

THE REFERENDUM IN GREAT BRITAIN

THE sudden promotion of the referendum from a "back seat" to a foremost place in British political discussions makes it desirable to put together such data as we have regarding the theory and practice of this method in the recent history of the United Kingdom. As to its practice, a few sentences will suffice. It is only in minor local matters that instances can be found of the direct expression of the public will in legislation. In any community, for example, where it is proposed to take advantage of the Public Libraries Act, authorizing the levying of a rate, or local tax, for the establishment of a free library, the question is decided by a poll of the ratepayers.

The theory of the referendum (without the use of the technical term) has been made most familiar by the proposals that have been made from time to time to place the granting of saloon licenses in the hands of the people, instead of giving this power to appointed or elected public authorities. A bill of this kind was introduced in the House of Commons in 1864 by the late Sir Wilfrid Lawson. Its weightiest opponent in the debate was John Bright, who attacked plebiscitary methods as un-English and inconsistent with the representative system. On the second reading this Permissive Bill, as it was called, was defeated by 292 to 35. Nine times in subsequent sessions the bill was thrown out by majorities which showed no substantial decrease. In 1879 Sir Wilfrid, guided probably by Gladstone's tactics with regard to Irish disestablishment, elected to proceed by resolution instead of by bill. In the division on the "local-option" resolution, which dealt only with the principle of new legislation, leaving details to be settled later, there were 252 noes to 164 ayes. The new House of Commons elected in 1880 gave the persevering temperance leader his first victory, affirming his resolution by a majority of 26. In 1881 the majority rose to 42 and in 1883 to 87; but, as everybody knows, no measure has yet been passed on the lines then approved. The reports of the debates, both on the Permissive Bill and on

the local-option resolution, afford considerable material for a study of the opinions of the leading English politicians of the period on the question of direct *versus* representative legislation. It would not be fair, however, to interpret the failure of Sir Wilfrid Lawson's proposals as a definite proof of Parliamentary hostility to plebiscitary methods. The omission to enact a local-option law was due not so much to any theory of government as to the influence of the liquor interests.

Except as a possible means of closing saloons, the referendum was regarded, during these years, in the light of a foreign political curiosity, mainly of interest to connoisseurs in out-of-the-way customs. Now and again the editor of a monthly magazine would find room for an article on "The Referendum in Switzerland," just as at other times he might publish one on "The Mir in Russia," with no more expectation in one case than in the other of any illumination of British politics. When the control of the Commons by the Liberals in 1906, after eleven years on the opposition benches, aroused the Lords to a re-assertion of their powers, the referendum began to be mentioned seriously as one of the expedients by which deadlocks between the two houses might be solved. It was especially advocated by a leading Liberal organ, the Manchester *Guardian*, in a series of articles published in February, 1907, which discussed the general problem of the second chamber. That this method was far from being approved in the official counsels of the party was evident from the speech of the prime minister, Sir Henry Campbell-Bannerman, in introducing his anti-Lords resolution on June 24 of the same year. He made a brief allusion to certain "very vague proposals afloat—vague and not, I think, very well-informed proposals—for the foreign institution called the referendum." He saw "the strongest objection" to any such proposal on the grounds: (1) that the isolation of this device from the whole range of British political feeling made its use well-nigh impossible; (2) that it was inconsistent with, and destructive of, parliamentary government; and (3) that it would come into play only when a Liberal government was in power. In the subsequent discussion the prime minister's position on the subject was scarcely challenged, except in

a speech from the Conservative side by Lord Robert Cecil, who definitely avowed himself a believer in the referendum and advocated its use on petition of one-fourth of the electorate to test the feeling of the country if the House of Lords refused to check some great legislative experiment that might be carried by the Commons. The contingency that was in Lord Robert's mind is easily understood when one remembers that, though a Conservative, he is a free-trader. In the press the only journals, in addition to the one already named, that had much to say on the matter were two weekly papers, the *Spectator* advocating and the *British Weekly* opposing the plan. On the whole, the "practical" man whether he were a Conservative or a Liberal, treated the subject as a mere fad of doctrinaire or academic politicians.

