Chapter Four:

DIRECT DEMOCRACY - MAKING MPS ACCOUNTABLE TO THE ELECTORATE

by Zac Goldsmith MP

There can be no doubt that the relationship between people and power is growing ever more strained.

We know that turnout at elections has been sinking for years. From 1945 until 1997, the average turnout at General Elections was over 76%, peaking at 83% in 1950. In the most recent elections, it has hovered at around 60%. Membership of political Parties meanwhile is at an all time low.

It is a fact that anyone involved in politics is acutely aware of, but rather than confront the root cause of the disengagement, it has always been more convenient for politicians to attribute it to the most recent scandal, as if the problem hadn't existed immediately before. As a consequence, solutions invariably fall short of what's needed.

Others blame apathy, but that too must be wrong. A million people marched in London against the war in Iraq. Half a million people took to the streets in opposition to the ban on hunting. Nearly six million people belong to environmental and conservation groups. These are not signs of an apathetic nation.

I believe the cause of this disengagement is that our politics has spectacularly failed to adapt to the modern world.

The world has changed beyond recognition, in large part due to the internet, and the almost limitless access to knowledge and information it has made possible. We no longer depend on a small handful of newspapers to inform our politics; today anyone can create their own platform, anyone can become a media baron. Whereas voters used to have to make do with sending their reps to Parliament, and receiving the odd newsletter or newspaper report, today's voters can see immediately what their MP is saying and doing.

But while these vast changes have been taking hold, the way we do democracy has stood still.

Locally, voters are often amazed by how little power their elected Councillors have, and how often they are simply overruled on Planning issues by distant, unelected quangos.

At the international level, no one really believes they can influence decisions made by the European Union, whose decision makers are almost entirely insulated from democratic pressure. European elections are rarely seen by voters as an opportunity to vote for change. At best, they are seen as an opportunity to send their own governments a message.

The national equation is only marginally more tipped in people's favour. But for the 1,500 or so days in between general elections – when most people can choose between – at a stretch - three political parties, they are denied any access at all to the decision-making process.

Nor can voters properly hold their own representative to account. After an election, the pressure on an MP is virtually all top down from Party, not bottom up from constituents. There is no mechanism allowing voters to sack their MP, no matter how badly they are let down. Unless jailed for more than a year, an MP is inviolable. In some safe seats, even the election is a formality. With a few exceptions, the function of an MP has been reduced to electing a Prime Minister and providing him or her with the votes needed to pass largely unscrutinised legislation.

Unsurprisingly there is a sense that politics has become so detached, so remote, that no matter how, or even if, people vote, nothing ever changes. It is an alarming trend; after all, no country has ever walked away from democracy towards a brighter or better place.

I believe we have reached a pivotal moment in our history where our democracy must evolve to survive, as it has so often in the past.

Consider the First Reform Act of 1832, where the vast social transformation brought about by industrialisation meant politicians had no alternative but to yield to society's demands and broaden the franchise to give more people more ownership over their democracy.

It happened again in 1867, when reforms were brought in that effectively doubled the number of men able to vote. And again in 1884. 1918 saw the first women being allowed to vote, albeit only those over 30, and with property. That changed in 1928, when everyone under the age of 21 could vote; man or woman, and again in 1969, where the

voting age was lowered to 18.

One way or another, each of these steps involved Parliament reluctantly handing more power to people, and edging towards a purer democracy. No one today questions the wisdom in any one of those reforms.

In the heat of expenses scandal, the leaders of the three main Parties seemed finally to acknowledge the appetite and need for reform. David Cameron talked vaguely but enthusiastically about Direct Democracy. Nick Clegg went further, promising something akin to a new great Reform Act. All three Party leaders promised to bring in a system of Recall that would allow voters to sack underperforming MPs.

No one imagined Britain would adopt full Direct Democracy, but many expected us to take a few steps towards it.

Direct Democracy is a simple concept, and although it is not a panacea, I believe it would help us repair the relationship between people and power. In essence, it means empowering ordinary people to intervene on any political issue, at any time of their choosing. With sufficient popular support, existing laws can be challenged, new laws can be proposed, and the direction of political activity, at local and national level, can be determined by people rather than distant elites.

The principle tool is the referendum, or more specifically, the 'Citizen's Initiative', and it's not a new concept. 24 of the 50 States of America use Citizen's Initiatives. There are versions of it in Austria, Italy, New Zealand, and - since the fall of the Berlin Wall - various countries in Eastern Europe.

There is good reason to believe that Direct Democracy would radically transform politics here in the UK. Not only would voters be able to stop unpopular policies from becoming law; they'd be able to kick-start positive changes. The whole process of calling a referendum would ensure more widespread and much better informed debate. We'd also see greater legitimacy given to controversial decisions.

36The key is that decisions are always taken at the lowest possible level. For example, if there is a proposal to build an incinerator in a particular borough, people living in that borough would be able to 'earn' the right

to hold a referendum if they manage to collect a specified number of signatures.

