Sleeping on the Job: The Irish Failure to Ratify the Treaty of Nice

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The fundamental misperception among the central decision-making group prevented the Irish government from appropriately countering the Nice opposition campaign. Government structure, cultural preferences, and leadership personality are the key factors contributing to the administration's misestimation of both the opposition and its own efficacy. The results not only explain a watershed event in EU development but also prescribe specific policy principles of EU enlargement to continue. Special emphasis is placed on the study's ramifications for the intergovernmental model for EU policy-making. The writer wishes to thank Dr. Valerie Hudson and Dr. Wade Jacoby of Brigham Young University and Dr. Michael Young of Ohio State University for their contributions to this article.

SLEEPING THROUGH THE "CHOICE FOR EUROPE"

It was a very quiet day yesterday for the 14 people sitting behind polling tables in Neilstown National School, Co Dublin. By 5:20 p.m. just 5.4 per cent of the 4,350 voters had dropped by. Polling officers looked bored, having lost interest hours earlier in the books they brought, or the small talk their table-partner had to offer. Well-used word puzzle books lay around. And the electorate [was] just as bored.

(Ni Cheallaigh, 2001)

Upon the close of the lackadaisical Irish polls on 7 June 2001, all of the late-night bickering among European Union (EU) members at Nice the previous December suddenly appeared in vain. With 54% of voters refusing to ratify the Treaty of Nice, the Irish electorate aborted the institutional reforms codified within the Treaty that are necessary for the European Union's expansion into Central and Eastern Europe. The Treaty implements controversial and painful reforms in Union decision-making and budget policy in order to accommodate an expansion that adds twelve governments to the administrative structure, increases EU population by over 25%, and yet only augments EU GDP by 5%. The Treaty's implementation is the last step in a decade-long process to fully integrate the former communist countries into a democratic Europe. However, by halting the requisite reforms, the Irish referendum jeopardized this historic EU expansion if not frustrated it all together (Kaminski 2001).

Why?

Perplexity crept through the whole of Europe and, ironically, through the administration of Irish Prime Minister Bertie Ahern following the referendum. Why did the Irish,
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having ratified the previous treaty on European enlargement (the Treaty of Amsterdam) in 1998, refuse the Treaty of Nice in 2001? This question is especially puzzling considering Ireland’s historically supportive electorate and foreign policy behavior. While the role of the “No to Nice” opposition campaign is clear in the Treaty rejection, the source of its efficacy is not. How could an opposition campaign orchestrated by electoral starvelings wrest victory from the hands of the entire Irish political center? Why did the Nice supporters, most notably the government, run such an ineffective, half-hearted campaign for Nice ratification? Lastly, both participants and observers asked the most crucial of all: So what happens now?

In hopes of eventually approaching this last question, this case study begins by tackling the first: Why did the Irish, having ratified the Treaty of Amsterdam in 1998, reverse their EU policy and refuse the Treaty of Nice in 2001? As we shall see, changes occurring between 1998 and 2001 among those parties opposing EU expansion account for the Irish policy reversal. However, although the opposition parties were galvanized by 2001, these changes still do not explain how a coalition of parties controlling no more than 5% to 7% of the electorate was able to undermine the will of Ireland’s major center parties. Thus, understanding the Nice “yes” campaign is this study’s central puzzle: if they were committed to the Treaty’s ratification and also had the ability to appropriately counteract the opposition, why did the Nice supporters run such an impotent campaign? Why were they caught sleeping?

TWO SEDATIVES AND A TREACHEROUS PERSONALITY

I argue that a conflation of governmental, cultural, and personality factors caused the Ahern administration to misestimate both its opponents’ and its own efficacy. While the fundamental source of the administration’s misperception is found in Ahern’s own personality, government structure and cultural preferences provided the conditions (the “sedatives”) necessary for Ahern’s personality to be influential. Because of his misestimation, Ahern failed to muster a sufficient counterattack against the Nice referendum opposition, thus allowing the “no” campaign to seize victory.

This rather holistic argument takes issue with the conventional wisdom regarding the poorly executed “yes” campaign. Typical explanations of “yes” impotency claim that considerations for the upcoming 2002 elections prevented Nice supporters from spending sufficient campaign funds to win ratification: “Facing the prospect of an election in 2001/2002, the political parties were loath to use scarce financial resources on the Nice campaign as there is no state funding of political parties in Ireland” (Laffan 2001, 2). I find such explanations wanting in three respects.

