

# Direct Democracy in the Faroe Islands

## *A comparative study of referendums in a Faroese context*

### **Beinleiðis fólkaræði í Føroyum**

#### *Ein samanberandi rannsókn av fólkaatkvøðum í einum føroyskum høpi*

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#### **Úrtak**

Tað hava verið 14 fólkaatkvøður um nógv ymisk viðurskipti í Føroyum. Í greinini verður hugt eftir hesum fólkaatkvøðunum við atliti at hvussu fólkaatkvøður hava verið brúktar í Føroyum, bæði tá tað snýr seg um politisku skipanina og veljararnar. Samanborið verður eisini við líknandi fólkaatkvøður í Danmark, Íslandi og Avstralia. Eisini verður roynt at flokka tær føroysku fólkaatkvøðurnar við støði í altjóða gransking. Niðurstøðan í greinini er, 1) at søgulig og mentanarlig viðurskipti, serstakliga viðurskiptini millum Danmark og Føroyar, hava havt týðning fyri fleiri av hesum fólkaatkvøðum, eisini fyri summar, ið ikki snúgva seg um hesi viðurskipti, 2) at fólkaatkvøður í Føroyum ikki altíð hava verið so væl fyriskipaðar av politisku skipanini, 3) at ofta hevur partapolitikkur havt nógv at siga og 4) at meirilutin av veljarunum hevur ofta brúkt sína atkvøðu til at atkvøða í móti teimum meira ella minni partapolitisku ætlanunum, sum hava ligið aftanfyrri hesar fólkaatkvøður.

Almenna niðurstøðan er, at skulu fólkaatkvøður vera eitt veruligt alternativ til umboðandi demokratiska støðutakan, so mugu tær grundast á frammanundan ferdar samráðingar, har báðir – allar – viðkomandi stríðandi partar góðtaka sjálvar treytirnar undir fólkaatkvøðuni. Hetta er serliga av stórum týðningi, tá talan er um avgerandi fólkaatkvøður um fullveldi.

#### **Abstract**

There have been 14 referendums in the Faroe Islands about very different issues. In this paper these referendums will be analysed in relation to the use of referendums in the Faroe Islands – from the perspective of the political system as well as from the view of the voter. A comparison will be made with similar referendums in Denmark, Iceland and Australia. An attempt to classify Faroese referendums in accordance with international research will also be done. The conclusion in the article is 1) that historical and cultural conditions, especially the Danish Faroese relations, have influenced several of these

referendums, even referendums that are not about these issues, 2) that referendums in the Faroe Islands haven't always been well prepared by the political authorities, 3) that party politics usually have significant influence and 4) that the majority of the voters usually have used the vote to demonstrate against the more or less party politically biased intentions of the political majority that often have been underlying Faroese referendums.

Generally speaking, this article concludes that if referendums are to be a real successful alternative to representative democratic decision-making then they have to be preceded by negotiations where both – all – relevant opposing sides agree on the referendum terms. This is especially very important when it comes to definitive referendums on secession.

## Introduction

Referendums haven't been used systematically in the Faroe Islands; on the contrary, they often seem to have been used accidentally in situations when politicians are incapable of solving demanding political problems. Occasionally they even have been intended as a political mean to threaten political opponents (Thorsteinson 1990:357). There have been 14 referendums in the Faroe Islands over the last hundred years, the first in 1907 and the latest in 2012. The first was about the licence to sell and serve of alcohol (Table 1) and the so far latest was about reducing the 30 Municipalities to seven larger units (Table 9). Some referendums are more commonly known in the Faroe Islands than others, but most of them have something to do with the relations with Denmark – even the 1907 one on the licence to sell and serve alcohol. The referendum in 1946 (Table 7),

which was about the Faroese relations with Denmark, is well known and still the object of protracted debates.

In this article I am going to examine these Faroese referendums – mainly in relation to the Danish-Faroese context. However, some of them have only marginal relevance for this perspective and will only be mentioned to underscore a point, but a table with turnout and results will be found for every one of them. I will be going into some detail with the 1946 referendum, which – even if it did not, as the outcome suggested, result in separation – is the most famous referendum in the Faroe Islands with the greatest and most long lasting political consequences for Faroese society and politics. The famous 1946 referendum is also the only one which explicitly refers to Danish-Faroese relations and originated from a specific Faroese context, while the other votes that explicitly referred to Danish-Faroese relations originated from a broader Danish state context. I will come back to this later, but since it is difficult to understand this political context without some information of the political and cultural history of the Faroe Islands, I will first broadly outline some major events and developments in the cultural and political history of the Faroe Islands.

The basic questions to answer in this article are: In what way and for what purpose have referendums been used as a part of the political decision-making in the Faroe Islands? And in what way have the Faroese voters, dependent on i.e. historical context, electoral campaign, responded to the formal or informal intentions of the political establishment? Even if these refer-

endums are very different and are related to many different subjects, I will in this article also make an attempt to compare them in relation to these questions.

The underlying assumption is that broader cultural and political questions, inappropriate preparations and tactical party politics, which often dominate Faroese referendums, tend to undermine voters trust in the political agenda which has acted as a backdrop. It will be argued that from the perspective of the political intentions of the political establishment, which implemented the referendums, whether they were Danish or Faroese authorities, most – not all – Faroese referendums appear to have been unsuccessful. Further to this, it will be argued that the general reasons for this are often the general historical context, external political issues, dubious political intentions, hidden political agendas and biased preparations among the political establishment in using referendums as political tools.

There are, of course, theories about the political likeliness that political actors choose to use referendums in the political decision-making. However, (these Faroese) referendums are very different, but probably there is a general logic in the circumstances that favour the use of referendums. Matt Qvortrup has developed a formal model in order to explain the likelihood of ethnonational referendums, – that is referendums that are about different kind of rights of ethnic and national minorities in relation to the state they are a part of – which he explains this way: *“If an actor is facing considerable competition ..., and if the actor’s preferred policy is a popular*

*one ..., then holding a referendum – especially if this is opposed by his competitors – is likely to give the initiator a boost and strengthen his or her legitimacy.”* (Qvortrup 2014:6). This formal model can’t, as Matt Qvortrup also notes, be used independent of other factors, but it might be useful to explain the use of referendums from the view of the initiators. However, in the Faroe Islands the general context often makes it difficult to use this model as many of the Faroese referendums are initiated from the Danish political system in relation to a broader Danish context, where the importance of the views of the Faroese voters are irrelevant or at best marginal in relation to motives of the political system in Denmark to initiate a referendum. Further, there is an example of a referendum accepted by Faroese authorities in accordance with this model that was subsequently cancelled by the Danish authorities. In another example the strong Faroese temperance movement forced the Danish authorities to implement a referendum that the Danish state authorities originally had been reluctant to accept. The model is therefore difficult to operationalize in a Faroese context, but to the extent that the Faroese authorities have had any influence on the origin of referendums in the Faroe Islands the model can be used to explain the motives of the initiators of the referendums.

The basic material is statistics about the results of all referendums in the Faroe Islands and some additional ones in e.g. Iceland and Western Australia in 1918, 1933 and 1944, which related to independence. Furthermore, the political and

legal preparations, which are preceding the implementation of the referendums, will be analysed in relation to the intentions with the referendums. This material is available in governmental statistics and reports and in part in Newspapers, where it, of course, also is possible to find material on the electoral campaign before the referendums. Lastly, historical accounts will be used to describe the historical and cultural background relating to the context of the referendums.

### Historical-cultural context

The Faroe Islands were populated by Norwegian settlers in the Viking age, but recently archaeologists have found proof for an older settlement of unknown origin in the Faroe Islands from the 3<sup>rd</sup> or the 4<sup>th</sup> century CE (Church *et al.* 2013:1-5). Contemporary sources from early 9<sup>th</sup> century CE indicate that Irish monks populated the Faroe Islands before the Norwegian Vikings drew them away around 800 CE (Tierney (ed.) 1967:75-77), but the important thing in this context is that the surviving settlement in the Faroe Islands was of Norwegian origin. Together with Iceland and Greenland the Faroe Islands became an integrated part of the expanding Norwegian Kingdom in the late 13<sup>th</sup> century, but this process had apparently started already in the 11<sup>th</sup> century. When the Danish Crown in 1380, as a result of the catastrophic impact the Black Death had on Norway and dynastic relations, inherited the Norwegian Crown, the Faroe Islands, Greenland and Iceland also became part of the mighty Danish-Norwegian Monarchy. Even if both the clerical and secular ad-

ministration of the North Atlantic Islands moved from Bergen to Copenhagen in the early 17<sup>th</sup> century, the islands legislatively were treated as a more or less integrated part of the Norwegian half of the Monarchy. Under absolutism the local representations throughout the Kingdom were abolished (the ancient Faroese *Løgting* as late as in 1816), but at the same time, in 1813, it was decided that Danish law would not be valid in the Faroe Islands unless it was specifically registered there. In 1814, when the Danish Crown was forced to give up Norway to Sweden (a result of an unsuccessful participation in the Napoleonic Wars and the Treaty of Kiel), the former Norwegian territories, the Faroe Islands, Iceland and Greenland, for some still disputed reasons remained under Danish sovereignty (Feldbek 1995). However, after 1849, when absolutism was abolished in Denmark with the democratic constitution, it was only in the Faroe Islands where the Danish constitution was registered – in 1850 without a referendum or any Faroese in the constituent assembly. In Iceland, the ancient representation, the *Alting*, was re-established as a consultative assembly in 1843. In 1851, deputies in Iceland, which previously had got the *Alting* reconstituted, were successful in their protest against Danish efforts to register the constitution in Iceland. The Danish never intended the constitution to come into force in the colonies, Greenland and the West Indies, but they intended to register the constitution in Iceland and in the Faroe Islands who were populated by Nordic People.

They did not succeed in Iceland, where the resistance was so powerful and per-

sistent that in 1918, the Danes had to grant Iceland sovereignty with a dominion status in the Danish realm. Further to this, in 1944 Denmark had to acknowledge that Iceland became fully independent. In the Faroe Islands, where the ancient *Løgting* only was re-established as a consultative assembly in 1852 – that is in the *aftermath* of the constitution – there was no resistance to the constitution (see e.g. Winther 1850:4). This difference in chronology of these important political events can in part explain the following different constitutional developments in Iceland and in the Faroe Islands. However, when nationalism eventually gained real ground in the Faroe Islands during the 1880s and in the beginning of the 20<sup>th</sup> century developed into the first political parties, which failed to agree about the relations with Denmark, the first arguments against the manner in which the constitution was being implemented in the Faroe Islands were put forward. Jóannes Patursson, the leader of the Faroese nationalist movement was behind this initiative (Patursson 1903) and later on, in the 1920s, he became a charismatic leader of an expanding Faroese secession movement.

The Faroese Language that gradually had developed from the ancient Norse Language, survived only as a spoken vernacular of the common people for the long and powerful cultural and political integration of the Faroe Islands into the Monarchy, while the written Faroese Language disappeared with the Lutheran reformation in the mid-16<sup>th</sup> century and was replaced by Danish. The official and spoken language in the Faroese school, church

and administration became as a consequence of the reformation – a bit odd – Danish. The nationalist movement worked mainly for the establishment and recognition of Faroese Culture and Faroese Language, which was re-invented as written language in 1846, as the official written language in the Faroe Islands. In 1939, after hard work and dispute, the Faroese Language eventually gained equal rights with Danish in public schools and the church and nine years later it was recognized as the main language in the Faroe Islands.

