



**The Design and Use of Referendums**  
**An International IDEA Working Paper**

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This Working Paper is part of a process of debate and does not necessarily represent a policy position of International IDEA. Comments and input in its content are welcome and should be sent to Virginia Beramendi Heine at [v.beramendi-heine@idea.int](mailto:v.beramendi-heine@idea.int)

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## **Part I**                      **IDEA's work on referendums and direct democracy**

The use of referendums and initiatives has increased dramatically in recent years, both in the number of countries employing such devices and in the number of issues being put to a direct vote. These trends have occurred at least partly in response to a growing sense of dissatisfaction with democratic performance in many countries, and with a decline in participation in democratic elections in some countries. At the same time, knowledge about different approaches to the design and implementation of what is undoubtedly a very powerful element of institutional framework design is limited, with deeply held positions about the desirability or otherwise of the principle of referendums obscuring informed consideration of how direct and representative democracy can reinforce each other to produce stronger and more credible democratic institutions. International IDEA has launched a project to investigate the use of direct democracy in a global context and to produce user-friendly tools to provide practical advice and assistance to those involved in the design of institutional frameworks.

IDEA's work on direct democracy considers whether, when and how the use of direct democracy mechanisms is appropriate to enhance democratic systems. By involving voters directly in decision making processes, does the use of direct democracy increase voter participation? Does allowing voters the opportunity to initiate their own laws and to vote on others increase their satisfaction that political outcomes more accurately reflect their preferences? Does direct democracy reduce dissatisfaction with elected representatives, and does the existence of direct democracy mechanisms act as a discipline on the behaviour of the winners of elections? Criteria by which the success of direct democracy as a component of a democratic system might be judged include levels of participation and engagement, or levels of satisfaction with the democratic system.

The IDEA project focuses on the three main direct democracy mechanisms:

- Referendums:
  - Allowing the electorate a direct vote on a specific political, constitutional or legislative issue.
- Citizen initiatives:
  - Allowing the electorate to vote on a constitutional or legislative measure proposed by the people if the proponents of the measure gather enough signatures in support of it.
- Recall:
  - Allowing the electorate a recall vote on whether to end the term of office of an elected representative if enough signatures in support of a recall vote are collected.

A more detailed classification of direct democracy instruments is contained in Annex 1.

IDEA is assembling and analysing comparative experience of the practice of direct democracy, complementing inputs from IDEA's expert group on direct democracy with experiences and case studies gathered from different regions of the world. This process began at the Asia Pacific Seminar on Direct Democracy held in Fukuoka, Japan, in July 2006. This session of the ACEEEO Conference will enable further valuable input.

This role of this paper is to outline the different alternatives available to countries which incorporate the referendum mechanism into their political and institutional framework, and to look at the impacts of these alternatives on the overall manner in which an institutional framework functions.

## **Part 2                      Options when adopting the referendum mechanism**

### **Introduction**

'Referendum' is the term given to a direct vote on a specific issue, in contrast with votes cast at elections, which are made in relation to parties or individual candidates and generally reflect voters' preferences over a range of different issues. Referendums may be held in relation to particular circumstances (e.g., to amend a country's constitution) or in relation to particular political issues (e.g., whether or not to join an international organisation) but are in general held in relation to issues of major political significance.

The terms used to define referendums may differ in different countries. A glossary of common terms relating to direct democracy is attached as Annex 2.

### **Arguments for and against referendums**

Several arguments are advanced in support of and in opposition to referendums.

*Supporters* of the use of referendums argue that, in the context of increasing voter apathy and disenchantment with traditional forms of democracy, direct democracy can help to re-engage voters with politics and democracy. Another argument advanced in favour of referendums is that they can be used to resolve political problems, particularly for incumbent governments; where a governing party is divided over an issue, holding a referendum can help reach a solution on the issue without splitting the party. Examples of this are the 1975 UK referendum on whether the UK should remain in the European Community, an issue over which the ruling Labour government was deeply divided, and Sweden's 1980 referendum on nuclear power, where partner parties in the government coalition supported different options.

There are also a number of arguments made *against* the use of referendums. One is that it weakens representative government by undermining the role and importance of elected representatives. Another is that voters do not always have the capacity or information to make informed decisions about the issue at stake, and instead may make ill-informed decisions based on partial knowledge or on the basis of unrelated factors such as the economy or their support for the government. This trend may be exacerbated in the case of referendums on complex issues such as constitutional change or international treaties, with which voters are likely to be unfamiliar.