First, the Nice opposition parties must also budget for the 2002 elections—why could they afford to break the bank over Nice while the flush center parties could not? Second, successfully campaigning for Nice arguably does not require much money: with 59% of the population supporting enlargement (Special 2001) and over 50% of the population attributing their decision not to vote simply to their inability to understand the Treaty’s intent and content (Peel 2001), successful ratification demands no more money than what is needed to translate clearly the purpose of the Treaty to the public. Since the “no” campaign communicated their translation of the Treaty primarily through posters and television/radio invites (to which the “yes” campaigners were invited also), it follows that successful campaigning was possible for a minimal price. Third, for no cost to the “yes” campaign, other EU members campaigned among the Irish voters to ratify the treaty (e.g., Germany’s Joschka Fischer gave rallies in Dublin urging ratification) (de Breadun and Staunton 2001). Yet, outside contributions still didn’t turn the tide of favor. “The ‘no’ campaign won the battle of language” (Laffan 2001, 3), not the battle of the war chest. Thus, the “yes” campaign suffered less for a lack of funds than for a lack of vision (Holland 2001 and Laffan 2001, 3).

SO WHAT?

This article makes three contributions to foreign policy-making and political analysis. First, this explanation might grant policy-makers
critical insight into gaining public support for pro-EU legislation in an increasingly technical and "democratically deficient" European Union. Second, this study provides an explanation for a watershed event in EU history—obviously, if we understand why the Irish rejected Nice, we might determine whether this obstacle to EU enlargement is surmountable or not. Third, this study introduces an important caveat to liberal intergovernmentalism's model of EU policymaking. The Irish case shows that understanding the impact of government structure, cultural preferences, and personality allows us to better apply the intergovernmentalist model to policy scenarios. Hence, the relevance of this study is founded upon both practical and theoretical applications. Considering the unprecedented crossroads at which the EU now stands—the common currency came into full effect at the beginning of the year, a common defense force will soon be a functioning reality, the Union is set to nearly double its size to 27 members within 10 years, and institutional reforms are, arguably, creating a more federalist future for Europe—these contributions to understanding current and future European political phenomena are valuable indeed.

After introducing Irish domestic politics and outlining how the Nice opposition managed to deny the EU of ratification, I will present the three major factors contributing to the Ahern administration's mistake. First, I will discuss the impact of government structure upon the administration's decision-making. Second, I will treat the role of Irish culture in the administration's decision-making. As will be shown, these two factors funnel decision-making power away from organizational and bureaucratic processes to the Taoiseach (the Irish word for Prime Minister) himself. Thus, the third major factor contributing to the Irish government's misestimation of the Nice situation is the personality and perception of Bertie Ahern himself.

IRISH DOMESTIC POLITICS DURING NICE RATIFICATION: AHERN'S RUDE AWAKENING

Irish domestic politics and internal changes within the parties opposing the Nice Treaty produced a robust anti-enlargement campaign in 2001. The nature of the Irish political system provides the motivation and means for opposition movements, such as "No to Nice," to emerge. With the necessary systemic condition provided, changes in the opposition party fortunes between 1998 and 2001 allowed these parties to take advantage of the opportunity Nice offered.

Means and Motive. For the focus of this article, the ramifications of proportional representation and coalition government are the most important aspects of Irish politics to be considered. While a full description of the unique Irish proportional voting scheme will be provided later, it suffices now to simply point out that proportional representation (PR), unlike a majoritarian system, allows for small party existence. Additionally, coalition government provides small parties an access to power; a major party often needs only a small party to create a governing coalition. For instance, under Ahern, Fianna Fáil joined with the Progressive Democrats (a smaller party harvesting only 8% of the vote on average) to form the current coalition. PR and coalition government, thus, grant small parties both the means and the motives for "rocking the boat" in hopes of gaining an inroad to governance.

The Nice Treaty referendum provided such an inroad for two of Ireland's smallest, though increasingly potent, parties: Sinn Fein and the Green Party. Looking for an opportunity to legitimize their participation in the mainstream political debates (Financial Times 2001), these opposition parties found Nice an ideal sticking point. In the words of one Sinn Fein committee member, "It's given us new credibility. People are beginning to think that if there were more Sinn Fein TDs and they played a bigger role, then what would that role be? It is an excellent chance for us to explain" (ibid.). An exchange between Ahern and Gerry Adams, the Sinn Fein leader, illustrates the same opportunism:

The Taoiseach, Mr. Ahern, met the Sinn Fein president, Mr. Adams, early in the campaign and asked him why the party was urging a "No" vote. Shrugging his shoulders on the staircase of Government SIGMA • 9
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Buildings, Mr. Adams looked up and smiled: "Can you think of a better way of getting publicity?" (Ibid)

Thus, the Nice referendum offered these parties a cheap and effective means of getting a foot in the door before the next round of elections.

Internal Galvanization. Changes in the opposition parties' respective political situations also account for the Irish policy reversal between Amsterdam and Nice. Until the Good Friday Agreement of 1999, Sinn Fein was still enmeshed with an armed and mobilized IRA. Competing in the typical debates and machinations of a liberal democracy (e.g., arguing against Nice to boost electoral prospects) was out of question for a Sinn Fein that was still directly associated with terrorism. Once the Good Friday Agreement passed, however, Sinn Fein was freer to reconstruct a new image for itself. The other major opposition party, the Greens, didn't factor into the Amsterdam decision simply because they didn't exist in any significant numbers at the time (the Greens were first established in Ireland around 1996). After three years of consolidating support on campuses and organizing among the electorate, the Green Party finally had the political clout (and it was still little at that) to affect major national debates. Therefore, with both major opposition parties unable to mount an attack on EU enlargement in 1997-98, ratification of Amsterdam proved an easy measure. The parties' different political fortunes three years later made Nice ratification more uncertain.

