

Ireland: Rewritten European Union Constitution Buried?

Voters Drive Stake Through the Heart of the Lisbon Treaty

Wednesday 25 June 2008, by [MEEHAN John](#) (Date first published: 22 June 2008).

Voters in the Republic of Ireland drove a stake through the heart of the Lisbon Treaty, a rewrite of the European Union Constitution, in a Referendum which took place on June 12 - The result was announced on Friday June 13 2008.

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No campaigners made this a memorably unlucky date for EU boss Jose Manuel Barroso and his gang of privateers and wannabe military adventurers – a ruling class élite still smarting from its 2005 European Union Constitution referendum defeats in Holland and France.

The No side won with 862,415 votes (53.4%) against 752,451 (46.6%) for the Yes of the 1,621,037 people who voted (turnout was 53.1%).

Formally the treaty is de facto dead, expired, late and extinct – just like the Monty Python parrot. However, dracula-style revival measures are possible.

The treaty cannot achieve life unless each EU state ratifies it. The Nice Treaty survived because Irish voters were asked for their verdict not once, but twice.

Can the Irish ruling class risk that operation a second time?

New York was “so good” they had to name it twice. In 2001 Ireland experienced “Nice 1” and voted No. In 2002 voters said Yes to “Nice 2”.

Holding a second referendum this time around will not be so easy.

Ask yourself : was the EU constitution killed by the French and Dutch referendums of 2005?

The answer is Yes.

Was the process killed? - the answer is No.

The Lisbon Treaty is a child of the EU Constitution, but is different in some respects. (Bertie Ahern correctly said the treaty contains ninety per cent of the [dead] constitution).

Here’s a vital difference : Only citizens of the Irish state could vote on the treaty - parliaments ratify

in every one of the other 26 member states. Barroso and company were determined there would be no repeat of the French and Dutch referendum rejections.

A week before voters marked their ballot papers, an opinion poll published in the June 6 2008 Irish Times predicted, for the first time in the campaign, a clear victory for the No Side.

This poll estimated a No vote share of 35 per cent – the Yes trailed behind on 30 per cent, and undecided voters made up the remaining 35 per cent.

Discounting the “Don’t know” category, this implied a result of No 54 per cent against a Yes of 46 per cent – a deadly accurate prediction.

For this reason No campaigners should pay detailed attention to the findings of this and similar polls, as the information will be needed to guide us forward in the months ahead.

The Yes side strained every nerve for a reversal of the poll prediction in the final days – but, it is now clear, its goose was already cooked.

The final result is a remarkable event, since the odds were stacked so high in favour of the Yes Side.

160 members of Dáil Éireann (the Dublin Parliament) supported a Yes Vote – only six TD’s [\[1\]](#) supported the No Side. Just one Dáil Party (Sinn Féin) called for a No Vote on June 12.

The governing Fianna Fáil/Green Party/Progressive Democrat coalition Government elected in May 2007 was joined on the Yes Side by the biggest opposition parties – the right wing Fine Gael and the Labour Party (a social democratic organisation which has embraced Tony Blair style neo-liberalism).

Sniffing danger, all of these machines – which normally run their own shows, taking pot-shots off each other – started to combine forces during the last week of May.

The “Alliance for Europe” – fronted by former Labour Party leader Ruairí Quinn TD – alone has a budget of €750,000.

For the first time ever the employers’ organization IBEC (Irish Business and Employers’ Confederation) directly campaigned in a referendum with its own posters and publicity material.

By contrast the main left-wing campaign, the Campaign Against the EU Constitution (Vote No to the Lisbon Treaty) – a coalition of 14 different organisations and independent activists (www.sayno.ie) – had a budget of less than €10,000.

Towards the end of the campaign, after months of hesitation, the Irish Congress of Trade Unions (ICTU) Executive recommended a Yes, but for the first time in many years revealed deep internal divisions. The motion was carried by fourteen votes to five, with eight abstentions. A few months earlier a Yes proposal would have sailed through with little discussion.

UNITE , the state’s second biggest union, and the Electricians’ Union voted No – the Campaign Against the European Union Constitution office was located in the UNITE headquarters. The large Unions with big private sector membership, SIPTU and MANDATE, abstained.

