

**The Centre for
European
and Asian Studies**

REPORT

1/2007

ISSN 1500-2683

*To Structure Political Conflict: the
Institutionalisation of Referendums on
European Integration in the Nordic Countries*

**Nick Sitter, Department of Public Governance, the
Norwegian School of Management BI**

A publication from:
**Centre for European and Asian Studies at
Norwegian School of Management BI**
0442, Oslo
Norway

Prepared for European Consortium for Political Research Joint Sessions of Workshops
Helsinki, May 7-12, 2007

Nick Sitter
Department of Public Governance
The Norwegian School of Management BI

To Structure Political Conflict: the Institutionalisation of Referendums on European Integration in the Nordic Countries

“The definition of alternatives is the supreme instrument of power.”

E. E. Schattschneider, 1960¹

“Nec audiendi qui solent dicere, Vox populi, vox Dei, quum tumultuositas vulgi semper insaniae proxima sit”

[Listen not to those who say ‘the voice of the people is the voice of God’, because the turbulent crowd is always near insanity] (Alcuin of York to Charlemagne, 798)

Schattschneider’s observation about the importance of power to structure political conflicts, or to determine the appropriate arena, is particularly pertinent to the politics of referendums on European integration. Yet when this power is used to call referendums in representative democracies, it often has unpredictable consequences. In France and the Netherlands the decisions to try to ratify the Constitutional Treaty by referendum reflected the governments’ confidence that the substantial pro-EU majorities reported in opinion polls would translate into easy victories for the ‘yes’-camp. Both governments may have found it tempting to re-assess the validity of Alcuin’s millennium-old advice of during the summer of 2005. In the Nordic countries, pro-integrationists and Eurosceptics have faced each other in referendums in the Nordic countries on eleven occasions. These referendums too have been a double-edged sword: the governments of the day have lost five of these eleven referendums. However, they generally win parliamentary votes: on nine other occasions closer participation in European integration has been ratified successfully by parliaments without direct popular consultation. If defeat at the hand of a popular majority in a referendum might encourage governing parties to re-assess their commitment to direct democracy, several Nordic parties have had reason to consider the balance between direct and indirect democracy in the last four decades.

Yet there has been no shortage of referendums on European integration, in the Nordic countries or elsewhere in Europe. Of twenty major decisions on participation in European integration, Nordic governments have used the referendum in eleven instances. Of the then twenty-five EU member states, ten had decided to try to ratify the constitution by referendum before the process was de-railed by the ‘no’-votes in the French and Dutch referendums of May 2005. This prevalence of referendums can be explained only partly by constitutional requirements: only in Ireland are referendums obligatory on European integration; in Denmark they are required for matters that involve transfers of sovereignty unless parliament can muster a 5/6 super-majority. Most referendums on European integration, in the Nordic countries as well

¹ E. E. Schattschneider, *The Semisovereign People: A Realist’s View of Democracy in America* (Chicago: Holt, Rinehart & Einston, 1960).

as in the EU, have been voluntarily and knowingly called by the government of the day. The present chapter explores the politics and practice of referendums on European integration in the four Nordic states and the patterns and dynamics of party competition (and public opinion) that have shaped these differences. It suggests that, over time, the use of referendums 'locks in' expectations: procedures for ratification become institutionalised, and this institutionalisation has been driven by party tactics. Institutionalisation is maintained by consensus among the main parties, and 'hard' Eurosceptic parties continue to try to contest parliamentary ratification of decisions about European integration. In Denmark as broad cross-party consensus has been developed on the use of the referendum, and the main political parties even seek to build broad consensus on the recommended outcome. In Norway, the two 'no' results in referendums makes another referendum all but inevitable if the country is to apply for full EU membership for a third time. Finland was set to ratify the Constitutional Treaty by parliamentary vote, confirming what looks increasingly like a pattern of not using referendums on European questions. Only Sweden saw a more turbulent debate: most major parties supported the decision to ratify the Constitutional treaty by referendum, but the decision was far from uncontroversial.

Referendums on European Integration in the Nordic States

Why so many referendums on European integration in the Nordic countries? To date, in the four Nordic countries, eleven contests over participation in closer European integration have been played out in the form of referendums.² Six have seen the pro-integration side triumph, while the Eurosceptics have carried the day on five occasions. Consequently the four states participate in European integration to different extents: Finland is a full member of the European Union and has adopted the single currency; Sweden has rejected participation in Economic and Monetary Union; and Denmark has not only opted out of EMU but has also reserved its right to limit participation in Justice and Home Affairs. Norway, on the other hand, has rejected EU membership twice, but nevertheless participates in the EU's internal market and a series of other initiatives. The Nordic governments advocated 'yes' votes in all the referendums, as, in most cases, did the parliamentary majority. Nearly half the referendums went against the governments' wishes; whereas only once has a government lost a major vote on European integration in parliament. At the very least, referendums seem to be a high-risk strategy for ratification of EU initiatives. Yet most of these referendums were voluntary. Each of the four states has ratified at least one treaty by parliamentary approval. If the Norwegian, Swedish and Finnish accessions to the European Economic Area (EEA) and Finland's joining EMU are counted, the Nordic parliaments have ratified closer integration nine times without recourse to referendums, not counting the planned parliamentary ratification of the Constitutional Treaty in Finland and Sweden.

All four Nordic constitutions allow for referendums, the Danish, Finnish and Swedish ones explicitly and the Norwegian implicitly. Only the Danish constitution makes

² For the purpose of the present paper the four Nordic countries include Denmark, Finland, Norway and Sweden; whereas Iceland is not included here since it has not held referendums on European Union membership. For the sake of simplicity the term EU is used also to include the European Economic Community before the Maastricht Treaty entered into force in November 1993, except where reference is only to the pre-Maastricht EEC.

referendums mandatory under certain circumstances, and provides for binding referendums. The relevant articles in terms of participation in European integration are A.20 on decisions that involve delegation of sovereignty to international organisations (this requires a five-sixths majority of all MPs, or a referendum) and A.42 which permits parliament to submit a new law to a referendum. Finland's constitutional reform of 1999 simplified A.22 of 1987, which in turn codified the practice from 1931;³ A.53 permits consultative referendums. Sweden's A.8.4 of the 1974 constitution permits parliament to call a consultative referendum; A.8.15 stipulates a binding referendum on constitutional change may be requested by 10% of the MPs, and that one must be held if 1/3 of parliament approves. The Norwegian constitution does not address referendums. All four countries have used consultative referendums on both European and domestic policy, though only extremely exceptionally in Finland. These rules and practices are summarised in table 1. In all four cases the constitutional stipulations and actual practices pre-date the present project of European integration.

Table 1 – Nordic Referendums (government defeats in **bold text**)

	Constitution	Legislation and guidelines	The use of referendums
Norway	No constitutional provision	Consultative ref as and when parliament legislates for it	1905, independence 1905, the new king 1919, prohibition 1926 repeal prohibition 1972, EEC membership 1994, EU membership
Sweden	A.8.4 on consultative referendums A.8.15 on binding constitutional ref	1922 law on refs 1979 law on refs on constitutional change (never used)	1922, prohibition 1955, driving on the right 1957, pensions 1980, nuclear power 1994, EU membership 2003, EMU
Finland	No constitutional provision until 1987/1999 reforms: A.53 on consultative ref	1930s parliament adopts guidelines	1931, prohibition 1994, EU membership
Denmark	1953 Constitution on binding refs: A.20 on sovereignty A.29 on voting age A.42 to confirm an act of parliament	Consultative refs are not covered by the constitution, and may be held as and when parliament legislates for it	Pre'53: 1916, 1920, 1939* , 1953 A.29: 1961, 1969, 1971, 1978 A.20: 1972 EU; 1992 M-I ; 1998 Amsterdam; 2000 EMU A.42: 1963 ('land laws') * A.42 + A.19: 1993 M-II 1986 SEA - consultative

* the 1939 referendum failed because the 'yes' majority was too small; 1953 was a double referendum; the 1963 referendum featured four related proposals, all of which were rejected.

³ M. Suksi, 'The Advisory Referendums in Finland' in M. Niemivuo & T. Majuri (eds), *Outlooks on Democratic Institutions in the Baltic Sea Region – Experiences from the Finnish Presidency of the Working Group on Assistance to Democratic Institutions (WGDI) in 1998-1999*, (Helsinki: Ministry of Justice, 1999), p.69-85.

In the Nordic countries referendums have been used for the full range of decisions on treaty ratifications, from the initial decisions to join the EU (or its predecessor, the EEC), to decisions about participation in the single currency and ratification of new treaties. All four states called referendums on accession to the EU. In Denmark referendums were also held on the Single European Act, Maastricht and Amsterdam treaties; whereas the Finns and Swedes ratified the Amsterdam treaty by parliamentary vote. None of the three EU member states held referendums on the Nice Treaty. Both Denmark and Sweden went down the referendum path for EMU, although by choice in Sweden and perforce in Denmark; whereas all the Finnish parties agreed that EMU could be adopted without a referendum (including the party that opposed EMU membership). The twelfth Nordic referendum on European integration was set for September 27th, 2005, in Denmark, but French and Dutch voters put an end to that when they rejected the Constitutional Treaty. The two other governments had chosen to ratify the treaty by parliamentary vote, a move which was considerably more controversial in Sweden than in Finland. All three suspended their ratification processes (Finland resumed it and ratified the Treaty in December 2006), which in turn prevented a Eurosceptic rebellion in the ruling Swedish Social Democratic party. Denmark and Finland appear to have institutionalised their means for decision making: Denmark in favour of using referendums on major steps in European integration; Finland against it. In Sweden, on the other hand, the main parties' effort to institutionalise a pattern of parliamentary ratification has proven more problematic. In Norway any government will have little choice but to call a referendum (or even two referendums) if it is to reverse the two 'no' decision; but this did not prevent parliamentary ratification of the EEA agreement.

