Hello and Welcome to *Taking the Party out of Politics*!

This is a podcast about understanding how politics is supposed to work, …
… why it isn't working as well as it could be working, …
… and what we might be able to do about it.

Because:
by understanding a little bit more clearly *how* things are supposed to work,
and *why* they are a bit messed up,
we *might* be able to get things to work a *bit better*. Perhaps even a *lot better*.

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This is a little journey we are taking together, about the systems and functioning of Politics:
systems which we should all understand, because those systems affect all of our lives, all of the time.
And this podcast is about how we might be able to make those systems work a bit better.

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In Season 1, we took a look at how government is supposed to work, from the perspective of us – the voters.
In Season 2, we took a look at how government is supposed to work, from the perspective of someone trying to get elected, and then trying to do a good job.
Looking ahead, in Season 3, we will be looking at what we might be able to do, to make things work a bit better. Importantly, when we get to Season 3, we will be sharing our ideas, but also sharing some of the best of YOUR ideas, about how to make things work a bit better.

Welcome to the fourth episode of our mini-series, looking at people, organisations, and issues which fall outside the established (party) political systems. We are looking at how some of those people and organisations are seeking to influence what happens in this country, and in the world more generally – in other words, seeking to affect our lives for the better (but – not necessarily – bothered about party politics). And, we will be looking at some of the issues which currently aren't being addressed successfully by our political party dominated system of politics.

Today will be the first of three short episodes in conversation with Professor Anand Menon, from Kings College London. Today we're going to look at Referendums.

Referendums are in the news a lot more now than they used to be. There was the referendum over the UK leaving the EU, back in 2016 – and later on we will look a little bit more about how that worked, and perhaps how it didn't work successfully, whether you voted Leave or Remain – but there have been others, too. Before that, there was the other referendum about membership of the EU, in 1975, (curiously enough, that was actually a bit like the 2016 referendum, because the [UK had already been a member of the EEC](#) for over 2 years; even though some people think that the 1975 referendum was about joining the [EEC (the predecessor of the EU),](#) it was actually about continuing to be a member of the EEC, even way back then). There was a referendum which almost no one noticed in 2011 (the turnout was only just over 40%), about changes in the way in which the UK voting

system might have worked. Those are the only three national referendums which have ever been held.

But there have been others, on more regional or local issues. One that is in the news at the moment is the plan from the Scottish government to have another referendum on Scottish Independence, possibly towards the end of 2022. This follows other referendums on Scottish independence, including the last one back in 2014 (when the result was a vote that Scotland should not be independent of the United Kingdom).

So, what are we going to look at today? Briefly, the idea is to look at what is referred to as the Brexit referendum of 2016, as a way of understanding more about how referendums work, and some reasons why they might not work in the way that they are intended.

We are going to look at:

- **Why we had a referendum to leave the EU**
- **Whether referendums are more about judging what the people think, or more about managing the internal arguments within the political parties**
- **What the legal status of the result of a referendum is**
- **How you set up a referendum, and what question – or questions – you should ask.**

But first – and for the pedants amongst us, perhaps most importantly – is it **referendums or referenda**? What is the proper plural, if we have more than one *referendum*.

In the end, the answer is partly down to personal preference, and partly down to a little bit of logic. Both forms are used by many different people. People who say *referenda* are just trying to be accurate, taking the logical argument that the plural of a Latin noun which ends in *-um* is a plural Latin noun ending in *-a*. However! However, however, however … *referendum* isn't technically a Latin noun – it's what is called a gerund, if you want to be picky about the grammar. And as a Latin gerund, *referendum* has no (Latin) plural. If you take what is called the 'Latin plural gerundive' *referenda*, then that actually means '**things** to be referred'[1]. In other words, it is the things which are plural, not the processes (or holding a referendum) which are plural. So, if we are using *referendum* to refer to 'the process of asking the population of a country a single question' (and that is what we are doing – each referendum is asking a single question) then if we have several of these processes then it is the English word (taken from Latin) *referendum* which we should make plural in the English way – to add an *s* on the end. So, it's *referendums*.