Thus, the power of domestic politics is evident in the Irish case. By failing to appropriately manage the domestic game, to use Putnam's metaphor (1988), the Irish decision-makers allowed themselves to be acted upon. The opposition parties had their victory, Ahern had the proverbial foot in mouth, and the EU still didn't have a binding treaty. Why did Ahern fail to oppose "No to Nice"?

GOVERNMENT STRUCTURE: SEDATIVE ONE

Ireland employs a unique "proportional representation—single transferable vote" system (PR-STV or simply STV). This peculiar electoral scheme, along with the institutional character it gives the Irish government, provides the fundamental environment necessary for personality and perception, the most defining characteristics of Irish decision-making, to affect government foreign policy. The structure of the Irish government subtly yet powerfully impacts Irish foreign policy decision-making. Specifically, the PR-STV scheme, in cultivating personality politics, magnifies the depth of personality's effect on policy-making, while the method of cabinet formation and functioning, in allowing much leadership autonomy, compounds the breadth of personality's effect on policy-making.

The Effects of PR-STV. While the PR nature of the system creates the sufficient conditions for multiple parties and thus coalition government, the single transferable vote option, by allowing voters to put down their second and third preferences should their first option lose, fosters constituency politics. STV provides the Irish voter with the opportunity to compare competing candidates on individual rather than party criteria and forces the Irish politician to engage his/her constituency on a personal level; the high level of proportionality reinforces the importance of constituency politics in Ireland. The intimacy between candidate and voter in constituent politics, often founded upon a perception of friendship, establishes the primacy of personality considerations in electing officials.

In that "ranking a set of candidates according to one's preferences" (Sinnott 1995, 104-5) is the central logic of the STV vote scheme, a candidate's image compared to his/her competitors' assumes paramount importance. Were Ireland to use the list scheme like other PR regimes, where voters simply vote for a comprehensive party ticket rather than for individual candidates, party loyalties would trump individual candidates' characteristics. The party would overshadow and subsume the unique character, promises, plans, and ideologies of the individual candidates. However, by not using such a list system, the Irish Constitution provides for the separate consideration of each candidate.

While not using a list scheme provides for individual candidate relevance and introduces candidate comparison to Irish voting, STV further magnifies the importance of comparative
differences. Unlike majority/plurality systems (e.g., the United Kingdom or the United States), where the crucial battles are fought among the “swing voters,” the STV system forces politicians to campaign equally among all constituents. While swaying the fence sitters is still important, it is also important for a politician to campaign among his/her opponents’ core supporters since they may make him/her their second preference. To illustrate the relevance of second and third preferences, the results of the 1990 Irish Presidential election are provided below:

<table>
<thead>
<tr>
<th>Candidate</th>
<th>First Preferences</th>
<th>Transfer of Currie's Votes</th>
<th>Second Count Result</th>
</tr>
</thead>
<tbody>
<tr>
<td>Currie, Austin</td>
<td>267,902</td>
<td>-267,902</td>
<td>731,273</td>
</tr>
<tr>
<td>Lenihan, Brian</td>
<td>694,484</td>
<td>+36,789</td>
<td></td>
</tr>
<tr>
<td>Robinson, Mary</td>
<td>612,265</td>
<td>+205,565</td>
<td>817,830</td>
</tr>
<tr>
<td>Non transferable papers</td>
<td>+25,548</td>
<td>25,548</td>
<td></td>
</tr>
</tbody>
</table>

Valid votes: 1,574,651. Quota: 787,326
Figure 1. Results of the 1990 Irish Presidential election

Were it not for the second preference votes transferred from Austin Currie to Mary Robinson (votes are transferred when none of the candidates reach the election quota upon the first count), Brian Lenihan would have won the Presidency. The second preference votes were so crucial that, had she not campaigned among Currie’s supporters, Robinson would have lost the Presidency. Thus, with a nonlist voting scheme and the need to campaign among all district voters, a broad relationship is forged between politicians and citizens.

The Irish constitution’s limits on district size deepen the already broad politician-constituent relationship provided by STV. District size must be no larger than 30,000 constituents per parliament member and no smaller than 20,000 per member (Chubb 1992, 134). Historically, district size has hovered around 21,000 constituents ever since the advent of the republic in the early 1920s (ibid.). The expectations of the Irish voters further deepen this relationship. A poll conducted in 1989 measuring “the most important criterion determining [the Irish voters] vote” found “choosing a [parliament member] who will look after the local needs of the constituency” to be by far the most critical consideration for the Irish voter, with 40% of the participants placing it first (Chubb 1992, 144). “Choosing a taoiseach,” “choosing ministers who will form a government,” and “choosing a [parliament member] who will perform well on national issues in the [Parliament]” were placed as first considerations by only 14%, 9%, and 15% of the poll participants respectively (ibid.). Thus, small districts allow for close politician-constituent contact, while voter expectations demand it.