Table 2 Major decisions on European integration: yes/no ratio in referendums.

	Denmark	Norway	Finland	Sweden
EEC membership	1972: 63.4 /36.6	1972: 46.5/ 53.5		
Single European Act	1986: 56.2 /43.8			
Maastricht treaty	1992: 49.3/ 50.7 1993: 56.7 /43.3			
To join EEA		parliamentary decision only	parliamentary decision only	parliamentary decision only
EU membership		1994: 47.8/ 52.2	1994: 56.9 /43.1	1994: 52.3 /46.8
Amsterdam treaty	1998: 55.1 /44.9		parliamentary decision only	parliamentary decision only
Nice treaty	parliamentary decision only		parliamentary decision only	parliamentary decision only
To join EMU	2000: 46.8/ 53.2		parliamentary decision only	2003: 42.0/ 55.9
Constitutional Treaty (planned)	Referendum (suspended)		parliamentary decision only (suspended)	parliamentary decision only
Reform Treaty (plans)	<i>unclear at time of writing</i>		parliamentary decision only	parliamentary decision only

Representative Democracy, Direct Democracy and European Integration

Few, if any, of the referendums held on European integration over the last half-century have been motivated primarily by the principle that the electorate – as the ultimate source of national sovereignty in a majoritarian democracy – should directly choose the basis for the relationship between their country and the EU. The motives have, at best, been mixed. Most European states, including ardent users of the referendums such as Switzerland and Italy, feature political systems that mix the two theories of democracy discussed by Robert Dahl in *Preface to Democratic Theory*⁴ – the ‘republican’ model of representative democracy and the ‘populist’ model of pure majority rule. Dahl’s key point is that neither of the two democratic theories provides an adequate model for liberal democracy, and that in practice hybrid models are required. In West European politics the majoritarian Westminster model comes closest to Dahl’s ‘populist logic’, as it is based on the logic of majority (in reality often plurality) rule, adversarial politics and the argument that clear choices between alternative elites provides for strong accountability. Lijphart’s consensual democracies come closer to the ‘republican’ logic: they tend to feature power-sharing, balance of power and representative electoral systems.⁵ The referendum can be found in both types of systems, and Lijphart rightly notes that although it might be considered a majoritarian instrument the referendum can also serve as an instrument that limits the abilities of the majority of the elected representatives to exercise power. In other words the referendum may serve both as a ‘sword’ in the hands of a majority that seeks to push through or legitimise a particular policy initiative; or as a ‘shield’ that adds another veto-player to the political game and thereby makes it more difficult to pass legislation. It is this duality of the referendum that helps explain its relatively frequent use on European questions despite the well-known risks that attend putting a government policy to popular vote.

From the majoritarian perspective, the referendum offers an excellent instrument to ensure that a law enjoys majority support, or (depending on the rate of abstentions) at least that it is not actively opposed by a majority. In a system that features some degree of balance of power, for example in the form of a bi-cameral legislature or separate election of the executive and legislative branches of government, the referendum offers the government the option of appealing directly to the voters. Even in unitary states, a minority government or a government that cannot rely on the loyalty of its parliamentary deputies might find this option attractive. In either case, it might also offer the legislature an instrument against the executive. In Switzerland and Italy, rules that permit popular initiatives from below to force through or reverse legislation provide opportunities for direct ‘bottom-up’ majority rule. Perhaps more importantly in the present context, the referendum provides an opportunity for majoritarian decision-making on subjects that cut across party lines. Maor & Smith have argued that to the extent that it can be analysed as a single issue, opposition to European integration may be considered a ‘maverick issue’ that cuts across the

⁴ R. A. Dahl, *Preface to Democratic Theory* (Chicago: University of Chicago Press, 1956).

⁵ A. Lijphart, *Democracies: Patterns of Majoritarian and Consensus Government in Twenty-One Countries* (New Haven: Yale University Press, 1984), and *Patterns of Democracy: Government Forms and Performance in Thirty-Six Countries*, (New Haven: Yale University Press, 1999).

mainstream left-right dimension of political competition.⁶ A similar argument has prompted several political parties (particularly those divided on the European question) to argue that their country's participation in European integration should be decided by referendum because the question cannot be legitimately settled by a party-political general election.

From the consensual perspective, the referendum provides one more veto-point in the political game; one more element in the separation of power. Even if the referendum is binding (most referendums on European integration are formally consultative), the very use of the referendum may depend on the executive, legislature and/or the courts. As a popular initiative the referendum may limit the power of legislative majority (which, depending on the electoral system and the distribution of votes, might well only represent a plurality). Perhaps most significantly in the present context, the referendum is often used as an instrument to slow down or shield against constitutional change. Most European states' constitutions feature rules that make constitutional amendment more difficult than the passing of normal law, and in several cases this includes provisions for referendums. Of the twenty-seven EU member states, one-third feature rules that stipulate that some types of participation in European integration require super-majorities in parliament, if not referendums.⁷ Inasmuch as participation in European integration might have constitutional implications for a state, the use of the referendum to ratify European treaties may be considered akin to the use of referendums to ratify constitutional change. In other words, to the extent that referendum may be a desirable instrument to safeguard the constitution and provide extra legitimacy for constitutional change, referendums on European integration are also likely to be warranted.

Nevertheless, although the referendum may be compatible with both the majoritarian and consensus models of representative democracy, the fact remains that it is a risky strategy for an elected government. As French President Jacques Chirac learned, even opinion polls that indicate a solid majority in favour of the government's proposals does not guarantee a positive result.⁸ In the light of the results in France and the Netherlands in 2005, the rejection of the Treaty of Nice by Irish voters in 2001, and the five defeats inflicted by Scandinavian voters on their governments on EU referendums, it is tempting to ask whether referendums are structurally biased against the government. As Lawrence LeDuc's chapter in this volume explains, there are at least four reasons why this might be the case.⁹ The first reason is that all new policy initiatives or proposals face a degree of resistance simply in the form of inertia. A tendency toward conservatism, perhaps motivated by risk-aversion, is of course not

⁶ M. Maor & G. Smith, "On the Structuring of Party Competition: The Impact of Maverick Issues", in T. Bryder (ed.) *Party Systems, Party Behaviour and Democracy*, (Copenhagen: Copenhagen Political Studies Press, 1993).

⁷ In addition to Ireland and Denmark, this includes: Slovakia, the Czech Republic and France (3/5 majority requirements); Austria, Finland, Belgium and Poland (2/3 majority); as well as Malta's mixed system (its EU accession referendum had to be confirmed after a general election). S. Hagemann, "The EU Reform Treaty: Easier Signed than Ratified?", *EPC Policy Brief*, July 2007.

⁸ At the time Chirac called the referendum, in July 2004, polls indicated a 60 – 70% 'yes' vote. S. Marthaler, "The French Referendum on Ratification of the Constitutional Treaty 29 May 2005", *EPERN Referendum Briefing no 12* (Sussex University/RIIA, 2005)

⁹ See also L. LeDuc, "Opinion Change and Voting Behaviour in Referendums", *European Journal of Political Research*, 41/6 (2002); L. LeDuc, "Referendums and Elections: How Do Campaigns Differ?" in Farrell & Schmitt-Beck (eds) *Do Political Campaigns Matter?* (Routledge 2002).

specific to referendums. It is a force that most new initiatives face. The other three reasons are more specific to referendums.

Second, and more importantly for referendums, however, there are infinitely more ways to oppose a policy proposal than to support it. To paraphrase Tolstoy: happy voters are all alike, every unhappy voter is unhappy in his own way. Opposition to any given EU treaty can be (and usually is) based on any number of different and incompatible arguments; approval requires support of the overall package. In most European countries Euro-scepticism draws together a range of very different political forces and parties.¹⁰ A possible remedy is to ensure that the referendum entails a choice between two precise options: the European Movement in Denmark has suggested that if there is to be another referendum on the EU the options ought to be ratification of the new treaty or withdrawal from the EU.¹¹

Third, referendum campaigns feature their own dynamics, which have more in common with consultation process in large organisations than with electoral campaigns.¹² As the campaign progresses an ever-expanding list of objections is conjured up. Perhaps more significantly, the 'no' camp is free to change the subject of the campaign, whether in terms of its substance or from questions of substance to matters of identity, principle or personality.

Fourth, as Chirac justifiably feared, when a referendum (like a European Parliament election or a local election) takes place in the middle of a presidential or executive term, it might be used as a 'second order' election to register protest against the government.¹³ LeDuc's survey of changes in opinion polls during referendum campaigns, which includes a range of cases from Europe, North America and Australia, suggests that referendums do indeed include entail an anti-government bias. Even when the government proposals are carried, the majorities in favour tend to decrease during the course of a (long) campaign.

On the other hand, there are also a number of reasons why governing parties might choose to call a referendum in spite of the attendant risks. Although some parties are more committed to participatory democracy than others, party stances on European integration and how to ratify treaties are shaped not only by policy and ideological commitment, but also by tactical decisions related to party management, coalition politics and voters. In line with the literature on how and when parties use referendums, the main motives for most parties in the Nordic cases have been to manage divisions with a party or coalition, or to pursue a decision that runs counter to the wish of the parliamentary majority. Four broad patterns of decisions can be extracted from the comparative literature on referendums in general, and on European referendums in the Nordic countries in particular.