Opponents of referendums also argue that, if the executive has the power to determine when referendums are held, they can be used as a political tool to suit the needs of the governing party rather than in the interests of

democracy. They also claim that, since in many countries turnout at referendums is lower than at national elections, the argument that referendums increase the legitimacy of political decisions does not stand up. However, in Switzerland, where several referendums take place each year, the average turnout at referendums of 45% appears to mask a considerably greater willingness by the electorate to participate in direct democracy, with different people participating in the different votes that interest them.

## **Types of referendum**

### ***When is a referendum mandatory, and when is there an option to hold a referendum?***

#### *Mandatory referendum*

A mandatory referendum is a referendum that must be held in certain circumstances, or in relation to certain issues. The outcome of a mandatory referendum is usually binding.

Mandatory referendums may be required in relation to pre-determined issues. Typically, these are issues of major national significance, for example joining a supra-national organisation (as in Switzerland). In addition, in many countries, proposed amendments to the constitution must be affirmed by a referendum.

Alternatively, mandatory referendums may be required in pre-determined situations. One example is in a presidential system, where in the case of disagreement between the president and the legislature, a referendum may be required to resolve the dispute.

The requirement for mandatory referendums is usually specified in a country's constitution or other law.

#### *Optional referendum*

The second category of referendum is the optional referendum. These are referendums which do not by law have to be held, but can be initiated by the government, and in some cases by other parties. Optional referendums may or may not be binding.

A government can decide to initiate a referendum on a major political issue. It might do so because public pressure for a referendum forces it to hold one, or it might choose to hold a referendum because it is divided on the issue at hand. Optional referendums initiated by the government have been held frequently in Europe on the issue of European Union integration (although in some cases, such referendums have been mandatory because they involve an amendment to a country's constitution). These referendums may not be legally binding, although it may be politically difficult for a government to ignore the outcome.

In addition, in some countries, the legislature, or a legislative minority, may also be able to call a referendum.

Further types of optional referendum are the *rejective referendum* and the *abrogative referendum*. A rejective referendum is held when citizens force a vote on a piece of new law passed by the legislature, usually by collecting a certain number of signatures in support of a vote (see the companion paper in this series on citizen initiatives). The abrogative referendum, used in Italy, is a rarer procedure, in which citizens can force a vote on existing legislation. If the law is defeated in the referendum, its repeal or amendment may be required.

### ***Will the referendum be binding or consultative?***

The status of a referendum needs to be clear from the outset. Are the President and government bound by the result of the referendum, or is it purely consultative and advisory? To avoid uncertainty, which can reduce the legitimacy and validity of the referendum, the answer to this question needs to be clearly stated within the referendum law.

It may not be in a government's interest for the referendum law to state that the outcome of a referendum is binding, since this means that it has no room for manoeuvre in the event that the outcome of the referendum is not the outcome that it supports. However, it may be difficult for a government to ignore the outcome of a referendum in practice, even if the referendum is technically only advisory. Politically, it might be very unwise for a government to be seen to go against the wishes of the majority of the electorate even if it wants to. These issues should be given full consideration when designing the referendum mechanism.

### **Key issues in referendum design**

#### *When will the referendum be used?*

It is important that the relevant legislation makes it clear when referendums can be held and who can initiate them. In some countries, for example the United Kingdom, referendums are held only when the government chooses to initiate a referendum on a given subject. This can lead to accusations that the referendum is a political tool for the government, rather than a voice of the people.

In other countries, the circumstances in which a referendum can be held are clearly prescribed in the constitution or relevant legislation. Australia, Ireland, Switzerland, Taiwan and Uruguay are examples. Referendums may be held in relation to specifically defined subjects or situations: certain subjects and situations may also be specifically excluded from being the subject of a referendum.

#### *Subjects and situations in which a referendum may be held*

The legislation designing the framework for the referendum should specify which, if any, topics will be subject to the referendum mechanism. In Australia and the Republic of Ireland, for example, constitutional change is automatically put to a referendum vote, because the constitution cannot be amended without an affirmative referendum vote. In others, issues such as international treaties or supranational organisations are legally required to be the subject of a referendum.

The subjects on which referendums are held broadly varies in different parts of the world. In most of Europe and in Australia, referendums are generally held in relation to issues of major political or constitutional significance (e.g., European integration), and referendums on more day to day policy issues are rarer. In contrast, in Latin America and the United States, referendums are more commonly held in relation to internal political issues. Referendums have been held in Latin America on subjects as diverse as: the constitutional system; constitutional reform; political amnesty; and the privatisation of state industries.