The neo-liberal drive of the European Union in the last few years has alarmed many workers’ organisations. Recent European Court of Justice rulings in the Laval and Viking cases – which allow employers to hire people at minimal rates of pay, destroying existing collective agreements negotiated at a state level, are consistent with the provisions of the Lisbon Treaty.

Shaky Fianna Fáil

The coalition Government is shaky (Fianna Fáil) and vulnerable (Green Party).

Taoiseach (Prime Minister) Bertie Ahern stepped down early from office in April this year, allowing the then deputy leader of Fianna Fáil, Brian Cowen, to take over the top Government job.

Ahern, for the last two years, has been trying to explain away the receipt of large sums of money to a Tribunal investigating Payments to Politicians, directed by Judge Alan Mahon.

Negative headlines were replaced by a month of media praise for the departing leader. Words of worship rained like cats and dogs - again and again the Irish public was reminded that since Ahern was elected Taoiseach in June 1997 :

1. The Fianna Fáil leader played a major role in the “peace process” (which terminated the “troubles” in Northern Ireland, ushering in a “power-sharing” Government between Unionists and Nationalists, headed by the rabble-rousing far-right preacher Ian Paisley [2] - Ahern was feted around the globe. He was invited to make a long speech to a special joint session of the USA Senate and Congress, which was broadcast live back in Ireland, followed by acres of fawning newspaper coverage.

President Bush was paying a small price - the Fianna Fáil led Government allows the USA military to use Shannon Airport for transporting troops weapons and torture victims back and forth between Iraq, Afghanistan, Guantanamo and other locations on the American continent.

2. Bertie’s period of office coincided with a historically unprecedented economic boom in the 26 County Republic of Ireland (the years of the Celtic Tiger)

Government poll ratings improved, new leader Brian Cowen basked in the reflected glow - and a temporary opinion poll boost was delivered to the Yes side of Lisbon Treaty debate.

But current reality collided with spin - the Lisbon Treaty crash-landed, and Brian Cowen’s short honeymoon is over.

Ahern is back in the Mahon Tribunal - a tortuous comic affair, as one clever piece of deception after another gets unravelled by legal investigators on the trail of intentionally complex financial wheeling and dealing.

One week before the referendum, for example, the former Taoiseach was in the witness-box, unable to answer Tribunal Counsel Des O’Neill’s statement that “of the 86 lodgements to Mr Ahern’s accounts during 1993 and 1995....there was no evidence to show the source of “99.99%” of the money” (Irish Times, June 6 2008). A total of at least £62-79,000 Sterling has so far been uncovered for these two years alone. The former Minister for Finance claims he had no bank account between 1987 and 1993, and saved cash in a safe.

Vulnerable Green Party

At a special Green Party conference delegates voted for the Treaty - but by less than a two-thirds majority, meaning the party was unable to publicly campaign for either side in this campaign.

Panic set in at top levels. Minister Éamonn Ryan warned of “chaos” if the Treaty is rejected. One of

the party's six TD's, Ciarán Cuffe, bitterly complained that the debate has been taken over by "Spuccers and Trotskyites" (!).

Ciarán Cuffe and his colleagues are very intimate with the left-wing case against the Lisbon Treaty – before the Greens entered Government with Fianna Fáil in May 2007, the party was associated with the CAEUC.

In one public debate on Development Issues and the Lisbon Treaty a former CAEUC member, Green Party Yes campaigner Senator Deirdre de Búrca, declared that if her party was not in Government it would be campaigning for a No vote on the Lisbon Treaty.

To ensure there was no doubt, this writer double-checked, asking the Senator for confirmation of her statement – Deirdre repeated herself - my ears were working fine that evening.

This exchange occurred on Wednesday May 7, during a discussion about the Treaty's provisions on development issues – see these links for a CAEUC Statement [3] distributed to all who attended, and a full report of the meeting written by Liz Curry [4].

De Búrca also argued for a Yes Vote because we must tackle climate change – a No campaigner pointed out that the Treaty contains precisely six words on this subject.

Some weeks later Green Party leader and Government Minister John Gormley stated that even if he was in opposition, he would be recommending a Yes Vote on the Lisbon Treaty.

A fool might bet that the Green Party will sit on the government benches after the next General Election (scheduled for June 2012 at the latest) – a wiser punter would wager that Gormley's party will be lucky to survive electoral contests in the next couple of years.

