



Do referendums strengthen democracy in the UK?

Kay Moxon and Laurence Ward debate the issue

YES

They are a form of direct democracy

Referendums allow the direct involvement of citizens in decision making. This is necessary since our system of representative democracy (whereby representatives are elected by citizens to make decisions on their behalf) is flawed and inadequate:

- the first-past-the-post electoral system does not allocate seats in the Commons proportionately
- the legislature is dominated by an over-mighty executive which, particularly under coalition government, has a weak mandate
- one half of the legislature (the House of Lords) is unelected with no mandate at all to make decisions on behalf of citizens

They provide a clear answer to a specific question

Referendums provide a clear answer to a specific question in a way that general elections do not. Elections do not necessarily give a mandate for the enactment of policies contained in the manifesto. For example in 2010, all major political parties included some commitment to an elected House of Lords in their manifesto and none of them included any suggestion of withdrawal from the EU — essentially therefore, the election gave citizens no opportunity to express an opinion on these issues.

In the 2010 general election almost 500,000 Scottish voters voted for the SNP (20% of the total). The SNP was the only party in favour of Scottish independence. However, there is no knowing whether these half million Scots voted for the SNP because of its commitment to independence or in spite of this commitment. Only a referendum will give a clear answer to this specific question.

They encourage political participation

Referendums encourage political participation and allow the government to consult the people other than just at election time. Not only might elections not give a strong mandate for the enactment of policies contained in the manifesto but they give no mandate at all for the government to act on issues that arise between elections or over which opinions may have changed. This is why the coalition government committed itself to a 'referendum lock' over any EU treaty that involves a further transfer of national power to the EU.

Referendums are arguably even more important under the circumstances of a coalition government. Such a government has no clear mandate from the people for any policy initiatives — neither party's manifesto gained the approval of the majority of the people and the Coalition Agreement was written and signed *after* the election.

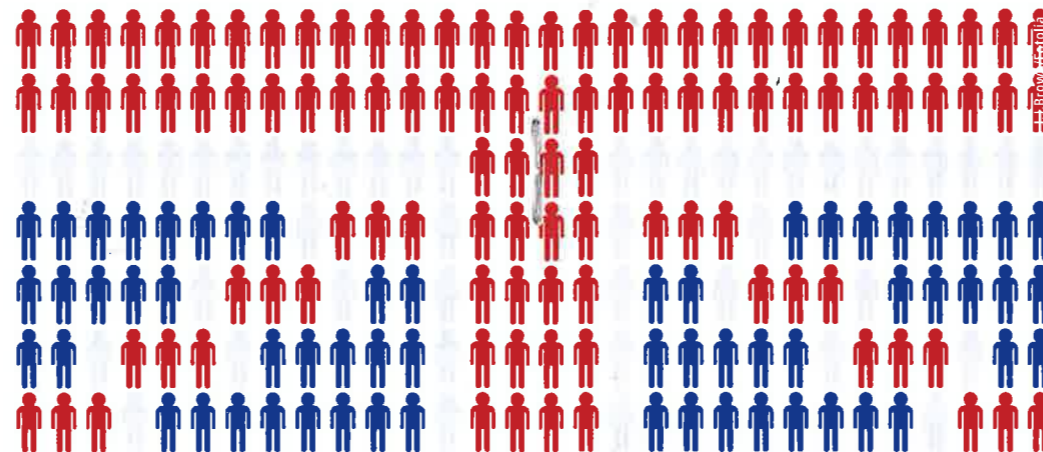
They force policy makers to explain their proposals

Referendums force policy makers to explain their proposals to the electorate. The arguments about UK membership of the EU or Scottish membership of the UK are extensive and complicated. The process of explaining them to the electorate will force policy makers to give the utmost consideration to the issues and should overcome any hot-headed, ill-thought-through prejudice.

The argument that citizens cannot be expected to understand such complex issues undermines the whole concept of democracy — it is up to policy makers to enable citizens to understand the arguments for and against issues such as continued EU membership and Scottish independence.

They are important in cases of constitutional change

The case for a referendum where there is to be constitutional change is particularly strong. This is why a transfer of power downwards to the devolved bodies of Scotland and Wales required referendums in 1997. Since



the European Union Act 2011 undoubtedly transferred power upwards to the EU, a referendum on our membership of this institution is now overdue.