Referendums may also be held in certain specified circumstances. In a presidential system, the referendum may be a useful tool if there is deadlock between the President and Congress; allowing the people a vote in a referendum may provide a less controversial way of resolving the dispute.

In other countries, such as Italy, Switzerland and Uruguay, referendums are held if signatures are collected from enough voters to force a vote on a particular issue. This procedure may be used in relation to existing or recently passed legislation, in which case it effectively allows voters the opportunity to veto a piece of legislation they do not agree with.

### Exclusions

Certain subjects may be constitutionally or legally excluded from being the subject of a referendum. In Uruguay, the referendum cannot be used in relation to laws concerning fiscal policy or laws applicable to the executive power (e.g. pension laws for civil servants). In countries where there has been a recent political transition, certain sensitive subjects might also be excluded from the referendum mechanism. In Colombia, for example, the issue of amnesty (as well as the issue of taxation) is excluded from being the subject of referendums.

When preparing referendum laws, it is important that, if restrictions on the use of the referendum are to be imposed, policy makers drafting the law should be able to justify the basis for the exclusions.

### Is a simple majority enough?

It is important that the design process gives due consideration to the threshold of support and/or participation that is required for a referendum to pass. One option is that achieving a simple majority of the voters who turn out to vote is enough for a referendum to pass. Alternatives include



imposing minimum participation thresholds or requirements for double or super majorities.

### Participation thresholds

Imposing a participation threshold requires means that the outcome of a referendum is only valid if there is a minimum specified turnout. Therefore, if a referendum is required to achieve a turnout of 40% in order for the outcome to be valid, but only achieves turnout of 33%, the result of the referendum is not implemented, and it will not be binding either way.

An argument in favour of participation thresholds is that they prevent a small minority of voters from imposing their will on the democratic process. If, for example, a referendum achieves a 52% yes vote on a turnout of 50%, this means that around only a quarter of voters have actually registered their support for the referendum; yet in the absence of a turnout quorum, the views of this quarter will determine the outcome of the referendum. Imposing a turnout requirement of, say 75%, of the electorate would ensure that a yes vote achieve the support of at least a third of registered voters.

However, opponents of participation thresholds argue that they are inherently unfair, in that they effectively categorise abstention as a no vote. In addition, imposing such imposing thresholds is only workable if the register of voters is accurate and up to date. Using a participation threshold in a country where the register is inaccurate would mean that the participation threshold is wrong relative to the number of voters who actually exist. If, for example, a country's electoral register includes the names of 10 million people, 5% of whom are 'missing' voters who do not actually exist, and a participation threshold of 40% is in place, it will be harder to achieve the 4m votes required, since there are only actually 9.5m voters.

The use of the referendum in Colombia is subject to a participation threshold of 25%. Fifteen questions concerning government spending and wages and measures to reduce corruption were put to voters in October 2003. However, all fifteen measures were defeated because none achieved the level of turnout required for the referendum to be valid. Some experts have suggested this is because many of the people on the Colombian electoral register are either no longer alive, or are migrants who have left the country and are no longer resident to vote.

### Extra majority requirements

Another possibility, whether combined with a turnout quorum or not, is to impose extra majority requirements for a referendum to pass. Instead of a referendum passing if a simple majority vote yes, a majority for passage may be required in a certain proportion of regions, or a majority of a certain percentage of turnout may be required. In Australia, for example,

not only must a referendum achieve an overall majority, it must also achieve a majority in at least four of the six Australian states.

### **Key issues relating to the administration of a referendum**

A number of issues arise in regard to the politics, administration and logistics of holding a referendum.

#### *Rejective and abrogative referendums: signature collection*

In order for a rejective or abrogative referendum to be held, a specified number of signatures will be required on a citizens' demand. This number is important: if set too low, frivolous use could result, if set too high, the referendum instrument may in practice rarely or never be used. The process of signature gathering may be regulated, for example through restrictions on the time period to gather signatures, or on payments to signature collectors. Clear mechanisms for the validation of the signatures on a proposal for a referendum are important. After the proposal has been validated, who decides the date of the referendum is also significant: if a government or other body which may find the referendum or its possible result inconvenient has too much discretion over the date, it may delay for possible advantage.