¹⁰ N. Sitter, "Euro-scepticism as Party Strategy", *Austrian Journal of Political Science*, 23:3 (2003), 239-35.

¹¹ In fact their suggestion also included dropping the four reservations that Denmark secured after its first rejection of the Maastricht Treaty and which have been incorporated into all subsequent agreements, *Politikken* 25/06/2007.

¹² I am grateful to Svein S. Andersen for this comparison, see also S. S. Andersen & T. R. Burns, *Societal Decision-Making: Democratic Challenges to State Technocracy*, (Aldershot: Ashgate, 1992).

¹³ K. Reif, "National Election Cycles and European Elections, 1979 and 1984", *Electoral Studies*, 3:3 (1984), 244-255.

First, a referendum may be mandatory, as per the constitution. This is not strictly speaking the sense in any of the Nordic countries. None of the four constitutions make referendums on the EU necessary, but the Danish one comes close by requiring near-unanimity in parliament if a referendum is to be avoided on major decisions that involve delegation of sovereignty to international organisations (this was originally designed to make international cooperation *easier* than in the pre-1953 constitution: to permit transfers of sovereignty without a referendum). A.93 of the Norwegian Constitution requires a three-quarters majority in parliament for legislation that cedes sovereignty, but does not require referendums (however, under A.112 a two-thirds majority in two successive parliaments can amend the constitution, and thus change A.93 or permit accession to any given treaty). The Swedish and Finnish do not include such requirements.

Second, a referendum may be initiated, or even forced, but the opposition parties in an effort to defeat government policy. In Norway and Denmark the super-majorities required for major decisions on participation in European integration make this considerably easier than in Finland and Sweden; though in the latter case a faction within the governing Social Democrats sought to use internal party rules to force an internal party referendum which in turn would compel the leadership to reverse its decision to opt for parliamentary approval of the Constitutional treaty.

Third, a referendum may be initiated by the government, for a number of reasons. Bjørklund argues that although the non-mandatory referendum is principally a device of last resort of the minority, it may also serve as a tool for mediation or party management in the face of divisive issues or a 'lightning rod for dissent' that removes an issue from the party political arena.¹⁴ When the question of participation in European integration first came up in the 1960s it divided several Norwegian and Danish parties. For the Social Democrats in both countries, and for the Norwegian centre-right bloc, it was a matter of shifting the European question out of the parliamentary arena. The 1972 referendums fit into a broader pattern on what Morel (echoing Bjørklund) labels 'mediation devices' or 'agenda devices'; i.e. the use of referendums as devices to manage differences within the governing parties and coalitions and to remove a divisive issue from the parliamentary agenda.¹⁵ Likewise, argues Setälä, the 1994 EU referendums in Norway, Sweden and Finland were "used by parties as a strategy to deal with divisions caused by the integration issue."¹⁶ Conversely, a faction within a party, or even a challenger for the party leadership, may use a call for a referendum as a move in internal party political games (as was the case in the Dutch Liberals' decision to opt for a referendum on the Constitutional Treaty).¹⁷

¹⁴ T. Bjørklund "The Demand for Referendum: When Does it Arise and when Does It Succeed?", *Scandinavian Political Studies*, 5/3 (1982), pp.237-259.

¹⁵ L. Morel, "Le choix du référendum: Leçons françaises: L'émergence d'un référendum politiquement obligatoire", Third ECPR Conference, Budapest 8 – 10 September 2005; and "The Rise of Government Initiated Referendums in Consolidated Democracies", in M. Mendelsohn & A. Parkins (eds), *Referendum Democracy: Citizens, Elites and Deliberations in Referendum Campaigns* (London: Palgrave, 2001). Morel's other categories include the use of referendums to pass legislation, secure legitimacy for a new policy, or enhance the power of the head of government.

¹⁶ M. Setälä, 'Referendums in Western Europe: A Wave of Direct Democracy?', *Scandinavian Political Studies*, 22/4 (1999), pp.237-340.

¹⁷ J. J. M. van Holstyen, "To Refer or Not to Refer, that's the Question: On the First National Referendum in the Netherlands", Third ECPR Conference, Budapest 8 – 10 September 2005.

Somewhat more exceptionally, governments may initiate referendums to circumvent or outmanoeuvre the parliamentary opposition, or to reverse or avoid a defeat in a parliamentary vote. The single Nordic example is the Danish referendum on the Single European Act in 1986, which was a consequence of the government's failure to pass the bill in parliament.¹⁸ This may be considered an instance of a government opting for a referendum in order to lend legitimacy to a decision or to strengthen the party leader's positions. In addition, the Swedish Social Democrats' decision to call a referendum on EMU could be seen primarily as a consequence of their claim that the original EU referendum did not commit Sweden to EMU membership. Consequently, even though accession to EMU was possible without a referendum, the party had more or less committed itself to holding one by splitting the EU/EMU decision into two separate decisions.

Fourth, and finally, all the major parties may reach consensus on calling a referendum, whether for policy or tactical reasons. In Norway in the 1960s the Eurosceptic parties saw the referendum as a possible minority weapon, in Bjørklund's terms, whereas Labour was initially divided on the question and wanted to avoid too close association with the Conservatives (who initially opposed a referendum, but had come to favour it by 1970).¹⁹ As the British and Dutch debates on whether the Constitutional Treaty warranted referendums showed, once one party promises a referendum other parties may follow for fear of losing votes at a subsequent election. In other words, if voters are receptive to one party's demand for a referendum, this might have a contagion effect on other parties. Over time, to the extent that precedents are set that make (even advocacy of) deviation from the referendum path ever more costly, patterns of referendum-based decision-making on European integration may thus become institutionalised.

The emergence of stable patterns of decision making about European integration – the institutionalisation of the use of referendums or of parliamentary approval of treaties – might be driven by any combination of these four reasons for governments calling a referendum. Like all rules and procedures even constitutions require a degree of interpreting, and once interpretations have been made (whether by the judiciary or elected politicians) they tend to set precedents. A minimal degree of consistency demands that if a decision had been put to a referendum, its reversal also warrants a referendum. However, whether the decision to use a referendum for EU accession is interpreted as setting a precedent or as a one-off decision that legitimises subsequent parliamentary decision-making is a matter of party politics. The central question is therefore whether the main parties in any given country more or less agree on the uses of instruments of direct democracy on European questions, or whether this is contested. In all four Nordic states some degree of consensus has been developed over time, although the party political contestation of ratification procedures still take place to varying extent in Norway, Denmark and Sweden.

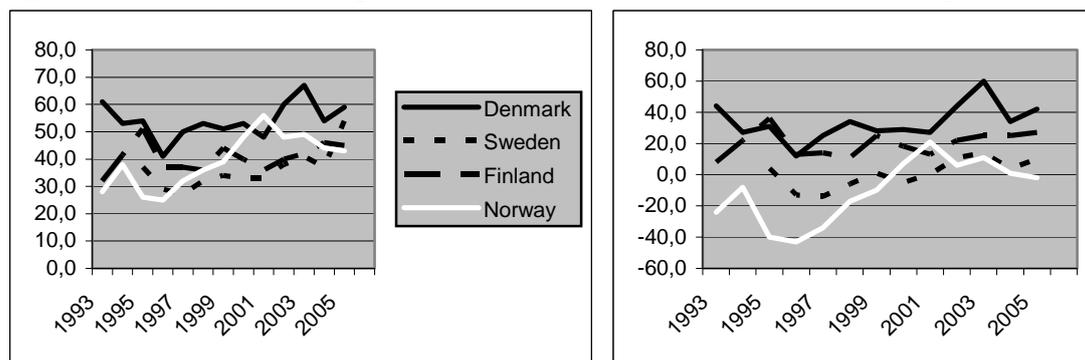
Perhaps the simplest explanation of institutionalisation (and the most credible rival to party-driven explanations) would be that voters come to expect referendums one they

¹⁸ P. Svensson, 'Five Danish Referendums on the European Community and Union: A Critical Assessment of the Franklin Thesis', *European Journal of Political Research*, 41/5 (2002), pp.733-750.

¹⁹ Bjørklund "The Demand for Referendum", p.249; H. Lund, "Høyre og den nye Europa-debatten", in B. B. Knudsen (ed.), *Den Nye Europa-debatten* (Oslo: Cappelen 1989), p.119.

have been used on one or two occasions. Combined with Eurosceptic voters demand for referendums, this might prompt even pro-EU parties to call referendums for fear of loss of votes to their Euro-sceptic rivals. To be sure, the general rule in the Nordic countries has long been that voters are more Eurosceptic than the parties they elect, and that in some cases parliamentary majorities have favoured integration even when a plurality of voters has opposed it. Opinion poll data on support for European integration (see figure 1) suggests that this is not the case: there is little correspondence between the four countries' variation in public support for European integration over the last two decades and their differences in the use of referendums. Of the three EU members, only Finland has seen a plurality of voters oppose European integration since the early 1990s. It is therefore tempting to infer that the variation in the Nordic countries' use of referendums (and therefore ultimately their different degrees of participation in European integration) reflects differences in party competition rather than differences in public opinion. The rest of this paper therefore turns to party-based opposition to European integration and the demand for and politics of referendums.

Figure 1 A) Pro-EU opinion B) Pro-EU minus anti-EU opinion



Source: Sweden, Denmark and Finland: Eurobarometer (EU membership is a 'good thing'); Norway: Statistics Norway data from the 1993-1999 Omnibus surveys ('yes' to membership if a referendum were held), and Sention polls for *Nationen* published 2000-2005.

