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DEMOCRACY VS A SECOND REFERENDUM

GEORGIA BOLTON HEADS WHERE OTHERS FEAR TO TREAD... INTO THE BREXIT

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The Brexit referendum that took place on 23 June 2016 was implemented by the Prime Minister at the time, David Cameron. He was leader of the Conservative Liberal Democrat coalition in 2010. The Prime Minister was under great pressure from the UK Independence Party (UKIP) and Eurosceptics in his own party which led to Mr Cameron, in 2013, promising a referendum on the EU membership if the Conservative party won the 2015 election¹. This action was arguably taken in the belief that a win would negate the issue for future generations, particularly on the Conservative side of the Commons.

The result of the Brexit vote was a leave majority of 51.89%, compared to the 48.11% who voted to remain a member of the European Union.²

A second referendum has been widely campaigned for in response to the closeness of the vote and to subsequent difficulties in carrying out the mandate 'of the people'. Different people have different reasons why they support such an action, but it has been made clear that the main reason for this

campaign is the supposed ambiguity associated with enacting the leave majority in 2016. As stated by Caroline Lucas: "Brexit means Brexit" means nothing until we know what the terms of the deal will be.³ Many argue, on both sides, that the debate gets to the heart of our notions of what democracy is.

A democratic government was defined by Abraham Lincoln as a 'government of the people, by the people, for the people'. This is derived from the roots of the noun 'democracy'. It comes from the Greek and means 'rule by the (simple) people'. Its modern definition is a 'form of government, where a constitution guarantees basic civil rights, fair and free elections, and independent courts of law'. It could be argued that the most democratic action a government could take, on the basis of a conflation of these definitions, is giving the vote to the people. In the sense of a second Brexit referendum, it is argued that it would allow for people to vote on a future for Britain, with them being more aware of the consequences than they were in 2016.

The corollary of this would suggest the first referendum was undemocratic, due to voters not being aware of what they were voting for or the impact of leaving the EU. Since, over almost three years, Britons have lived with the short-term consequences of the leave majority experienced in 2016, it is believed that the electorate is now more educated and aware of the wider issues of leaving the EU, in reality, as opposed to a binary choice enacted on a ballot paper. This forms part of the basis for a democratic second referendum.

The debate regarding a second referendum as democratic is not limited to the information gap between government and the electorate but can also be related to the status of the vote held on 23 June 2016. This was technically an 'advisory referendum'. This means that legally 'government nor parliament have to do anything about the first referendum'.⁴

¹(The Economic Times, n.d.)

²(The UK in a Changing Europe, n.d.)

³(The Week, 2019)

⁴(Full Fact, 2016)

It is conducted in order for parliament to see where society is at on the matter being discussed, and legally nothing needs to be done about the result. However, from a political perspective it can be dealt with in many ways. One way, the method that is relevant here, is conducting a second referendum, also known as a confirmatory referendum. This is where the electorate is able to re-vote on the matter, now with supposed greater knowledge and understanding of the implications. It is believed that there was failure in duty by the government in not thinking through the implications of the original Brexit referendum, and is thought it can be amended by another referendum, with the electorate being more informed. Neither the government nor parliament is under any legal obligation to act on the original 'advisory referendum'. Therefore, one could argue the obvious means of deciding how they will respond is by a second confirmatory referendum; it would be arguably undemocratic to deny the electorate this.

That being said, it was never made wholly clear about the status of the first Brexit referendum, even politicians debated the issue though the result of 23 June was mandatory. Both leave and remain operations were campaigned as though the result would define the future relation of Britain with the European Union. As part of David Cameron's remain campaign, pro-EU leaflets were sent to every household in Britain, costing £9 million of taxpayers' money.

Within this leaflet, it clearly states 'This is your decision. The government will implement what you decide.'⁵ This strongly implies that this original referendum was more than purely advisory, it was a decision the government were going to respect and implement. This would therefore imply that the argument for a second referendum to be democratic due to its confirmatory status would be invalid. Britain's 'democratic' government should respect and act on the result of the 23 June vote. David Cameron believed that this vote was the vote which would decide Britain's relationship with the Union; this was illustrated when he stood down as Prime Minister when his campaign did not take the majority. The leave majority was obtained by the people, for the people. From definition, not acting upon this result would be undemocratic.