We would need debate about the kind of issues that could be influenced, made or reversed via referendum nationally. Constitutional issues, like the transfer of powers to the EU would clearly justify use of a national ballot initiative.

We would need rules ensuring balanced coverage of an issue, fair expenditure by interest groups, honest wording of questions, the number of signatures required to trigger a referendum, and so on. But these problems can be overcome.

One fundamental component of Direct Democracy is Recall. Its beauty is in its simplicity. If a percentage of constituents – usually 20% - sign a petition in a given time frame, they earn the right to have a referendum in which voters are asked if they want to Recall their MP. If more than half say yes, there is a subsequent by-election.

It is extraordinary that under today's rules, if an MP were to ignore their voters from the day of the election, if they were to systematically break every promise they made, or disappear on holiday for three years, or even switch to an extremist Party, there is literally nothing their voters could do about it until the next General Election.

Even then the choice is limited, because it would require people to vote for a different Party, and in many parts of the country, people are only comfortable voting for their traditional Party. Under Recall, people can sack their MP at any time, and replace them with someone from the same Party. You could still have seats that are 'safe' for a Party, but MPs would always be kept on their toes.

Perhaps even more importantly, Recall would change the dynamic in Parliament. Because the greater pressure on an MP (after the election) is 37 from the hierarchy of the Party they belong to, and not voters, they are unlikely to perform their priority task: holding the Executive to account. Genuine Recall would, at a stroke, remind all MPs that the only 3-line whip that counts is the one imposed by their constituents. It would encourage far greater independence in Parliament.

Unfortunately, and perhaps unsurprisingly, talk of direct democracy quickly evaporated after the election, and all we are left with is a promise to bring in a version of Recall that is Recall in name only, where Recall could only happen by permission of other MPs, and where the criteria are so narrow as to make it virtually impossible. It has been rejected by all democracy campaigners and reform-minded MPs alike.

So why are Britain's political leaders so reluctant to pursue direct democracy? Pressed for an explanation into the Government's failure to deliver a proper Recall system, Ministers invariably cite their fear of 'kangaroo courts', or of 'mob rule'. But boil it down, and this is essentially an argument against elections, and indeed democracy itself, because in true Recall, the only court is the constituency, the only jurors are the voters. Where Recall happens, there are no known examples of successful vexatious recall attempts.

But it is this same fear of the 'mob' that has prevented meaningful reform for years. Precisely the same arguments were used to prevent women being given the vote, and the same arguments are now used to row back direct democracy.

We hear for example that direct democracy will give newspapers too much influence. But newspapers already have far more influence over 650 vulnerable and frightened MPs than they ever could over a notional audience of 60 million.

The same is true of special interest groups. Ask any lobbyist whether he would rather persuade a government minister, over an expensive lunch, to insert a clause into a bill, or instead seek to win a proposal in a public referendum. The answer will invariably be lunch with the government minister.

We hear that that policy is too complex for ordinary voters. But no one is suggesting a form of Government-by-referendum. Referendums would necessarily only be used where the demand is very high.
Besides, as any honest Parliamentarian would admit, it is routine for MPs to vote on amendments to Bills without the slightest idea what those amendments would do. The volume of legislation means no MP can possibly follow each and every turn, and the vast majority rely limply on the instructions of their Party whips.

Direct Democracy expert, Professor Matt Qvortrup has described a study in Denmark following the referendum on the Masstricht treaty, where a sample of ordinary voters were shown to know more about the Treaty than a sample of Danish MPs.

Even where MPs do understand the details of the legislation they are voting on, the overwhelming pressure is in any case to follow the Party line.

Any referendum, even one dealing with a complicated subject, would prompt precisely the kind of public engagement that politicians claim they want to encourage. Indeed it is worth noting that voter turnout in those States in the US that allow the Citizen's Initiative is higher on average, than in those that do not.

Some commentators, particularly to the left of politics, fear that Direct Democracy would render minority groups powerless, but there is no evidence at all to suggest that minority interests are more threatened by direct democracy than by representative democracy. On the contrary, there have been many cases in the US of citizen's Initiatives overturning reactionary legislation.

As Matt Qvortrup points out, South Dakota voters overturned a law that made abortion illegal in almost all cases, including for rape victims. Missouri voters backed stem cell research, against the position of their legislature. Arizona voters rejected an initiative to ban gay marriage.

Nor is the greatest fear – of the 'mob' - borne out by practical experience. In 2009, a nation with a reputation for insularity, was asked to tighten its citizenship laws, making it harder for foreigners to gain naturalisation. Much to the surprise of international commentators, the proposal was rejected by a margin of almost 2 to 1. This country can justly claim to be the most democratic on earth: Switzerland.

Edmund Burke is often cited as an opponent of direct democracy. But it is worth remembering his observation that "in all disputes between people and their rulers, the presumption is at least upon a par in favour of the people.'

Zac Goldsmith MP