Parties, Party Strategy and Euroscepticism

Euroscepticism has played a remarkably significant role in the Scandinavian party politics compared to other West European states. Public opinion has been a constraint on governments' European policy, rather than the underlying cause of the four countries' different affiliation with the EU. Finland, for example, features the most pro-EU elite, despite relatively high levels of popular Euroscepticism; a development which Raunio puts down to consensus politics and party competition.²⁰ On the other hand, some Eurosceptic parties, particularly in Norway, have been adept at mobilising voters at the time of referendums or in general elections when European question is salient.²¹ This discrepancy between public opinion and degrees of participation in

²⁰ T. Raunio, 'Hesitant Voters, Committed Elite: Explaining the Lack of Eurosceptic Parties in Finland', *European Integration*, 27/4 (2005), pp.381-395.

²¹ K. Hagen & U. Sverdrup, 'Isfrontene tiner i synet på norsk EU-medlemskap', *Horizont* 3 (2003), pp.12-27; A. Todal Jenssen & O. Listhaug, 'Voter's Decisions in the Nordic Referendums of 1994: The Importance of Party Cues', in M. Mendelsohn & A. Parkins (eds), *Referendum Democracy: Citizens*,

European integration should of course come as no surprise given that the literature on government initiated non-mandatory referendums suggests that they are called for any number of reasons other than to consult the voters. The decisions to seek closer European integration and to ratify this by parliamentary vote or referendum have primarily been (and remain) a matter for the governing parties, often in cooperation with the opposition.

The question of how to elaborate a stance on European integration has been met in very different ways by the political parties in the four countries, depending on the individual parties' policy preferences and how they balance these preferences with the quest for other goals: office, votes, and the imperatives of internal party management. Borrowing from military and business studies, *party strategy* may be defined as the link between goals and their achievement or as a broad formula for how a party is going to compete; a combination of what its ends should be and by which means these should be pursued.²² If a political party is defined along Sartori's lines as an organisation that seeks to propel its candidates into parliament, and usually government, in order to pursue specific policies,²³ it follows that parties face four goals which are not always in complete harmony. In the classical party politics literature a party's key aims were the pursuit of votes and office.²⁴ Others have since added the pursuit of policy, which in turn shapes both coalition games and the pursuit of votes; and the importance of internal party management and organisational survival.²⁵ The key problem is that maximising one goal may mean compromising on another, hence the dilemmas of party strategy.²⁶ Even for parties which ideology or policy preferences predispose them to strong pro- or anti-EU stances, the quest for votes and participation in coalition government shape their actual positions.

Each of these four goals may impinge on a party's decisions to demand, support or oppose the use of referendums for decisions about participation in European integration. The quest for votes, for example by mobilising Eurosceptic voters, or efforts to avoid a loss of votes, are but one of four broad concerns that are relevant as parties adopt positions on the procedures for ratification of EU treaties.²⁷ Problems of party management in divided parties may tempt the leadership to advocate the use of

Elites and Deliberations in Referendum Campaigns (London: Palgrave, 2001); M. Franklin, M. Marsh, L. McLaren, 'Uncorking the Bottle: Popular Opposition to European Unification in the Wake of Maastricht', *Journal of Common Market Studies*, 32/4 (1994), 455-472.

²² C. von Clausewitz, *Vom Kriege*, (Berlin, Dümmlers Verlag 1832); the last part paraphrases M. Porter, *Competitive Strategy: Techniques for Analyzing Industries and Competitors*, (New York, The Free Press, 1980).

²³ G. Sartori, *Parties and Party Systems: A Framework for Analysis* (New York, Cambridge University Press, 1976).

²⁴ A. Downs, *An Economic Theory of Democracy*, (New York, Harper & Row, 1957); W. Riker, *The Theory of Political Coalitions*, (New Haven, Yale University Press, 1962).

²⁵ A. de Swaan, *Coalition Theories and Cabinet Formation*, (Amsterdam, Elsevier, 1973); I. Budge & M. J. Laver, "Office Seeking and Policy Pursuit in Coalition Theory", *Legislative Studies Quarterly*, 11:4 (1986), 485-506; A. Panebianco, *Political Parties: Organisation and Power*, (Cambridge, Cambridge University Press, 1988).

²⁶ K. Strom, 'A Behavioral Theory of Competitive Political Parties', *The American Journal of Political Science* 34:2 (1990), 565-598; W. C. Müller & K. Strom, "Political Parties and Hard Choices", in Müller & Strom (eds), *Policy, Office or Votes? How Parties in Western Europe Make Hard Decisions*, (Cambridge, Cambridge University Press, 1999).

²⁷ M. Qvortrup, "The Revolt of the Masses or Elites? Three Referendums on the European Constitution Treaty in 2005", *School of Economics and Political Sciences Working Papers, GOV2205-5*, the University of Sydney, 2005.

referendums, in order to manage dissent or to remove the question from the party arena. Factions within a party, or challengers for the party leadership, may use the European question as part of broader intra-party political competition. Policy goals or ideological commitments may pull a party towards advocacy of referendums on European questions for at least three different reasons: in order to defeat a particular treaty; as part of a broad and principled stance against European integration; or because of the party's commitment to direct democracy or participatory and deliberative politics. Finally, parties that take part in a governing coalition that is made up of both pro-EU and Eurosceptic parties may be under pressure to take steps to 'quarantine' the European question; to accommodate the Eurosceptic parties' demand for a referendum or to remove the question from the parliamentary arena in order to preserve coalition.

Yet there is little or no reason to expect parties to deal with these (possibly conflicting) incentives in the same way. How parties adapt and change depends on their organisation and preferences, and on how they interpret challenges, almost as much as on the actual challenges. Some are more immune to contagion from their competitors than others. Whereas most of the large centre-right and -left parties have faced strong incentives to adapt to their competitors' strategies, whether in the form of contagion from the left in the shape of successful social democrat parties or the catch-all parties on the centre-right, others have proven more resistant.²⁸ Katz & Mair find that many catch-all parties are becoming more modern 'cartel' parties, but point out that these parties face challenges by for example protest parties.²⁹ Many parties have found the catch-all model difficult to imitate, or rejected it. This applies to communists and greens on the left, agrarian and denominational parties in the centre, and new populist parties on the right. These alternatives are a matter of strategy as much as party organisation. Even if, over time, most parties may employ more full time professional party officials, rely more on public funding and less on activist mass memberships, or use the media and pollsters more extensively, it does not necessarily follow that they abandon their strategies of interest representation or protest. In other words, even if party organisations and tactics converge, strategies for competition remain different if some parties decide not to attempt to catch all of the electorate.

Three ideal-type party strategies for competition can be extracted from the literature on government-opposition competition in West European politics, and these strategies shape parties' stances on European question.³⁰ This is largely a question of the party's

²⁸ Duverger, *Political Parties*; L. D. Epstein, *Political Parties in Western Democracies*, (London, Pall Mall Press, 1967); O. Kirchheimer, "The Transformation of West European Party Systems", in J. LaPalombara & M. Weiner (eds), *Political Parties and Political Development*, (Princeton, Princeton University Press, 1966).

²⁹ R. Katz & P. Mair (eds), *How Parties Organize: Change and Adaptation in Party Organizations in Western Democracies*, (London, Sage Books, 1994); R. Katz & P. Mair, "Changing Models of Party Organisation and Party Democracy: The Emergence of the Cartel Party", *Party Politics*, 1:1 (1995), 5-28.; R. Katz & P. Mair, "The Ascendancy of the Party in Public Office: Party Organizational Change in Twentieth-Century Democracies" and S. B. Wolinetz, "Beyond the Catch-All Party: Approaches to the Study of Parties and Party Organisation in Contemporary Democracies", both in R. Gunther & J. R. Montero/Juan J. Linz (eds.): *Political Parties: Old Concepts and New Challenges*, (Oxford Oxford University Press, 2002).

³⁰ See e.g. R. A. Dahl (ed.), *Political Oppositions in Western Democracies*, (New Haven, Yale University Press, 1966); J. LaPalombara & M. Weiner (eds), *Political Parties and Political Development*, (Princeton, Princeton University Press, 1966); and on the EU, N. Sitter, "The Politics of Opposition and European Integration in Scandinavia: Is Euro-scepticism a Government-Opposition

position in the party system, relative to its competitors. First, competition along the central left-right dimension entails gaining sufficient strength to define this dimension (or aligning along it). This is the left vs. right dimension in West European politics, shaped by first by mass parties and later by the catch-all parties. However, a number of parties have chosen to appeal to a specific constituency based on interest and/or values, drawing draws on peripheries' defence of economic interest, culture, values or political autonomy in the face of central administration.³¹ This often means appealing across the main dimension, and therefore a second strategy that emphasises policy over vote maximisation, in contrast to the catch-all parties. Third, several parties have sought to circumvent the central left-right dimension, challenging the regime, the central elite 'cartel', or the entire political debate, from the flanks.³² Focus on the origins of parties (rather than 'families') helps prevent problematic classifications of for example the Scandinavian protestant Christian parties as continental-style Christian democrats. Although parties can and do change, and may transcend their original aims and organisation, a degree of continuity characterises most parties. Parties' origins and identity therefore tends to shape debates on how they should respond to new questions such as European integration (see table 3, appendix).

Turning to the Nordic party systems, the most striking feature is the lack of party-based Euroscepticism among the mainstream conservative and social democratic parties. All the catch-all parties which compete along the main left-right dimension favour EU membership. The conservative parties have advocated EU membership since the 1960s.³³ The social democrats have been more divided, but broadly in favour of membership since the 1960s in Denmark and Norway and since the end of the Cold War in Sweden and Finland.³⁴ Broadly speaking, the catch-all parties have been the drivers of the Nordic countries' quest for participation in European integration. An overview of current and former party positions is presented in table 3.