The rejection of the budget in the upper house in November, 1909, advanced the conflict to a further stage. Even then the referendum received only the slightest attention. On March 29, 1910, Mr. Asquith, in opening the general debate on the relations between the two houses, argued briefly against it as a solution of the problem, though he reserved the question of its "appropriateness and practicability" as "possibly the least objectionable means of untying the knot when some extreme and exceptional constitutional difficulty arises." Mr. Balfour, immediately following him in the debate, ignored the referendum altogether. Mr. Redmond, the Irish leader, showed some apprehension lest the prime minister's reservation might mean an intention to propose a referendum instead of going to the Crown for the use of the royal prerogative; and he announced that he would oppose any such course. In the rest of this discussion and in the course of the subsequent debates, lasting for several days, on the specific proposals of the government, nothing more was heard of the subject. Nor is there a word to be found about it in the two speeches in which the party leaders issued manifestoes to their followers, namely, Mr. Balfour's at Nottingham, on November 17, and Mr. Asquith's at the National Liberal Club, on November 19.

It was in the eleventh-hour discussions in the House of Lords itself, immediately before the general election of 1910, that the

referendum first approached the status of a question of practical politics. On November 16, in a preliminary review of the general situation, the Marquis of Lansdowne quoted what Mr. Asquith had said of the possible use of the referendum in exceptional cases and regretted that the suggestion had not been followed up by a discussion. In moving the second reading of the Parliament Bill on November 21, the Earl of Crewe contented himself with a brief incidental allusion, questioning whether the establishment of the referendum in England would really lead to moderate legislation. On November 23 Lord Lansdowne brought forward a plan of his own as an alternative to the policy of the government. He proposed that differences between the two houses should be settled in joint sittings, "provided that, if the difference relates to a matter which is of great gravity and has not been adequately submitted for the judgment of the people, it shall not be referred to the joint sitting, but shall be submitted for decision to the electors by the referendum." In his speech he recognized the difficulty of drawing up a formula which should discriminate grave questions from those which stopped short of being grave, but he believed nevertheless that the house would agree that there were certain "capital questions" which required greater safeguards than would suffice for ordinary routine legislation. Among them were proposals for altering the parliamentary legislative machine, and such questions as compulsory military service and the disestablishment of the Church. He suggested that a parliamentary tribunal might be set up which would decide in each case whether a particular measure required this special treatment. He added:

I venture to say, speaking for myself, that, if this procedure by referendum were to be introduced, I should hope to see it introduced not only for the sake of settling differences between the two houses of Parliament, but also for the purpose of affording, if need be, a check upon legislation even when both houses are agreed.

From its starting-point in the Marquis of Lansdowne's speech we may now trace the history of the referendum as an issue in British politics. It will be most convenient first to note the successive developments of the form of the proposals (mainly

in response to inquiries for further information), postponing for the time a summary of the arguments used *pro* and *con*.

Lord Crewe, immediately following the opposing leader on the same night, assumed that a tariff could not be put into a referendum, though this would be a question of much greater gravity than many constitutional questions which might be so submitted. Lord St. Aldwyn (the Sir Michael Hicks-Beach of earlier days) thought a tariff need not be excluded from the scheme. Its details, no doubt, could not be referred to the people, but what could be easier than to put the question: "Will you have colonial preference, and will you have a tax on manufactured goods?" He would have a joint committee of both houses, presided over by the speaker, to prepare the proper questions to be set before the country. The lord chancellor (Lord Loreburn) admitted the possible use of a referendum in exceptional cases, as, for instance, to settle the claim of women to the vote, with respect to which neither party was agreed. But in such an instance it should be brought into operation by special act of Parliament applicable to the particular question, and not by introducing the referendum into the general constitutional system of the country. Several other speakers discussed the advantages and disadvantages of a referendum, but without adding further definiteness to Lord Lansdowne's scheme.

