



[Comment] What do the referendum campaigners really want?

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EUOBSERVER / COMMENT - Has anyone else noticed how odd it is that the people who normally complain the most that the EU is obsessed with its procedures rather than its achievements are the ones demanding a referendum on the Reform Treaty? They think the crucial issue is the procedure of ratification rather than what the treaty will do for the EU and the citizen. I don't agree.

This line of argument is particularly pronounced in the United Kingdom, but the people who put it forward aren't being very fair with the arguments.

For example, they claim that Tony Blair's promise at the last general election that the Constitutional Treaty would be put to a referendum should be met now in respect of the Reform Treaty. The fact that much of the content of the old treaty will reappear in the new one is used as an argument in support of this position. The percentage similarity is something over 90 per cent, we are told.

But that simple approach misses the point that not all the contents of the old treaty were equally important. The parts that have been changed – those of a constitutional nature – were the most important parts. A high percentage of similarity does not make the two texts equally important. Human beings share 96 per cent of their genes with chimpanzees, after all.

Others take a constitutional approach, rather than a political one, and say that, whatever the promise, a referendum should be held on any European treaty. Parliamentarians are not entitled to give away their own powers, they say. Well, this is the requirement in the Irish constitution, but not in the UK.

Others argue that, even if not always necessary, this particular European treaty is so significant as to require a referendum. The complaint is that the Reform Treaty amounts to a substantial further pooling of national sovereignty, above and beyond what has already been achieved in previous treaties. A look at the actual substance of the Reform Treaty shows this argument to be rather hollow.

Defence policy has been raised as a reason for a referendum, but the new treaty won't do anything much to defence policy. The extension of Nato's mandate to include operations in countries such as Afghanistan (not very near the North Atlantic) was a rather more serious change to defence policy, but there were no calls for a referendum on that.

Foreign policy is another possible cause for a referendum – Rupert Murdoch's adviser Irwin Stelzer has argued this in particular – but the treaty will not change the way in which foreign policy is made. Unanimity will remain the rule for making a policy, with majority voting for its implementation. The way in which that policy will be expressed will change, if, and only if, such a common foreign policy has been agreed. It would be strange to object to a proposal that would make the EU better at carrying out its own decisions, stranger still to insist on a referendum on them.

But maybe it's the effectiveness of the EU that's actually the problem. What's missing from all the criticism of the Reform Treaty is any credible proposal for what might be done instead. The British trade unions are meeting this week in Brighton, complaining that the treaty is not "social"

enough. They object to the opt-out from the Charter of Fundamental Rights, for example. But there are people in the British business community who complain that the treaty is too "social", creating more regulations and increasing business costs. These two complaints cannot both be satisfied.

The fact is that the Reform Treaty, whatever its difficulties and awkwardness, represents the best position that could be agreed by 27 member states acting unanimously. It reflects the state of European political discussion as it is today.

If critics of the Reform Treaty object to the fact that there are as many as 27 member states to be satisfied, they should say so. If they object to the requirement that the decision is reached unanimously, they should say that too.

But actually, the suspicion arises that talk of a referendum on the Reform Treaty is for many people code for a referendum on membership of the EU altogether. That is a reasonable enough request to make, but, like all the other positions in the debate, its supporters should make it clear.

It would ironic, if not worse, if the people who complain about complexity and confusion in the European Union themselves were guilty of not saying what they mean.

Richard Laming is Director of Federal Union.

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