As from 1900, the political life in the Faroe Islands was geared towards the relations with Denmark, but it is important to note that this question of extended home rule within the Danish Realm had been an issue in Faroese politics since the middle of the 19<sup>th</sup> century (Sølvará 2016:11-12). The Unionist Party, established in 1906, wanted the constitutional relations with Denmark to be undisputed. Established in 1909, the Home Rule Party on the other hand, wanted as much local home rule as possible while maintaining a good relationship with the Danish authorities. The two parties were also divided in relation to the language: The Unionist Party was not against the Faroese Language, but the party's opinion was that the Danish Language should not lose ground in the Faroe Islands by letting the Faroese Language gradually take over. As could be expected, the Home Rule Party wanted Faroese to have equal rights with the Danish Language in the Faroe Islands.

For the first 15-20 years, it was the Unionist Party, which had the elected ma-

majority in the consultative *Løgting*. In the long run, though, it was the politics of the Home Rule Party that gained support among the majority of the Faroese People. However, the Danish state authorities, responsible for the legislation, were in the years 1918-23, when the Home Rule Party had the majority in the *Løgting* – because of technicalities, but not among the Faroese voters – reluctant to accept the majority decision in the *Løgting*. For this reason the frustrations of the Home Rule Party leading politicians were often directed against the Danish state authorities – not only against the Unionist Party (Sølvará 2002:150-219). In 1903, Jóannes Patursson wrote a pamphlet, *Faroese Politics* (Patursson 1903) which since became the real political program of the Home Rule Party. In reality, it acquired paradigmatic status in Faroese politics and became the model for the Home Rule Act, established in 1948. Actually, in the aftermath of the Second World War and following the September 14, 1946 referendum, which resulted in a small majority for separation from Denmark (Spiermann 2008:7), the Danish state authorities, in their efforts to preserve the Faroe Islands under the Danish Constitution, were forced to recognize the *Løgting* legislative power in Faroese matters, which some Danish judicial experts argued was in conflict with the Danish Constitution (Sølvará 2003:168-175). According to the Home Rule Act, the *Løgting* achieved legislative power in internal Faroese matters, while the Danish Parliament – where the Faroese People since 1851 have elected two members (to the *Folketing*, but until 1953, when

it was abolished, one of them to the *Landsting*) – has legislative power in matters of more common state interest. Foreign policy is also subjected to Danish state authority and cannot be taken over by the Faroese authorities.

The political landscape in the Faroe Islands is much more varied today and other political parties who claim separation to be their main goal (e.g. the People's Party from 1939 and especially the Republican Party from 1948, which directly originated from the September 14, 1946 referendum) have gained ground, a development rooted in the pre-war years. It has been this long-lasting and sometimes troubled cultural and political relationship with Denmark, which has been the informal context behind most referendums in the Faroe Islands, even referendums which formally had nothing to do with the Danish question.

From this short view over historical, cultural and linguistic Faroese themes, I am going to the main consideration in the article, which is the use of referendums in the Faroe Islands.

### **Referendum on licence to sell and serve alcohol in 1907**

The first referendum in the Faroe Islands was in 1907 as a result of the work of the strong temperance movement for a total prohibition to sell and serve alcohol in the Faroe Islands (Jacobsen 1995). Problems related to alcohol had increased in the Faroe Islands after the Trade Monopoly was abolished in 1856. Stories about men who lost all their possessions because of drinking and many deadly accidents at sea,



**Table 1.** Referendum(s) November 6-12, 1907 on the licence to sell and serve alcohol in the Faroe Islands

	Yes (% of valid votes and number)	No (% of valid votes and number)	Invalid votes (% of poll and number)	Poll (% of electorate and number)	Electorate	Yes (% of electorate)
Faroe Islands	3.6%	96.4%	2.8%	49.4%		1.7%
	1) 130	1) 3.458	102	3.690	7.473	
	2) 108	2) 3.447				
	3) 104	3) 3.443				
	4) 110	4) 3.431				

Questions to the voter. Do you support?

1) Trade with distilled spirits?	Yes	No
2) Trade with beer and wine?	Yes	No
3) Serving distilled spirits?	Yes	No
4) Serving beer and wine?	Yes	No

The invalid votes are in the tables in this article calculated as a part of the referendum turnout, while the percentage of the voters in favor of or against the issue in question is calculated on the basis of the valid votes only. However, the case with this referendum is that there does not exist any official statistics, but in the literature the general turnout is – based on unofficially published statistics – registered to be 48.7% without invalid votes. It is on the other hand evident from some scattered evidence in contemporary Newspapers that the invalid votes were registered. This incited me to search in the National Archives in Tórshavn where the handwritten reports about the referendum results from all the 40 Municipalities to the Faroese County (*Færø Amt*) in Tórshavn are preserved. Indeed, the invalid votes are registered there, but they were never counted. Further to this, the reports in the National Archives revealed a major error in the unofficial statistics (e.g. *Dúgván*, February 29, 1908) that informs that 171 voters were in the Municipality of Sjógv, but the real number is 271. Additionally, the electorate in Vaag was 295 and not 296. These findings corrected the electorate in 1907 from 7374 to 7473. The percentage of invalid votes (2.8%), the number of the invalid votes (102) and the turnout percentage at the referendum (49.4%) are here corrected on the basis of these findings in the material in the National Archives.

The basis has been the valid votes given to answer the first question, but if we use the same method to calculate the turnout on the basis of answers/votes given to answer the second, third and the fourth question – where the number of answers/votes is a bit lower – the turnout will fall a bit further, respectively to 48.9%, 48.8% and to 48.7%.

The result of the referendum in relation to the poll (49.4%) was compelling (93.7%), but it is worth mentioning that compared to the total Faroese electorate ‘only’ 46.3% were in favor of the prohibition to sell and serve alcohol. More than half of the Faroese voters did not participate in these referendums, while 3.5% of the poll was against the prohibition. However, the law required that a condition for giving permission to sell or serve alcohol was that at least 25% of the electorate in the relevant Municipality at a referendum was in favor of selling and serving alcohol. In this respect the outcome was indeed compelling. The numbers in the table is a summing up of the votes all over the Faroe Islands, but in reality there was a multi option referendum in each of the forty Municipalities, where the result was an almost unanimous rejection of all four options in all forty Municipalities. Interestingly, the result of these referendums could have been that it was allowed to sell and serve alcohol in some Municipalities while it was forbidden in other Municipalities.

Sources: *Dimmalætting*, November 9. and 16, 1907, *Tingakrossur*, January 1, 1908, *Lagtingstidende* 1907-08:159-160, *Lovtidende* 1907 1908:789-792, *Dúgván*, February 29, 1908, *Jacobsen* 1995:75 and 227, and *Føroya Landsskjalasavn*, *Indberetninger* 1907.

where alcohol obviously had been involved, had in part made the temperance movement grown strong (Jacobsen 2011:102).

Accordingly, the struggle for total prohibition to sell and serve any kind of alcohol gained strong support in the Faroe Islands – the long term ideological goal of the temperance movement was to achieve total prohibition to import and use alcohol in the Faroe Islands.

On the other hand, the Faroese nationalist leader Jóannes Patursson, who, as a member of the Danish Parliament, negotiated with and managed to convince the Danish Government to give the Faroese People a proposal for financial home rule, wanted partly to finance this by an alcohol tax (Debes 1982:283-296). In arguing for this proposal, Patursson ridiculed the temperance movement's proposal and also rightly claimed that the liberal Danish state authorities would be very reluctant to accept such a conservative Faroese proposal, which would limit the individual freedom. The *Løgting* had already since 1894 on several occasions passed similar proposals on the important alcohol subject, but the Danish state authorities had either refused to consent or ignored the proposals (Isholm 2005:96), and it could not be expected that the Faroese member of the *Folketing* now would argue in favour of the proposal. This incited the temperance movement to shore up their claim by collecting signatures all around the Faroe Islands. Out of a population of around 15.000, the temperance movement managed to collect almost 6.000 signatures, which were sent to the Danish state au-

thorities in Copenhagen (Isholm 2005:101-103).

The result was a major defeat for Jóannes Patursson and the home rule movement at the 1906 election to the Danish Parliament, where Jóannes Patursson was replaced by the alcohol prohibition proponent Oliver Effersøe, and at the 1906 election to the *Løgting* (Debes 1982:297-308), which was mainly about the financial home rule proposal. The temperance movement won a landslide victory at the 1907 referendum about the sale and serving of alcohol that Danish authorities because of the many signatures and the new Faroese political representation in the *Løgting* and in the Danish Parliament had been forced to allow in the Faroe Islands (Isholm 2005:109). Indeed, the Faroese temperance movement had forced Danish authorities to accept this referendum given the fact that the voters apparently were almost unanimous in their claim to forbid the sale and serving of alcohol in every one of the forty Municipalities in the Faroe Islands (Jacobsen 1995:227).

It appears to be obvious that this referendum was initiated by Faroese opponents of the use of alcohol who were in strong competition with the political home rule supporters and they must have been very confident of the popularity in the Faroe Islands of their views on the question. Their opinions were even opposed by the Danish state authorities. This context fits nicely into Matt Qvortrup's formal model, which intends to explain the origin of referendums, – even if he is primarily referring to referendums on ethnic or national conflicts – but it must also be emphasised that the



Danish state authorities, who originally were very reluctant to accept any prohibition law, implemented a referendum that in all probability would furniture the proponents of a prohibition law with strong support. This muddles the picture a bit, but there is no doubt of the simple fact that the referendum was initiated by the Faroese temperance movement even if Danish authorities implemented it.

This was the first time Faroese women were allowed to participate in a real election, but the result was so compelling (Table 1) that it would have been the same without female votes (Jacobsen 1995:76). Even if this first Faroese referendum formally had nothing at all to do with Danish-Faroese relations, it certainly effectively came up against Jóannes Patursson's and the home rule supporter's political intentions for financial home rule for the Faroe Islands within the Danish realm. However, the irony was that the referendum demonstrated that the Faroese opponents of the Offer and extended Faroese home rule apparently won the political battle by arguing that only the Faroese People should decide the issue of the use of alcohol in the Faroe Islands, i.e. independent of what the Danish political system or voters decided in the actual Denmark. Some of the Faroese proponents for a prohibition to sell and serve alcohol even appear to have been conscious of a direct connection between the Faroese struggle for abstinence from alcohol and the Faroese struggle for extended home rule (Isholm 2005:93, 107). Paradoxically, then, the refusal of the Offer in 1906 and especially the following decision at the referendum in 1907 can be inter-

preted as a victory for some kind of internal self-determination in the Faroe Islands.

The decision taken at this referendum in 1907 regulated the alcohol consumption in the Faroe Islands until 1992, when a Faroese monopoly to sell alcohol was established by the Faroese home rule authorities. Simultaneously, restaurants and bars could get licence to serve wine, beer and spirits. The referendums in 1907 and in 1973 (Table 10) had never prohibited individual import and drinking of alcohol; they had only prohibited the sale and serving of alcohol unless it (as stated in 1907) was accepted by 25% of the electorate in each Municipality at a referendum, but the decision in 1992 overruled these two votes.