A leading spokesperson on the No side was former Dublin Green Member of the European Parliament Patricia McKenna. She will be again seeking the party's nomination in forthcoming polls – the big question will be : should the Greens remain in coalition with Fianna Fáil? Odds are that Gormley's party will stay in government .

In that case, the fate of the Progressive Democrats (PD's) looms large for the Green Party : the PD's are a well-financed right/neo-liberal party which returned only two TD's in the May 2007 General Election, a disastrous drop from eight. Its leader Michael McDowell lost his seat and promptly resigned from public life.

Its single minister, Mary Harney, directs a root and branch privatisation of the Department of Health, and has generated a mounting campaign of public demonstrations against her policies.

It is only a matter of time before most Progressive Democrat components are assimilated into Fianna Fáil, Fine Gael – maybe fragments will drift into the Labour Party or the Greens.

CAEUC activists worked with Health campaigners during the referendum campaign, successfully persuading key activists from this sector to vote against the Lisbon Treaty.

Why Did the Lisbon Treaty Lose Ground?

In January 2008 the Irish result seemed a shoo-in [5] Former Taoiseach Bertie Ahern, scrambling with words to explain monstrous amounts of sterling in bank accounts he had "forgotten" about, now says he won the money by betting successfully in England on horse races..... – A Red C Opinion Poll

estimated a Yes / No split of 43 to 25 per cent discounting a high “Don’t Know” score of 32% - meaning a likely 64/36 result on the referendum day. At the start of April the gap narrowed to a Yes/No share of 35 to 31 per cent - making the likely result too close to call - it was within the margin of error.

The numbers then moved back towards the Yes Side - coinciding with the decision of Bertie Ahern to vacate the job of Taoiseach.

Worrying trends for the Lisbon Treaty showed up in a May 25 Sunday Business Post Opinion Poll : the Red C Company headlined its report “Yes camp struggles to gain a clear lead” - the No Side was gaining ground, undecided voters were breaking in a ratio of 5:3 against the treaty.

Then a decisive swing against the Lisbon Treaty swept away the Yes side - why?

Using hindsight, reading reliable reports from CAEUC activists on our e- mail list, and public sources such as the website www.sayno.ie , tell-tale signs of a momentous victory jump out at the reader.

An unusual feature of this campaign was that at several public meetings, even those called by the Yes Side, most of the audience tended to favour a No Vote.

Some examples :

The Labour Party called a public meeting in Dublin’s Liberty Hall on April 14 - six platform speakers, including party TD’s and an MEP, spoke for the treaty. Reliable reports indicated that at least 70 per cent of the audience (numbering about 80 people) favoured a No Vote.

In Limerick City on May 15 a CAEUC inaugural meeting directly clashed with a public debate organised by the Oireachtas (Houses of Parliament) European Affairs Committee. Naturally, the Oireachtas meeting was much better-financed, and therefore was more heavily advertised. The CAEUC meeting attracted an attendance twice the size of the Oireachtas Committee Event (65 people versus 30). The parliamentarians, once they had finished praising the Lisbon Treaty from the platform, discovered that every single person in their audience was voting No. So, it was established that 95 people in Limerick City intended voting against the treaty, feeling strongly enough about it to attend two clashing public meetings.

The Limerick East constituency result

No	21191	54.0%
Yes	18085	46.0%
Turnout	.	51.4%

On June 4 the Community and Workers’ Action Group (CWAG) organised a debate in the Dublin South-Central constituency between the Yes and No sides. The independent socialist councillor Joan Collins (CWAG) and Brendan Young of the CAEUC spoke for voting No. Their opponents on the Yes Side were representatives of Fianna Fáil and Fine Gael, Charlie Ardagh (Fianna Fáil) and Ruairí McGinley (Fine Gael). When the debate ended the 70 people attending were asked to raise their hands for a Yes or a No - all seventy people in the audience voted No.

The Dublin South-Central constituency result

No	25624	61.0%
Yes	16410	46.0%
Turnout	.	51.6%

The Irish Government had to run two referendums on the Nice Treaty - at the first time of asking the proposal was defeated in 2001 (Nice 1).