The centre parties' record on European integration is more mixed, but in the three EU member states they had all turned pro-EU by the end of the 1990s.³⁵ The Danish Liberals and the People's Party in Sweden have pro-EU traditions dating back to the 1970s, whereas the Norwegian Liberals has an equally long Eurosceptic tradition. The Finnish and Swedish agrarian Centre parties converted to pro-EU positions more recently, and more ambiguously.³⁶ The Danish Christian Democrats (which are no

Dynamic?", *West European Politics*, 24:4 (2001), 22-39; and "Euro-scepticism as Party Strategy", *Austrian Journal of Political Science*, 23:3 (2003), 239-35.

³¹ S. Rokkan & D. Urwin (eds), *The Politics of Territorial Identity: Studies in European Regionalism*, (London, Sage Publications, 1982); S. Rokkan & D. Urwin, *Economy, Territory, Identity: Politics of West European Peripheries*, (London, Sage, 1983).

³² P. Taggart, "New Populist Parties in Western Europe", *West European Politics*, 18:1 (1995), 34-51.

³³ L. Svåsand & U. Lindström, 'Scandinavian Parties and the European Union', in J. Gaffney (ed.), *Political Parties and the European Union*, (London: Routledge, 1996).

³⁴ J. Saglie, 'Between Opinion Leadership and 'Contract of Disagreement': The Norwegian Labour Party and the European issue (1988-1994)', *Scandinavian Political Studies*, 23/2 (2000), pp.93-113; R. Geyer & D. Swank, 'Rejecting the European Union: Norwegian Social Democratic Opposition to the EU in the 1990s', *Party Politics*, 3/4 (1997), pp.459-562.

³⁵ For more detailed analysis, cast in terms of 'hard' (principled) and 'soft' (contingent) opposition to integration, see A. Szczerbiak & P. Taggart (eds), *Opposing Europe? The Comparative Party Politics of Euroscepticism*, two volumes (Oxford: Oxford University Press, 2007).

³⁶ A. Batory & N. Sitter, 'Cleavages, Competition, and Coalition-building: Agrarian Parties and the European Question in Western and Eastern Europe', *The European Journal of Political Research*, 43/3 (2004), pp.521-544.

longer represented in parliament) have generally been pro-EU, but opposed both EMU and the Constitutional Treaty, before changing again to favour the Reform Treaty; the Swedish and Finnish parties changed from Eurosceptic to pro-EU (the Swedish party also endorsing EMU).³⁷ In contrast, the three Norwegian centre parties remain opposed to EU membership: the Christian People's Party and the Liberals more cautiously; the agrarian Centre Party more resolutely (it also opposed the EEA).

Apart from the Norwegian Centre party, the strongest opposition to European integration can be found at the flanks of the Nordic party systems. Perhaps predictably, given the EU's focus on free trade and competition, the socialist left has traditionally opposed European integration. Indeed, some of the left flank parties were born as anti-EU or -NATO dissenters from the mainstream social democrat left, much as the Christian parties were born as dissent against the secularising and socially permissive mainstream consensus.³⁸ However, the Danish Socialist People's Party has recently become more pro-EU, as part and parcel of an overall modification of its left-wing outlook; and in Finland the Left and Green League have turned neutral and accept EU membership.³⁹ The far right has been less cohesive: the Danish and Finnish parties conform to the West European pattern of far right Euroscepticism, but the Norwegian Progress Party is caught between populism and its advocacy of free markets and has downgraded its pro-EU stance to ambivalence. Like the short-lived New Democrats in Sweden, the Norwegian party advocated EU membership in 1994.

To the extent that political parties take an instrumental approach to referendums, and seek to use referendums for tactical rather than principles reasons, this pattern of suggests that some Nordic parties should demand referendums for each of the major decisions on European integration. The pro-EU parties may be expected to seek to avoid referendums if and when there is a pro-EU majority in parliament, if only to avoid the risk of defeat. The exceptions is when a pro-EU party leadership seeks to use the referendums to shift an issue off the parliamentary arena for reasons linked to party or coalition management; or Eurosceptic factions use internal party ruled to force a referendum. By a similar logic, Eurosceptic parties may be expected to demand referendums, particularly when they are in opposition. The British debate about ratification of the Reform Treaty illustrates the point perfectly. Parties that are severely divided or uncertain on European questions may also be expected to demand referendums, if only as a means of shifting an awkward issue away from the party political arena. The main exception to this rule depends on the idea that the main concern for divided parties is that the issue is not politicised: as long as there is broad cross-party consensus, a parliamentary decision might also be sufficient to remove an issue from party politics.

³⁷ J. Madeley & N. Sitter, 'Differential Euroscepticism Among the Nordic Christian Parties: Protestantism or Protest?', paper presented to the Political Science Association Conference, Leicester, 15–17 April 2003.

³⁸ D. A. Christensen, 'Foreign Policy Objectives: Left Socialist Opposition in Denmark, Norway and Sweden', *Scandinavian Political Studies*, 21/1 (1998), pp.51-70; D. A. Christensen, 'The Left-Wing Opposition in Denmark, Norway and Sweden: Cases of Euro-Phobia?', *West European Politics*, 19/3 (1996), pp.525-546; L. Karvonen, 'Christian Parties in Scandinavia: Victory over the Windmills?', in D. Hanley (ed.), *Christian Democracy in Europe: A Comparative Perspective*, (London: Pinter, 1994).

³⁹ T. Raunio, 'The Difficult Task of Opposing Europe: The Finnish Party Politics of Euroscepticism', in A. Szczerbiak & P. Taggart (eds), *Opposing Europe? The Comparative Party Politics of Euroscepticism*, vol 1 (Oxford: Oxford University Press, 2007).

This pattern of party-based Euroscepticism means that one or more parties have opposed every decision on closer participation in European integration. At almost every junction, one or more parties have demanded referendums. However, two developments in the 1990s brought about considerable change in party competition on the European question. In Sweden and Finland the social democrat and agrarian parties' adoption of pro-EU platforms in the early 1990s were followed by other centre and left wing parties' reassessment of their stances on European integration. Meanwhile, in Denmark, the 'no' vote in 1992 Maastricht referendum prompted a national pact that comprised most political parties and secured a 'yes' in the second referendum a year later. A similar approach based on cross-party consensus was agreed for the 2005 referendum on the Constitutional Treaty. The next three sections turn to each series of referendums, exploring the party politics behind them and the outcomes.

The Politics of European Referendums

The question of EU membership first came up in Scandinavia when the UK announced its application for EEC membership in 1961, barely a year after the establishment of the European Free Trade Area. Denmark (and Ireland) soon followed the UK's lead, while Norway's minority Labour government prevaricated until French president De Gaulle vetoed the EEC enlargement.⁴⁰ France's second veto in 1967 probably saved the next government, a non-socialist coalition, from collapse.⁴¹ Tage Erlander, Sweden's Social Democrat prime minister, rejected participation in European integration as incompatible with neutrality and problematic for the welfare state, although the centre-right parties looked more favourably on membership.⁴² Finland's precarious position between East and West precluded seriously considering EEC membership. De Gaulle's departure from French politics in 1969 revived the question, polarising Norwegian and Danish party politics, and culminating in the Danish 'yes' and Norwegian 'no' in 1972. The Swedish Social Democrat government, now led by Olof Palme, reiterated its rejection of EEC membership, again principally with reference to neutrality and solidarity with Finland. Debates about sovereignty and economics were thus played down. Consequently, once neutrality became obsolete in 1990 the Swedish and Finnish centre-left moved swiftly to advocate EU membership.⁴³

The decisions to hold referendums on EU membership were relatively uncontroversial in all four countries, and more or less voluntary. They were effectively taken in Denmark and Norway in the 1960s, long before the actual referendums. The

⁴⁰ H. O. Frøland, 'Ambiguous Interests: Norway and the West European Market Formations 1959-62', *Arena Working Paper*, 98/25 (University of Oslo, 1998).

⁴¹ So argues former Prime Minister J. Lyng, *Mellom øst og vest: Erindringer 1965-1968* (Oslo: Cappelen, 1976); his analysis is supported by Frøland, 'Ambiguous Interests'.

⁴² L. L. Ryden, *Ett Svenskt Dilemma: Socialdemokraterna, Centren och EG-Frågan 1975-1994*, (Göteborg: Avhandlingar från Historiska institutionen i Göteborg, 2000); A. Widfelt, 'Sweden and the EU: Implications for the Swedish Party System', in L. Miles (ed.) *The European Union and the Nordic Countries*, (London: Routledge, 1996); L. Miles, *Sweden and European Integration* (Aldershot: Ashgate, 1997).

⁴³ I. Carlsson, *Så Tänkte Jag: Politik & Dramatik*, (Stockholm: Hjalmarson & Högberg, 2003).

Carlsson was Swedish prime minister 1986-1991 and 1994-1996, and leader of the Social Democrats 1986-1996.