Legal and political technicalities aside, holding a second referendum would set a precedent for future votes of a similar nature. It would eliminate the integrity in the electorate's voice and would suggest that polls could be continuing to be held on the same matter until 'voters vote the 'right way'.⁶ People who are arguing for a second referendum are corrupting democracy. The United Kingdom's government could not continue to hold its status as democratic if this second vote is put through. It would deliver an alluded sense of democracy, providing a larger information gap between the electorate and those in power.

A referendum is 'a general vote by the electorate on a single political question which has been referred to them for a direct decision'.⁷ The result of the original Brexit referendum gave the direct decision. However, the second vote is still being discussed, and this definition of referendum could also be manipulated here, to suggest such a vote undemocratic. There is much ambiguity on the contents of this second referendum. The 2016 poll cards gave two options: 'leave/remain'.⁸ This allowed for a direct decision. On the contrary, the question in the second referendum is still unclear. It is believed that there are three obvious options to deal with the matter: 'Theresa May's deal, Brexit with no deal, or remaining in the EU after all'.⁹ These outcomes do not provide a binary decision. Holding a second referendum even with a binary choice would be arguably undemocratic; but holding a referendum with multiple outcomes is more than just undemocratic, it is questionably corrupt and fraudulent. It defies what is publicly understood about a referendum. Neither government nor parliament can change what is believed by a referendum in an attempt to again obtain the 'right vote'. Being undemocratic is not the largest risk a second referendum would run, it is how it would undermine democracy, and then the issue of when government must say no. The line would be invisible.

⁵(GOV.UK, 2016)

⁶(Green, 2016)

⁷(English Oxford Living Dictionaries, n.d.)

⁸(Open Learn, 2018)

⁹(Institute for Government, n.d.)

¹⁰(BBC.co.uk, 2005)



'LEGALLY GOVERNMENT NOR PARLIAMENT HAVE TO DO ANYTHING ABOUT THE FIRST REFERENDUM'

Over the last three years, the demographic of the electorate would have changed. Younger bodies of those able to vote would have increased in size, as the demographic would have shifted to more people being older than 18. It is known that the younger generation is, on average, more politically left than the older generation. Not only would there be more young in the electorate, there would also be fewer old. The political stance of the many in our current year would be different to that in 2016. Those old enough to vote in 2019 would have only been 15 in 2016, when the original Brexit referendum took place. On average, the 15-year-old is not politically aware, and therefore their vote in the supposed second referendum would be influenced by the short-term impacts of the original vote. There is no doubt that these implications have not shown the impact of Brexit in the best light, thus influencing the younger, more easily manipulated voters against seeing what would be best for Britain in the long run. Politics is always a short-term issue. Political parties are voted in for no longer than five years¹⁰, but this referendum was a generational matter. It would be unjust and undemocratic to allow people to vote on a long-term matter when their view would be clouded by the short-term impacts. The short-term and long-term of Brexit must be kept separate, and the long-term must be the basis of the decision for Brexit.

However, this change in demographic could be manipulated in support of a second referendum. It has been previously stated that Brexit is a long-term matter, with long-term impacts. This means that it would be the younger generation who will be impacted, and the most democratic action a government could take is giving this decision to the people it will affect. A democratic government is one for the people, by the people. The people who will be affected by Brexit are those who were unable to make the decision in 2016.

A democratic government, one ruled by the people, is what the United Kingdom government claims to be. The 51.89% majority experienced in 2016 suggests that the people want to leave the European Union. If the UK wish to continue its status as a democratic country it must respect this, and this was said in the campaign by both leave and remain.

Despite the arguments in support of a democratic second referendum, one must conclude such an action to be anything but this. It would set a precedent for future matters, taking the integrity from the electorate and start the corruption of the noun democracy. It would suggest that any matter of government could be repeated until the correct majority is reached, but also the opinion of those who can newly vote would be corrupted by the short term 'chaos' the un-exercised vote has suggested. This would result in a more uneducated and unaware electorate who would be voting for the short-term. Brexit is what the future of Britain is about, and this is what was originally voted for as it was believed to be the best long-term stance Britain could take. Therefore, doing anything but carrying out the result from the 23 June 2016 referendum would be undemocratic. **T**

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