### **Referendum on the sale of the West Indies**

That informal Faroese contexts – Danish-Faroese relations – could affect referendums on other issues became more obvious in 1916, when the second referendum was in the Faroe Islands. This was not a local Faroese referendum originating from Faroese politics, but a Danish state-referendum originating from Danish foreign politics – actually this was the first referendum in Denmark. It concerned the Faroe Islands only as they were regarded as an integrated part of the Danish constitutional realm, while the native population it really affected, the native inhabitants of the Danish colony of West India, were not given the formal opportunity to express their opinion on the subject through this referendum.

When the Panama Canal opened in

1914 the United States began to show an interest in this Danish colony of West India. In Denmark there was political opposition regarding the possible sale of the colony and in view of this, the government chose to let the people answer the question by using a referendum according to the Danish Constitution of 1915.

At this referendum on December 14, 1916, where the turnout was 37.4%, a majority of 64% voted for selling the colony, but interestingly, a majority of 67.3% of the voters in the Faroe Islands were against selling the West Indies. It is even more interesting, if we look at the campaign before the referendum. The Unionist Party Newspaper wrote the day before the referendum on December 13, 1916 that *“it would be very doubtful if a majority in the islands voted for the sale with the argument that the islands were a deficit for the Exchequer. As it has been noticed, the Faroe Islands at the moment generate a much bigger deficit than the Danish West India; only on that ground it would be more than strange that the Faroese should say “Yes” allowing the state in such circumstances to sell land to the highest bidder. It must therefore be hoped that Unionist Party voters as well as Home Rule Party voters, men and woman, will meet at the polls tomorrow and vote “No” (Dimmalætting, December 13, 1916).* One of the leading politicians of the Unionist Party, Oliver Effersøe, the chairman of the Unionist Party in the period 1917-24, had previously even encouraged *“everybody to vote “No” on the referendum on the December 14 regarding sale of the Danish islands in West India. – We ought to try to*

*prevent the Danish State from being made smaller” (Føroyatíðindi, December 11, 1916).*

The Home Rule Party’s Newspaper, *Tingakrossur*, wrote a deeply sarcastic comment to Oliver Effersøe on the December 13, 1916: *“You really don’t know if you shall laugh or cry: we Faroese shall “try to prevent” what the Danish Government and the Danish People have agreed upon! Truly – it was only this “voice from the grave” missing to make the Unionist Comedy complete”.* In the same Newspaper, but in another article, it was stated that *“The question on the referendum is quite frankly this: Slavery or sale. – The islands sold or the population against its will forced under Danish rule and subjected to dictatorship in the service of capitalistic purpose” (Tingakrossur, December 13, 1916).*

It was, of course, understandable that the interest among Danish and Faroese voters was not overwhelming, the turnout was respectively 37.4% and 13.6%, but no one seems to have thought or suggested that maybe the West Indians would have shown more interest in the question, if they had been asked; an unofficial referendum in the island of Sankt Croix clearly supported the sale to America (Sølvará 2010). Interestingly, the result in the Faroe Islands was a poll against selling, but it seems clear from the discussion before the referendum that the main question was only discussed in relation to a Danish-Faroese perspective. The troubled relationship between the Faroe Islands and Denmark is quite clear in the Home Rule Party’s political agitation. It has also to be noted that

only 13.3% of the electorate actually followed the Unionist Party's recommendation to vote at the referendum, but the majority of those who voted appear to have followed the Unionist Party's recommendation to vote "No", while the vast majority of the electorate followed or acted in accordance with the Home Rule Party's recommendation to vote "Yes" or simply to stay at home on December 14, 1916 (e.g. *Tingakrossur*, December 13, 1916).

However, the interest among the Faroese voters appeared to be marginal, which in part can be interpreted as a demonstration against the intentions of the Danish authorities, while those who did participate in the vote clearly demonstrated against these intentions. The latter point is clearly indicated in the electoral campaign in the Faroe Islands in 1916. However, the very low Faroese turnout also appears to indicate that the vast majority of the Faroese voters perceived this as a Danish

state matter, which did not concern them. Interestingly, referendums initiated by the Danish state authorities regarding Danish state matters generally do not appear to have mobilised any interest among the Faroese voters.

### Constitutional referendums

It is understandable that the interest among the Faroese voters was not overwhelming in regard to the West Indian question, but it was really expected that the interest would be bigger regarding the first referendum in the Faroe Islands on the Danish Constitution.

The Danish Constitution was as previously mentioned registered in the Faroe Islands in 1850 without asking the Faroese and without any dispute or protest there. However, there was no rule in the constitution prior to the change in 1915 that demanded a referendum to change the constitution. Thus, when the constitution was

**Table 2.** Referendum December 14, 1916 on the sale of the West Indies

	Yes (% of valid votes and number)	No (% of valid votes and number)	Invalid votes (% of poll and number)	Poll (% of electorate and number)	Electorate	Yes (% of electorate)
Denmark	64.2% 283.653	35.8% 158.174	1.6% 7.267	37.4% 449.094	1.200.000 (approximately)	23.6%
Faroe Islands	32.7% 348	67.3% 717	2.1% 23	13.6% 1.088	8.000 (approximately)	4.4%

It was up to the legislative assembly to decide what to do after the referendum, unless a majority voted against the sale, in which case the government would have to inform the United States that the treaty could not be ratified. There were no demands for a qualified majority; a simple majority vote could take this decision. As it happened, the legislative assembly

decided to ratify the treaty and thus sell the West Indies to the United States.

Sources: *Statistisk Årbog 1917* 1917:190, *Statistisk Årbog 2010* 2010:62, *Lovtidende 1916* 1917:1368, *Tingakrossur*, December 20, 1916, and *Dimmalætting*, December 20, 1916.

changed in 1915, the procedures in the constitution, which only demanded that two parliament settings with an election in between had to accept the changes to make them valid, were followed. The two Faroese representatives (the unionists Oliver Effersø and Andras Samuelsen in the first setting and Oliver Effersø and the Home Rule Party representative Edward Mortensen in the second setting) voted in favour of the constitution in both settings (Sølvará 2014:281). Edward Mortensen said that he had voted in favour of the Danish Constitution because he realised that it already was valid in the Faroe Islands (*Lagtingstidende 1919A* 1920:351).

The constitutional rule, which in addition to the previously demanded rules demanding a referendum in order to change the constitution, was only added in 1915. Thus, it was only in 1920, years after the topic had become a political issue in the Faroe Islands, that the first referendum on the Danish Constitution ever took place. In relation to this proposed change, the *Løgting* on September 19, 1919 had passed a proposal to add a sentence to § 2 in the Danish Constitution – “*the legislative authority is with the King and the Rigsdag (i.e. the Danish Parliament) in unity*” – “*however, the Rigsdagens authority in relation to specific Faroese matters could by law be assigned to the Løgting*” (Sølvará 2014:255).

This proposal was by Jóannes Patursson – the Faroese member of the Danish *Landsting*, the first chamber of the Danish Parliament – on February 13, 1920 put before the Danish Parliament, but it was for some reason never dealt with and therefore

was not included in the changes in the constitution proposed at the referendum in September 4, 1920. One reason for this might have been that the unionist minority in the *Løgting* in a letter to the government protested against the proposal (see Sølvará 2016:103 and 171 note 63), but probably more importantly, the proposal was apparently also in direct conflict with the leading Danish interpretation of Denmark as a unitary state (Østergård 2012:38). Thus, while the Unionist Party argued that the constitution was valid in the Faroe Islands, the Home Rule Party in spite of the vote in the parliament in 1915 now really questioned the proposition that the Danish Constitution was valid in the Faroe Islands. In the discussions previous to the referendum, both Faroese parties had welcomed the first referendum on the constitution, even if the issue was raised as a legal necessity in the 1915 constitution and not as a result of Faroese demands. In 1915 it was re-introduced as a formal rule in the Danish Constitution that it could only be changed or replaced by another constitution, if two Danish Parliaments separated by an election passed the proposal for change and furthermore it was added as a new rule that a qualified majority of at least 45% of the electorate should accept the change on a mandatory and legally decisive referendum. It was therefore by legal necessity – not by choice – that the first referendum on the Danish Constitution was declared to take place in the Faroe Islands on September 4, 1920.

Thus, Jóannes Patursson, who in February 1920 as one of the two Faroese members of the Danish Parliament, on be-

half of a passed proposal in the *Løgting*, had argued in vain for a change in the constitution that would have authorized the *Løgting* legislative power in Faroese matters, invoked the voters to decide against the constitution. The leader of the Unionist Party, Andras Samuelsen, on the other hand, wrote self-confidently in an article in *Dimmalætting* on the day of the referendum: “*Can there be any doubt that all of us who can participate at all will participate and vote yes? (...) – The day of the Referendum should be a festival day for us, a day of joy (...)*” (*Dimmalætting*, September 4, 1920).

When the result was clear, Andras Samuelsen was not all that self-confident. It was true, of course, that an overwhelming majority – 98.4 % – of the participating Faroese voters accepted the Danish Constitution, but only 24.9% of the electorate took part in the vote. In Denmark overall 49.6% of the electorate participated in the referendum, while 47.5% of the electorate had voted Yes – e.g. in favour of the new Danish Constitution (Table 3).

However, a few days later, on September 8, 1920, Andras Samuelsson wrote in another article in *Dimmalætting*, where he expressed explicit disappointment regarding the low Faroese turnout at the referendum, that he was happy that “*the 45% were reached even if the Faroese did not participate so strongly. This also happened because 47.5% all in all have voted yes. The constitution was therefore passed. The men who have worked against the referendum are not happy at all. They did not succeed in their efforts to prevent the acceptance of the constitution at the referendum*

*even if they managed to make the Faroese yes-votes fewer than they could have been*” (*Dimmalætting*, September 8, 1920).

The leaders of the Home Rule Party, who had encouraged the Faroese voters to refrain from participating in the 1920 referendum on the Danish Constitution (e.g. *Tingakrossur*, September 1, 1920, see also *Tingakrossur*, May 10, 1939) did not accept the precondition of Andras Samuelsen and argued quite differently. After the referendum the Home Rule Party’s Newspaper wrote: “*This is the first time in our political history that the Faroese People has had the opportunity directly to come to a decision on whether the Danish Constitution should be valid in the Faroe Islands or not. The precondition was that 45% of every 100 voters over 29 years of age should have said “yes” if the constitution could be said to have passed. (...). Of the 8259 voters in the Faroe Islands who had the right to vote on this decision only a quarter accepted the constitution, 32 gruffly said no and 6199 voters protested silently. – The Danish Constitution has not been accepted in the Faroe Islands*” (*Tingakrossur*, September 8, 1920). While the Unionist Party politicians argued under the historical and legal precondition (which among other things can be based on the historical fact that both the Faroese representatives of the Danish Parliament, including a Home Rule Party representative, had voted in favour of the Danish Constitution at two occasions in 1915), that the Faroe Islands were already integrated into the realm of the Danish Constitution, some Home Rule Party supporters apparently

maintained that the Faroe Islands had never been legally integrated into the Danish constitutional realm.

However, the Faroe Islands remained under Danish authority even though the Faroese interest for the Danish Constitution later on should be proved to be even lesser than in 1920 – marginal. Thus, when the Danish authorities organized another referendum on the constitution in 1939, the turnout was 48.9%, but only 44.5% – not the demanded 45% – of the total number of voters accepted the new constitution and it was therefore rejected. In the Faroe Islands the turnout was only 10.7% whereof 83.1% accepted the change (Table 4). In 1953 the Danish authorities managed to mobilize 59.1% of the Danish electorate to participate in a referendum on the constitution, where a majority, 45.8% of the electorate accepted the new constitution, but in the Faroe Island the interest was nearly non-existent – only 8.7% of the Faroese electorate chose to participate in this referendum, while the percentage of

the Faroese electorate in favour of a new constitution was 6.7% (Table 5).

