if the EU does incorporate more vigorous electoral procedures, voters may well use their greater leverage to reverse key points of integration. Indeed, for an institution to serve as democratic, citizens must be able to freely and meaningfully contest the direction of policy—a prospect that could weaken leaders' control over policies that are core to integration but lacking in public support. Although EU administrators have made some attempts to address legitimacy concerns, it remains unclear whether—and if—they can overcome such deadlocks. After all, the Nice and Lisbon examples illustrate how this deficit can survive even when electoral mechanisms are incorporated into processes of EU policy ratification.

Conclusion

In the end, this analysis shows how emerging forms of globalized governance have rendered increasingly explicit Walter Lippmann's depiction of democracy as the interplay between "spectators" and a "specialized administrative class" (Lippmann 1927). For Lippmann,

> The specialized class, the responsible men, carry out the executive function, which means they do the thinking and planning and understand common interests. Then, there is the bewildered herd, and they have a function in democracy too. Their function…is to be 'spectators,' not participants in action. (Chomsky 2002, pp. 18)

In Ireland's repeated referendums, EU administrators constituted this specialized class as they negotiated and implemented the Nice and Lisbon treaties. In contrast, Ireland's citizens served as the "bewildered herd" by European leaders' own description, especially as these leaders, rightly or wrongly, emphasized how the Nice and Lisbon rejections had resulted from voter incomprehension.

Yet, perhaps the greatest irony of the Nice and Lisbon referendums is that some European leaders increasingly presented themselves as part of this "bewildered herd," with Ireland's Prime Minister and EU Commissioner both admitting that they had not read the Lisbon Treaty

in full ("Watching the Irish" 2009). This reversal, Lippmann failed to foresee and raises questions about the fate of Europe if its experts lose their expertise.

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