

# 10.3 Referendums

## What is a referendum?

A referendum is a popular vote in which the electorate decides an issue by answering 'yes' or 'no' to a question. In the UK context, the questions are set by the government. In some countries, however, there are mechanisms which allow citizens to initiate referendums on their own questions. Referendums can be either 'advisory' (i.e. only for the purpose of giving the government a clear view of the public mood) or 'binding' (committing the government to legislate in line with the referendum's outcome). Referendums are often held when a major constitutional change is on the cards but many countries use these mechanisms far more frequently (see bottom right).

### Arguments for

- Referendums offer a greater degree of 'direct democracy'. Citizens can have a real input into key decisions.
- They encourage political participation. People are more likely to participate when they care about the issues involved and the choices are black and white.
- They provide a way for governments to 'test the water' before making certain changes.
- They allow government to focus on other issues, rather than getting bogged down in long-running squabbles.
- They can be used to provide a clear and final answer.
- They can prevent dangerous divisions within political parties over controversial issues. This prevents governments from collapsing and, therefore, provides greater continuity in government.
- They provide a way of focusing or renewing the mandate on a particular issue.
- They provide a method for resolving tricky moral questions.
- They provide a way of legitimising major constitutional changes.

### Arguments against

- Referendums are inconsistent with our system of parliamentary government and they undermine the principles of a representative democracy.
- Far from encouraging participation, regular use of referendums could lead to apathy and low turnouts that might distort the results.
- They undermine collective responsibility in Cabinet.
- Governments can use referendums to duck their responsibility to make decisions – to 'govern'.
- Most issues are too complicated to be condensed into a simple yes/no question.
- Funding differences between the 'yes' and 'no' camps might mean that the referendum is not played out on a level playing field.
- The questions might be biased; phrased in such a way as to encourage a certain response.
- Governments can time referendums to make a favourable result more likely.
- Decisions are not always considered final. Governments sometimes go back again and again until they get the result that they want.
- Referendums create a tyranny of the majority.

## UK referendums to date

All of the referendums in the UK thus far have been concerned with the distribution of power between the various tiers of government: supra-national, national and sub-national.

### Summary

Date	Who voted	Questions	Turnout (%)	Yes (%)	No (%)
1. 1973, March	N Ireland	Should NI stay in the UK?	58.1	98.9	1.1
2. 1975, June	UK	Should UK stay in the EEC?	63.2	67.2	32.8
3. 1979, March	Scotland	Should there be a Scottish Parliament?	63.8	51.6	48.4
4. 1979, March	Wales	Should there be a Welsh Parliament?	58.3	20.3	79.7
5. 1997, Sept.	Scotland	Should there be a Scottish Parliament?	60.4	74.3	25.7
		With tax-varying powers?		63.5	36.5
6. 1997, Sept.	Wales	Should there be a Welsh Assembly?	50.1	50.3	49.7
7. 1998, May	London	A London Mayor and London Assembly?	34	72	28
8. 1998, May	N Ireland	Approval for the Good Friday Agreement.	81	71.1	28.9

## Future UK referendums?

The government is committed to a referendum before entry into the European Currency (euro). In the past there has been a commitment to a referendum before any change to the electoral system used in general elections. Referendums could also be employed to decide other key constitutional changes concerning institutions such as the monarchy. In 1998 Lord Neill's Committee on Standards in Public Life recommended that future referendums in the UK should be state-funded and that the 'yes' and 'no' campaigns should share a £1.2 million pot. It is also likely that the precise wording of any future referendum would have to be approved by the Electoral Commission, in order to avoid any dangers associated with biased wording.

## The experience in other countries

- Referendums are widely used in other countries. For example:
- In the **United States** many states operate a system of initiatives (propositions). Citizens often have the opportunity to raise questions for public vote if they can gain the support of a specified proportion of the state's population. Though not all of these propositions are passed, many have been significant. For example, Proposition 184 in California created a mandatory 25-year sentence for those convicted of a serious felony for the third time (the so-called 'three strikes and you're out' rule).
  - In **Ireland** a 1995 referendum legalised divorce (by a margin of only 9124 votes). The 1998 referendum authorised constitutional changes in line with the Good Friday Agreement. The Irish referendum of 2001 rejected the Treaty of Nice. In March 2002 the Irish rejected a further tightening of their strict anti-abortion laws by 629 041 votes to 618 485.
  - In **Switzerland** a referendum on a law can take place if 50 000 voters sign a petition and 100 000 voters can initiate a referendum on a constitutional amendment. Since referendums started in Switzerland 135 years ago there have been over 450. The current rate is four per year. In December 2001, for example, the Swiss rejected a proposal to abolish their armed forces. A similar proposal had been rejected three years earlier. In March 2002 the Swiss voted to join the UN by 55% to 45%. In 1986 they had rejected a similar proposal 3:1.
  - In **Italy** 500 000 of the country's electors can initiate a referendum.
  - In **New Zealand** the 1993 Citizen's Initiated Referenda Act requires support of 10% of the electorate to initiate a non-binding referendum.