I know. It's not really that important. But it is kind of satisfying to have a clear answer, sometimes. It's actually more correct to use the simple, straightforward, easily understood form. Not the rather too clever form, sort of showing off that you did a bit of Latin at school. *Referendums*.

Anyway, now that we have the unimportant bit out of the way, let's have a look at what referendums actually are, and how they work. Or don't work.

To help to guide us through this, we are joined today by Professor Anand Menon

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[1] https://forum.wordreference.com/threads/referendums-or-referenda.292946/

Prof Menon: Hi, my name is Anand Menon. I'm a professor in European politics at King's College London and I run something called *The UK in a Changing Europe*.

And what does that do?

Prof Menon: *The UK in a Changing Europe*. It's a weird thing. We're funded by the National Research Council, not specifically to do research, but to tell non academics what the research says.

And that is research about … ?

Prof Menon: Research broadly connected to Brexit, which was quite a clear remit during the referendum and immediately after the referendum, while we were negotiating Brexit.
Now, as it's both Brexit and its ramifications, it goes a hell of a lot wider to everything, including levelling up the state of devolution and global Britain.

Well, let's start with something simple:

Why did we have a referendum to leave the EU?

Prof Menon: The government held a referendum in 2016, largely because there were structural problems that people like George Osborne was concerned about. Like the role of Member States that weren't in the euro within the EU, he was worried we were being side-lined.
But the clear reason the clear big political reason why we held a referendum was: way back in 2013 we witnessed the sight of Conservative MPs defecting from the party and joining Ukip, whose policy platform was to cut immigration and leave the European Union as a way to do it. That put enormous pressure on the Prime Minister, David Cameron, who then saw UKIP win the European Parliament elections of 2014 and the offer he made in this famous Bloomberg speech of January 2013 to hold a referendum on membership was intended as a way of staving off that challenge from that side of his political party.

OK. Members of Parliament from the Conservative Party defecting to UKIP.
How many Conservative MPs were defecting?

Prof Menon: Only two, there were lots of rumours that there would be more.
And David Cameron, I suspect, would argue if we asked him now that the fact of saying he would have a referendum prevented more from following.

OK. Is it fair to say then that the referendum was held for the purposes of holding the Conservative Party together?

Prof Menon: Yeah, I think that was the major driving reason why we had, I mean.
The idea of a referendum had been on the agenda. I think the Greens had it on one of their manifestos, perhaps in 2015.

I think the Liberal Democrats had it on their manifesto in 2010. If I remember rightly. So, there was this notion floating around for proponents of membership.

They wanted to have a referendum just to get rid of the debate once and for all to put an end to it.

But for Cameron, the major reason there's no doubt about it was internal party management of the Conservative Party.

Has a referendum ever been held (in the UK) for anything other than internal political party reasons?

OK, and for taking a step back from specifically the Brexit referendum for a moment to look at referendums in general, we said that the Brexit referendum was held for internal Conservative party reasons.

Is there an example you can think of a referendum which has not been held for internal political party reasons?

Prof Menon: No, but that's a function of our system, isn't it?
We don't have a very good sense about when and under what conditions and how referendums should be held, there are other countries like, say, Switzerland is the obvious example, where these things are written into the Constitution and you have pretty clear ideas as to what referendums are for and when they will be used.
Here it is very, very ad hoc, and you're absolutely right: if a Prime Minister calls a referendum, it's either because they see it as (being) in their interest to have a referendum, or because there's an issue that they want to get off their plate and avoid responsibility for.

Should the outcome of a referendum be advisory, or should it provide a mandate for government action – as was claimed after the 2016 Brexit referendum?

With that in mind.

What should the status of the outcome of a referendum be?

Words like *mandate* would are bandied about. It appears to be claimed that that the governments now *have to* follow the result of a referendum. In fact, are referendums binding in any way? Do they *force* the government to follow the outcome?

Or, should they perhaps be seen as advisory?

