

Let the European People Decide: A European Referendum on the Lisbon Reform Treaty

The agreement reached at the European Council in Lisbon last October (the so called Lisbon Reform Treaty) is a good deal. First, it allows the European Union to exit a long phase of uncertainty on its institutional future. More importantly, no matter how small, the Reform Treaty is still a step forward in the democratic unity of Europe.

Now that national governments have reached an agreement, *how should the Treaty be ratified?* In the past fifty years of European integration, the practice in most countries has been to ratify EU treaties with a quick parliamentary vote. Few countries chose the alternative route: ratification through a national referendum. Both systems of ratification have limitations. A parliamentary vote is generally accompanied by little public debate. This raises the problem of lack of awareness among European citizens on the implications for their every day life of reformed EU institutions. Differently from a parliamentary vote, a national referendum captures the attention of the citizens that are directly called to express their opinion. However, national referendums suffer of an intrinsic inconsistency: the debate inevitably focuses on contingent national issues and not (or only marginally) on the European issues that voters are called to vote upon.

In a letter published in the Financial Times on October 20, I proposed a third way of ratification: a *consultative pan-European referendum* on the Lisbon Treaty. A pan-European referendum allows European citizens to express their preferences on the institutional structure of the EU by focusing the debate on European issues. The logic is very simple: the decision to be taken is about the future of Europe as whole and not about individual European countries, such a decision should be taken by the people of Europe *together*. Being *consultative*, the referendum would not undermine the allotted constitutional role of national parliaments in countries (Germany in particular) where this is a requirement.

Since its establishment in 1957, the EU has not only been a union of states (as in traditional international relations), but a *union of states and citizens*. This is why the ratification process should involve European citizens. A European referendum should be judged as positive if a double-majority requirement of EU citizens and member states is satisfied. If the No gets a majority in a country, then the other member states should still adopt the Reform Treaty (provided that a double majority has been achieved in the Union). In the EU of 27 (or more) countries, no single member should be granted veto power on institutional reforms. The country that voted No would have to decide for itself what it intends to do, including the option of a new agreement with the EU as a non-member.

The Lisbon Reform Treaty will not be the last reform of EU institutions. The past fifty years of European integration proceeded in a dynamic fashion by subsequent steps forward, where evolving institutions have been designed to respond to new challenges. Some refer to this as the “bicycle” theory of the EU. My argument does not apply to the Lisbon Treaty only: consultative pan-European referendums should be held anytime the EU faces major reforms of its institutions.

Michele Ruta
Marie Curie Fellow
Economics Department
European University Institute