From the House of Lords the question was now carried into the electoral campaign; but at first only a minor interest was taken in this particular phase of the general question. Speaking at Hull, on November 25, Mr. Asquith dealt with the alternative to his own policy as outlined by Lord Lansdowne, and pressed for further information on various points. As to the referendum, he demanded that his opponents should "condescend to particulars," and state "what is the criterion and what are the categories of questions of great gravity." The electors were entitled to ask what were the subjects in regard to which Parliament was to be deprived of its omnipotence and compelled to resort to a plebiscite. He presumed that Irish home rule was a "question of great gravity." Was disestablishment? (This question, as a previous paragraph shows, had already been

answered by Lord Lansdowne in advance.) Was the abolition of plural voting? Above all, and most important of all, was the question of the tariff? (One must remember in this connection that tariff reform had been declared by Mr. Balfour a few days before at Nottingham to be "the great constructive policy" to which his party stood committed.) At Reading, on November 29, the prime minister repeated his interrogatories, asking especially whether tariff reform, as a question of great gravity, was to be submitted to a referendum. And if so, who was going to frame the question, and how was it going to be put?

That same evening Mr. Balfour was addressing a huge meeting of nearly 10,000 people in the Royal Albert Hall, London. He quoted with approval Lord Lansdowne's suggestion of a joint sitting as the normal method of solving deadlocks, together with, "in more serious and important cases, a reference to the judge which is above both the House of Commons and the House of Lords, which is above both first chamber and second chamber." After explaining why he supported this proposal, he took up Mr. Asquith's challenge, claiming, however, that he might fairly be entitled to ignore it, inasmuch as the question before the country was the solution of deadlocks between the two houses, and to this problem tariff reform was quite irrelevant. The raising of the point by his opponents was "simply an expedient for wriggling out of a proposal which gives the people their just claim to come in as arbitrators in great cases of difference of opinion between the two chambers of the legislature." Nevertheless, he frankly admitted that tariff reform was a great change; and "I have not the least objection," he continued, "to submitting the principles of tariff reform to a referendum." This declaration was received (according to the report in the *Daily Telegraph*) with "a terrific roar." Many in the audience rose from their seats, and cries were heard: "This has won the election." The enthusiasm was renewed when Mr. Balfour challenged the Liberals to respond to what he had just said by offering to submit home rule to a referendum.

This utterance was generally regarded as one of the most sensational in recent political history. It was reported in the papers on a Wednesday morning; the first, and some of the

most critical, pollings were to take place on the following Saturday. The new turn things had unexpectedly taken exhilarated Mr. Balfour's followers and proportionately depressed his opponents. Some cautious persons argued that his words did not really bind him very stringently. The vagueness of his reference to "principles" was emphasized, and it was pointed out that "I have not the least objection to submitting" was not exactly equivalent to "I undertake to submit." Still, it was in the sense of a definite pledge that this utterance was interpreted in the campaign speeches and campaign literature on Mr. Balfour's own side. Voters were told everywhere that Mr. Balfour had promised that tariff reform should not become law, if he were placed in power, without being first approved by a popular referendum. This promise was especially commended to wavering free-trade Unionists, to convince them that the present fiscal system would not be endangered by their supporting the Unionist party. For several days the *Times* published columns of letters from prominent free-trade Unionists, who declared themselves satisfied by Mr. Balfour's pledge and urged other electors holding the same views to join them in voting Unionist. According to Sir William Forwood, one of the leading Unionists in the north of England, it is "difficult to describe" the effect of Mr. Balfour's speech on the Liverpool and Manchester exchanges. "Men seemed to feel," he says, "as if a great weight had been lifted off their shoulders, and to breathe freely again." Sir William specifies one Lancashire seat which this declaration "certainly won" and others which it helped to win or where it greatly increased the Unionist majority. It came, he says, as "an enormous relief" to Unionists to feel that, after all, the country would be consulted before a tariff-reform measure would be put into operation.¹

As the elections proceeded, Mr. Balfour made more clear his intention as regarded submitting the "principles" of tariff reform to a referendum. At Reading, on December 1, he proposed that the question should be: "Are you in favor, or are you not, of our scheme, our general scheme, of tariff reform?" In the

¹ It would be easy to quote utterances of Liberal workers to the same effect; but on so controversial a question it is safer to confine oneself to Unionist testimony.