Prof Menon: I think they should be seen as advisory, i*f* the government sells them as advisory.
I don't think you can have a situation where a government, as they did in 2016, says: "Your decision is final. We will act on what you decide. This is a once in a lifetime chance to vote. "
I don't think you can have that sort of referendum, see the result go the way you didn't want it to go, and then turn around and say this has no legal force. Strictly speaking, it had no legal force, but I think once you've said you're going to act on it, it would be invidious for Parliament to turn around and say: "Actually, you know what? You've got it wrong."

OK, I can see that. Certainly, if that's if those are the agreed ground rules in advance, then absolutely. You can't change the rules once you have started.

That would be like setting rules for the way the country should behave during – say – lockdown, and then not abiding by those rules yourself. Absolutely; you can't change the rules once you have started, just to suit yourself.

Should the referendum have been set up with different parameters?

However – and I hope you will forgive me if I continue to press this point a little – given that it was a big change, and still is a big change; one we're still going through.

Might it have been sensible to have set up the parameters other than a simple majority for a large change just from the outside in any decision?

It would seem that a small majority (just over 51% against just under 49%) in favor of a really large change is probably the worst of all possible worlds.

Had it been 75% in favour of leaving (or, perhaps indeed, 75% in favour of remaining), perhaps things would have been clearer in the wake of the referendum.

I think that what I am curious about here is the legacy of the referendum; the echoes of the campaigns, the two sides, carrying on throughout our country

This legacy, these echoes of the campaigns are important because it has been suggested that people in the UK might now be more attached to whether they were a *Leave* or a *Remain* voter, than to whether they are a Labour party supporter or a Conservative party supporter – or indeed a supporter of any other party.

Prof Menon: Indeed, what all the survey evidence suggests is that there still is more people have a Brexit identity now than a party-political identity in this country.
But the answer to your question, I think I would give is no.
I don't think you should have asked for a super majority for the simple reason that we didn't ask for a super majority in 1975 when we last voted, and I think that would have smacked off not being fair now.
As it turned out in 1975, the vote was 66/33, so if you'd said 2/3, you'd have squeaked over the line, but they didn't say 2/3.
And I think that the *Leave* campaigners would have had a fair point.
If they turned around and said "So, it's Simple majority to stay, but a Super majority to leave. How is that fair?"

OK, I can see that. If the result had been 60% in favour of leaving, but if the line had been drawn in advance, setting out that a 75% majority would have been required, then we would have remained in the EU, but with an imbalance in the country.

Prof Menon: Would have been a massively volatile political situation, apart from anything else.
I mean, if as I suggested, the ultimate rationale for having this referendum was political. The worst of all political worlds was to say we're going to have a 70% threshold, (the vote for) *Leave* polls at 60%, say. And we remain in (the EU), that would have led to a very unhappy country and a very unstable politics.

The Brexit referendum was a binary choice over a multiple-choice question

Prof Menon: But actually, the problem goes deeper than that, doesn't it?
Because we gave people a binary choice for what was essentially a multiple-choice question.
Because we said *Leave* or *Remain*, we emerged out of the referendum on the 24th of June 2016 and all of a sudden, *Leave* morphs into three or four different options.
And the fundamental problem in that sort of period that we all remember that mad period between 2016 and 2020 is that whilst there was a tiny majority for *Leave*, there was absolutely no majority for any particular variant of *Leave*, so if you put Remain, *Leave* with no deal, *Leave* with Theresa May's deal, *Leave* with a Norway deal, there was no majority, and that's why one of the reasons why this thing has haunted us.
It's one of the reasons why Parliament found it so difficult.
Parliament didn't struggle with Brexit for four years because they're rubbish or out of touch.
They struggled with Brexit for four years because they are an exact mirror representation of the divisions among the British people.

And that complexity, those many different versions of *Leave*, that's why we have people who voted *Leave* who say "This isn't what we voted for; this isn't the Brexit we voted for."

Prof Menon: Absolutely. On both sides of the divide.
(For example), I did a debate on the telly the other day with a former UKIP MEP who was saying that Boris Johnson has betrayed Brexit.