After that the state set up a "National Forum for Europe", with relatively democratic rules allowing for equal time shared between Yes and No speakers. Research demonstrated that many people had voted No in the Nice 1 referendum because they objected to a lack of information about the issues. A "democratic deficit" was addressed, without doubt helping the state to gain a Yes victory in the 2002 "Nice 2" referendum.

Turnout for Nice 2 was 49.5%, significantly higher than Nice 1, 34.8% .

But this time around the turnout for the Lisbon Treaty Referendum was even higher, 53.1%.

This means that a revote on the Lisbon Treaty, like the Nice 2 operation, is not a good option for the Yes side.

Writing in the Guardian (June 14) the Irish Times columnist Fintan O'Toole (a left-liberal supporter of Lisbon) correctly observed that "In the first Nice referendum, the turnout was so low that the government could just about get away with asking people to vote again. The turnout for Lisbon was much higher, so repeating the exercise would simply feed the perception that voters are being bullied."

In 2008, in general, a significant majority of people attending forum meetings indicated they were voting no.

The "democratic deficit" factor worked in favour of the No side.

The Lisbon Treaty is a tough read, and is very hard to understand - not surprising when one its main supporters said :

"The aim of the Constitutional Treaty was to be more readable; the aim of this treaty is to be unreadable [...] The Constitution aimed to be clear, whereas this treaty had to be unclear. It is a success." Karel De Gucht, Belgian Foreign Minister, Flanders Info, 23 June 2007

Here too are the words of the document's main author, ex-President of France Valéry Giscard d'Estaing :

"Public opinion will be led to adopt, without knowing it, the proposals that we dare not present to them directly ... All the earlier proposals will be in the new text, but will be hidden and disguised in some way." Le Monde 14 June 2007 and Sunday Telegraph 1 July 2007

I showed these and other similar quotes to one voter who immediately asked (very reasonably) if De Gucht was on the No side.

Both these quotes, and a few other gems from similar high-ranking politicians, are contained in a 32 page CAEUC pamphlet calling for a No Vote on the treaty - we distributed 10,000 copies during the campaign. They are also published on the website.

Time and again activists read out these quotes, and then concentrated on unravelling key provisions of the text – for example those which provide for further privatisations of public services. The Lisbon Treaty is written in the style of George Orwell’s 1984 “Newspeak” : “Public Services” are renamed “Services of General Economic Interest”.

When Yes supporters claimed to be defending the State’s traditional policy of military neutrality, CAEUC activists directed people to provisions which require an increase in military spending – and contrasted this active wording with the absence of any measures to, for example, increase public funding for health services.

A growing mood of puzzlement threatened the Yes side of the Lisbon Debate.

Fianna Fáil has a big popular base and takes pride in staying in touch with its “grass roots”. The new Taoiseach Brian Cowen is no fool – he admitted he had not read the 440 page labyrinth, with its confusing set of protocols, amendments to amendments, obscure and deliberately baffling language, and so on.

The June 6 Irish Times report of its opinion poll said “Not knowing what the treaty is about was cited as the main reason for voting No in the referendum, with 30 per cent giving it as the reason for their decision.”

No campaigners sympathised with the state leader’s dilemma, knowing their point had hit home big time.

Yes organisations like Fianna Fáil used slogans like “Yes to Europe”, “Good for Ireland” and so on – without discussing the Treaty’s actual text. They presented it as an administrative tidy-up job, reducing the number of commissioners, giving the European Parliament extra powers, making the expanded machine work more efficiently to accommodate 27 states.

In the final days of the campaign Cowen and his allies accused the No side of failing to discuss the treaty’s contents, spreading false information, and warned that Ireland would suffer from a No decision. This was an unconvincing change of tune from a campaign which for months has sung hymns of praise to the Irish Celtic Tiger, a “success” linked to membership of the EU.

Media supporters of the Yes side – especially those with a left-wing past, or who currently support the Labour Party – inflated the profile of far-right wing opponents of the Treaty, and minimised the opposition campaign mounted from the left.

A notorious example of this was an Irish Times “story” that French fascist Jean-Marie Le Pen might come to Ireland to campaign for a No vote. Pro Lisbon Treaty journalists from this newspaper could not find anyone in Ireland willing to invite the French fascist – several No campaigners indicated they would in fact protest against any such visit.

