Referendums: A Form of Direct Democracy

Kristen McKenna

What is a referendum?
A referendum is a direct vote in which an entire electorate (all voters) are asked to either accept or reject a particular proposal. The referendum is a form of direct democracy. Direct democracy occurs when voters have decision-making power over laws and initiatives. Other terms for a referendum are: ballot measures, initiatives, or propositions.

Where will I see them?
Referendums are placed on the general election ballot. Sometimes, cities or towns can issue special referendum questions outside of the normal election time for unique circumstances that require quick action. For example, if an election official has broken the law or done something wrong, voters may be asked to vote on whether or not he or she can stay in office.

Types of referendum are:

- **Bond question**: asks voters to approve spending money on something specific like a road.
- **Non-binding referendum**: when the government asks advice on an issue the legislature may explore. This will not be a law.
- **Binding referendum**: if approved, it will become law.
- **Constitutional amendments**: change the state’s constitution.

Word Play
Referendum comes from Latin, meaning things to be referred. Think of other words with the same root, such as: refer (v) to send or direct for treatment, aid, information, or decision; referee (n) judge, one to whom a thing is referred, a sports official who administers a game; reference (n) the act of consulting, a book (such as a dictionary or an encyclopedia) that contains useful information. In the case of a referendum, the government is referring a question to the voting population. What do you think of this idea?

When will I see them?
You will see them on the ballot for the general election, which is held on the first Tuesday in November.

Why do we use referendums?
The ancient Romans were the first to develop direct voter questions or referendums. Throughout history, many different governments have used them to hear the opinions of the public on certain issues. The United States has no federal rules for the use of referendums but each state’s constitution has specific rules for its state.

Who can put a referendum on the ballot?
In some states, citizens can put referendums on the ballot if they have enough supporting signatures and if they file on time.

Note: Since referendums are not in a universal format and the rules that govern them are decided by individual states, this guide is meant to help instructors begin a dialogue with students. For specific rules governing referendums, please consult your state’s Board of Elections, Secretary of State’s office or the state’s Civics Education Department.
How do I understand and vote on them?
Anything on the ballot is considered an official legal document and it must be written by a team of lawyers and other officials. Sometimes, this makes it difficult for a voter to understand if they are voting for the referendum or against it. If you are going to vote on a referendum, remember:
1. Review the referendum beforehand. Usually all registered voters will get a booklet in the mail which explains the referendum. These booklets are printed in the newspaper and can be found in libraries and government offices.
2. Talk about it in class or with friends and family. Students can bring the booklet into the classroom to review the questions before they see them on the ballot.
3. Ask for help. Voters have the right to ask for help when they go to vote.

Proposition 13: Tax Revolt in California
The most famous citizen ballot measure occurred in California, Proposition 13, when two citizens, Paul Gann and Howard Jarvis led a “People’s Initiative to Limit Property Taxation.” The initiative, which would limit the amount of taxes Californians had to pay, was enacted by the voters of California on June 6, 1978. What do you think the impact of this law has been? Which citizens do you think have benefited from this law and which citizens have not benefited? Is there a question you would like to see put on the ballot in your city or state?

Box 4: Look at These Real-Life Examples

A Referendum (often a citizen initiative)
In Maine: Do you want to allow patients with specific illnesses to grow and use small amounts of marijuana for treatment, as long as such use is approved by a doctor?

A Constitutional Amendment (proposed by the legislature):
In Texas: The measure would define marriage as between only one man and one woman and prohibits the recognition or creation of any legal status similar to marriage.

A Bond Question (often proposed by state and municipal governments):
In Rhode Island: Shall an act passed at the 1996 session of the general assembly entitled “An Act Authorizing the City of Cranston to Issue $400,000 Bonds and Notes for the Purchase of Public Works and Highway Equipment in the City” be approved?

Think about it: What would you need to know before you could answer these questions? Is it the responsibility of the voter to research these questions and be prepared to vote on them? What would you do if you felt the question was too complex for a simple yes or no answer?

Pros and Cons of Referendums

Advantages are:
• direct public opinion; you vote on the laws you want,
• you have a chance to understand how the government spends money,
• the government asks you, the voter, for advice

Disadvantages:
• language is often difficult or confusing
• wrong decision can be made by people who don’t understand the issue
• a person, legislature, or city can have ulterior motives for putting a question on the ballot.

Kristen McKenna is the Project Director for the ABE Advantage program at Bristol Community College in Attleboro, MA.