Tim King: Referendums are not the right way to address the EU’s democratic deficit

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An obsession with referendums used to be just one of the various eccentricities of Switzerland. Nowadays it is common also to the European Union.

The promise made to his electorate last month by David Cameron, the United Kingdom’s prime minister, of a referendum on membership of the EU has put a question-mark over the future shape of the Union. And this is not a new experience: the EU’s Nice treaty and Lisbon treaty were both put in doubt by ‘No’ votes in Ireland. The EU’s constitutional treaty was stopped in its tracks by ‘No’ votes in France and the Netherlands. Twenty years ago, the EU was putting itself back together after Danish voters had rejected the Maastricht treaty in a referendum.

All these defeats have made the European Council very wary of doing anything that might precipitate a referendum somewhere in the EU – hence some of the contortions over economic governance in the last two years.
Critics of the EU charge that it is the creation of an elite and is out of touch with Europe’s voters. They point to the low turn-outs in elections to the European Parliament and complain of a democratic deficit.

There are both supporters and opponents of the EU who believe that the answer to this democratic deficit is more voting. They argue that the EU’s most important decisions should be subject to referendums – to a popular vote.

Martin Callanan is the leader of the British Conservative MEPs in the European Parliament. He supports the decision of his party leader, David Cameron to offer an in-out referendum on the EU in the first half of the next term of the national parliament. Callanan argues that, without referendums, decisions will be made by a small elite. Trust the people, he urges.

Elmar Brok is a veteran German Christian Democrat member of the European Parliament with a long-standing interest in the EU’s constitutional arrangements. He argues that referendums are not democratically superior to decisions taken by democratically elected representatives. He says that referendums are a means for elected representatives to shirk their responsibilities and evade difficult choices.

So who’s right and why? Do join in our debate. Feel free to criticise the motion – it’s the debating equivalent of quibbling with the referendum question.

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Elmar Brok
The proposer’s opening remarks
The last decade has seen increasing debate over whether or not the EU is suffering from a democratic deficit. The discussions reached their climax in the ongoing EU debt crisis which led to discontent and the impression that citizens have lost all influence on the policy-making process. As a result, some people argue that the introduction of Europe-wide referendums as a means of direct democracy may be the key to reducing this deficit. But that would mean that a single country can be outvoted also in questions of principle.

I do not agree with the claim that EU’s democratic accountability could be strengthened by decisions which have been imposed on citizens by politicians. Referendums do not have a higher democratic standing than decisions taken by democratically-elected representatives, especially since most political questions cannot be answered with a simple “yes or no”. And in contrast to the citizen, an elected representative has to go back to voters in the next election.

As democratically-elected representatives of European citizens we have the duty to ensure that every political decision is taken in a clear, transparent and comprehensible manner. This is the main condition for a democratically legitimate political process. The citizen must be fully informed and aware of the issues in order to make his choice by giving his mandate in the next election.

Indeed, there is a democratic mode of decision making on the European level which brings the people directly into the policy making process. It is the European Citizens’ Initiative (ECI), introduced by the Lisbon Treaty, which allows one million citizens from at least one quarter of the EU’s member states to invite the European Commission to bring forward proposals for legal acts in areas where the Commission has the competence to do so. The big difference compared to
referendums is that the initiative is taken directly by the citizens, in accordance with their needs and views. The ECI is therefore a good instrument to promote a transnational debate on a European topic and hence to contribute to the creation of a European demos.

Referendums make it quite easy for elected representatives to evade difficult decisions and shrink their responsibilities by passing the buck to the voters. But after all, we are called representatives and citizens gave us their trust, so we have to live up to our political responsibilities instead of fleeing from them.

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Martin Callanan
The opposer’s opening remarks

On a daily basis in a representative democracy, decisions about how we are governed and how we organise our affairs are not made by a show of hands but by those we elect to represent us, and the executives to whom we lend power to deliver a prospectus, mandated by the people and for the people. True democracy – the rule of the people – only happens on one day or a weekend every few years at the ballot box.

Regardless of how strong an executive may be, the core principle remains that every few years rulers must answer for their actions. If we wish, we can choose to revoke their power and hand it to others. However, what happens when the executive and our representatives hand over, to another authority, the powers loaned to them? And when the activities of the new authority seem detached, opaque and impossible for individuals to influence?

Over time the gap between the voters and those institutions
will grow, as their ability to collectively control their own destiny fades. This is the fundamental reason why the EU has opened a democratic deficit between the people and its institutions.

Of course, the basic principle of the EU is that its members share some of their sovereignty, enabling them to form a common marketplace and co-operate on areas of mutual interest. They lend institutions the powers lent to them by the people. But if this were the case then I believe the democratic deficit would be less acute.

The crux of the problem is the notion that these powers can never be returned, even if the representatives of the people and the executive are mandated to bring them back in a popular vote. This needs to change.

Referendums are necessary in a participatory democracy: not to make decisions about how power should be exercised, but to expressly ask the people before allowing others to exercise that power on their behalf.

The alternative? People will become more frustrated as the social contract between government and governed breaks down. People will feel their opinions do not matter, their votes do not count. They will turn to extremes or disengage from the demos altogether. Decisions will be made by a small elite. We should trust the people, not patronise them by saying that they can’t understand enough to make a rational decision. Referendums actually kick-start rigorous debates, the kind of which we have not had for over a generation.

The biggest problem with the EU is the taboo that to question the appropriate level at which powers should be exercised results in you being labelled anti-European. I believe that the real anti-Europeans are those that continue to push ahead without consent.

If only other countries embraced referendums before handing
over economic and political powers, the EU might be a much more harmonious and effective organisation today.

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