This missing Faroese interest in Danish initiated referendums is underscored by the five referendums on the electoral age in 1953, 1961, 1969, 1971 and in 1978 (Appendix 1). In these according to the Danish Constitution (§ 29, subsection 2 and § 42, subsection 5) mandatory referendums where only a simple majority of the participating Danish voters is necessary to have the electoral age changed, the Faroese turnouts (respectively 8.7%, 4.0%, 19.7%, 9.0% and 26.4%) are remarkable lower than in Denmark as such (57.1%, 37.3%, 63.6%, 86.3% and 63.2%) and in Greenland (36.1%, 30.1%, 43.8% and 33.1%) where referendums on the electoral age also were held after 1953. Further to this, in the only two of these referendums where a notable part of the Faroese voters participated, i.e. in 1969 (19.7%) and in 1978 (26.4%), they – just as in the referendum about the sale of the Danish West Indies in 1916 – appear to have voted

**Table 3.** Referendum on constitution September 4, 1920

	Yes (% of valid votes and number)	No (% of valid votes and number)	Invalid votes (% of poll and number)	Poll (% of electorate and number)	Electorate	Yes (% of electorate)
Denmark	96.9% 614.227	3.1% 19.592	1.1% 6.940	49.6% 640.759	1.291.745	47.5%
Faroe Islands	98.4% 2.028	1.6% 32	0.0% 0	24.9% 2.060	8.259	24.6%

The occasion for this referendum on the constitution was the reunification of the northern part of the since 1864 German occupied Schleswig with Denmark after a referendum in Schleswig on February 10 and March 14, 1920 – a consequence of the German defeat in the First World War. Since 1915 a legally decisive referendum, where a majority of at least 45% of the

electorate (from 1953 40%) was mandatory to change the constitution. This referendum on the constitution was two days later – on September 6 – in Denmark.

Sources: *Statistisk Årbog 1920* 1921:200, *Statistisk Årbog 2010* 2010:62, *Tingakrossur*, September 8, 1920 and *Rerup* 1987:44.



**Table 4.** Referendum on constitution May 23, 1939

	Yes (% of valid votes and number)	No (% of valid votes and number)	Invalid votes (% of poll and number)	Poll (% of electorate and number)	Electorate	Yes (% of electorate)
Denmark	91.9% 966.277	8.1% 85.717	1.1% 11.770	48.9% 1,963.764	2,173.164	44.5%
Faroe Islands	83.1% 1.120	16.9% 228	2.7% 38	10.7% 1.386	12.953	8.8%

The intention with this proposed change of the constitution was to abolish the *Landsting* and replace it with a *Rigsting* whose members in part should come from the *Folketing* and in part from ordinary elections. The *Rigsdag* would still have been a two chamber system, but the proposed change achieved only 44.5%

(not the demanded 45%) of the electorate and was rejected. *Løgtingið* was intended to elect a member of the *Rigsting*.

Sources: *Rigsdagsvalgene 1939* 1939:224 and *Bøgh* 2007:87-90.

against the Danish Governments intentions and differently than the Greenlandic voters who have agreed with the change.

This almost non-existent interest in (referendums about) the Danish Constitution – or in referendums about other issues required by the constitution – among the vast majority of the Faroese voters happened even in spite of the fact that both the Unionist Party (e.g. *Dimmalætting*, May 2, 1953) and the Social Democratic Party (e.g. *Dimmalætting*, May 23, 1953), i.e. two of the major political parties in the Faroe Islands, really encouraged the Faroese voters to participate and vote in favour of the constitution. These two parties controlled in 1953 13 of 23 mandates in the *Løgting* (Isholm and Ísakson (ed.) 2003:160).

On June 7, 2009 a referendum on a change in the Danish Law of Succession that should give males and females equal rights to inherit the Danish Crown was held in the Danish Kingdom (Table 6). The change was accepted by 45.2% of the elec-

torate, but in the Faroe Islands the pattern was the same as regarding the constitution as a whole – only 11.8% of the electorate participated. A majority counting 88.2% of the poll accepted the change. It appears almost surprising that the poll this time actually was higher than the one to the referendum about the whole constitution in 1953, but the interest was still insignificant.

On constitutional issues the vast majority of the Faroese voters appears to have acted in accordance with an original recommendation from the Home Rule Party; they simply did not participate. This can, of course, in part be interpreted as a clear demonstration of a lack of interest among the Faroese voters for the Danish Constitution, but it can also be interpreted as a silent Faroese demonstration against the integration of the Faroe Islands in the Danish constitutional realm. The latter interpretation is also in full compliance with the simple fact that voters who choose to refrain from participating in the referendums

**Table 5.** Referendum on constitution May 28, 1953

	Yes (% of valid votes and number)	No (% of valid votes and number)	Invalid votes (% of poll and number)	Poll (% of electorate and number)	Electorate	Yes (% of electorate)
Denmark	78.8% 1.183.292	21.2% 319.135	1.7% 25.231	59.1% 1.527.658	2.584.869	45.8%
Faroe Islands	81.8% 1.145	18.2% 255	5.9% 87	8.7% 1.487	17.091	6.7%

The main changes in the constitution passed in 1953 were that 1) females were allowed to inherit the Danish Crown, 2) the first chamber in the Danish Parliament (*Landstinget*) was abolished and 3) Greenland eventually became part of the Danish constitutional area. There was no referendum in Greenland about the registration of the constitution in 1953. Since 1953 the

*Folketing* only has constituted the Danish Parliament, the *Rigsdag*, which became a one chamber system. The Faroese voters elect two of the 179 representatives.

Sources: *Rigsdagsvalgene* 1953 1953:188 and 193 and *Afvikling* 1945-54 2007:371-385.

**Table 6.** Referendum on Law of Succession June 7, 2009

	Yes (% of valid votes and number)	No (% of valid votes and number)	Invalid votes (% of poll and number)	Poll (% of electorate and number)	Electorate	Yes (% of electorate)
Denmark	85.4% 1.859.253	14.6% 317.858	9.3% 222.802	58,3% 2.399.913	4.114.369	45.2%
Faroe Islands	88.2% 3.607	11.8% 483	1.4% 57	11.8% 4.147	35.138	10.3%

This referendum sat males and females equal in relation to inheriting the Danish Crown. The fact that the Faroese turnout was low and the invalid votes in Denmark were many might indicate a general critical

tendency among many voters towards the royal family.

Source: *Statistisk Årbog* 2010. 2010:62.

on the constitution actually counted on the “No” side – especially in case of a low turnout.

The large number of voters “voting at home” can, of course, on the strictly formal level, also be interpreted as a demonstration against the new constitution only, while they were in favour of the old one. However, this appears unlikely in reality when we know that the unionist parties en-

couraged voters to participate and to vote in favour of the constitution, while home rule and secessionist parties encouraged them to vote against or stay at home.

This indicates that even if the Danish Constitution is effective in the Faroe Islands it is difficult to argue that it has achieved any real legality and acceptance from the Faroese People. Anyway, it is difficult to escape the conclusion that Faroese

voters do not appear to be interested in Danish initiated referendums regarding general Danish state matters. The vast majority of the Faroese voters refrain from participating in these referendums.

Consequently, the constitutional referendums as well as the previous referendum on the sale of Danish West Indies that originated in a Danish state context, can't apply to Matt Qvortrup's model in relation to the specific Faroese context, which is the core subject in this article. These referendums originated in a Danish context, which is not analysed here, and the views of the Faroese People played only a marginal, if any, role in the political calculations of the Danish authorities when they choose to implement these referendums. Neither did any of these referendums originate from intense political competition in the Faroe Islands where the parties had motives for boosting their politics with a referendum. Consequently, these Danish state initiated referendums that neither originated from nor really related to any intense political discussion in the Faroe Islands could not really be used to bolster any popular political agenda of the established Faroese political parties. However, when these referendums were implemented, they became an integrated part of the political struggle in the Faroe Islands on the politically disputed relations to Denmark, but the relevance of these referendums appear to have become increasingly marginalized.

### **Referendums on independence**

The Danish initiated referendums on e.g. the constitution, which obviously lacked

interest among the Faroese voters, did not become a major political issue in the Faroe Islands, but another, Faroese initiated, referendum on separation from Denmark, which motivated a larger part of the Faroese voters, has reached nearly mythical status, especially within the home rule and separatist movement, which really gained acceptance in the Faroe Islands during the Second World War. During the Second World War, Denmark was occupied by Germany, while the Faroe Islands were occupied by the British. Even if the British state authorities declared that they intended to deliver the Faroe Islands back to Denmark after the war, change came to the Faroes by necessity: The *Løgting* had to be granted a kind of legislative power in co-operation with the Danish Governor (*Amtmaður*); Faroese money in a monetary union with the English £ was used; a Faroese Flag (1919), admired among the home rule supporters, was recognized by the British to be used at sea; the ancient Faroese Language, which since the establishment of a specific Faroese grammar in 1846 had developed into a written language that gained acceptance from the Faroese People, was recognized as the judicial language of the islands; and the economically good times gave the expanding separatist movement widespread support among the Faroese People. The Danish Governor was eventually forced to declare to the Faroese People that he would advise the future Danish Government to respect Faroese demands after the war.

The consequence of the war was that almost everybody recognized that the Faroe Islands could not return to the pre-

war constitutional status. In view of this, at the end of the war, the Danish Government officially declared that the (preliminary) wartime political system in the Faroe Islands should remain in power, until a new system had been established.

The People's Party, established in 1939, which intended the Faroe Islands to have a kind of dominion status in relation to Denmark, gained great political support during the war and only lacked one member in the *Løgting* to have an absolute majority. The Unionist Parties (the Unionist Party and the Social Democratic Party, the latter was established in 1925), had the majority of the members there. The aged Jóannes Patursson, born in 1866, who no longer could agree with the moderate home rule politics of the politically weak Home Rule Party, – which was not even represented in the *Løgting* from 1943 to 1946 – was one of the founders of the People's Party and became the party's first political leader.

An election in 1945 did not change the political balance of power in the *Løgting*, and representatives for the three political parties in January 1946 accepted an invitation from the Danish Government to travel to Copenhagen to negotiate on the future relationship between Denmark and the Faroe Islands. The three political parties disagreed on the question, which even was clear in the negotiations with Danish authorities (*Upprit* 1946): The People's Party wanted a system independent of the Danish Constitution, while the other parties wanted a system within the constitution, but disagreed on the question of legislative power to the *Løgting*. The Social

Democratic Party wanted a legal system that granted the *Løgting* legislative power in specific Faroese matters – not that different from the system that had functioned during the war – while the Unionist Party preferred a system resembling the pre-war system, where the *Løgting* remained to be consultative.

In the end, the Danish Government put forward a proposal, which none of the Faroese Parties really liked. An obstacle appeared to have been that the Danish Government as in 1920 was reluctant to accept anything that contradicted with its general perception of Denmark as a unitary state, but the missing consensus in the Faroese delegation was also a major obstacle. This proposal, which was given under the precondition of the validity of the Danish Constitution in the Faroe Islands, acknowledged the *Løgting* the power to make “*administrative regulations of legislative character*” regarding specific Faroese matters. The Danish “*State Representative*” in the Faroe Islands – replacing the governor (*Løgtingstiðindi* 1946 1947, *Skjal* 7:42-43), should lead a new Faroese Government.