Norwegian parties agreed as early as 1962 that the question of EEC membership would be decided by referendum. In the winter of 1961-62 it looked uncertain whether a twenty-five percent minority of MPs might be mobilised to block EEC membership, and consensus emerged that the issue should ultimately be settled by referendum.⁴⁴ The Socialist People's Party and the Centre Party wanted a referendum because they feared they might not be able to block accession in parliament; the divided Liberals favoured one as a means of avoiding a split (which the 1972 referendum precipitated anyway), and the ruling Labour party eventually adopted a similar logic.⁴⁵ All parties have since agreed that a referendum is necessary to reverse the 1972 decision not to join the EEC.⁴⁶

Although the Danish constitution includes provisions for mandatory referendums, accession to the EEC could have been accomplished without referendums if a five-sixths majority in parliament voted in favour. Whether the Danish referendum should count as voluntary or obligatory is ambiguous. The decision to apply for membership in 1961 was supported by the required five-sixths majority of MPs, but a referendum was seen as a useful device to ensure that a general election would not turn into an 'EEC election'.⁴⁷ When the centre-right government decided in May 1971 to call a referendum on EEC accession, the prime minister's party (the Radical Liberals) was divided and an election was due. As all the major parties wanted a referendum, whether the September election returned enough Eurosceptic MPs to form a blocking minority would only shape the procedure for calling a referendum.⁴⁸ The Social Democrats, who won the election, had promised one in any case. As it turned out, the 1972 referendum was technically obligatory, because the general election changed the balance of power and the decision to join the EEC was approved by less than a five-sixths majority, or 150 votes in the 179-member *Folketing*. The result was 141 to 34, including 12 Social Democrats voting against their own government.⁴⁹ Bjørklund therefore characterised it as "a voluntary referendum as a result of a tactical manoeuvre".⁵⁰

The Norwegian and Danish referendums in the 1970s set the patterns for Norway, Sweden and Finland two decades later. The Norwegian government had no real choice, partly because of the 1972 precedent, and partly because it might not secure a three-quarters majority in parliament in the event that the Eurosceptic parties

⁴⁴ Frøland, 'Ambiguous Interests', pp.15-16.

⁴⁵ Bjørkulund 'The Demand for Referendum' pp.249-250. Although the Conservatives were not keen on a referendum, their 1965 programme included a commitment to hold referendums if one third of all MPs request it; 'Høires Hovedprogram 1965', in *Vi vil...! Norske partiprogrammer 1884-2001*, CD ROM Versjon 1.1. Bergen & Oslo: Norsk samfunnsvitenskapelig datatjeneste & Institutt for samfunnsforskning, 2001.

⁴⁶ P. A. Pettersen, A. T. Jenssen & O. Listhaug, 'The 1994 Referendum in Norway: Continuity and Change', *Scandinavian Political Studies*, 19/3 (1996), pp.257-281; J. Saglie, 'Values, Perceptions and European Integration: The Case of the Norwegian 1994 Referendum', *European Union Politics*, 1/2 (2000), pp.227-249. In the early 1990s all party programmes called for a referendum if the government were to apply for EU membership, except the Centre Party which would not even contemplate a new application; as per party programmes, *Vi vil...!*

⁴⁷ H. Martens, *Danmarks ja, Norges nej: EF-folkeafstemingerne i 1972*, (Copenhagen: Dansk Udenrigspolitisk Instituts Skrifter 6, 1979), chapter 2.

⁴⁸ R. Buch & K. M. Hansen, "The Danes and Europe: from EC 1972 to Euro 2000 – Elections, Referendums and Attitudes", *Scandinavian Political Studies*, 25/1 (2002), pp.1-26.

⁴⁹ Svensson, 'Five Danish Referendums on the European Community and Union', p.736.

⁵⁰ Bjørkulund 'The Demand for Referendum', pp.240-241.

performed well in the 1993 election (which they did). In Sweden the governing Social Democrats were initially ambivalent, but in 1990 all the other parties favoured a referendum. In Prime Minister Ingvar Carlsson's own account, divisions in the party and the conviction that a general election could not settle the question tipped the balance.⁵¹ The four pro-EU parties reached agreement on the procedure in 1991. The government proceeded to argue that the referendum was on accession to the EU, without an obligation to join Economic and Monetary Union, and later reported that this position was minuted in negotiating meetings with the EU.⁵² The Finnish government's decision should be seen in the light of the referendums in the two other countries. Suksi notes this influence, but predicts that the use of advisory referendums will remain extremely rare.⁵³ The governing Centre Party joined the ranks of the pro-EU parties, but only after its leader Prime Minister Esko Aho threatened to resign if his divided party did not adopt a pro-EU stance. He is rated as the "only person who widely influenced people's opinion" on the issue.⁵⁴

The most controversial decisions were not whether to hold referendums in 1994, but the sequence in which they were to be held. In 1972, both the Norwegian and Danish governments had hoped to hold their referendum after the other, in order to enjoy a 'pull' effect'. In the end they failed to reach an agreement, and the Norwegians voted first, on September 24th and 25th, followed by the Danes on October 2nd.⁵⁵ In 1994, the running order put the Finnish referendum first on October 16th, the Swedes second on November 13th, and the Norwegians third on November 28th. All three would follow the widely predicted 'yes' in Austria, and critics argued (with considerably plausibility) that the whole process was designed to engineer an Austro-Finnish 'pull' effect towards a Swedish 'yes', and an even stronger 'Swedish' pull in Norway.⁵⁶ In the end the latter did not materialise, at least not to the extent many pro-membership campaigners hoped.

Meanwhile, however, Sweden, Finland and Norway had joined the European Economic Area without much controversy, let alone referendums. Yet this was a major step in terms of European integration: the new EEA states accepted the relevant *Acquis Communautaire* and effectively committed themselves to accepting new relevant EU laws; established a new supranational authority (the EFTA Surveillance Authority) with supervisory powers comparable to those of the Commission; and agreed to abide by the relevant rulings of the European Court of Justice and the new EFTA Court. For Norway, Iceland and Liechtenstein it would remain an alternative basis for association with the EU; a kind of 'quasi-membership'.⁵⁷ However, at the

⁵¹ Carlsson, *Så Tänkte Jag*, pp.417-418.

⁵² 'Om Sverige och den ekonomiska och monetära union', *Regeringens Proposition 1997/98:25*, 2 October 1997; see also V. Miller, C. Taylor & E. Potton 'The Swedish Referendum and the Euro', *House of Commons Research Paper 03/68*, 15 September 2003.

⁵³ M. Suksi, 'The Advisory Referendums in Finland' in M. Niemivuo & T. Majuri (eds), *Outlooks on Democratic Institutions in the Baltic Sea Region – Experiences from the Finnish Presidency of the Working Group on Assistance to Democratic Institutions (WGDI) in 1998-1999*, (Helsinki: Ministry of Justice, 1999), p.69-85.

⁵⁴ K. M. Johansson & T. Raunio, 'Partisan Responses to Europe: Comparing Finnish and Swedish Political Parties', *European Journal of Political Research*, 39/2 (2001), pp.225-249, p.236.

⁵⁵ Martens, *Danmarks ja, Norges nej*, pp.44-50.

⁵⁶ Todal Jenssen & Listhaug, 'Voter's Decisions in the Nordic Referendums of 1994'.

⁵⁷ K. A. Eliassen & N. Sitter (2003), "'Ever Closer Co-operation? The Limits of the 'Norwegian Method' of European Integration', *Scandinavian Political Studies*, 26/2 (2003), pp.125-144.

time the three governments ratified the EEA treaty in 1992 negotiations for full membership were well underway. The pro-EU parties therefore saw the agreement as a stepping-stone to full membership, while some Eurosceptics accepted it as an alternative to EU membership. In Norway only the Socialist Left and the Centre Party opposed the EEA, but the Liberals, the Christian People's Party and the Progress Party joined their call for a referendum.⁵⁸ In Sweden the Centre Party was ambivalent, but only the Greens and Communists (which became the Left Party) actually opposed EEA membership.⁵⁹ Likewise, in Finland only twelve MPs voted against the EEA treaty when it was ratified in parliament.⁶⁰ The Social Democrats, Conservatives and the Swedish Peoples Party had adopted pro-EU positions as early as 1991, the Centre followed suit in June 1994, the Greens and the Communists were divided, and only the small Christian and Rural parties opposed European integration.⁶¹

Although all four countries held referendums on accession to the EU, the three member states have taken different paths as far as further integration is concerned. Most Finnish parties adopted a broad interpretation of the mandate given in the 1994 referendum, which was assumed to include both participation in EMU and a mandate for parliament to enact further treaty changes. In Sweden, the decision to de-couple EU and EMU membership made another referendum likely, but far from certain. In Denmark the decision to call a referendum in 1986 reflected the government's difficulty in securing majority support for the SEA at all; whereas the first Maastricht referendums was obligatory because the parliamentary majority was less than the five-sixths required by the constitution for transfers of sovereignty. In contrast the second Maastricht referendum was not obligatory, but a political necessity, and set the scene for further referendums on successive transfers of power to the EU. As a rule, therefore, whether to use referendums is the government's call, but in some cases it is freer to choose than in others.

The Danish decision to go down the referendum path in 1986 was primarily a device for a minority government to secure passage of legislation, which worked admirably. The minority government consisting of the Conservatives, Liberals, Centre Democrats and Christian People's Party generally relied on the support of the far right Progress Party and the Radical Liberals, but the latter defected to the opposition on the vote on the Single European Act and the government was defeated. A referendum was chosen as an alternative to fresh elections, and the Social Democrats and Radical Liberals – both of which were divided on the actual use of a referendum – agreed to abide by the voters' verdict.⁶²

At the next European juncture the Maastricht bill passed with 130 votes to 25, opposed only by the Socialist People's Party and Progress Party parts of the Christian People's Party, but like the 1972 bill its support fell short of the required 150 votes

⁵⁸ *Aftenposten*, 2 August 1991.

⁵⁹ G. Gidlund, *Partiernas Europa*, (Stockholm: Nature & Kultur, 1992), p44ff; Ryden, *Ett Svenskt Dilemma*, pp.221-224.