Proportionality/disproportionality is “measured by comparing parties’ shares of the votes with their shares of the seats and noting the discrepancies” (Sinnott 1999, 113). “PR-STV in Ireland delivers a high degree of proportionality, virtually as high as that produced by electoral systems that have the achievement of proportionality as their sole aim” (Sinnott 1995, 115). As a practical matter for the Irish politician, high proportionality means that voters’ preferences are efficiently translated in elections. Subsequently, the politician must actively maintain the broad, deep relationship created by PR-STV or else face negative results from a disenchanted electorate.

The primacy of personality, caused by the nature of STV, small districts, voter expectations, and high proportionality combine to make the personality and perception of the taoiseach the most important influences on Irish foreign policy decision-making. The relative power and autonomy of the office of taoiseach make this combination possible.

The Effects of Irish Cabinet Formation/Functioning. While coalition government often disperses decision-making power among many, it provides no such service in Ahern’s administration. The insignificant number of Progressive Democrats serving in ministerial posts (only one Minister and two Deputy-Ministers) allows for Fianna Fáil domination in group deliberation. With the central decision-making group ideologically homogenous, the necessary conditions for “groupthink” exist within the Irish cabinet (Janis 1982, 174). Thus, Irish government structure provides the Prime Minister with a large amount of autonomy. Also, as will be discussed
later, certain cultural preferences predispose the Irish to groupthink situations. With groupthink “pressures toward uniformity” (Janis 1982, 175) silencing possible detractors to the taoiseach’s policy-preferences, the taoiseach’s personality and perceptions enjoy a wide range of influence.

The Prime Minister’s autonomy allows him/her to transcend the group in making decisions. “The taoiseach is usually considered to be one of the strongest of all heads of government” (Elgie 1999, 237). The norms of Irish cabinet interplay provide the taoiseach with most of this decision-making power: “The taoiseach determines the order in which items on the cabinet agenda are taken, the time given to consideration of each item, who is to speak, and when a decision should be reached—or postponed…. In practice, ministers do not challenge the taoiseach’s control of the agenda” (Farrell 1971, 176). In addition to agenda control, the taoiseach enjoys pervasive influence in the entire decision-making process: “the Taoiseach is in a position to direct rather than simply manage the flow of governmental business and is thus able to follow the full course of policy making from inception through to approval at the cabinet level” (Elgie 1999, 239). Thus, institutional norms allow the taoiseach considerable autonomy in the decision-making process; if he/she desires to, the taoiseach may transcend the Cabinet and make unilateral decisions.

The taoiseach’s previous experience in government grants him/her the ability to take advantage of these norms and transcend his cabinet as such. History bears out that prime ministers typically have extensive experience in previous governments. For instance, Bertie Ahern, previous to his tenure as Prime Minister, served as the Assistant Government Whip, Chief Government Whip, Minister for Labour, and Finance Minister. Therefore, Ahern, serving in several previous governments, has necessary acumen to forsake consulting his Cabinet on crucial decisions.

With institutionally granted autonomy and the ability or power to take advantage of that autonomy, the Prime Minister is the key, almost sole, decision-maker in Irish foreign policy. We may look at these two factors as the necessary conditions for taoiseach personality and perception to significantly influence foreign policy. If those are the necessary conditions, then the pervasiveness of personality politics, as described earlier, provides the sufficient condition. The primacy of personality created by the small districts’ constituency politics does not dwindle with becoming Prime Minister: first, as mentioned before, no real structures exist to constrain elite personality; and second, the Prime Minister, as a continuing member of Parliament, is still beholden to his district constituency. Thus, we would expect that any irrational outcomes in Irish foreign policy decision-making could most probably be explained by the unique personality and perceptions of the Irish Prime Minister.

**CULTURE: SEDATIVE TWO**

Culture has a glacial influence on foreign policy decision-making; its effect on the political environment is deep and lasting. However, inasmuch as it carves out the canyons and moraines of the national psyche over a long period of time and over a broad horizon, culture’s influence is difficult to pinpoint. As Vertzberger points out, “societal factors are less apparent to the observer” (Vertzberger 1991, 260). In the Irish case at least, culture does not explicitly cause, per se, any foreign policy outcomes. However, like Ireland’s governmental structure, Ireland’s culture contributes to isolating decision-making power in the hands of the taoiseach.