The Danish Prime Minister stressed that this was the final offer – the alternative would be separation from Denmark. The People's Party could not under any circumstances accept the government's proposal, the Social Democratic Party was not pleased either and the Unionist Party thought the proposal granted the *Løgting* too much authority. In the end, however, the Social Democratic Party and the Unionist Party, which together had 12 of the 23 representatives in the *Løgting*, were

able to agree on the government's proposal in order to prevent the People's Party from influencing the decisions. The negotiations in Copenhagen ended in March 1946 and the intention was that both the unionist parties represented in the *Løgting* – the Unionist Party and the Social Democratic Party – should pass the Danish proposal. But this was a bit more difficult in reality than it was intended.

Back in the Faroe Islands, one of the Social Democratic members of the *Løgting*, Jákup í Jákupsstovu, declared that he could not accept the Danish Government's proposal and that he in reality was a separatist. He even said that he intended to get the *Løgting* to pass a proposal for full separation from Denmark, but when the time came to do this, one of the members of the People's Party was missing from the *Løgting* (Skála 1992:87). It was now evident that the *Løgting* was not in a position to pass any of the proposals – therefore a referendum about the government proposal appeared to be the most obvious solution.

The People's Party, whose majority of representatives either were not really separatists or did not really believe in a separatist majority at the referendum, came up with the first proposal for referendum questions, which most likely were constructed with the clear intention to convince the voters to reject the governmental proposal. Their first proposal was that the voters should have four questions to deal

with: “1) *Do you want a pre-war comparable system established?*”, “2) *Do you want a government comparable proposal established?*”, “3) *Do you want something more freely than the government's proposal established?*” or “4) *Do you want separation between the Faroe Island and Denmark?*” (*Løgtingstiðindi 1946 1947, Skjal 8*)<sup>1</sup>. Interestingly, only the (eleven) representatives of the People's Party accepted this proposal. The party therefore proposed to delete the first question, – the pre-war system – but they could not mobilize a majority in the *Løgting* for any of these proposals. The People's Party eventually came up with a third and final proposal where the voters only should deal with one clear question: “*Do you accept the government's proposal?*” – where the only valid answer would be “*Yes*” or “*No*”. These proposals were all constructed in such a manner that the Faroese authorities would have to take up new negotiations with the Danish authorities if the Danish Government's proposal was rejected – whereby the referendum in itself would be a consultative one.

The Unionist Party and the Social Democratic Party were not at all pleased with these proposals from the People's Party. They apparently calculated that these wordings of the questions would make it more likely that the government proposal was rejected at the referendum; and the Social Democratic Party, which

1) It has been pointed out that such multi option referendums can be difficult to handle because they render it unlikely that one option achieves the majority of the votes, while it becomes more likely that different combinations of answers can furnish different political parties with arguments for different majority answers at the referendum. This is, of course, a relevant critique, but successful multi option referendums have been held in e.g. Newfoundland in 1948 (Qvortrup 2014:68-70).

otherwise was not at all completely pleased with the government proposal, was also influenced by the Danish Government – especially the Prime Minister – who previously had stressed that there were only two possibilities – the Danish Government’s proposal or separation. The Social Democratic Party had according to the Faroese *Amtmaður* been tempted to accept the People’s Party referendum proposal, but the party had apparently changed its mind when he had told the Social Democratic leader that it was very unlikely that the Danish Government would accept any of the People’s Party proposals (Wang 2010:97). Jákup í Jákupsstovu on the other hand rejected these proposals from the People’s Party, because he was himself a convinced separatist and thought that the majority of the voters would vote for separation.

Consequently, the Unionist Party and the Social Democratic Party, which could mobilize a majority of 12 representatives in the *Løgting*, with the smallest possible margin on May 9, 1946 passed another proposal for a referendum, which apparently was more suited to convince the majority of the voters to accept the government’s proposal. According to this passed proposal, which on behalf of the Danish Government was accepted and then officially announced by the Danish Governor,

the *Amtmaður*, on June 13, 1946 (Skála 1992:94),<sup>2</sup> the voters were only to answer two opposite questions: “1) *Do you want the government’s proposal established?*” or “2) *Do you want separation between Denmark and the Faroe Islands?*”<sup>3</sup> (*Løgtingsíðindi 1946 1947, Skjal 8*). It was explicitly specified that only a mark (x) for one (one) of the two questions would be a valid vote – anything else would invalidate the vote. The referendum was set to be on September 14, 1946.

Apart from Jákup í Jákupsstovu, the political establishment was unanimous in the belief that given the two questions without any other possibilities, there would be a majority for the government’s proposal. While the government’s proposal was printed in the papers and well known to all Faroese voters, nobody knew what separation would really mean. The authorities had given their proposal a positive content, while separation was only regarded as a word with a negative content, a threat, also according to the People’s Party.

However, outside the political establishment, some political activists wrote a pamphlet (*Føroyar* 1946) containing, amongst other things, a proposal for a Faroese Constitution and a Finance Bill, which they transmitted to every household in the Faroe Islands. They travelled around the islands and tried to convince people to

2) This fact renders it questionable that this referendum in the international literature occasionally is only characterized as an unofficial referendum (see e.g. Butler and Ranney (ed.) 1994:287 and 295).

3) This passed text, which as usual was published in Faroese and Danish, had two different semantic connotations. The English word “separation” is here translated from the Faroese word “loysing” and the Danish counterpart “løsrivelse”. However, while the meaning of the Faroese word “loysing” is “to untie” something, e.g. a knot that connects two separate ropes, the Danish word “løsrivelse” means “to tear loose” something. The two questions were printed in both languages on the legal voting notes.



vote for independence. On the other hand, within the political establishment nobody really argued for full separation. Jóannes Patursson, who had become a separatist in the 1920s, died at the age of 80 on August 2, 1946, but the functioning People's Party leader, Thorstein Petersen, advised voters not fully convinced about separation to

vote "No" to the Danish Government's proposal. These voters would, of course, thereby make their vote invalid, but interestingly Thorstein Petersen, the chairman in the *Løgting*, who also was educated as a lawyer, promised in Newspaper articles that the "No" votes would count (Skála 1992:96). The People's Party thereby in-

**Table 7.** Referendum September 14, 1946 (compared with referendums on independence in Iceland and Western Australia in 1918, 1933 and 1944)

	Yes (% of valid votes and number)	No (% of valid votes and number)	Invalid votes (% of poll and number)	Poll (% of electorate and number)	Electorate	Yes (% of electorate)
Faroese Islands	50.7% 5.660	49.3% 5.499	4.1% 481	67.5% 11.640	17.216	32.9%
Iceland (1944)	99.5% 70.725	0.5% 370	2.1% 1.545	97.9% 72.640	74.228	95.3%
Western Australia (1933)	66.2% 138.653	33.8% 70.706	3.7% 7.921	91.6% 217.280	237.198	58.5%
Iceland (1918)	92.6% 12.411	7.4% 999	1.8% 243	43.8% 13.653	31.143	39.9%

The apparently high number of invalid votes (4.1%) at the Faroese referendum in 1946 has been much discussed and connected to Thorstein Petersen's advice to invalidate the vote with writing a "No" in the column after the government's proposal instead of an "x" in one of the columns after one of the two possibilities. However, the Home Rule Party advised voters to vote blank (an act that also would invalidate the vote) and even if it has been claimed that a majority of the invalid votes were "No" and "Blank" votes, nobody knows why these 481 votes – who could have been invalid for a number of reasons – were invalid. The Election Committee had, of course, only the legal authority to separate valid votes from votes that for different reasons had to be characterized as invalid and then separate the valid votes in accordance to the only two legal/relevant questions, – those in favour of the government's proposal and those in favour of secession – while the invalid votes constituted a unity of all votes without only an "x" in only one of the two columns. Further to this, if we

compare the percentage of invalid votes with the percentage of invalid votes in the other referendums referred to in the tables in this article (between 0.0% and 12.1%) it is evident that the percentage is not all that high. Finally, these votes are invalid and can regardless of why they were invalid only be treated as invalid votes.

Legally interpreted the Faroese referendum in 1946 strictly speaking was consultative, but according to Alf Ross, the leading Danish specialist in constitutional matters, the Danish state authorities – who previously even had accepted and officially announced the referendum – were politically and morally obliged to respect the outcome of the vote.

Sources: Statistisk Årbog 1919 1920:232, Government Gazette of Western Australia 1933:740, Bærentsen and Jacobsen 1971:37, Thorsteinsson 1985:246 and 264, Skála 1992:90-91 and 97-98, Butler and Ranney (ed.) 1994:286, Musgrave 2003:105-108, Williams and Hume 2010:8, Wang 2010:569, and Qvortrup 2014:29.

tended to smuggle a legally non-existing third choice into the referendum, hoping that all the votes for separation and the legally invalid “No” votes against the Danish Government’s proposal would constitute a majority and would force the Danish and Faroese authorities into new negotiations, which would hopefully result in something between the government’s proposal and separation. The other political parties in the Faroe Islands, the Unionist Party and the Social Democratic Party demonstrated, of course, that the “No” votes would be invalid and that the referendum would be decisive.

The political establishment in the Faroe Islands and Denmark was astonished when the result became known on September 15. The turnout was 67.5 % and of the valid votes 50.7% were for separation and 49.3% for the government’s proposal (Table 7). It looked like the unionist parties in the Faroe Islands had played at high risk – and lost. However, they now argued that the referendum was only consultative, that the invalid votes should count and that the result therefore was that the majority of the Faroese voters had rejected *both* proposals, when neither one had got even a simple majority: 48.7% for separation, 47.2% for the government’s proposal and 4.1% were invalid votes (Sølvará 2002:278).

Formally, though, the poll was for separation, the invalid votes should not count, but it is worth noting that the invalid votes were 481 in number, while the difference between the votes for secession and the government’s proposal was only 161 votes. However, Matt Qvortrup, who has

studied secession referendums around the world, concludes that a vote should be accepted if it is endorsed by 50% of the votes plus one, as long as a majority of those eligible to vote have cast a ballot (Qvortrup 2014:132). And the first message from the government in Copenhagen, notably from Prime Minister Knud Kristensen, was also that the Faroese voters had chosen secession and that that had to be the consequence. In spite of that, as days passed, the government had second thoughts. The Prime Minister apparently got “diplomatic sick” and the Minister of Finance, Thorkild Kristensen, who was doubtful, acted as the Prime Minister for some days (Christiansen 1998:138-39).

The People’s Party, which together with Jákup í Jákupsstovu had a marginal majority, also changed its opinion after the referendum. They now assumed that the “No” votes were invalid and therefore should not count as valid; that the referendum was decisive and therefore obliged the *Løgting* to implement the will of the people. This latter point – that the referendum had placed the ultimate power in the Faroe Island to the Faroese People and that the *Løgting* had to implement the will of the people – was also proclaimed by the chairperson, Thorstein Petersen, in the *Løgting* on September 18. However, three days later, the Unionist Party leader, Andras Samuelsen, demanded the *Løgting* to hold a vote on the chairman’s proclamation, whereby it could be passed in the *Løgting*. The majority – eleven representatives of the People’s Party and Jákup í Jákupsstovu – passed this proposal, while none of the other eleven representatives of

the Unionist Party and the Social Democratic Party chose to participate in the vote. It can't directly be proved, but it seems likely that this was a deliberate Danish-Unionist attempt to trap the People's Party in an illegal action that it, along with the majority, more or less consciously jumped into.

