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Fernando Mendez, Mario Mendez and Vasiliki Triga
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Referendums and the European Union

Why have referendums on European integration proliferated since the 1970s? How are referendums accommodated within member states' constitutional orders, and with what impact on the European integration process? What is the likely institutional impact of referendums on the future of the European integration process? These are among some of the fundamental questions addressed in this book from an interdisciplinary perspective. The central thesis is that the EU is faced with a "direct democratic dilemma", which is compounded by the EU's rigid constitutional structure and a growing politicisation of the referendum device on matters related to European integration. *Referendums and the European Union* discusses how this dilemma has emerged to impact on the course of integration, and how it can be addressed.

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Series editors' preface

Referendums and the European Union: A comparative inquiry

Until the Danish referendum vote rejecting the Treaty of Maastricht in 1992, referendums did not really resonate within the European integration process. True, several countries had held referendums to make membership (of others) possible (France), to make membership happen (Denmark, Ireland) and to make membership not happen (Norway). This was back in 1972. Famously, a referendum was held in the UK in 1975 on membership (and this looks set to be replicated in 2017). Ireland and Denmark approved the Single European Act and its amendments to the European Community treaties in 1986–7. All of these referendums, with the exception of Norway's rejection of membership (not generally seen as surprising), saw relatively healthy majorities in favour of membership and in favour of continued development of the European treaties to promote closer European integration between these sovereign states. This benign assumption of popular support for European integration was dramatically turned upside down by the Danish referendum rejection – even after the "no" vote was overturned the following year after some trend-setting "opt-outs" negotiated by the Danish government. Since then nothing can be taken for granted and the politics of referendums have been an important element of the overall politics of European integration.

In this important new book, the authors explore the tensions that exist between the need for constitutional adaptability in times of crisis (well illustrated by the referendum dynamics that have come to the fore since the banking crisis of 2008 became a full-blown financial crisis threatening the continued existence of the eurozone) and the existence of what they call the "veto point of popular votes", which can bring whatever good ideas the political elites thought they had to a shuddering halt because

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they are not acceptable to the wider electorate. But of course things are never as simple as that. The impact of direct democracy on European integration is not a simple linear process, up and down some sort of golden strand that links wider national electorates with the EU law and policy-making process. On the contrary, as is well known, decisions about EU matters at the national level, including referendums, are often made hostages to concerns in domestic politics, as national politicians play the blame game.

Against this backdrop, this book makes a major contribution to helping us to understand what is happening with referendums and referendum politics in the EU, as well as what might be the impact in the future of the various referendums which would now need to be held for further European treaties to be ratified. Throughout this process, (constitutional) law at the EU and the national levels remains inextricably linked with politics, and many contextualising factors have to be taken into account. The result of the analysis is a sophisticated account of referendum politics seen in a constitutional context which should be an important handbook for observers of and participants in these processes for years to come.

Jo Shaw
Laurence Gormley

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