

# Do referendums ever resolve constitutional debates?

[democraticaudit.com /2010/05/09/do-referendums-ever-resolve-constitutional-debates/](http://democraticaudit.com/2010/05/09/do-referendums-ever-resolve-constitutional-debates/)

By democraticaudit

2010-5-9

## Stuart Wilks-Heeg

The result of the AV referendum has been widely argued, most obviously by opponents of change, to have 'settled the issue' of electoral reform. With a few notable exceptions, including [Chris Huhne](#), prominent supporters of a 'Yes' vote have done relatively little to challenge this argument. The consensus appears to be that the issue of electoral reform will not be returned to again 'for at least a generation'.

Yet, past experience tells us that referendums are, in fact, remarkably ineffectual in drawing major constitutional debates to a close. The table below summarises the results of the 11 referendums held in the UK to date on UK constitutional issues (excluding local referendums). With the possible exception of the vote on the creation of a Greater London Assembly and Office of the Mayor of London, few of these matters would now be considered 'settled'. Take the subject of the only previous UK-wide referendum, on the UK's membership of the EEC. Would anyone seriously want to suggest that this has resolved the question of the UK's relationship to the process of European integration?



UK referendums, 1973-2011: issues, outcomes and turnouts

Date	Territory	Issue	Outcome (%)	Turnout (%)
8 March 1973	Northern Ireland	Should Northern Ireland remain part of the UK?	Yes: 98.9 No: 1.1	58.7
5 June 1975	UK	Should the UK remain in the EEC?	Yes: 67.2 No: 32.8	64.6
1 March 1979	Scotland	Should there be devolution for Scotland?	Yes: 51.6 No: 48.4	63.0

1 March 1979	Wales	Should there be devolution for Wales	No: 79.7 Yes: 20.3	58.3
11 September 1997	Scotland	Should there be a Scottish Parliament?	Yes: 74.3 No: 25.7	61.2
18 September 1997	Wales	Should there be a Welsh Assembly	Yes: 50.3 No: 49.7	50.6
7 May 1998	Greater London	Should there be a Greater London Authority and Mayor of London?	Yes:72.0 No:28.0	34.5
22 May 1998	Northern Ireland	Do you support the Good Friday Agreement?	Yes: 71.1 No: 28.9	81.1
4 November 2004	North East England	Should there be a regional Assembly for the North East?	No:77.9 Yes: 22.1	47.8
3 March 2011	Wales	Should the Welsh Assembly have more powers?	Yes: 63.5 No: 36.5	35.4
5 May 2011	UK	Should AV be used for elections to House of Commons?	No: 67.9 Yes: 32.1	42.0

Note: The referendum on Scottish devolution in March 1979 included a requirement that any ‘Yes’ vote would need to comprise at least 40 per cent of the eligible electorate in order to be accepted. The ‘Yes’ vote was therefore not carried.

One obvious pattern from past experience is that referendums give rise to further referendums. The 1979 referendums on Scottish and Welsh devolution were both revisited within 20 years. The initial Welsh devolution settlement, adopted after the 1997 referendum, was also revisited earlier this year, when a fresh referendum resulted in the Welsh Assembly being granted additional powers. In a very different way, the referendum on establishing a Scottish Parliament in 1997 has by no means ended the debate about Scottish independence. Following the remarkable victory of the SNP in Thursday’s elections, a referendum on Scottish independence now looks to be on the cards.

Likewise, while the decisive ‘no’ vote on establishing a North East Regional Assembly in 2004 put paid to New Labour’s plans for devolution to the English regions, it has left a legacy of demands for an English Parliament or for Scottish, Welsh and Northern Irish MPs to be prevented from voting in the Commons on ‘English-only’ matters.

Debates about electoral reform will prove no different. As a [Democratic Audit report](#) published last week argued, the UK’s current electoral system has been malfunctioning for decades. Perfectly suited to a two-party system, there is near-universal consensus among political scientists that ‘first-past-the-post’ no longer works as it should. Seven of the largest eight political parties in Great Britain advocated some form of electoral reform in their 2010 General Election manifesto – with only the Conservatives clearly committed to retaining the current system.

Unless we somehow revert back to the two-party politics of the 1950s, the issue of electoral reform will continue to rear its head in UK politics in the the years to come. All that has really happened in 2011 is that the Alternative Vote (AV) has been eliminated from further consideration – for which we should probably all be grateful.

