

Introduction

In recent years more and more decisions about political matters have been made through referendums and popular initiatives. The level of civic participation in decision-making is an important element of discussions on the condition of contemporary democracy. The opportunity to participate in what is broadly understood as political life, and people's influence on the authorities are among the fundamental principles of democracy. The real and effective participation of citizens in the decision-making process is recognized as a phenomenon crucial to the development of a strong and stable democracy.

This volume of „Białostockie Studia Prawnicze” [Białystok Legal Studies] is devoted to the referenda on problematic issues. The referenda on social controversial issues such as abortion, same-sex marriage, divorce, and affirmative actions have been carried out in some European countries (Ireland, Italy, Malta, Croatia) and provided an impetus to the topic selection for the volume. In the Republic of Ireland, the referendum on divorce was held twice: in 1976 (people voted against legalization of divorce) and in 1995. Italian referenda on abortion were held three times: in 1983, 1992 and 2018. In 1974, a record of 87% turnout occurred in voting on the repeal of the law on divorce. Finally, in 1981 two referenda were carried out regarding the law legalizing abortion. In Malta the referendum on divorce was held in 2011. Malta was the only European country and one of three (together with the Philippines and the Vatican City) in the world to not allow divorce. In December 2013 Croatian citizens voted in the referendum and rejected legalization of same-sex marriages by approving constitutional amendment defining marriage as a union between a man and a woman. In 2015 Slovakian citizens made the same decision. In addition to the European examples, American cases may constitute a major focus of study on the presented topic.

These numbers demonstrate that social controversial issues are very intensive and that particular states are willing to transfer these matters to their citizens. At present, referenda are gaining greater and greater importance. We are witnessing the era of choice, of the decision-making by citizens which is called “referendumania” by these who are skeptical about this approach.

Therefore, in the present volume of the BSP we present high quality multidisciplinary contributions analysing, in particular, the following: What is the role of referendum in problematic issues? E.g. does more liberal response lead to more liberal attitude of society?; Do the referenda actually solve the controversial social dilemmas?; Which factors influence the vox populi?; What are the results of referenda? Do they impact on the political and legal system?; What is the role of mass media in the framing of the controversial dilemmas?

I hope the readers will find this project interesting and inspiring.

Elżbieta Kuźelewska
Editor-in-Chief and Theme Editor