⁶⁰ I am grateful to Tapio Raunio for this information, in correspondence August 2005.

⁶¹ D. Arter, 'The EU Referendum in Finland on 16 October 1994: A Vote for the West, not for Maastricht', *Journal of Common Market Studies*, 33/3 (1995), pp.361-387; Raunio, 'The Difficult Task of Opposing the EU in Finland'.

⁶² Svensson, 'Five Danish Referendums on the European Community and Union', p.738.

and triggered a referendum.⁶³ However, it was also argued that the two earlier referendums had set a precedent and that, despite the debates in parliament, even the first Maastricht referendum “was never seriously questioned because the voters expected it”.⁶⁴ In any case, after the first ‘no’ another referendum became a political necessity. Because there was no ‘Plan B’ in place to deal with one state’s failure to ratify a treaty, the now ubiquitous Danish opt-outs were agreed at the Edinburgh summit: opt-outs from EMU, common citizenship, defence, and supranational decisions in the field of Justice and Home Affairs. The participation of Eurosceptic parties in negotiating this deal secured a ‘yes’ in the second referendum, in May 1993. The Edinburgh agreement was supported by all parties but the Progress Party, and thus brought a degree of elite consensus that had not been seen since the 1960s. Therefore, although treaty ratification would now pass with more than 150 votes (which precluded a referendum being called), a separate bill was passed to use a non-binding referendum in 1993. This set the scene for future use of referendums and cross-party compromise on the procedures for ratification.

The main parties prepared for the use of the same mechanism for the referendums on Amsterdam in 1998 and EMU in 2000, which they found to have implications in terms of transfer of sovereignty. Hence Buch & Hansen’s assertion that “the reason for submitting the European issue [to referendums] should, therefore, be seen not as a consequence of strictly legal reasons, but rather as a consequence of political reasons.”⁶⁵ As it turned out the 1998 election gave parties opposed to the Amsterdam treaty – the Progress Party, Socialist People’s Party, Danish People’s Party and the Unity List – a blocking minority; and in 2000 the Christian People’s Party joined them in opposition to the Euro. However, when it came to Nice the main parties argued that no referendum was needed because the treaty did not involve a transfer of sovereignty, and the Justice department confirmed this.⁶⁶ However, the Danish parliament has approved transfers of sovereignty under article 20 without recourse to referendum on three occasions: once on air traffic control, and twice relating to European patents.⁶⁷

Sweden had neither the need for referendums that the Danish government had in 1986, nor the constitutional requirement for them for transfers of sovereignty. Referendums were not deemed necessary for ratification of the Amsterdam and Nice treaties, which the Social Democrat government could secure in parliament and the centre-right parties supported. However, EMU became a special case. The government had left the question open in 1994, maintaining only that the decision would be taken at a later stage. When the Social Democrats eventually opted for EMU membership, partly to circumvent internal divisions and partly to accommodate the small Eurosceptic parties, their use of a consultative referendum was supported by all

⁶³ P. Svensson, ‘The Danish Yes to Maastricht and Edinburgh: The EC Referendum of May 1993’, *Scandinavian Political Studies*, 17/1 (1994), pp.69-82.

⁶⁴ K. Siune, ‘The Danish NO to the Maastricht Treaty: The Danish EC Referendum of June 1992’, *Scandinavian Political Studies*, 16/1 (1993), pp.93-103, p.94.

⁶⁵ Buch & Hansen, ‘The Danes and Europe’, p.8.

⁶⁶ *Redegørelse for visse forfatningsretlige spørgsmål i forbindelse med Danmarks ratifikation af Nice-traktaten*, (Copenhagen: Ministry of Justice, 2001), p.48.

⁶⁷ Folketingets EU-oplysning, ‘Danske folkeafstemninger om EU’, *EU Baggrund*, no 3 (2002).

parties except the conservative Moderates.⁶⁸ In the run-up to the vote, when a ‘no’ looked likely, Prime Minister Göran Persson questioned the decision to put the issue to a popular vote in the first place.⁶⁹ As in Denmark, the outcome was ‘no’.

In contrast to the Swedes and Danes, Finnish governments have opted not to hold further referendums on European integration. Raunio points to the consensual style of politics in general and foreign policy in particular, with a strong national coordination system on EU policy, combined with a fragmented party system that encourages compromise and candidate-centred elections that link Euroscepticism to individuals rather than parties, as the key factors that make for a broad cross-party consensus on European policy.⁷⁰ Even the Greens and the Left League performed U-turns, and decided in 1997 and 1998 respectively to support Finnish participation in EMU (though some of their MPs dissented). Although the Centre Party was against EMU, it decided that it would accept the decision of the parliamentary majority and not seek to overturn it in the future. EMU was approved by a 135 to 65 vote in parliament in 1998.

Given the history of referendums on European integration in Denmark, the broad cross-party agreement to hold a referendum on the Constitutional Treaty came as no surprise. The five ‘old’ parties agreed a ‘national compromise’ that involved both the decision to call a referendum and to recommend a ‘yes’ vote, and the decision was adopted in February 2005 after the election. This mirrored the broad cross-party agreement on the second Maastricht referendum, but excluded the hard Eurosceptic parties on the far left (the Unity list) and right (the Danish People’s Party). The Christian Democrats also came out against the compromise in the most marginal of decisions in September 2004, when its governing body votes 24-23 not to participate in the national compromise, citing excessive majority decision-making in the EU, opposition to the changes to the Presidency, and the lack of reference to Christian values. However, the party fell below the threshold for representation in the February 2005 election, and consequently change leadership and gradually reverted to a pro-EU stance. When the Socialist People’s Party decided on November 6th 2004 to agree the compromise with the Liberals, Conservatives, Social Democrats and Radical Liberals, the deal was hailed as a historic compromise.⁷¹ The Socialist People’s Party members subsequently endorsed the party’s new ‘yes’ position by an overwhelming 3,130 votes to 1,774. By the time the Danish parliament set the date, the government had thus not only secured broad support for the decision to call a referendum; Prime Minister Anders Fogh Rasmussen was credited with having built a solid coalition behind Danish EU policy that came close to the ubiquitous five-sixth base in parliament.⁷² However, the referendum results from France and the Netherlands prompted suspension of the ratification process. At the time of writing the Danish government’s strategy for the Reform Treaty had yet to be determined: the treaty agreed in principle

⁶⁸ A. Widfelt, “Elite Collusion and Public Defiance: Sweden’s Euro Referendum in 2003”, *West European Politics*, 27:3 (1994), 503-517, p.506-507; Johansson & Raunio, “Partisan Responses to Europe.”

⁶⁹ N. Aylott, “The Swedish Referendum on EMU of September 14 2003”, *EPERN Referendum Briefing no 9* (Sussex University/RIIA, 2003); N. Aylott, ‘Let’s Discuss this Later: Party Responses to Euro-Divisions in Scandinavia’, *Party Politics*, 8/4 (2002) pp.441-461.

⁷⁰ Raunio, ‘Hesitant Voters, Committed Elite’, p.392

⁷¹ ‘En historisk aftale’, *Politikken*, 7 November 2004.

⁷² The Danish People’s Party won 24 seats in the 2005 election and the Unity list won 6 seats, which means that the two could block a 5/6 decision if they managed absolute party unity.

at the June 2007 summit EU explicitly did not include the nine points that the Danish Ministry of Justice had argued (in 2004) triggered the A.20 procedure.

Like the Danes, the Finnish governing parties opted to stick to what was rapidly becoming an established pattern; in this case a pattern of parliamentary ratification of EU treaties. The decision was relatively swift, if somewhat more controversial than in Denmark. The governing parties, the Centre, Social Democrats and Swedish People's Party, and the main opposition, the Conservatives, all decided individually that there was no need for a referendum on the Constitutional Treaty. In the autumn of 2003, they agreed that the threshold for referendums should be kept high, and that the Constitutional Treaty would not meet this threshold.⁷³ The Foreign Affairs Committee concluded in September 2003 that the draft constitution did not warrant a referendum. When the government bill on the Finnish position in negotiations was passed in October 2003, an amendment supported by the Greens, the True Finns and a few Christian Democrats that called for a referendum was defeated by 141 to 36 votes. But the consensus was by no means as complete as it was in Denmark: the Christian Democrats decided in November 2004 to demand a referendum, and in February 2005 a quarter of the Finnish MPs (including some Social Democrats and Centre MPs) signed a motion calling for a referendum. As it turned out, the plans for ratification by parliament in the autumn of 2005 were shelved after the June summit, and replaced by a government report on the Constitutional Treaty. The treaty was eventually ratified by the Finnish parliament in December 2006, by 125 to 39 votes.

The Swedish government's decision not to call a referendum on the Constitutional Treaty proved far more controversial. Among the parliamentary parties, only the Greens and Left Party demand a referendum. However, the two parties provided the political support for the Social Democrat minority government in what was almost an informal coalition. Moreover, the Eurosceptic June List, which polled almost 15% and came third in the 2004 European Parliament elections, demanded a referendum and threatened to enter a list for the 2006 general elections. By the autumn of 2004 the organisation established to push for a referendum, Folkomröstning.nu, was heading towards to 100,000 signatures. Critics argued that the treaty would amount to a constitutional change, and therefore required at the very least two parliamentary decisions with an intervening election. However, Foreign Minister Laila Freivalds argued in parliament, after judicial consultation, that the changes could be accommodated by a normal parliamentary vote.⁷⁴ Therefore, despite considerable debate in the press and within the Social Democrat and Centre parties, a broad cross-party agreement was reached by all except the Greens and the Left in December 2004, to the effect that there would not be a referendum. However, in the spring of 2005 Social Democrat Eurosceptics planned a campaign to force the party to change its position on the referendum, which would entail five percent of the party's members (some 7000) demanding an internal party referendum on the question and then winning it.⁷⁵ As it turned out, of course, French voters put a premature end to the debate (faintly echoing DeGaulle's intervention in the 1960s debates in Scandinavia). As in Denmark, the decision was put on hold. The June List nevertheless decided to

⁷³ "Tröskeln för folkomröstningar ska hålla hög" and "Centrern: EU-Folkomröstning behövs inte", *Suomen Tietotoimisto*, 26 and 20 August 2003.