Anyway, the Danish Prime Minister now declared that this passing in the *Løgting* was illegal, because the referendum was only consultative. The government now argued that according to § 18 in the constitution the King (government) could not give up any part of Danish Land without a decision in the Danish Parliament. This – it was argued – would mean that the 1946 referendum in the Faroe Islands, which only had been passed by the *Løgting* and approved by the governor (representing the government), was consultative. Before any action could be taken by the Faroese *Løgting* on basis of the referendum the Danish Parliament therefore had to pass a law confirming the result of the referendum.

The King, therefore, on September 25, dissolved the *Løgting* and decided that an election to the *Løgting* should be on November 8, 1946. We do not know, though it seems likely, if representatives of the People's Party also got second thoughts, when they realized that they were trying to establish a sovereign Faroese state with the support from around 33 % of the elec-

torate, but the party accepted the decision. Only Jákup í Jákupsstovu went to the previously agreed meeting in the *Løgting* on September 27, 1946 (Skála 1992:195). Subsequently, in 1949, Thorstein Petersen answered extensive critique of the Peoples Party's acceptance of the decision of the Danish Government to dissolve the *Løgting* by arguing that nobody in the political system in the Faroe Islands knew how to deal with immediate problems of the new Faroese state if they did not accept the decision of the Danish state authorities, e.g. how to pay the wages in October 1946 (Skála 1992:143).

What we know is that the referendum, which was intended to leave the decision to the people, developed into a legal battle on interpretations of the constitution. Before the referendum nobody had mentioned anything about § 18 in the constitution, which after the referendum was used in the legal battle against the majority in the *Løgting*.<sup>4</sup> On the contrary the Danish Prime Minister before the referendum stated that if the result was separation it had to be separation – he confirmed the statement after the referendum. The Danish expert in constitutional matters, Alf Ross, concluded before the referendum that in reality there was no difference between decisive and consultative votes (*Betænkning* 1953: 159): Where the former votes were legally decisive, the latter were politically and morally decisive. The

4) The Danish Constitution and the Danish Parliament, the *Rigsdag*, was, on the other hand, mentioned several times before the referendum in internal correspondence between leading Danish official, e.g. the Faroese Governor, and authorities, but the Danish Government decided despite critique of the referendum and proposals to involve the *Rigsdag* not to do anything - apparently because that would make the referendum less decisive for the Danish state authorities (Thorsteinsson 2014:313-316).

Prime Minister's statement seemed to demonstrate the latter point, but because of the disputed legal status of the referendum the politicians could utilize a sphere of legal uncertainty to argue for different, even contradictory, interpretations.

The 1946 referendum in the Faroe Islands has often been compared with the Icelandic referendum in 1944, where the poll was 97.9% and more than 99% voted for separation. Compared to this Icelandic referendum, the turnout was low and the majority marginal in the Faroe Islands in 1946 (e.g. Sølvará 2002:273). However, these two referendums are difficult to compare. Firstly, the Icelandic referendum in 1944 was not about Icelandic sovereignty, but it was only about the resignation of an agreement between two sovereign states, Iceland and Denmark, from 1918.<sup>5</sup> Secondly, the legal conditions at the Icelandic referendum in 1944, which were established in the previously mentioned agreement from 1918, were e.g. that the resignation of the agreement would only be possible if 1) three quarters of the Icelandic voters participated in the referendum and 2) three quarters of the votes were in favour of resignation (*Lovtidende* 1918: 1424). Thirdly, the basic question of the sovereignty of Iceland was decided at a previous referendum in 1918, where – just as in the Faroe Islands in 1946 – only a simple majority was necessary and where the poll subsequently was 'only' 43.8% (compared to 67.5% in the Faroe Islands)

and where the majority for Icelandic sovereignty was 39.9% (Faroe Islands 32.9%) of the electorate.

Of course, even if the 1907 referendum on internal consumption of alcohol in the Faroe Islands was perceived as very important in the Faroe Islands, it can't really be compared with the decisive Icelandic referendum in 1918 about sovereignty in relation to Denmark. However, it is worth noting that the Faroese poll (49.4%), the majority of the electorate (46.3%) and majority of valid votes (96.4%) in the referendum in 1907 (Table 1) were all more compelling than the similar Icelandic numbers (43.8%, 39.9% and 92.6%) were at the Icelandic referendum on political sovereignty in 1918. Further, the turnout is usually higher in referendums on secession than in ordinary referendums (Qvortrup 2014:132).

Even if this 1918 referendum – and the numbers – is more comparable with the Faroese referendum in 1946 than the Icelandic referendum in 1944, there are also important legal differences, which in part can explain that the majority was more convincing in Iceland in 1918 than in the Faroe Islands in 1946 (92.6% and 50.7%). The most important difference was that the Icelandic voters also knew what they got if they chose sovereignty, because previously an agreement between Iceland and Denmark was accepted in the Danish and the Icelandic Parliaments (Thorsteinsson 1985:246), while no such agreement was

5) The Danish judicial expert Knud Berlin has analyzed the Danish-Icelandic treaty of December 1, 1918 – Berlin 1920 - that can be found in an unofficial and abridged English translation in Chillaud 2006, 45-46. The original Danish text can in full length be found in *Lovtidende* 1918: 1421-1424.

made between the Faroese and the Danish Parliaments in September 1946. This agreement, a treaty recognizing two sovereign states, Iceland and Denmark, defined the future legal, economic and political relations between the two countries, if a majority of the Icelandic voters were in favour of Icelandic sovereignty at the referendum (*Hvítabók* 1999:33-56). Consequently, the Icelandic voters had in 1918 two tangible proposals to choose between (formally “Yes” or “No” to the agreement between Iceland and Denmark that recognized Iceland as a sovereign state, but in reality between *status quo* or the agreement), while the Faroese voters in 1946 only had one real proposal to choose – the Danish Government’s proposal, while the question of Faroese sovereignty was only an empty word, separation. Further, while the parliamentary majority in the Icelandic *Alting* after the referendum in 1918 had a legally binding treaty between the Icelandic *Alting* and the Danish *Rigsdag* to base their subsequent actions on, the parliamentary majority in the Faroese *Løgting* after the referendum in 1946 had no such agreement at all to base their subsequent actions on.

The Faroese referendum in 1946 was, of course, preceded by negotiations, but the result was the Danish Government’s own ultimatum – not an agreement between the Faroese delegation and the Danish state authorities. In addition, the government’s proposal, which in reality did not constitute any change of the (constitutional) status of the Faroe Islands under the Danish Constitution, can’t be compared with the Danish-Icelandic sovereignty

agreement from 1918. Furthermore, if the Faroese referendum in 1946 – notwithstanding the very different results of the preceding negotiations – with any real meaning should be compared with the Icelandic one in 1918, then the Faroese voters as the People’s Party proposed should have had the opportunity to vote “Yes” or “No” to the government’s proposal. Instead, which appears to be odd, the Faroese voters only got the opportunity to vote in favour of “the government’s proposal” or “secession”, which was not part of any agreement reached in the preceding negotiations between Faroese and Danish authorities.

It was actually this point regarding a missing agreement between the Danish and Faroese authorities in case of a majority for independence that Thorstein Petersen pointed out in 1949. This had put the majority of the *Løgting* in a weak position after the referendum.

The Faroese (and Danish) authorities had intended to use the same strategy in 1930, when the Danish Prime Minister proposed a similar referendum in the Faroe Islands on *status quo* or full separation from Denmark (see *Føroya Sosialdemokrat*, September 30, 1930 and *Dimmalætting*, Oktober 1, 1930). The proposal was obviously intended as a threat against the Home Rule Party (Thorsteinson 1990:357) following hard political disputes in the Faroe Islands about the recognition of the Faroese Language and the Faroese Flag, which also the Danish authorities had refused to accept – disputes, which never involved separation. This proposed referendum on the question whether

the Faroese People “*wants the state community with Denmark maintained or not*”, which actually was passed in the *Løgting* by the unionist and social democratic majority (*Løgtingiðindi 1930 1931:6-7*), was just as the referendum in 1946 never founded on any agreement between the Danish and Faroese authorities in case of a majority for separation – even if the difference was that the referendum in 1946 was preceded by negotiations about how the constitutional relations between Denmark and the Faroe Islands could continue, but not about secession terms, while such negotiations were apparently never intended to take place in relation to the proposed referendum in 1930. However, the referendum was eventually cancelled by the Danish Government, when the Home Rule Party declared that it was not in favour of separation and would not participate in the referendum (Kaarsted (ed.) 1981:97, 102 and Sølvará 2014:338 ff). The Danish historian Kirsten Harder claims without any argument that the Home Rule Party rejected the referendum with nearly “*empty excuses*” (Harder 1979:17), but home rule parliamentarian Edward Mortensen claimed in a discussion with Thorvald Stauning in Copenhagen in 1930 that it was inappropriate to give the Faroese People a choice between *status quo* and separation when the Faroese political struggle was only about *status quo* and extended home rule within the Danish Realm (Sølvará 2014:389-393). Jóannes Patursson argued in the same manner and added that such a referendum had to be carefully planned for a time and had to be based on an agreement originating from

extensive negotiations. According to Jóannes Patursson the referendum proposal could not be put forward as a sudden threat without any preceding negotiations (Patursson 1931:17-19) – a view that appears to be taken seriously in the international literature on referendums on secession (see Qvortrup 2014:66). The proposal to have the Danish Government to organize this referendum on *status quo* or separation was actually put forward and passed in the *Løgting* when a different issue was discussed and there is no subject or even an indication in the table of contents in the official reports from the negotiations in the *Løgting* that gives any impression of any discussion of a referendum.

However, this time the Danish Government eventually acknowledged that the political goal with the passed referendum was “*a wish to strengthen the relations to Denmark*”. Furthermore, the Danish Government at the same time without any specification declared that the sole referendum procedures passed in the *Løgting* led to some “*important doubts*” (*Løgtingiðindi 1930 1931:241-242*). In addition, the decision of the Home Rule Party would guarantee that the question would not be answered at the proposed referendum. Therefore, the Danish Government refrained from accepting this referendum, which was originally proposed by the Danish Prime Minister, Thorvald Stauning, but 16 years later another Danish Government accepted a similarly prepared referendum, which was passed in the *Løgting* by a unionist majority and rejected by an independence minded minority.

This difference in the approaches of



the Faroese and Icelandic politicians to this kind of referendums, which of course in part originated in the different attitude of the Faroese and the Icelandic political system to the issue of separation, might in part explain the different outcome of the two referendums on independence in 1918 and 1946. However, it is important to note that even if the majority in Iceland in 1918 was more compelling than the Faroese majority in 1946, the turnout was remarkable higher in the Faroe Islands in 1946 (67.5% against 43.8% in Iceland in 1918) and the difference between the two majorities compared to the electorate was not all that different – 32.9% in the Faroe Islands against 39.9% in Iceland. Consequently, neither of the two referendums could demonstrate a majority of the total electorate in favour of sovereignty, but the Icelandic vote led to the recognition of Icelandic sovereignty, the Faroese to the Home Rule Act.