Hyde division of Cheshire, on December 9, he spoke of the poll, on such subjects as tariff reform, as to be taken "after the people have seen it argued out, after the principles and aims have been stated by competent representatives in the House of Commons and in the second chamber." And at Dartford, on December 12, he declared, without any circumlocution, that what he proposed to put before the people, to be decided aye or no, would be a "tariff reform budget."

Another item was added to the referendum program by Mr. Balfour's statement, in reply to a correspondent, that there would be no plural voting. Mr. Asquith, speaking at Bury St. Edmunds on December 12, welcomed this admission and asked for further information as to the mechanism of the new method. How were they going to apply the ballot to it? Was the vote to be taken, as some people seemed to think, by post-card? How were the provisions of the Corrupt Practices Act to be applied? And how was the elector to be protected against "the organized influence and pressure of wealth?"

Mr. Balfour's readiness to submit a complete budget to the popular vote caused some uneasiness in the minds of certain of his principal lieutenants. Mr. Austen Chamberlain and Mr. F. E. Smith, for instance, both took the position that this pledge applied only to the December election and would cease to bind the party if that election turned against them.

On March 2, 1911, a referendum proposal attained, for the first time in England, the dignity of being embodied in a parliamentary measure. Lord Balfour of Burleigh, a distinguished Scotchman who resigned from Mr. Balfour's cabinet in 1903 rather than join the tariff-reform movement, introduced in the House of Lords on that date a bill that was to be entitled the "Reference to the People Act." It provided for a referendum to solve deadlocks between the two houses, and also to decide the fate of any bill which had passed both houses but had been challenged by 200 out of the 670 members of the House of Commons. No discrimination was to be made as to the class of measures that should thus be referred to the people. The poll was to be taken throughout the kingdom on one day, and there was to be no plural voting. Voters were to place a cross

under the word "yes" or "no" according as they did or did not wish to ratify the bill referred to them. If the total affirmative vote exceeded the total negative vote by not less than two per cent, the bill in question should become law. This bill was read a first time without a division. It came up for second reading on March 28 and was made the subject of a two days' discussion. The debate showed that the intervening period of reflection had somewhat abated the enthusiasm which the Conservative peers had shown for the proposal during the election struggle. The opinion of the rank and file found expression in the remark of Lord Willoughby de Broke, that he was one of those who supported the referendum at the general election, but he was not quite sure that he was as much in love with it as a month or two ago. Other speakers on the same side of the house showed themselves in a critical mood; and Lord Lansdowne, the official leader of the party, while declaring his belief in the principle of the referendum, confessed that the bill would take them further than he was prepared to go. Nothing, he said, would induce him to vote against the bill, but he would be reluctant to vote for it. He therefore suggested that, after a full and prolonged discussion, the mover should allow time for the further development of the political situation before a division was taken. This advice was taken; and the debate, with the full consent of Lord Balfour, was adjourned *sine die*.