In identifying causality, following Hudson’s prescription for examining cultural “value preferences” (Hudson 1997, 8–9), I will employ Vertzberger’s theoretical framework for culture-decision interaction. Vertzberger outlines four ways that culture (or “societal attributes”) affects leaders’ decision-making:

First, [societal attributes] affect the weight attached to foreign policy issues compared to other issues on the decision-makers’ agenda and hence affect the allocation of attention to and cognizance of foreign-policy-related information. Second, once information has been recognized and has gained attention.
societal factors may impinge on the assessment of the importance of a particular datum and its diagnostic value. Third, societal attributes may influence the open-mindedness of decision-makers to dissonant information and their preparedness to readjust existing definitions of the situation in the light of new information. Finally, their attributes affect the interpretation of available information and the choice among competing interpretations. (1991, 261)

In other words, culture can affect policy by influencing decision-makers' priorities, by favoring particular sets of data, by further closing or opening decision-makers' minds, and by biasing certain interpretations at the expense of others. I will discuss the special importance of culture affecting policy in Vertzberger's ways one and four. Culture affects the Irish decision on enlargement the most by influencing decision-maker priorities and by biasing decision-makers' interpretations.

Hofstede identifies four cultural preference continua influential to foreign policy decision-making: one, individualism v. collectivism; two, strong v. weak gender differentiation; three, small v. large power distances; and four, low v. high uncertainty avoidance. Like values, preferences also provide a framework for decision-making. The natural preferences of a culture predispose decision-makers to particular types of action. For example, as Hofstede notes, cultures that prefer individualism to collectivism value personal achievement more than group harmony. These preferences affect decision-making by prescribing certain action. For instance, the subordination of group harmony to individual achievement invites debate into decision-making, thus undermining one of the causes of groupthink (Janis 1982, 37–9). The particular preferences of Irish culture hampered the Administration's ability to counter "No to Nice" because they fostered groupthink.

Irish culture, generally speaking, lends decision-makers to prefer collectivism to individualism, weak gender differentiation, and small power distance. The Irish preference for collectivism is evidenced in the importance of relationships among Irish politicians (for instance, Ahern's chief Cabinet Members and political counselors are his boyhood friends), the resolution of conflict through bargaining (such as, leadership successions in the Fianna Fáil party involve negotiations between the party elite), and the familial relationships between superordinates and subordinates in Irish politics (e.g., Charles Haughey, former Prime Minister and Bertie Ahern's political mentor, aided Ahern throughout his career after meeting fourteen-year-old Ahern at a local canvassing board). Irish decision-makers also prefer a weak gender differentiation: for example, the two Presidents of the 1990s were women and recent legislation modernized Irish gender law (Finnegan and McCarron 2000, 183–8). Also, Irish culture prefers a small power distance of which the following organizational chart provides an example (notice the lack of extensive hierarchy—e.g., the Prime Minister's office is organized not above the other Ministries but as just another cog in the government's wheel):

![Organizational Chart](image)

The cultural preferences of Ireland identified using Hofstede's criteria contribute to the Administration's failure to meet the opposition's threat. The preferences for collectivism, weak gender differentiation, and small power distance, provide an ideal groupthink environment by lending the Irish decision-makers to seek consensus, resolve conflict while retaining group harmony, and maintain low levels of centralization. With group members prizing relationships over tasks and group harmony over dissention, the autonomous taoiseach enjoys almost total group loyalty in making a decision. Therefore, when Ahern made the decision to disregard the "No to Nice" campaign, other Cabinet Members felt comfortable with simply jumping on the bandwagon.
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ET TÔ BERTIE? AHERN AS HIS OWN WORST ENEMY

With government structure and culture funneling decision-making power almost entirely into the taoiseach, the unique personality and perceptions of Bertie Ahern determined the Administration's approach to the Nice opposition. As outlined above, the structure of the Irish Executive and the nature of Irish constituent politics allow for the individual leader's personality and perceptions to play a significant role. Cultural preferences incubated the central decision-making group in a groupthink environment—those that might have raised alternative policies deferred to the taoiseach. Both his personality trait of confidence and his perception of the opposition's strength factored heavily into Ahern's decision-making regarding the Nice "yes" campaign. 19

I argue that Ahern was aware of the growth in opposition from Amsterdam to Nice but had an attitude that undercut an appropriate counter attack. That Ahern recognized the strength of the opposition is reflected in comments such as "[the previous referendums on the EU] all passed comfortably, even if the margin of success had been gradually declining" (Ahern 2000). Ahern was aware of the growing opposition to EU enlargement. Also, with the major parties outlining their stances on the Nice Treaty months before the referendum in June, it would have been nearly impossible for an astute politician to fail to recognize the existence of an opposition. Ahern's attitude affected decision-making in two respects. First, Ahern's attitude led him to be overconfident in the situation and abilities of his administration. Second, Ahern's attitude led him to misperceive the abilities of his opposition. Thus, Ahern's attitude squandered any value brought by recognizing opposition growth after Amsterdam. In the words of Brigid Laffan, "The performance of the Government was particularly lacklustre as it appeared to take the outcome for granted" (Laffan 2001, 3).