#### *Combination of polls*

When a referendum is held, it must be decided whether or not it is to be combined with another poll (e.g., an ordinary general election), or whether the referendum is to be held separately. It is sometimes argued that combining polls can increase the risk that voters will confuse separate issues (e.g., the performance of the incumbent government can be confused with the issue on which the referendum is being held). However, from an administrative point of view, it may be more cost effective to hold a referendum at the same time as an election

#### *The referendum question*

One of the most important issues is the drafting of the referendum question. Research by experts has shown that the way the question is phrased can have significant implications for how people vote. Therefore, those campaigning for and against the referendum will have an interest in how the question is worded, since even a slight change to the question might affect how voters cast their votes at the referendum.

Different organisations may have responsibility for determining the referendum question. The Electoral Management Body (EMB) might be a sensible option if it is perceived to be neutral in the referendum debate; its first responsibility would be to ensure that the referendum question is intelligible to voters, rather than to try to encourage voters to vote a particular way. Alternatively, the government may assume responsibility for drafting the referendum question. However, if the government supports a specific outcome to the referendum, it may try to deliberately

phrase the question so as to encourage people to vote a certain way. Even if it does not attempt to do so, opponents of the government's position might *perceive* that it is deliberately trying to load the question, which could undermine the legitimacy of the referendum.

One solution to this potential problem is to allow the government to draft the question, but provide for an independent organisation, for example the EMB or Referendum Commission, to provide a neutral oversight of the question drafting process. In the UK the government is responsible for drafting referendum questions, but the independent Electoral Commission is required to publicly comment on the intelligibility of the questions. The Commission has made public a set of criteria by which it will do so, see. Although the government is not required to take note of the Commission's views, it would be politically difficult for it to disregard the Commission's comments if they were very critical.

To view the UK Electoral Commission's guidelines on referendum questions, click on <http://www.electoralcommission.org.uk/templates/search/document.cfm/8644>

A further alternative might be to try to seek agreement on the question between the main referendum campaigners. This might be extremely difficult (if not impossible) and potentially time consuming.

However the question is drafted and regardless of who it is drafted by, it is important that the *process* for designing the question is clear, and is adhered to. Confusion over the responsibility and process for designing the referendum will undermine acceptance and legitimacy of the referendum question and whole referendum process.

### *The referendum campaign*

There are several different models of regulating referendum campaigns. Some countries choose not to impose any controls at all, preferring to leave the campaign and campaigners unregulated. In other countries, financial and other controls are imposed on any individual or organisation which wishes to participate in the campaign.

Consideration of how, if at all, to regulate the campaign is important because providing a framework for open debate is crucial to the conduct of a free and fair campaign and referendum. However, the interpretation of what a fair campaign is differs. Does a 'fair' campaign mean an equal campaign, in which both sides have equal resources to spend to promote their case? Is a fair campaign one in which each side of the campaign has a minimum equal level of funding but is also able to fund-raise and spend private contributions? Or does a fair campaign mean leaving campaigners unchecked to spend any money made available to them, as dictated by the level of support for each side of the campaign?

### Registration of campaigners

In some countries, such as Canada, organisations and individuals that wish to campaign for or against a certain outcome at the referendum are required to register their intention to do so. This is to ensure that campaigners comply with controls imposed to ensure a fair referendum campaign. When designing a framework for regulating the campaign, policy makers will need to decide whether or not to make registration of campaigners a feature of the framework.

### Financial controls on campaigners

Whether or not campaigners are required to register, certain controls may be imposed on any individual or organisation campaigning for an outcome at the referendum. One such control may be to require any campaign advertisements and material to bear the name and address of the organisation that published it, in order to ensure that the public are aware of whom campaign material is published by. This control applies in Australia and the UK.

Many countries impose financial controls on campaigners; either limiting the amount of money that can be spent on campaigning, or restricting the level or sources of private contributions that can be accepted for the purpose of the referendum campaign; in addition, disclosure of expenditure and contributions may be required after the referendum. In Canada, for example, the amount that registered referendum committees can spend is limited, and financial contributions can only be accepted from Canadian sources. In the UK, disclosure of both expenditure and contributions is mandatory after the referendum. In Colombia, expenditure controls apply and campaign accounts must be published after the poll.

In contrast, at the Swedish referendum in 2003 on whether to join the Euro, there were no controls restricting the amount of money that could be spent by campaign groups. In the US, campaign expenditure controls have frequently been ruled unconstitutional by the courts, on the basis that they are a restriction on freedom of speech. Therefore although some polls at federal and state level are subject to contribution and/or disclosure controls, some referendums are held at state level without any financial controls being imposed.