In the House of Commons the question received incidental discussion on the first reading of the Parliament Bill on February 21. It came up more definitely on April 26, when that bill was passing through its committee stage. Mr. G. Cave, K. C., proposed as an amendment that when a Commons bill had been rejected a third time by the Lords it should be referred to the people. As in Lord Balfour's bill, no distinction was to be drawn as regarded the character of the measure—whether constitutional, financial or otherwise. But Mr. Cave did not propose, like Lord Balfour, to bring this method into use when a bill passed by a majority of each house was challenged by a one-third minority in the Commons. It was to apply, too, only when a Commons bill had been thrice thrown out by the Lords, and not, as in Lord Balfour's scheme,

after the first rejection. The discussion of Mr. Cave's amendment and the vote on it proceeded practically on party lines. The government pronounced against it and the opposition in its favor. Its most prominent supporter was Mr. Balfour, who stated in the course of his speech that, although he thought the debate on Lord Balfour's bill in the other house very valuable, that bill contemplated the use of the referendum "far in excess" of anything he should himself advise. Mr. Cave's amendment was rejected on a division by 286 votes to 164.¹

At the moment at which this article is written—at the beginning of the committee stage of the Parliamentary Bill in the House of Lords—there is in immediate prospect a discussion of another referendum proposal, which is entirely different from either Lord Balfour's or Mr. Cave's. Lord Lansdowne has given notice of an amendment requiring the approval of the people by referendum as a condition precedent to the enactment of any bill: (*a*) which affects the existence of the Crown or the Protestant succession thereto; (*b*) which establishes a national parliament or a national council in Ireland, Scotland, Wales or England, with legislative powers therein; or (*c*) which has been referred to a joint committee of the two houses and in their opinion raises an issue of great gravity upon which the judgment of the country has not been sufficiently ascertained.

A summary of the principal arguments that have been advanced on both sides, during the brisk discussion that has continued intermittently ever since the referendum was brought into the forefront of public controversy, will presumably be most useful if chief attention is paid to the arguments which deal with the applicability of the referendum to English conditions, and if the more general arguments, which have often been presented and are readily accessible in the literature of the subject, are for the most part ignored.

The first argument to be noted is that put forward in the

¹ It is scarcely necessary to suggest that any student of the subject who wishes to go into it more fully will find ample material in the above-mentioned debates, as reported either in *Hansard* or in the *London Times*. The speeches of Mr. Balfour and Mr. Asquith, on April 26, were especially interesting for their comments on the development and significance of representative government.

House of Lords debate on November 10, 1910, by Lord Curzon, who commended the referendum as "essentially democratic in character." Its basis, he said, was the belief, to which they all gave expression in their public utterances, that in the last resort they accepted the will of the people. Accordingly, "Trust the people" was one of the favorite mottoes on the walls of Conservative meetings during the election, and the doctrine was "rubbed in" in scores of editorials and speeches.

The need of a direct manifestation of the popular will was declared to be urgent in view of the insufficiently representative character of Parliament, as at present constituted. Stress was laid upon the confusion of issues at the time of a general election, and the consequent difficulty of getting a clear decision on any one subject. A referendum would isolate a particular issue. In the words of Mr. Balfour, at the Albert Hall:

It is perfectly easy to see, after the referendum is over, on what the referendum was; whereas after a general election every man says that it was upon the subject in which he is interested, if the election has gone in his favor, upon the subject in which he is not interested, if the election happens to have gone against him.

Lord Lansdowne further pointed out (November 23) that, while a member of Parliament might fail to represent the opinions of his constituents upon questions that were prominent at the moment of his election, he was still more likely not to represent them truly upon new questions that might arise during a Parliament which lasted five or six years. In such circumstances a vote of the House of Commons might be no real reflection of the views and wishes of the people of the country, and it was therefore "eminently desirable" that advantage should be taken of the opportunity of a referendum.

Other merits claimed for the referendum by Mr. Balfour were that it decided important questions without carrying with it a change of government (on this point, something will have to be said later), and without the personal bitterness that was inextricably involved in a contest between two competitors for a seat. Various speakers urged the point that the referendum had worked well in other countries, notably in Switzerland and

in America. Mr. Balfour (December 1) called attention to the "admirable use" that had been made of it in Australia, where it was "a living and effective part" of the constitution of the new Commonwealth, and to its proved value as used by local authorities and trade unions in England itself.