Compared to the Icelandic 1918 referendum, the Faroese 1946 referendum was not at all that inconclusive, but, of course, it failed to apply to the real intentions of the authorities. A Faroese majority voted for secession despite the intentions of the authorities. We can only guess what the turnout and result would have been if they had had the opportunity to choose between the government's proposal (in reality, if not formally, *status quo*) and an agreement similar to the Icelandic one in 1918, but it seems likely that Faroese discontent with the government's proposal and a missing agreement with the Danish state authorities about how to implement secession might have motivated or provoked some

Faroese voter groups to vote in favour of secession or simply to refrain from participating in this vote. The latter point appears to be supported by international research that indicates that the turnouts in referendums on secession on average are higher than in the general elections (Qvortrup 2014:132), because the turnout at the referendum in 1946 was 67.5% while the turnouts to the elections to the *Løgting* in November 1945 and in November 1946 (Table 8) were higher, respectively 75.7% and 73.3% (Isholm and Ísakson 2003 (ed.):109-110).

The referendums passed in the *Løgting* in 1930 and 1946 fit nicely into Matt Qvortrup's formal model – they were both initiated by a Faroese political majority in the *Løgting* under political circumstances of strong political competition. Furthermore, it appears to be obvious that these unionist majorities – as well as the opposing secessionist minded minorities – believed that the Faroese voters at these referendums would furniture the majority with support for their unionist minded politics, especially if the questions were constructed in an “either or” way. However, both of them also indicate the explanatory limits of any such formal model. Firstly, the formal model apparently can't really explain why the proposed Faroese referendum in 1930 was cancelled by the Danish Government, when it in all probability would have furnished the proponents of the preservation of the current constitutional position of the Faroe Islands in Denmark with strong support. Of course, we don't know the specific Danish state arguments for cancelling the referendum. How-

**Table 8.** Turnout percentage to the Faroese referendums compared to the turnout percentage in contemporary general elections in the Faroe Islands

Referendum dates below	The General Elections to the		Referendums on different issues
	<i>Løgtingið</i>	<i>Folketinget</i>	
1907 November	50.0%* (July 18, 1906)	57.4% (June 22, 1906)	49.4%** (Licence to sell and serve Alcohol)
1916 December 14	66.0%* (February 28)	41.6% (May 12, 1915)	13.6% (Sale of Danish West Indies)
1920 September 4	61.8% (November 10)	46.4% (August 3)	24.9% (Change of Danish Constitution)
1939 May 23	63.6% (January 30, 1940)	47.8% (April 19)	10.7% (Change of Danish Constitution)
1946 September 14	73.3% (November 8)	57.3% (November 20, 1945)	67.5% (The government's proposal/secession)
1953 May 28	66.9% (November 8, 1954)	20% (May 7)	8.7% (Change of Danish Constitution)
1973 November 8	80.6% (November 7, 1974)	54.6% (December 13)	61.7% (Faroese Monopoly to sell Alcohol)
2009 June 7	89.3% (January 19, 2008)	66.8% (November 13, 2007)	11.8% (The Royal Danish Succession Law)
2012 May 30	86.6% (October 29, 2011)	59.8% (September 15, 2011)	32.6% (Number of Municipalities)

\* The electorate to the *Løgting* in 1906 and 1916 is not known, but these percentages are estimated on the bases of the electorate to the contemporary elections to the *Folketing* on respectively June 22, 1906 and May 12, 1915. However, apart from minor changes in the electorate between these contemporary elections to the *Løgting* and to the *Folketing* a far more important uncertainty is that the electoral age to the *Løgting* since 1854 had been 25 while it was 30 to the *Folketing* until 1918 when it in intervals of four years was lowered with one year until it in 1934 was 25. A simple percentage calculation on the basis of the relevant electorate to the *Folketing* gives a turnout of 54.3% and 70.5% to contemporary elections to the *Løgting* in respectively 1906 and in 1916, but given the difference in the electoral age these percentages are too high. The election to the *Løgt-*

*ing* on February 28, 1916 was only in the southern constituencies of the Faroe Islands. The percentage turnout in 1916 is, of course, only calculated on the basis of the electorate in these constituencies. Given the difference in the electoral age an estimate would be to lower the turnout to the election to the *Løgting* in 1906 to 50% and the turnout to the *Løgting* in 1916 to 66%.

\*\* Women were allowed to vote to all 14 referendums, i.e. also in 1907, but it was only in 1918 that they for the first time were allowed to vote to the *Løgting* and the *Folketing*.

According to international research, turnouts in ordinary referendums are on average 10% lower than to the general elections. However, in referendums on secession, the turnouts are usually higher than in general

ever, we do know that both supporters and opponents of the proposed referendum expected or feared that the result in all probability would be in favour of preservation of the constitutional relations between Denmark and the Faroe Islands and that the Danish Government cancelled the referendum in part because of considerable doubts about the sole procedures accepted in the *Løgting*. In order to reach a satisfying explanation of this Danish decision we have to involve a broader political context. The Danish Government expected rightly that the rejection of the Home Rule Party to participate in the vote would in reality invalidate the value of the referendum, but it also appears to be clearly indicated already in the Danish Government's own comments to the previously passed referendum text in the *Løgting* that the government did not consider that a threatening "either or" ultimatum – without preceding negotiations about any agreement – was a satisfying way to decide the issue. The Danish Government might have expected that such a referendum would split the

Faroese People into two big opposing parts and that this *in the long run* would have damaged the relations between Denmark and the Faroe Islands. We really don't know, but such arguments appear likely, even if another government interpreted a somewhat similar situation very differently 16 years later. Secondly, no formal model can explain why an almost unanimous political elite in 1946 miscalculated the support that independence had among the Faroese voters. This indicates not only that context is vital for understanding any referendum, but also that the original initiators of referendums are dependent on their more or less dubious interpretations of the context when they choose to implement a referendum – or when they choose to cancel referendums that they in all probability expected to win. Formal models can help researchers to describe the relevant explanatory conditions, but they can't explain everything. In the end researchers are in their explanations of tangible historical actions regarding e.g. specific referendums even dependent on access to interpreta-

elections (Qvortrup 2014:132). This pattern fits nicely into the Faroese context if we compare the turnouts in the Faroese referendums with the contemporary turnouts in the Faroese elections to the *Løgting* and to the *Folketing* – with the apparent exception of the referendum in 1946, the only referendum that refers to Faroese secession, where the turnout compared to international research should have been higher than to the contemporary Faroese election. The turnout was indeed higher than to the Faroese election to the *Folketing* in 1945, but a bit lower than to the election to the *Løgting* in 1946 (and in 1945 when the turnout was 75.7%), where turnouts interestingly were relatively high compared to the closest previous and closest following elections. However, this apparent Faroese

anomaly can be explained by the fact that there was no real alternative to the government's proposal and – as we will discuss in the next chapter – that it even can be questioned if the referendum in 1946 in reality was about secession.

Sources: *Folketingsvalgene 1906* 1906:60, *Folketingsvalgene 1915* 1915:32, *Rigsdagsvalgene 1918* 1918:12, *Rigsdagsvalgene 1920* 1920:67, *Rigsdagsvalgene 1939* 1939:91, *Rigsdagsvalgene 1945* 1946:83, *Folketingsvalget 1979* 1980:92, *Dimmalætting*, November 24, 1920, *Dagblaðið*, February 1, 1940, *Waag* 1967:1-53 and 157-163, *Skála* 1992:41, *Sølvará* 2002:145-146, and *Isholm and Ísakson* (ed.) 2003:7-8 and 109-110.

tions of relevant external conditions that contemporary actors reach before they act. These interpretations can be a relevant, possibly a decisive, part of an explanation, but they are very difficult to reach and impossible to quantify in any formal model. However, on a general level the reality might converge to the model.

Thirdly, and in my view more importantly, while Matt Qvortrup's operationalization of the formal model in relation to the Faroese referendum in 1946 appears to imply that it were the *proponents* of secession who initiated a Faroese referendum on secession, the Faroese referendum in 1946 in reality was passed by the unionist *opponents* of secession.

These comments are not a critique of the general value of the formal model itself, but they might indicate some explanatory limitations with the formal model and indicate also a problem with the categorization of ethnonational referendums. This problem with the categorization of Faroese ethnonational referendums will we have a closer look at now.

### **A typology of ethnonational referendums in a Danish-Faroese context**

There are, of course, many types of ethnonational referendums and many nuances. Matt Qvortrup classifies them in four types where only three are relevant here. 1) Difference elimination, that is, referendums that aim at legitimizing a policy of homogenization, such as the Anschluss referendum in Austria in 1938; 2) Difference managing, that is, referendums aimed

at managing ethnic or national differences, such as the referendums on devolution in Scotland, Wales, and Northern Ireland in 1977 and 1998; 3) Secession referendums, that is, plebiscites to endorse (or otherwise) a territory's secession from a larger entity (e.g., the referendum in Jamaica in 1963 or the referendum in Eritrea in 1991); and 4) Right-sizing referendums, that is, referendums dealing with the drawing of disputed borders between countries, such as the border between Croatia and Slovenia, which was the subject of a referendum in 2010. The fourth typology is not relevant in a Faroese context, while the other three are. Broadly speaking Matt Qvortrup distinguishes between types of ethnonational referendums that are initiated by politicians who take diversity as an accepted fact and want to manage these differences and, on the other hand, referendums initiated by politicians who do not accept diversity (Qvortrup 2014:10-11).

At first glance it appears to be obvious that the proposed ethnonational referendums in the Faroe Islands in 1930 and in 1946 belong to the third typology, but a closer look muddles the question. It is obvious that a decisive difference between the two Icelandic referendums in 1918 and 1944 and the mentioned Faroese – even if it could be argued that the Icelandic referendum in 1918 was a very radical difference managing ethnonational referendum – is that while the Icelandic referendums without doubt aimed at secession from Denmark and therefore obviously fell under Matt Qvortrup's third typology, the Faroese referendums were in part initiated and then passed by the unionist majority in

the *Løgting* who apparently wanted to strengthen the relations to Denmark. This is explicitly confirmed by the Danish Government in the comments to the proposed referendum in 1930, where it is stated that the intention with the referendum was “*a wish to strengthen the relations to Denmark*” (*Løgtingtíðindi 1930 1931:241-242*). Similarly, the *Amtmaður* in 1945 declared to the government that the “*main purpose with the referendum should be ... to document that only a small percentage of the Faroese People in reality wanted to end the state community with Denmark*” (Wang 2010:29). In this context these Faroese ethnonational referendums can be categorized as belonging to Qvortrup’s first typology.

The subject is, of course, not that simple, and the Danish Government cancelled the 1930 referendum, while the one that was passed in the *Løgting* in 1946 was accepted, but there can be no doubt about that the real intention with both referendums was to strengthen or at least to preserve the ties to Denmark – not secession, which was only a formal choice, a threat, without any positive contents. However, the referendum in 1946 was not as the proposed one in 1930 explicitly about *status quo* or separation, but formally it was about the Danish Government’s proposal or separation. Even if the government’s proposal in reality would not implement any real change in relation to the *status quo* in 1946, – the prolonged wartime order – it could be argued that the 1946 referendum was intended to manage ethnic differences and thus belongs to the second typology. On the other hand, it could

just as qualified be argued that it was only the unexpected result of the referendum that eventually forced the Danish state authorities to accept the Faroese Home Rule Act that recognized and dealt with ethnic differences within the Danish state. Anyway, this indicates that it is not at all that simple to categorize all referendums into a few general types, because a closer look always reveals a lot of individual differences between them that renders any such categorization questionable. Matt Qvortrup categorizes the Faroese referendum in 1946 to the third typology (Qvortrup 2014:14), but he appears to overlook the fact that the referendum act was initiated, formulated and accepted in the *Løgting* by the two unionist parties only and that their political intention – with the only exception of Jákup í Jákupsstovu – was to have the government’s proposal accepted – not secession (see Qvortrup 2014:53). Further, the People’s Party had at the previous negotiations in Copenhagen in January-March 1946 been against a referendum to settle the issue, while only the Unionist Party – as in 1930 – had advocated for a referendum (*Upprit 1946:3-4*).

