

# What is a referendum and what are the arguments against them?

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### 1) What is a Referendum?

A referendum is when a citizen (18+) is asked to express their opinion on a certain issue or proposal. Unlike an election this process is not binding and the outcome is open to discussion. A referendum can result in a new constitution, law, amendment, the recall of an elected official or simply a specific government policy. It is a form of direct democracy.

### 2)

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Many have been issued in the past; examples of this are, 11 September 1997. Tony Blair issued a pre-legislative referendum held in Scotland asking whether there was support for the creation of a Scottish Parliament with devolved powers, and whether the Parliament should have tax-varying powers. The reason for this was the Labor party had just won the election and included in their manifesto was the establishment of a Scottish Parliament.

4th November 2004, Tony Blair (Labor Party) issued a referendum in Northern England. The votes concerned the question of devolving limited political powers from the UK Parliament to elected regional assemblies in North East England, North West England, Yorkshire and the Humber. The reason for this was Labor government attempted to introduce regional assemblies, to be directly elected.

5th May 2011, the 'Alternative Vote' referendum was drawn up as part of the Conservative- Liberal Democrat coalition, to be asked across the whole U.K. The Referendum concerned whether to replace the present voting system with an alternative one. This was because the Labor government, who were previously in power in 2010, used their majority to pass an amendment to their Constitutional Reform Bill to include a referendum on the introduction of AV to be held in the next Parliament, naming a desire to restore trust in Parliament in the wake of the 2009 expenses scandal.

### 3) Arguments against Referendums

In this essay i will talk about the arguments against referendums, the effects and sometimes consequences it can incur.

A referendum is when a citizen (18 years and above) is asked to express their opinion on a particular issue. In Britain, referendums date back to 1973 and ever since has been used as a mechanism for feedback on issues regarding laws, voting systems and so on, its a form of direct legislation, used selectively.

Those who are against direct legislation will argue that the use of referendums is an opening for politicians to absolve themselves of responsibility for making difficult decisions. When representatives know that ultimately the result of their efforts may be reversed by the process of referendum, they will take little interest in the discharge of their legislative duties.

It doesn't even reflect well on the party issuing it. If the measure succeeds at the popular vote the credit for it goes to the people and if it doesn't, the blame goes to the legislature.

We elect a Prime Minister, legislatures, to make the decisions of how to run our country. By electing, it's an official notion that we trust them to conduct, obviously voting the party whose manifesto we are partial to. Referendums are useful, yes, but how does it make legislatures look when matters such as 'do you want a Mayor'- 1998, Tony Blair are issued. When was the time when legislatures took the bull by its horns and made decisions for the good of the nation and not based on doing what the people want so they'll get voted in the next election. As Margaret Thatcher once said, "if you just set out to be liked, you would be prepared to compromise on anything wouldn't you and you would achieve nothing". Referendums seem to be a vehicle to become the apple of the nation's eye to the point that in 1997 elections- The Labor party promised in their manifesto a referendum for the establishment of a Scottish parliament knowing that Scotland wanted it but just didn't get enough votes last time.

Governments are also unlikely to hold them unless they are fairly confident they will win the vote, which was the case in 2004, the devolution referendum for the North East. Labor wanted to create English Regional Assemblies and thought they would win the vote therefore created three referendums only for the first one to be rejected by the public. And this being the case, the government are unlikely to be neutral participants and the phrasing of the questions can distort the results. So is a referendum really

the government wanting us to tick the yes so they can blame us if something goes wrong?

Apart from the time consuming, expensive and tedious way that is involved in a referendum, after all that, who's to say that people will vote? One of the criticisms against direct legislation and a really compelling one, relates to the small size of the votes cast at a referendum. The result of the ballot does not fairly represent popular opinion, because in most cases, opponents of the issue will go to the polls in larger proportion than its supporters.

Moreover, when people are frequently asked to cast their votes, as is when Tony Blair was elected in 1997, making referendums a much more important part of politics, they'll begin to abstain from voting. Its nice to be included in the decision but people become tired of voting after a while. The result is that the decision arrived at is that of the minority and it becomes difficult to know whether there is any public opinion at all on the referendum.

Seeing as the referendum is time consuming, it sometimes involves harmful delays in passing many laws of vital national importance. All this takes away from the educative value of the referendum. When you have citizens who are not interested in public affairs and the issue is of national importance, the referendum becomes a comedy. As was the case in June 1975 when the Labor government had a power split on the issue of Europe and issued a referendum across the whole United Kingdom- 'Do you want to stay in the EC?' Because of this time gap, while the ballot is lying on your kitchen table, coverage on the issue from the media whether it is newspapers, TV etc. can significantly influence the result. Whereas if the issue would have been dealt

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with in parliament alone- you would not get the opinion of people who are paid to keep people entertained.

The real difference between direct action and the action of the legislatures are the voters cannot assemble and discuss matters and consequently the opportunity to arrive at truth is lost. Truth emerges from the clash of opinions. Which brings us back to the substantialness of referendums.

Finally, some could argue that referendums undermine (or have potential to) Parliamentary Sovereignty. Parliament is certainly threatened by the use of referendums. Referendums put the people before the parliament. The sovereignty of parliament becomes the sovereignty of the people, introducing direct democracy into the political system, challenges the indirect, representative democracy that has been the essence of UK political system. If the people vote one way, their representatives another, who should prevail, who is sovereign?

In conclusion the manner in which the referendum is used reflects greatly on the government and at times can make you question the quality of the governments political parties. The referendum can be of great use but whether the pro outweigh the cons or vice versa is relative to the issue at hand. Using the drawbacks we've discussed one can assume or hope that if legislatures had an option, referendums would not be their first choice.