The arguments on the other side need to be separately considered, according as the proposal is (1) to use the referendum merely for the settlement of deadlocks between the two chambers or (2) to bring it into play for the decision of other questions also.

(1) First, then, let us note the objections made to the proposal to employ the referendum when Lords and Commons disagree, and on such occasions only.

Its use for such a purpose would involve all the risks of an untried experiment; for the example of other countries casts no light on its value as a means of solving differences between two chambers of a legislature.

For such a purpose; moreover, it would be ineffective unless employed in a form that would deprive it of its alleged simplicity. In England deadlocks arise more often from the amendment than from the rejection of a Commons bill by the Lords. In such a case there would be at least six opinions, each possibly held by a large body of voters. There would be: (a) those who want the original bill, if possible, but are willing to accept the amended bill rather than nothing; (b) those supporters of the bill who prefer that it be dropped if it cannot be carried in its original form; (c) those who prefer the amended bill, but are willing to accept the original bill rather than nothing; (d) those who want the amended bill and will not accept the original bill at any price; (e) those who object to both bills, but, if one or other is inevitable, prefer the original; and (f) those who, similarly objecting to both, prefer the bill as amended. A member of Parliament belonging to any one of these classes can further his favorite policy by judicious action at the various stages through which a measure has to pass in going through his own house. But whether the question as submitted in the referendum takes the form: "Are you in favor of the Commons bill?" or "Are you in favor of the Lords

bill?" the giving of a plain "aye" or "no" answer will evidently come very far short of expressing the mind of the country.

Finally, if limited to this purpose, the use of the referendum would be one-sided and unfair. In present circumstances deadlocks occur only when bills passed by a Liberal majority in the Commons have to run the gauntlet of the permanent Conservative majority in the Lords. A referendum, with whatever expense and trouble it might involve, would thus be used only to check, or at least to delay, Liberal legislation. The measures passed by a Conservative House of Commons would have no such ordeal to undergo.

The last of these objections is obviously fatal. It is generally recognized, on the Conservative as well as on the Liberal side (as by the *Spectator* in its articles, and by Lord Lansdowne in his speech of November 23), that if Liberal bills from which the Lords dissent are to be subjected to a referendum, an opportunity must be given to the Liberals to challenge the more important Conservative bills with which the Lords agree.

(2) This proposal—to give the referendum a place in the general legislative machinery—arouses a new set of objections. It is strongly urged that it would undermine the dignity and responsibility of Parliament and degrade members into mere clerks. Speaking on December 12, Mr. Asquith showed how the mere suggestion of a referendum had already begun to work. He quoted the answers of a candidate for a Scottish seat who was being "heckled" a few days before. A gentleman in the audience had asked: "What about the disestablishment of the Church of Scotland?" and the candidate had replied: "I am opposed to that unless it is referred to the people by means of a referendum. I should not, of course, oppose myself to a poll of the people on that or any other subject." If the representative system, said Mr. Asquith, was to be transformed into a succession of polls of the people on every controversial issue of real magnitude, that great historical institution, the Mother of Parliaments, would be degraded into something no better than a debating society, and only "the most contemptible people in the country" would be willing to become members of it. On the other hand it was argued by Lord Curzon (November 24)

that the referendum would stimulate the sense of responsibility in individual members of Parliament, because they would feel that they might be called to account by a poll of the people at no short date. That, he thought, would go a long way to prevent log-rolling and wire-pulling. In his Albert Hall speech Mr. Balfour also dealt with the question of the responsibility of Parliament. He asserted that there was not at present "much responsibility of a very important or valuable kind to be destroyed by any form of reference to the great popular will." This could be seen, he said, by examining the nature of the "hierarchy" by which the country was at present governed. The country was governed by Parliament, which in its turn was governed by the cabinet, and this was governed by its most noisy member, who was himself governed by Mr. Redmond, and he was governed by Mr. Patrick Ford and the other subscribers to his fund. Mr. Balfour consequently dismissed the idea that there was any "sacred responsibility" which would be destroyed by a reference to the people.