If financial, contribution or disclosure thresholds are to be imposed, consideration must be given to the levels at which these should be set. If similar controls are imposed for routine elections, these might provide a useful comparative. A further important aspect to consider is the practicality of the controls: how will they be implemented and monitored?

### Provision of public assistance

To ensure a minimum level of campaigning for each outcome to the referendum, many countries provide grants and other assistance to

selected campaign organisations. Depending on the number of campaign organisations that exist, it is unlikely (although not impossible) that all campaign groups will receive public assistance to run their campaigns. Countries can choose to recognise and provide assistance to a single umbrella campaign group campaigning for each outcome (such as Australia and the UK), or otherwise select organisations on the basis of being representative of the outcome for which they are campaigning.

Public assistance might be provided in different forms. In some countries, cash grants are provided. This might be in the form of an equal level of funding made available to all sides of the campaign. In the US, the fact that opposing campaign groups often have access to significantly different levels of resources has led to debate about how public assistance might most usefully be allocated. One proposed solution is to ensure that the one side of the campaign never spends more than a fixed proportion of total campaign spending, by providing subsidies to the poorer campaign the more the better-resourced campaign spends. Other proposals to remedy the problem – if, indeed, it is perceived as one – include providing forms of non-cash assistance.

Non-cash assistance might include the provision of free radio and television broadcast time, freepost facilities or free use public meeting rooms. In Colombia, the media are required to give broadcast time to the yes, no and abstention campaigns. Alternatively, the state may offer incentives to firms that assist campaigners, e.g. by providing tax-breaks to media outlets that allow campaigners to print or broadcast their arguments.

If public assistance is to be provided to campaign groups, the terms on which it is provided must be clearly defined. These terms include:

- who is eligible to public assistance;
- how much public assistance is available;
- what conditions must be met in order for public assistance to be provided;
- whether public assistance can be withdrawn.

### Voter education

Whilst referendum campaigners may provide useful information to voters, it is important to consider the need for a source of unbiased and non-partisan information. An important role of information is to facilitate debate and discussion about the referendum proposal, thereby providing voters with as much assistance as possible in reaching their voting decisions. However, many voters may be more inclined to trust arguments presented by organisations which are not campaigning for a certain outcome.

There are different approaches to the provision of non-partisan information. In a number of US states, for example Oregon, the state government is responsible for publishing an information pamphlet, which

many voters cite as their prime source of information in reaching a decision on how to vote. The pamphlet usually contains an article from yes and no campaigners, and may also contain an independent analysis of the proposition by the government. In other countries, the government's information department might run information campaigns, such as distributing leaflets or running broadcasts.

In the Republic of Ireland, the independent Referendum Commission is responsible for running an information campaign that explains the subject of the referendum and sets out arguments for and against the referendum proposal. The Commission is required to disseminate this information as widely as possible, and promote and facilitate debate at the referendum. At the 1999 Australian referendum on the monarchy, the government established a group of experts to direct a neutral public education campaign, giving the group a substantial budget in order to fund its operations.

If the government does agree to fund a non-partisan information campaign, there are various different mediums through which the campaign could be run. In many countries, an information booklet is delivered to every household or registered voter. In others, television and radio broadcasts might be used. In terms of encouraging people to vote, billboard and poster adverts can be used to convey shorter messages to the public.

### *Role of the government*

An issue related to both the regulation of the campaign and voter education is the role of the government in the campaign. If the government supports a certain outcome to the referendum and is permitted to campaign for it, the considerable resources available to it may mean that the campaign is weighted disproportionately in favour of the outcome that the government supports. It may be difficult to legislate on or regulate the activities of the government to prevent them from campaigning, although in the Republic of Ireland, the government is prevented from campaigning by a judicial decision, and in Australia, referendum legislation strictly limits the money that the government can spend on campaigning for the yes or no side to the cost of funding public information campaigns and official campaign organisations. When framing the legislation, it is important that consideration is given as to the role of the government in the campaign.

Even if the government does not actively campaign for an outcome, it may still wish to provide information about the issue (see the voter education section above). At the UK referendum on EU membership in 1975, in addition to the yes and no campaigners sending a leaflet to every household free of charge, the government also distributed a leaflet setting out its views. A government might also choose to run a government broadcast, which raises the issue of whether opposition parties should also be able to run broadcasts.