A content analysis of speeches given by Ahern from the beginning of 1999 to July 2001 reveals Ahern's steadily swelling self-confidence. I followed a simple three-step process in measuring Ahern's confidence levels. First, I coded his speeches for confidence, following coding and content analysis methods developed by Margaret Hermann. 20 Second, I coded the same speeches for a lack of confidence using the same principles. I operationalized a lack of confidence as use of the subjunctive verbal mood in non-conditional statements and use of plural first-person personal pronouns when the actor is discussing initiating action, his/her position of authority, and receiving positive feedback. 21 The third and final step was dividing each speech's high confidence measure by its low confidence measure. This creates a ratio of high confidence to low confidence that captures the high/low relationship.

My analysis reveals high confidence markers increasing more than low confidence markers until the Nice referendum. Low confidence markers quickly outnumber high confidence markers shortly thereafter. While content analysis is not a perfect science, I am confident this measure is roughly accurate of Ahern's confidence during this period: the four speeches and one interview coded were each well over 1,000 words, thus providing sufficient material for an accurate coding.

As the graph below shows, confidence reached its peak during the months immediately preceding the Nice referendum debacle (and fell thereafter):

![Ahern's Confidence Quotient](image)

Figure 3. Measure of Ahern's confidence levels from early 1999 to mid-2001

Previous victories in subjects unrelated to the EU caused Ahern to overestimate his odds of success on the Nice referendum. In the early part
of 1999, Ahern was still weathering criticism and grappling with persistent opposition regarding the Good Friday Agreement—thus the relatively low confidence levels. Upon final resolution of this issue, a major victory for Ahern and his administration, Ahern’s confidence steadily grew. In the sense that Ahern’s growing confidence can be attributed to his watershed victory in the Northern Ireland peace process, and as such the result of a “judgmental-evaluative process” (Vertzberger 1990, 128), Ahern’s confidence can be categorized within Vertzberger’s definition of an attitude. The relationship between the attitude of confidence and the decision to not counteract the Nice opposition is causal: “[attitudes] create a disposition for a particular pattern of behavior toward specific objects or categories of objects and social situations or some combinations thereof” (Vertzberger 1990, 127–8). Thus, Ahern’s confident attitude prevented him from appropriately reacting to his opposition. He misperceived his own efficacy and, therefore, didn’t take the proper steps to shore up the support for Nice.

In Ahern’s case, the sword cut twice. Not only did Ahern overestimate his own position but he also underestimated the position of his opponents. Vertzberger describes the “insensitivity to situational implications” evident in Ahern’s disregard for the Nice opposition as “the tendency to prefer dispositional explanations of the other actors’ behavior” (e.g., inherent weakness) (Vertzberger 1990, 129). In other words, individuals choose to discount another actor on the perception of the other’s deficiency. As in Vertzberger’s example of Israel disregarding the obviously imminent attack from the “weaker” Arab states in the fall of 1973, Ahern and his administration underestimated the opposition because they considered their opponents as ideologically marginalized, intellectually inferior, immoral, and illegitimate.

Statements from administration officials indicate these four sources of “situational insensitivity.” Ahern’s Minister of Justice reveals the perception of the opposition as intellectually inferior and ideologically marginalized when referring to the Green Party with the following, “What can be said of this party whose policies and attitudes regularly make good theatre of the absurd?” (Irish Times 2001b) Perceived opposition immorality and illegitimacy is evidenced through another administration official who “described the No [to Nice] campaign as ‘wrong’” (Irish Times 2001b), and through the Minister of the Environment who said that the Sinn Fein “campaign was dishonest” (Irish Times 2001a). Ahern himself referred to “No to Nice” as “a sinister campaign of disinformation” and called supporters of the “No” campaign the “lunatic fringe” (de Braidún 2001). Thus, working within an attitude that perceived nonexistent deficiencies in the opposition, Ahern and his administration acted inappropriately to the reality they faced.

With Irish government structure and culture concentrating the responsibility for counter-acting the “No to Nice” campaign in his hands, Bertie Ahern had only himself to blame for the failure of Nice ratification. By overestimating the efficacy of his administration and underestimating the efficacy of his opposition, Ahern became his own worst enemy. In his own words:

1, of course, am deeply disappointed by the Referendum result. I am also disappointed that all of us on the ‘Yes’ side, the Government, the main political parties and the social partners were not able to persuade a higher number of voters to participate in making such an important decision. (Ahern 2001)

**Recapitulation and Reflection**

The interplay of government structure, cultural preferences, and leadership personality provides the necessary and sufficient conditions for decision-maker misperception in the Irish case. Irish government structure and culture concentrate decision-making authority in the taoiseach by creating a groupthink environment within the central decision-making body. Although there are short power-distances and little hierarchy in the Irish Cabinet, “pressures towards uniformity” and institutional norms grant the taoiseach sweeping autonomy. Irish government structure and culture also elevate the importance of personality in politics. Therefore, the taoiseach has a proclivity for injecting his/her
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personality in politics, and his/her policy-making autonomy provides the opportunity to do so.