A point deserving special attention is the difference between the English and other constitutional systems in the relation of the cabinet to legislation. In countries where the referendum is at present in operation the burden of carrying through legislation does not lie on the executive. The one known exception is the Australian Commonwealth; and there the referendum is employed only for changes in the text of the constitution. The crux of the whole matter seems to be the question: would the cabinet have to resign if an important bill that it had carried through the Commons were rejected by the popular vote on a referendum? Mr. Balfour says there would be no such necessity, and he is supported by the *Spectator*; but one of his own colleagues, Mr. Austen Chamberlain, holds that on some subjects, at least, such a defeat would compel resignation. Now, if resignation would not necessarily follow, it is clear that one result of the innovation would be a sweeping-away of the old doctrine of cabinet responsibility; and this would be one of the most radical changes in the English system of government that it is possible to imagine. Suppose, on the other hand, that defeat at a referendum on an important question involved the

resignation of the cabinet. In such a case the main advantages claimed for the referendum would wholly disappear. The issue would not be isolated. People would vote aye or no not so much according to their opinion on the particular subject proposed to them as according to their desire that the ministry should stay in or go out. And what would follow the resignation of a ministry which was defeated at a referendum but still retained a majority in the House of Commons? The opposition leader would be called in to form a ministry; but he would not be able to control the House, so there would have to be an immediate general election. The referendum, therefore, instead of saving the country a general election, would have precipitated one.

It has been argued that a corollary of the adoption of the referendum as a general instrument of government would be the abolition of the House of Lords. The main function of that house, as recently expounded by its most prominent defenders, is to check hasty legislation which has been carried through the Commons but which there is reason to believe does not represent the will of the country. The referendum, as an automatic check, would make a second chamber a superfluity.

A special consideration arises if the referendum is proposed to apply to constitutional changes in particular, whether only in case of a deadlock between the two houses or in other cases also. In order to determine what proposed measures involved constitutional changes, it would be necessary to reduce to writing a considerable part of the unwritten constitution, and to establish some tribunal to decide what bills should be considered as proposing virtual changes of the constitution.

On the general question there are two further points to be noted. Bishop Gore, of Birmingham, speaking in the House of Lords on November 24, opposed the referendum as swallowing up local representation and imperiling local interests. At present the opinions of Wales or of Lancashire or of agricultural counties were allowed weight in discussions that concerned their interests, but the referendum would make an end of this. It would therefore lead with very great rapidity to the application of the principle of home rule all round. Lord Loreburn,

in a letter to a correspondent, has illustrated this argument by a concrete instance:

Let me suppose the question of Scottish disestablishment. What does the English electorate know of the Presbyterian establishment in Scotland? All the weight that now attaches to the opinion of the locality expressly affected by a bill would be effaced, and the question ruled aye or no by the votes of men who are untouched by the proposal.

The matter of the trouble and expense involved in taking a referendum has been prominent in articles and speeches, but the most wildly different estimates have been made. According to Mr. Balfour, one of the arguments for the referendum is that it could be put into operation without such expense, disturbance to business *etc.* as accompany a general election. According to prominent speakers on the other side, a referendum would be simply "a general election without candidates," and the turmoil and the outlay upon propaganda, as well as the official costs of taking the ballot, would be very much the same as at elections of the ordinary type. This would be the case, at any rate, whenever the subject at issue was one of general interest or involved the fate of the ministry. If, on the other hand, the measures submitted did not arouse an interest equal to that of a general election, the polling would be small and the referendum would in so far fail to achieve its object.