True to form, on the day after the count, most mainline media organisations gave significant pictorial coverage to far-right No campaigners associated with “Youth Defence”, which is militantly anti- abortion.

The imbalance prior to the vote has been carried over into the post mortem. On talk shows and press pages the losing side debates with itself on what went wrong, what are “we” going to do next, how could the people have done the wrong thing and what is “Europe” going to do in retaliation?

The discourse assumes that a way must be found to fit the result into “the other 26” countries’ determination to go ahead with Lisbon and to overlook the simple result of the vote (in Ireland,

France and the Netherlands): that the Lisbon Treaty is legally and morally dead.

The overwhelming dominance of the defeated side -- in the national debate and in the corridors of EU power (where the EU elite is overlooking the result and putting enormous pressure on the Irish elite to get a 'solution') - means there is only one thing that can prevent the Irish majority being left out on a limb. That is the remobilisation of the French 'No' movement, rekindled by the Irish vote, to demand a final end to Lisbon or, at least, a French referendum on it. The Irish, French and Dutch stands need to be internationalised.

Debate within the CAEUC and beyond should focus on alternative visions to the doomed Lisbon Treaty / European Union Constitution Project. One approach is set out here, "The Europe We Stand For" <http://www.caeuc.org/index.php?q=no...>.

This contrasts with the main line advocated by Sinn Féin, which is looking for a "better deal" to be negotiated. Wily politicians such as Brian Cowen will be happy to offer some minor concessions - such as keeping an Irish Commissioner, maybe tinkering with a few vetos - but keeping the neo-liberal substance of any new Treaty/Constitution intact.

People in Sinn Féin who doubt this should take on board the fate of the Green Party - once they entered Government with Fianna Fáil former radical policies went out the window. Sinn Féin's welcome opposition to the Lisbon Treaty, along lines that were generally progressive, collides with any perspective of being "ready for government" - the party's headline policy in the May 2007 General Election.

The 'No' right may set out to provide the political alternative and stand in the coming European Elections in June 2009.

A thing very badly needed is better coordination of the 'No' side on the left.

The victory, in the light of the far from ideal, but real, left unity during the referendum campaign, has returned regroupment to the agenda of the left.

Key players here are the Socialist Party (its best-known representative Joe Higgins did tremendous work, co-operating very well with the CAEUC as well as promoting his own party); the People Before Profit coalition, whose main component is the Socialist Workers' Party; the Community and Workers' Action Group, whose main spokesperson is the Independent Socialist City Councillor Joan Collins; the trade union UNITE; and various other activists.

Local Government Elections take place at the same time, and all sectors of the "real left" need to run a united campaign in both contests - you can't have one without the other.

Organisations trade unions and activists which, at a minimum :

- * Oppose the neo-liberal assault on public services
- * Are in favour of equality measures such as ending the notorious 1983 constitutional ban on abortion
- * Which unconditionally refuse any governmental coalition deals with bourgeois parties such as Fianna Fáil or Fine Gael

have another opportunity to get their act together, with the emphasis on 'together'.

John Meehan, a founding member of the CAEUC, is a supporter of the Fourth International in Ireland.

NOTES

[1] TD = Teachta Dála, Member of the Dáil (parliament)

[2] Like Ahern, Ian Paisley has recently been forced to step down early from his First Minister's job in Northern Ireland – in part caused by a financial scandal over the designation of the Giant's Causeway as a World Heritage Site. Readers will struggle to find details of this in the principal media outlets based in the 26 County Republic of Ireland – however, there is plenty of material available on the website www.nuzhound.com – which carries an excellent daily selection of news relevant to the six-county state of Northern Ireland.)

[3] According to the Wikipedia entry “Shoo in” was originally a racetrack term, applied to a horse expected to easily win a race. The Oxford English Dictionary mentions “shoo in” was originally a horse that was expected to win a race because the race was fixed : “the designated horse would win even if it were so lackadaisical in its performance that it simply wandered somehow up to the finish line and had to be “shooed in” to victory”.

P.S.

* From International Viewpoint Online magazine : IV n° 401 - June 2008.

Footnotes

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[3] See: [Lisbon Treaty : Reasons to Reject an Anti-Development Deal](#)

[4] See: [Lisbon Treaty - Aid and Trade: Report on Wed. 23rd Global Development Meeting](#)

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