Some decisions need popular endorsement

Some decisions are so momentous that they must not be decided by MPs alone but need popular endorsement. Breaking up the Union through Scottish independence, changing the electoral system or the sacrifice of national sovereignty to a supranational body such as the EU clearly fall into this category.

Political Parties, Elections and Referendums Act 2000

Since the Political Parties, Elections and Referendums Act 2000, the democratic justification for referendums has strengthened. This is because spending limits for each of the rival campaigns ensures a 'fair contest' (each side will be limited to spending £1.5 million in the Scottish independence referendum) and the wording of any referendum question will be determined by the independent Electoral Commission so as not to prejudice either side.

The question for the Scottish independence referendum will be: 'Should Scotland be an independent country? Yes/No'.

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NO

They undermine parliamentary sovereignty

Representative democracy is at the heart of our democratic process. It is by no means perfect, but elected MPs need to be allowed to carry out the functions and duties which they have been elected to do. It is clear that some issues which referendums focus on are too complex for a mere yes/no vote or for the electorate to understand. We were promised a referendum on the Lisbon Treaty and the European Constitution which were not exactly bedtime reading for the average voter. We elect MPs to represent our views; referendums bypass our parliamentary system and therefore serve to undermine parliamentary sovereignty rather than to promote democracy.

Voters show little desire to participate

Voters show little desire to participate in referendums — this is demonstrated by:

- The 41% turnout for the May 2011 AV referendum over possible changes to the voting system in the House of Commons.
- The 35% turnout in Wales over devolving further powers to the Welsh Assembly in March 2011. The Assembly was already recovering

from the lack of a democratic mandate when only 50% turned out in the 1997 referendum which led to its establishment.

- Poor support for the mayoral referendums in May 2012. Fewer than 50,000 people voted in the Nottingham referendum in May 2012 over a city mayor.

They create political uncertainty

Referendums create a period of political uncertainty. Ed Miliband has said that 'committing now' to an in-out referendum on the EU 'has big costs for Britain' and accused David Cameron of 'taking us to the economic cliff'.

Decisions bind future generations

Different generations will take different decisions. This highlights an uncomfortable situation where a significant decision which then binds future generations could be taken with a small majority. For example:

- Bristol narrowly voted yes to having a mayor (53% voted yes)
- the Welsh electorate in 1997 narrowly passed the notion of an assembly with 51% of votes in favour

Timing of campaigns

The Scottish referendum in 2014 will take place just after the Commonwealth Games are held in Glasgow. Some would suggest this is a politically motivated decision to ride the wave of nationalist feeling. The interest of democracy is playing second fiddle to the desires of the SNP 'Yes' campaign.

Governments only hold referendums when it is to their own advantage. Cameron spent 6 years trying to contain euroscepticism within his own party, but the olive branch of an EU referendum could be a way to kick the problem further down the political road until after the next general election. Is this promoting democracy?

Wording of questions

Manchester's congestion charge referendum in December 2008 provides an excellent example of question wording that could be

said to have undermined the outcome of the referendum and discredited the use of referendums. The question was: 'Do you agree with the Transport Innovation Fund proposals?' There was no reference to the congestion charge, so the question could be considered misleading. The question was also phrased in such a way as to encourage a positive response.

Tyranny of the majority

The outcome of any referendum might result in the tyranny of the majority. If the majority votes for it, should the government go ahead with it? What about the wishes of the minority? How would the government protect the civil liberties and therefore the democratic rights of the minority? It is no coincidence that Germany has not held a national referendum since the Second World War and it would be blocked by the German Constitution if it were tried.

We've been here before

David Cameron's referendum speech in January 2013 was widely viewed as a master-stroke, but we've been here before. In 1975, Prime Minister Harold Wilson called a national referendum on our continued membership of the European Common Market when he was struggling over the European issue within his own party. His negotiation was more of a PR exercise than a real attempt to protect UK sovereignty. Is David Cameron's commitment to a referendum merely a similar tactical move to appease his eurosceptics?

AS topic

Having read the arguments set out by the two experts and other resources available to you, answer the following question.

To what extent do you agree with the view that referendums strengthen democracy in the UK?

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