If, in the above summary, disproportionate space appears to have been given to the arguments on the negative side, the explanation is that, though the discussion was conducted at high pressure through several weeks, only the opponents of the referendum came to close quarters with the question of its applicability to the existing governmental system of the United Kingdom. Its advocates relied almost entirely upon those more general arguments which can be adduced in its favor without regard to its pertinence to the needs or conditions of any country in particular. The various statements made by Mr. Balfour, for instance, on the taking of a referendum on tariff reform, illustrate the extent to which the official Conservative policy on the question was extemporized in the heat of the conflict. "You have not thought out your substitutes," said Lord Morley of Blackburn, in expressing his "amazement" at the "levity"

with which during the last few years the Conservative leaders in the House of Lords had discarded certain historic features of the English constitutional system. His remark applies with much force to the history of the referendum proposals. At present, roughly speaking, public opinion in England regarding the referendum divides on party lines. The average Conservative supports it, and the average Liberal opposes it. When a new issue is raised a few days before an election there is a natural disposition to accept the guidance of the leaders of one's own party. But on either side there are beginning to be heard a few voices critical of the orthodox party platforms. Some Conservatives, for instance, are warning their friends that in operation the referendum might be a two-edged sword. True, a referendum would probably kill Irish home rule or Scottish disestablishment or Welsh disestablishment; it would certainly confirm a tariff bill (if such a bill could be framed) which would protect everything one sells without increasing the price of anything one has to buy; but what would be the result of referenda on bills to make a radical change in the system of land tenure, or to begin the payment of old-age pensions at sixty instead of seventy, or to raise the tax on incomes of £10,000 and over to ten shillings in the pound? And on the Liberal side there are some who, while believing that the referendum would in the main work out to the hindering of all reforms that did not appeal to the pockets of the electors themselves, are still anxious to prevent their own party from committing itself definitely to a hostile attitude. It should be noted that Mr. Asquith himself, while taking a strong anti-referendum line, has been careful to say nothing inconsistent with his earlier reservation that in some emergencies the referendum might be useful. But whatever may be the modifications in party tactics with relation to this question, one outstanding fact emerges from the hubbub of recent discussion. The referendum, if not yet acclimatized in England as a method of government, has at any rate been acclimatized as a political issue. Lord Lansdowne's scheme and the controversy that has ensued have made it a "question of the day."

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LONDON, ENGLAND.

"PEOPLE'S RULE" IN MUNICIPAL AFFAIRS

DURING the past year the distinguished ex-presidents of two American universities have been devoting not a little energy to promulgating the doctrine that the cure for democracy is more democracy. Governor Wilson's inaugural message commended to the people of New Jersey legislative methods and measures which Oregon has been subjecting to severe tests, and his leadership has already been largely effective in securing similar action in his own state. Dr. Eliot, in the Fourth of July oration—which has been a feature of Boston's celebration since the first anniversary of Independence Day—chose as his theme the need of a new declaration of independence. He insisted that political freedom is of limited value, unless it be accompanied by genuine social and industrial freedom. Democracy, he declared, has proved itself in the United States to be the most patient and conservative of governmental methods. And in recent years he has been arguing that, in local government especially, the newer institutions of democracy, the initiative, the referendum and the recall, which are so often denounced as ultra-radical, are in fact instrumentalities suited to the work of patient and conservative melioration.

In the March number of this periodical, an account was given of the campaign of 1910 in Oregon, and of the way in which the voters handled the complicated task presented by the ballot in the state election held in November.² The present paper is a supplementary study of the workings of the initiative and referendum, not in state legislation, but in dealing with the near-at-hand problems of local self-government, as illustrated in the municipal election held in Portland, Oregon, June 5, 1911.

Portland is a thriving city of well over 200,000 inhabitants.

¹ The writer wishes to acknowledge his indebtedness to Mr. George A. Thacher, of Portland, Oregon, for most of the material used in the preparation of this paper. The election discussed is that of June 5, 1911.

² G. H. Haynes, " 'People's Rule' in Oregon," *POLITICAL SCIENCE QUARTERLY*, vol. xxvi, pp. 32-62.