SUBMISSION ON THE INTERIM REPORT TO
THE INDEPENDENT COMMISSION ON REFERENDUMS
from
THE DE BORDA INSTITUTE

(b) use of ioned in my first submission, consent to a relationship normally s to live happily (ever after, or for at least seven years) with its minority, it requires the consent of only the former. No love; not even lust; it is a marriage based on rape.

(c) The Agreement , I repeat, people else have already restricted the choice.

(d) Some observers have accepted that, like Dayton and Taif, the Belfast Agreement perpetuates the very sectarianism it sought to obviate. This, I suggest, is largely due to the fact that the authors were determined to stay inside the box of binary voting. And, it seems, so are you. If someones have an idea like Seamus Mallon and Andy Pollak, (para 3.12), or Michael McDowell (para 11.18), or any other respondent and if that idea is within a binary interpretation, then yes, it can be mentioned. If however another person dares to venture beyond the binary box, then he/she shall be ignored, completely, totally; not even a mention (save as one who has contributed). Your binary bigotry, it seems, has no bounds. Thus, in your report, my idea does not even exist; it is a non-idea, submitted no doubt by one best regarded as a non-person. (I lived in the Soviet Union some years ago; I do not use these terms lightly.)

i.e., sectarian voting registers. It was, therefore, I suggest, totally impractical. But you discuss the idea.

The MBC is colour blind. It is non-sectarian. But y TRS or AV/STV, it could identify an outcome which does have the support of a simple majority, but you ignore it. Totally.

(e) As per the consensus can be determined by the use of designations; and such could obviously not be used in any province-wide referendum. So that should mean the end of the Mallon/Pollak idea. {In Cyprus, where the two communities are so separate, yes, (and sure enough, it gave one side the veto); but in NI, (and thank heaven for that) no.}

consensual principle, it cannot ultimately override the simple majority principle on the question of *Every* t include anything which might even remotely resemble a multi-option procedure? Do you not realise that preferential voting can be a methodology which can not only identify but actually facilitate consensus?

B INTERNATIONAL PARALLELS

1 In 1991, I invited Petar Radji-
The Other Talks, and thus I tried to say, please, no binary referendums in Bosnia. After all, Bosnia was 40:30:20 Moslem:Orthodox:Catholic, so any two could gang up against the third, which is what happened. 40 + 20 voted, while the 30 abstained, just like the Catholics in NI in 1972.

I was ignored. The Badinter Commission, five Supreme Court judges, met one month later, and they too ignored the science. Rather, they insisted [3] on a referendum. The vote was held; it started the war. Robert Badinter wrote afterwards *Je ne regrette rien.* (Private correspondence.)

2 In 1996, the Irish Governmen
basis of *op. cit.*, 398).
has worked well in practice, (p. 498). The Balkans had just exploded! Even on this island, the Border Poll had been a disaster. Even in the Republic, the 1995 divorce referendum had been resolved by a margin of less than 1%. But nothing, it seems, must, and nobody can criticise binary voting. At least other Government papers admitted that,

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[3] Susan Woodward, *Balkan Tragedy*, The Brookings Institution, 1995, p 271.

(iv) and definitely in a Condorcet count, subject (as I mentioned) to the paradox.

Every

effort? But, as I say, at all, not if the effort smacks of pluralism.
In a nutshell, y
you tend to contradict yourselves. For instance,
applies only to the United Kingdom and a united Ireland; yes, any col
white.

of the 2016 referendum on the UK EU membership was
-option first-round, as in
dum, could have facilitated a very comprehensive preparation. Are
you blind?

y views there are
in our pluralist society with a referendum which is only binary.

on which Irish unification could occur. It is not our role to propose deviations from that
Yeah yeah. But the fact that Configuration 3 could have included a multi-option

blindingly obvious to all concerned that the first-round multi-option poll would be non-binding, but

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bigotry is unbelievable. May I remind you of what I said in my first submission and is now repeated at the head of this second submission: in a TRS system, (and in AV) the outcome is determined by a simple majority is that not understood?

D POSSIBLE CONFIGURATIONS

to be positive. But OK May I suggest that Table 9.1 could and should include the following configuration.

What is it? **Should it be considered?**

its want, the British Government originally proposed just two options but, after protests on the streets of Halifax, Westminster succumbed, allowed the third option, which then won the second round. A simple majority. And the people have lived happily in Canada ever since.

Why are you so frightened of pluralism?

Such a non-binding process would allow all concerned the possibility to debate their ideas, in public. There are some who want NI to join up with Scotland; let them be heard. You and I (and the Scots!) might regard such ideas as lacking in any credibility, but put them on the table, put their protagonists under cross-examination, and let the independent commissioners find the loopholes.

The Commission could bring forward a multi-option ballot of, say, six options: something along the lines of (i) a unitary Ireland, (ii) a two-part federal Ireland, (iii) a four-field federal Ireland, (iv) a status quo UK, (v) a more devolved UK, and (vi) a Scottish or Celtic arrangement. Let the voters cast their preferences (much as they do in PR-STV elections i). And then (ii) a two-part federal Ireland, in which case, that could be the second option in a final, binding referendum.

A further advantage of such a two-stage approach a non-binding multi-option ballot followed by a binding binary poll would be that the change, if change it is to be, would come gradually, and therefore more peacefully.

This mimics the arrangements of
to a handful of digits: the thumb was the status quo, each of the fingers a possible alternative. In the first round vote in 1992, if a finger was more popular than the FPTP thumb as it happens, two of them were, MMP and PR-STV then the bigger finger, MMP, went into a second round binding majority vote with FPTP, and on an 83% turn-out (all very democratic!) by a simple majority of 54%, (all very simple), MMP won. Happily ever after. (Newfoundland had an 88% turnout.) You

If in any future NI referendum, there is clear evidence in this multi-option ballot that there is support for whichever option comes out on top, then OK, the SoS may call for a referendum, a binary

If in any future the

surely get a mention