⁷⁴ 'EU:s konstitution ryms i grundlagen' and 'Över 100000 vil rösta', *Svenska Dagbladet*, 4 December 2004 and 5 January 2005.

⁷⁵ 'EU-kritiker inom s försöker tvinga fram folkomröstning', *Svenska Dagbladet*, 4 May 2005.

compete in the September 2006 election on the grounds that no referendum had been promised. It polled less than 0.5% of the vote, in a clear indication that the government hardly alienated voters by not opting for a referendum.⁷⁶

Meanwhile, in Norway, the debate over a third application for EU membership continued below the political surface, and it developed into a minor controversy over how many referendums should be held. Formally, the question was effectively put on ice for the duration of the 2001-2005 parliament by the 'suicide clause' that the Conservatives, Liberals and Christian People's Party coalition agreed before taking office in 2001: the coalition would be terminated if the pro-EU Conservatives put the EU issue on the agenda. However, in 2001 the soft Eurosceptic Christian People's Party adopted the position that two referendums would be warranted: one on whether to apply and one to ratify the deal after negotiations were concluded. This was seen as a more neutral stance, since it would permit uncertain voters to vote 'yes' the first time without committing themselves. In April 2005 the party leadership's view was defeated by the more Eurosceptic activists, and the Christian People's Party reverted to the one-referendum strategy. In the meantime, however, the neutral Progress Party and the divided but formally Eurosceptic Liberals came to favour this double-referendum solution. On the other hand, both the two main pro-EU parties (Labour and the Conservatives) and the hard Eurosceptics (the Centre Party and the Socialist Left) strongly oppose it, wanting only a single referendum. All this manoeuvring may have been somewhat premature, as the 2005 election propelled a 'red-green' collation of Labour, the Centre and Socialist Left into office and they adopted a similar 'suicide clause' to quarantine the EU question for 2005-2009.⁷⁷

To Structure Political Conflict – Free to Choose?

By the late 2000s, a pattern of European referendums has become discernible across the Nordic countries. Danish voters have more or less come to expect them, and the parties seek to reach agreement both on whether to hold referendums and, increasingly, on the recommendations they put to voters. Successive Finnish governments have decided that they do not need to use referendums to ratify further European integration, and have found broad cross-party consensus. By contrast, the pattern in Sweden is less institutionalised. The conservative and social democrat parties are sceptical about the use of referendums. The decisions to use referendums for EU accession and EMU were exceptional, and the latter was questioned both at the time and after the 'no' vote. Moreover, the EMU outcome cannot have done much to warm the pro-EU parties to the referendum as a decision-making device. Meanwhile the Norwegian parties remain a long way from having to face such decisions, as the 2005 election saw the centre-left agree another cease-fire on the EU issue.

⁷⁶ K. Henderson & N. Sitter, "Political Developments in the EU Member States", *Journal of Common Market Studies*, 45: Annual Review (2007).

⁷⁷ The 'red-green' agreement seemed somewhat more fragile than their predecessors', not least because two hard Eurosceptic parties were prepared to test the limits of the EEA system, Labour could conceivably govern as a minority government, and the Conservatives had incentives to play the EU card to embarrass the governing coalition; N. Sitter, 'Norway's Storting Election of 12 September 2005: Back to the Left?', forthcoming *West European Politics*, spring 2006.

In almost every case, the motives for using referendums have been mixed. The desire to circumvent a divisive issue or to avoid fighting a general election on the EU question has been a powerful force behind most decisions to call referendums, but in Denmark the constitutional requirement for a super-majority on decisions that involve a transfer of sovereignty has helped push successive governments towards referendums. Both in Denmark and elsewhere, a few decisions on whether to ratify treaties or major decisions on European integration seem to have promoted a degree of institutionalisation. The tactical use of a referendum in 1986 helped establish a pattern of EU-referendums to an extent not seen elsewhere, even if many of the subsequent referendums turned out to be obligatory as Eurosceptic parties controlled more than a sixth of the seats in parliament. Given the erratic experience in the Nordic countries, which has included five defeats to six wins for the governments' pro-EU position, there is little reason to expect the Finnish, Swedes or Norwegian governments to desire more referendums than is necessary. In the Norwegian case it is a political necessity, but the recent Swedish debates indicate that the political parties are deciding that the costs of calling EU referendums for internal party political motives may be considerably higher than the gains.

Most political parties have acted in accordance with the hypothesis that it is a party's stance on European integration that determines whether it demands a referendum. Pro-EU parties seek to avoid referendums on European integration, unless questions of party or coalition management makes it imperative. The only case of a united, pro-EU party voluntarily calling for a referendum is the Norwegian Progress Party when accession to the European Economic Area was debated: a rare case of a populist party putting its commitment to direct democracy above its European policy. Eurosceptic parties have, as a rule, demanded referendums. The significant exception is the Finnish Centre Party on the EMU question: a rare case of a party putting its commitment to representative decision-making above its European policy. For most of the Nordic Eurosceptic parties there has been no dilemma. Unlike the UK conservatives (who are more committed to exclusively representative decision making), most of the Nordic Eurosceptic parties also share a commitment to direct and participatory democracy. It is the divided but pro-EU parties that have faced a dilemma between European policy and their preferences for representative and direct democracy: several divided parties and parties that take part in coalitions that are divided on the European issue have favoured the use of referendums for mainly tactical reasons. Over time, this has narrowed their options.

The history and politics of European referendums in the Nordic countries suggests that while the Nordic political parties may once have been relatively free to choose whether to use referendums or not for major decisions on European integration, they are now less free to choose. The paths chosen at the first three or four junctures have shaped the political parties options in the face of further treaty ratifications. These mechanisms seem to be at work in the Nordic cases. First, there is a matter of parties' commitment to consistent strategies. Once accession to the EU or one of its policy areas has been ratified by referendum, it is very difficult politically for a party to opt for parliamentary ratification. The EMU question in Sweden is the most subtle case in point: having argued that the accession referendum did not commit the country to EMU, the Social Democrats had to call a referendum on EMU despite their clear reluctance to do so. Second, once referendums have been used to ratify European

questions, it is easy for a party to demand that they be used again and invoke the threat that voters might punish pro-EU governing parties that opt for parliamentary ratification. However, there is no evidence that the Swedish and Finnish governing parties were thus punished in the 2006 and 2007 elections. Third, and more significantly, institutionalisation may be a matter of all the mainstream parties actively seeking to build a consensus on the politics of European treaty ratification. This has been the case in Denmark and Finland, with opposite outcomes, and similar processes are also at work in Norway and Sweden. Yet the fact that two successive Swedish governments have opted for parliamentary ratification of the Constitutional and Reform Treaty, and that the Danish government is considering it, shows that even institutionalisation is contingent on party political choice. In short, the Nordic cases suggest that political parties in representative democracies enjoy considerable power to structure political conflicts, or to determine the appropriate arena for decision-making. Once procedures for direct democracy have been invoked for decisions on participation European integration, turning back to the parliamentary road is more difficult. But it is not impossible.

Appendix: Table 3 – Nordic Parliamentary (and some ex-parliamentary) Parties. Eurosceptic parties in **bold**, formerly Eurosceptic parties underlined, percentage of votes in last election in brackets.

Party family and dimension of opposition	Finland (2007 election)	Sweden (2006 election)	Denmark (2005 election)	Norway (2005 election)
Far, socialist left and greens: new politics	Left League – VAS (8.8) Green League – VIHR (8.5)	Left Party – Vp (5.9) Swedish Greens – Mp (5.2)	Unity List – E (3.4) <u>Socialist People’s Party – SF (6.0)</u>	Socialist Left – SV (8.8)
Social democrat: socio-economic left-right	Social Democrats – SDP (21.4)	<u>Social Democrats – SAP (35.0)</u>	Social Democrats – SD (25.9)	Labour – DNA (32.7)
Centre (Christian, liberal, agrarian): territorial and/or socio-economic left-right	Centre Party – KESK (23.1) <u>Christian Democrats – KD (4.9)</u> Swedish People’s Party – SFS (4.6)	<u>Centre Party – C (7.9)</u> <u>Christian Democrats – KD (6.6)</u> Liberals – FpL (7.5)	*Radical Liberals – RV (9.2) *Liberals – V (29.0)	Centre Party – Sp (6.5) <u>Liberals – V (5.9)</u> Chr. People’s Party – KrF (6.8)
Conservative: socio-economic left-right	Conservatives – KOK (22.3)	Moderates – M (26.2)	Conservatives – KF (10.3)	Conservatives – H (14.1)
Far right: new populism	True Finns – PeruS (4.1)		Danish Peoples Party – DF (13.2)	Progress Party – FrP (22.1)

Source: Current and past party programmes.

* RV and V hardly count as ‘centre’ except in genesis, the former being close to the SD and the latter generally perceived as to the right of KF on the socio-economic left-right dimension.