Such personality injection is the precise cause of the Administration's miscalculation regarding the Nice referendum. Ahern's overconfidence in his own abilities and inaccurate attitudes towards the Nice opposition led him to misperceive the situation. Without decision-making power dispersed to other actors, that they might challenge Ahern's interpretation and attendant policy-prescription, this personal miscalculation proved fatal to all on the “yes” side. Ahern had both the ability and interest to defeat the “No to Nice” campaign, but instead he inadvertently allowed his opponents’ victory.

The lessons provided by the Irish Nice experience, especially when coupled with the Danish Maastricht experience, are this article’s first intended contribution to the field. The Nice experience shows that EU leaders cannot expect to operate in a vacuum—if decision-makers neglect domestic interests, citizenries will impact EU progress. Perhaps Nice’s most important lesson is that the “democratic deficit” mumbled of for so long is a reality, or at least perceived to be among the electorate. EU policy-makers might learn from Ireland that EU progress is feasible not simply through direct, clear engagement with the citizenry but also engagement that communicates interests up the hierarchy and not just down. Vision, not just mud-slinging the opposition, must attend reform campaigns, especially when the reforms do not promise more money.

Actor misperception, magnified by structural and cultural factors, provides my Nice reversal explanation: my second intended contribution to the field of foreign policy analysis and international political study. With this explanation, it is possible to discern whether this obstacle to EU enlargement is surmountable. My explanation isn’t a quick-fix like the “lack of funds’ explanation: simply throwing money at this problem will not necessarily result in ratification. Yet, this explanation does allow for “yes” correction. The Irish hurdle to enlargement is surmountable, if the decision-making group, principally Bertie Ahern, is able to correct the previous misperception. Since failure is the primary impetus for change (Herman 1990, 10), it seems that this misperception, and thus Nice ratification, will be corrected in time.

Third, this study contributes to European political analysis, specifically to liberal intergovernmental theory. The politics of the Irish Nice referendum provide an ideal case for further understanding how states debate and configure “national preferences,” (Moravcsik 1993, 482, and Moravcsik 1998, 24–7). National preference formation is the first step in the intergovernmental model of EU negotiation and policymaking. Thus, the Irish experience allows us to better understand and predict EU policy-making by providing insight into this fundamental process.

Arguing that “groups articulate preferences; governments aggregate them” (Moravcsik 1993, 483), liberal intergovernmentalism identifies the formation of national preferences as the launchpad for EU policy outcomes. National preferences are crucial because nation-state governments, not supranational bureaucrats, are the key decision-makers in EU policy-making.

Andrew Moravcsik, the leading intergovernmental theorist, outlines the intergovernmental policy-making model as follows:

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<tr>
<th>Liberal Theories (International demand for outcomes)</th>
<th>NATIONAL PREFERENCE FORMATION</th>
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<tr>
<td>Underlying societal factors: pressure from domestic societal actors as represented in political institutions</td>
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<tr>
<th>Intergovernmental Theories (International supply of outcomes)</th>
<th>INTERSTATE NEGOTIATION</th>
</tr>
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<tbody>
<tr>
<td>Underlying political factors: intensity of national preferences; alternative coalitions; available issue linkages</td>
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The Irish Nice referendum experience falls within the “configuration of state preferences” step of the model, where domestic and elite preferences mix. Moravcsik argues that the principle-agent relationship between society and government bounds this preference configuration (Moravcsik 1993, 483). Since “the primary interest of governments is to maintain
themselves in office" and since "this requires the support of a coalition of domestic voters, parties, interest groups, and bureaucracies" (Moravcsik 1993, 483), preference configuration is rational. Domestic actors directly or indirectly pressure the government for a certain foreign policy decision (e.g., refuse to ratify the Nice Treaty). The government must respond to domestic pressure in order to secure their office. "At times the principal-agent relationship between social pressures and state policies is tight; at times, 'agency slack' in the relationship permits rational governments to exercise greater policy discretion" (Moravcsik 1993, 484), depending upon the issues and actors involved.

The Irish Nice experience teaches us that decision-maker perception of this principal-agent relationship is crucial for determining the outcome of EU policy. In its Nice policy, the Administration perceived more slack in the relationship than actually existed. The government inaccurately aggregated the domestic interests and configured a national preference unacceptable to the domestic polity. Domestic actors took two routes to influence this unacceptable configuration: some directly protested, or exercised "voice," and voted against the ratifying referendum, others indirectly influenced, exercising "exit," and simply refused to participate. The policy-making process broke down because one of the players inadvertently failed to follow the rules.

The Nice referendum offers an obvious caveat to Moravcsik's model: rational assumptions explain the configuration of state preferences only if state decision-makers do not seriously misperceive the principal-agent relationship. However, the Irish lesson goes further, and is therefore more meaningful, by offering the key variables explaining this misperception. By analyzing the impact of government structure, cultural preferences, and leadership personality in a given case, we can determine whether this misperception exists.