### Role of the media

Where the media is state-controlled, it may simply follow the government line on a referendum issue. However, in a country with free media, it may be politically difficult to implement controls to regulate press reporting during the campaign period. The appointment of an independent regulator could be a possibility, or the adoption of a self-regulatory system introduced to ensure accurate and fair reporting of the referendum issue in the press.

## **Part 3: Direct, representative and deliberative democracy**

### **Use of direct democracy**

The use of direct democracy is often contrasted with the wider use of representative democracy. Under representative democracy, voters choose which candidates and parties they want to elect to make decisions on their behalf. Conversely, when direct democracy is used, citizens are able to decide themselves about specific issues and do not delegate the decision making process to their representatives. For example, in referendums voters rather than their elected representatives make decisions about constitutional or policy issues; when using citizen initiatives, voters can actually seek to introduce constitutional or legislative measures themselves. The recall tool provides voters with a mechanism by which they can replace their elected representatives if they are not satisfied with their performance or with the decisions that have been taken on their behalf.

### **Impact on representative democracy**

Critics of direct democracy argue that it weakens representative democracy by undermining the role and importance of elected representatives. Since it is unlikely that any democratic system will ever be purely direct, weakening elected representatives has a negative effect on the democratic system. However, supporters of the use of referendums argue that, in the context of increasing voter apathy and disenchantment with traditional forms of democracy, direct democracy can help to re-engage voters with politics and democracy. It is also argued that direct democracy acts as a useful discipline on the behaviour of elected representatives, ensuring that they fully consider the likely views of voters when taking decisions on their behalf.

Frequent use of referendums can act to create precedents, even where the result of a referendum is non-binding. Once a referendum has been conducted on a particular type of issue, it can be difficult to avoid holding a referendum when a similar type of issue arises in the future. However, supporters of the use of referendums maintain that, in the context of increasing voter apathy and disenchantment, direct democracy can help to re-engage voters in the democratic political process. It is also argued that direct democracy can act as a useful discipline on the behaviour of elected representatives, ensuring that they fully consider the views of voters when taking decisions on their behalf, and that there will thus be a greater correspondence between the views of citizens and the decisions of their representatives.

Referendums can also provide greater transparency in political decision making, but there is also a risk that in some circumstances they might promote conflicts that could otherwise be avoided or managed. Criteria by which the success of direct democracy as a component of a democratic system might be judged include levels of participation and engagement, or levels of citizen satisfaction with the democratic system. Many advocates



of direct democracy argue that greater use of initiatives and referendums can help to engage citizens in the democratic process in ways that elections often do not.

However, direct democracy does not in itself guarantee greater citizen participation or engagement. Global evidence suggests that while some referendums (for example the sovereignty referendums in Québec and the EU accession referendums in Norway) attract voter turnout which is higher even than in general elections, it is more common for turnout in referendums to be somewhat lower than in general elections. Thus, while voter turnout and the quality of citizen participation in many referendums is quite comparable to that found in national elections, in other instances it may fall short of expectations. In other words, *both* representative and direct democracy can suffer from problems of voter apathy under certain circumstances.

### **Deliberative democracy**

Deliberative democracy is an attractive concept, under which citizens make political choices freely, following extensive debate and discussion regarding the implications and consequences of those choices, both for themselves as individuals and for the society as a whole. A deliberative democratic polity demands far more of its citizens than merely voting to “throw the rascals out” in an election and installing a new set of rulers. It promotes rational, carefully considered, well informed political decisions, respectful of the opinions of others, made in an environment free of coercion, deception, or invective. Under such an ideal model, citizens would be far more positively disposed towards their institutions and processes of governance, because they would be more fully engaged in these. Leaders in turn would be more confident that they enjoyed broad public support, because the basis for making sometimes difficult and complex political decisions would be more transparent and legitimate.

The use of referendums may easily be imagined as an integral part of a deliberative model of democracy. However, initial analysis for IDEA’s project suggests that the operation of the political process in practice means that there is perhaps not a great deal of reason to believe that the institutions of direct democracy as they presently exist can be adjusted to create a genuinely more deliberative kind of environment. Political actors have their own particular interests and usually seek to make decisions in a way that furthers or at least does not disadvantage those interests. In practice, some referendums have done a better job than others in providing citizens with the opportunity to deliberate important public issues. The challenge is to find approaches to design which make hearing the voice of the electorate more compatible with accepting the real world pressures on the direct democracy process.