There was no way to hold either side of the referendum campaign responsible for the mistruths which were trumpeted during the campaign

Let's pick at that a little more. There is a sense that, just before the referendum, in the campaigning for the referendum, we had two sides that were campaigning, two sides that existed only for that campaign, and then both of them just melted away after the campaign.

As such, the implication of that is that, there was no long-term responsibility for anything that was said, for any of the mistruths, perhaps on both sides.

Should something have been set up which didn't make that possible?

Was that a hostage to fortune by creating two sides of a campaign, around neither of which there was a clear, long-term political party, standing on either side?

Both of the major political parties, all of the political parties, have their own internal divisions, not least over the Brexit issue. As a result, nobody took responsibility for being on one side or the other. And now, nobody seems to bear any responsibility for anything which was said or done, during the campaign.

Prof Menon: It clearly was a hostage to fortune, but almost an inevitable hostage to fortune in the sense that we tend to have referendums on issues that are different to the traditional left, right, division of our politics.
That's to say, on issues that fall neatly along the division between Labour and Conservatives.
That's what we have politics for. It can deal with it.
But precisely because Brexit cuts straight through both parties, so you have Conservative Remainers, Conservative Leavers, just as you have Labour Remainers and you have Labour Leavers.
It becomes very, very hard to deal with that in a parliamentary setting.
So actually, the reason why this became so messy is intimately linked to the reason why people felt we ought to have a referendum on it in the first place.

OK. Understood

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OK, well, for today, we're going to leave it there with Professor Menon, to try to retain our focus today simply on the process of holding the referendum, rather than on the wider question of our relationship with the EU, and how Brexit has worked out in practice. We'll come back to that later.

What have we learned, so far?

Well, the idea of asking the population of a country what they actually want on a single issue might seem like a good idea. Certainly, a general election is an incredibly blunt tool to use to assess what people actually think: whilst one party might win a majority in an election, and such-and-such an issue might have been part of that party's manifesto, it certainly doesn't mean that there is a majority of support for exactly that policy. It may just be that – on balance – that party was seen to be the most competent one, with the best overall portfolio of policies and promises. It wouldn't be fair to pick out just one. We have discussed this in some detail in Episode 6 *Smoke and Mirrors and Manifestos*.

But, at the same time, setting up a referendum isn't simple. There might be what seems to be a single issue, but in fact there are many different, related issues. We saw this with Brexit – even for those people who voted for Brexit, many, many of them (perhaps even most of them) are now saying 'this isn't the Brexit we voted for' … because there were many different options available, and a simple, single question allowed everyone to see what they believed they wanted, even though what they actually wanted might have been very different to what someone else wanted, even though they both voted Brexit.

And there are other problems, too. If the campaigning groups don't have a long-term purpose, and simply melt away once the referendum is over, then who can anyone turn to afterwards, to hold them responsible? And if there is no one to hold responsible AFTER the referendum, then how could we possibly be sure that they were going to behave (and campaign) responsibly DURING the referendum.

Certainly, involving the people of a country in thinking about politics more is probably a good thing. But merely to hold a referendum with a simple yes/no type vote, on what is being

presented as a single, binary choice – well, life isn't simple. And that's why other people are advocating things like Citizens' Assemblies (and that's in our episode 22!)

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Next time

Next time, on Taking the Party out of Politics, we are going to continue our conversation with Professor Menon, looking a little bit more about the relationship between the UK and the EU – both before the Brexit referendum, and now … now that the UK is no longer a member of the EU. How do we get on with our nearest neighbours, and with our largest international trading partner?

If you would like to have a look at transcripts of the podcast, including links to all of our sources and references, please go to www.talktogether.info, and follow the links to the Podcast from there. And, of course, if you would like to contact us – not least if you would like to share any ideas which you have about how we could make things better, or if there are any areas of how Politics is supposed to work, but why it isn't working – then please email us at any time on info@talktogether.info.

If you have enjoyed this podcast, then I hope that you will take the time to tell your friends. And perhaps you could also take a moment to give us a rating wherever you found us – that not only helps other people to find us; it also just really makes us feel appreciated. ☺

That would be great. Thank you.