Understanding this preference configuration process allows policy-makers to manage more effectively and efficiently the changes EU enlargement requires. Such management is not only necessary in Ireland but also in all of the current transfer states. With the accession of the Central and Eastern European countries, Spain, Portugal, and Greece will lose the majority of their EU transfer funds along with Ireland (Economist 2001). While Irish economic growth has lessened the importance of the funds to the Irish, the rest of the "Poor Four" still rely heavily on transfers. Spain provides a striking example. Transfers to Spain in 1997 totaled 2,674.1 million Spanish pesetas (Scobie 1998, 37–8) or 35.94 million U.S. dollars. With the Spanish government's 1998 expenditures budgeted at 18,139.6 million pesetas (Europa Publications 2000, 3616) or 243.81 million U.S. dollars, this transfer amounts to approximately 14.7% of the total Spanish budget. Eleven of Spain's seventeen regions receive transfer funds from the EU (Economist 2001). With stakes so high, configuring the domestic preferences in Spain will be as important as it is difficult. Does the Spanish administration correctly perceive the principle-agent relationship on this issue? Is the perceived democratic deficit too large for the currently constituted leadership to overcome? Can it effectively manage this change? What role should the EU play, if any, in this debate? Such questions can be answered when intergovernmentalist theory is applied with an understanding of the specific government structure, cultural preferences, and personality dynamics influencing Spanish decision-making.

Thus, as they comprise one instrument in a greater theoretical tool-belt, government structure, culture, and leadership personality provide us with insight into both the Irish Nice refusal and future European policy struggles.

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**NOTES**

1. Only about 38% of the electorate turned out.
2. For a full description of the Nice Treaty, see European Union 2001.
4. For a brief treatment of Irish EU support and the causes behind it, see Butler and Castle 2001.
5. All of the five major parties in Ireland—Fianna Fáil, Fine Gael, Labour, the Democratic Left, and the Progressive Democrats (which when combined control about 93% of the electorate—Whelan and Masterson 1998, 153)—openly supported Nice Treaty ratification.
6. For instance, Sinn Fein and the Green Party, the only two parties opposing the Treaty of Nice with representatives in parliament, hold only three of the 166 seats in the Dáil (Laffan 2001, 2).
7. For description of the “yes” campaign’s deficiencies, see Laffan 2001, 3–4.
9. Liberal intergovernmentalism, championed by Andrew Moravcsik, is “the most prominent and promising rationalist account of the major turning points in the history of European integration” (Schimmelfennig 2001, 47).
10. TD is the Irish equivalent of MP—Member of Parliament.
11. Also contributing to the change, although at less significant levels, were Ahern’s relatively lower confidence during the Amsterdam decision, the recent election, and the far less controversial nature of the Treaty of Amsterdam (all the thorny issues were procrastinated until Nice).
12. For an insightful comparison of PR-STV with other electoral systems, see Arend Lijphart’s Patterns of Democracy (1999).
15. My research on whether Irish culture prefers high or low uncertainty avoidance has proven inconclusive.
16. The following evidence is found in Ahern’s personal history Bertie Ahern: Taoiseach and Peacemaker (Whelan and Masterson 1998).
17. Organizational chart compiled from information found on the official website of the Department of the Taoiseach (2002).
18. For a full treatment of the groupthink concept, see Janis 1982, 174–98.
19. For a thorough discussion of how misperception affects policy-making, see Jervis 1976.
20. For coding scheme design, see Hermann 1983; for content analysis methodology, see “Personality and Foreign Policy Decision Making: A Study of 53 Heads of Government” (Hermann 1984).
21. Coding the subjunctive in nonconditional statements is my own idea, as the subjunctive mood of verbs is most often used when one is hedging or being overly polite if it is not used in a conditional. Coding the plural first-person pronoun as low confidence is simply an adaptation of Margaret Hermann’s coding scheme for confidence. She codes high confidence as the use of the first-person pronoun in the same situations (Hermann 1984).
22. For a scholarly discussion of the EU democratic deficit and the debate surrounding it, see Lord 2001.
23. The neofunctionalist school of thought asserts that supranational actors, such as the European Commission, are the fundamental drivers behind EU policymaking. For a discussion of neofunctionalism, its assumptions, origins, and explanatory purchase, see George 1994 and Tranholm-Mikkelsen 1991. For the intergovernmentalist critique of neofunctionalism, see Moravcsik 1993, 474–80.
24. This model can be found in Moravcsik 1993, 482.
25. Moravcsik asserts that direct and indirect pressure has the same effect on governments (1993, 484).
26. I use the terms voice and exit as found in Moravcsik 1993, 484; however, these terms were introduced by Hirschman (1970). The abysmally low voter turnout is a good example of the exit option used during the referendum.
27. The author’s calculation taken from figures found in Scobie 1998, 38.

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