This confusion is, however, understandable, because the popular and learned expression, which is usually used in the Faroe Islands about the 1946 referendum, is “the referendum on secession”, – also in this article – while the equally or in my view even more accurate expression, “the referendum on the government’s proposal”, is never used in the Faroe Islands. The latter expression fits better to 1) the real intentions of the Danish authorities

implicitly underlying the negotiations in Copenhagen in January-March 1946, 2) the only and apparently ultimate proposal to a reorganization of the relations between the Faroe Islands and Denmark, – within the Danish Constitution – which was put forward by the government after these negotiations, 3) the rejected proposals from the People's Party minority in the *Løgting* to formulate some referendum questions, which were obviously constructed with *the sole intention to have the government's proposal rejected* and 4) the eventually passed proposal from the two unionist minded majority parties in the *Løgting* of two referendum questions, who even according to the opposition in the *Løgting* were constructed with *the sole intention of increasing the probability to have the government's proposal passed*.<sup>6</sup> Even if a small majority at the referendum was in favour of the formal possibility of secession from Denmark, the referendum was in reality only constructed to be about the government proposal, which also complies with the continuing negotiations about how to preserve the Faroe Islands as a part

of the Danish state after the vote. This also complies with Matt Qvortrup's claim that the tactical use of difference eliminating referendums can turn them into difference *enhancing* referendums (Qvortrup 2014: 107), but this unintended and unexpected consequence of a political-tactical use of referendums might be equally relevant in relation to a similar use of difference managing referendums.

Despite the fact that the referendum in 1946 was accepted and announced by the Danish Governor on behalf of the Danish Government something appears to indicate that the Danish state authorities before the referendum in reality, i.e. unofficially, did not take the referendum as seriously and binding as they officially claimed before the referendum, i.e. that if the result was secession the consequence had to be secession. In the international literature about referendums it is sometimes distinguished between binding referendums and non-binding plebiscites that are described as "*giant opinion polls to test the public mood on an issue*" (Williams and Hume 2010:6). Internal correspondence demon-

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6) The sources are very clear about this subject. The Danish Prime Minister as well as the Unionist Party had from the start claimed that there had to be a referendum and that it had to be about the government's proposal or secession. The Unionist Party declared confidently after the negotiations in Copenhagen in January-March 1946 that a very considerable majority of the Faroese People would be in favor of the government's proposal if the alternative was secession (*Upprit* 1946:61). The same goes for the Faroese Governor during the Second World War, Carl Aage Hilbert, who in 1944 declared that if the Faroese choice was between a continuing connection with Denmark or secession at most 15% of the Faroese voters would be in favor of secession. C. A. Vagn-Hansen who in 1945 succeeded Hilbert as preliminary Faroese Governor, and was governor in 1946, wrote before the referendum in passing to the Danish Government that he considered it very unlikely that secession would be the result. More interestingly, he has also claimed that the Danish Left Government was influenced by Unionist Party assurances that the government's proposal would never be rejected if the alternative was secession (Thorsteinsson 2014:266, 296 and 313-314). Eventually, the Danish Prime Minister Knud Kristensen and the Unionist Party had exactly the referendum that they originally had wanted.



strates that the Danish authorities sometimes perceived the (proposed) referendum in 1946 as “*an orientation of opinions for the Løgting*” (Thorsteinsson 2014:316). The fact that the Danish Government refused to involve the Danish Parliament that could have made the vote legally binding appears to underscore this view. However, as mentioned before, in reality there is no difference between binding referendums and non-binding plebiscites. At the bottom line legally consultative referendums are just as binding for the political authorities who initiated or accepted them as the explicit and legally binding referendum. Further to this, the ultimate and only possible choice *between* the Danish Government’s proposal *or* secession that the Faroese political majority in the *Løgting* and the Danish Government – despite the alternative multi option minority proposals from the People’s Party, where the referendum result most likely would only furniture the political system with a mandate for further negotiations – accepted, gave the referendum a definitive and binding character as only one of the two opposing possibilities by necessity would gain the majority of the votes at the referendum. There was no room left for interpretations.

The Faroese 1907 referendum on specific issues about selling and serving alcohol in the Faroe Islands was formally not about any (general) ethnonational conflict about internal Faroese home rule between Denmark and the Faroe Islands. However, the referendum was only implemented in the Faroe Islands and it established a quite unique and different legislation in the Faroe Islands on the subject than in the ac-

tual Denmark. In addition, the legislation furnished every single Faroese Municipality with an authority to organize new referendums on the important subject every fifth year (*Løgtingstíðindi 1972 1974A: 139*). Some of the Municipalities actually organized new referendums in 1912 (*Dimmalætting*, November 6, 1912), but this authority was taken from the Municipalities with a revision of the law in 1917 (*Løgtingstíðindi 1972 1974A:130*). Further to this, the differentiation happened before the Danish state authorities had recognized the Faroe Islands home rule within the Danish state. In this context it can be argued that this referendum in reality was a difference managing ethnonational referendum, which belongs to the second typology. However, neither this referendum in itself nor the legal consequences of the referendum reduced the legislative power of the Danish authorities in the Danish constitutional area.

The Danish constitutional referendums – or even less the mandatory referendums in the Danish state about the electoral age – were not dealing with ethnonational conflicts, but from a Schleswig and Greenlandic view they dealt with such issues in respectively 1920 and 1953. The consequence of the right-sizing referendums in German ruled Schleswig on February 10 and March 14, 1920 (Noack 1989:54-64) was that the areas with a Danish majority were fully integrated into the Danish state – also the German minority within the new Danish border (Rerup 1987:54) – with the referendum on the Danish Constitution on September 4, 1920. Greenland, on the other hand, a Danish ruled colony since the

Middle Ages, became also fully and unconditionally integrated into the Danish state with the new constitution of 1953, but the Greenlanders themselves were never asked about the issue at a referendum (*Afvikling* 2007:382).<sup>7</sup> Further to this, it can be argued that the majority in the *Løgting* in 1919 and Jóannes Patursson in 1920 – from the specific Faroese view – intended to turn the very first referendum on the Danish Constitution in 1920 into an ethnonational referendum about Faroese home rule within the Danish state. The majority in the *Løgting* did not succeed in its efforts to gain support from the Danish authorities for turning this referendum into additionally to be a question about Faroese home rule, but if the *Løgting* had succeeded this referendum would also have been a referendum about how to manage ethnonational differences within the Danish state, which from the specific Faroese perspective would have turned it into a referendum belonging to the second typology. Instead, and as a consequence of the Danish state authorities' denial to accept such differences, the Faroese home rule movement boycotted these referendums.

The Danish state authorities' denial to accept anything that goes beyond their perception of Denmark as a unitary state has apparently had the consequence that they have been reluctant to accept difference managing ethnonational referendums re-

lating to any areas or inhabitants under the Danish Constitution. Consequently, ethnonational referendums under the jurisdiction of the Danish Constitution have tended to become “either or” votes, where the “either” refers to a position under the Danish Constitution and the “or” refers to an immediate and “threatening” decision to be outside the Danish Constitution. This view that appears to have been dominating until the Faroese Home Rule Act from 1948 fits very badly to the historically influential politics of the Home Rule Party that only gradually intended to increase the political and economic position of the Faroe Islands.

It can be argued that the Icelandic referendum in 1918 is an exception from this rule, but the fact that Iceland in 1851 – and in the period 1851-1918 (Karlsson 2000:209-223 and 280-284) – had refused to come under the constitution renders the argument questionable. On the contrary, Iceland's position outside the constitution probably made the difference.

It could be argued that the only clear-cut ethnonational referendum in the Faroe Islands, which was about secession from Denmark and thus belongs to the third typology, is the referendum in 1916 about the sale of the Danish West Indian Islands to America. This referendum was even preceded by extensive political dispute, negotiations and planning in the political

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7) Denmark could e.g. have been criticized for the fact that the Greenlanders were not directly asked if they wanted to become an independent state or become a fully integrated part of Denmark, but the United Nations accepted the integration despite the incomplete procedures. Subsequently it has also been revealed that the Danish judicial expert Alf Ross already in 1953 had proposed that Greenland was granted the same kind of home rule that the Faroe Islands had achieved in 1948. However, this proposal was kept in secret and was never presented to the Greenlanders (*Afvikling* 2007:373-382).

system in Denmark (see e.g. Rasmussen 1984:112-120). However, this referendum was not initiated by Faroese actors, it was not about Faroese secession, the majority of the participating Faroese voters were against a West Indian secession from Denmark and the intention was never to give the West Indians who had no part in the preceding negotiations or participated at the referendum right to choose independence. This was a referendum about the sale of a colony that did not involve the West Indians, and it fits the general rule, because West India was never under the Danish Constitution.

The exception might be the Greenlandic referendum on the Home Rule Act from 1979 (Thór *et al.* 2012:452-457), introduced after a referendum that is best characterized as a difference managing ethnonational referendum. The turnout at the referendum was 63.2% and 73.1% of the poll voted in favour of the Home Rule Act (Butler and Ranney (ed.) 1994:287). However, this Greenlandic referendum was about a Home Rule Act that is almost identical with the Faroese Home Rule Act from 1948; a Home Rule Act that only the very unexpected result of the Faroese referendum in 1946 had forced the Danish state authorities to accept and subsequently also paved the way for the Greenlandic Home Rule Act; a Home Rule Act that the Danish authorities – despite contemporary constitutional specialists who argued that the act contradicted with the Danish Constitution (see Meyer 1947:298) – since have claimed is given under precondition of the Danish Constitution (*Betaenkning* 1953:87) on which their perception of

Denmark as a unitary state is based.

The same might be said about the referendum in Greenland on February 23, 1982 when a majority of 53% of the participating Greenlanders at the referendum – where the turnout was 75% – decided to withdraw Greenland from the European Community (Butler and Ranney (ed.) 1994:287). The Faroe Islands had as a consequence of the Home Rule Act been granted the opportunity to stay outside the European Community in 1973 when the rest of Denmark joined the European Community, but Greenland had in 1973 joined the European Community as an integrated part of Denmark. This decision was reversed as a consequence of the Greenlandic referendum in 1982, when Greenland three years earlier, in 1979, had achieved the same kind of home rule within the Danish state as the Faroe Islands had achieved in 1948. However, there was no referendum in the Faroe Islands in 1973. The Faroese decision was taken by the *Løgting* only in 1973 without a referendum.

Despite the fact that it appears obvious that the Danish state in reality long time ago has ceased to be a unitary state – if it ever was one – the Danish state authorities continue to defend the formal constitutional view that Denmark is a unitary state. Consequently, the Danish state authorities continue to interpret the local home rule systems in the Danish state as delegations of power that they legally speaking can withdraw if and when they want to do that (see e.g. Thorsteinsson and Rasmussen 1999:525). This leading Danish interpretation of the Danish Constitution has been

and still remains an obstacle in relation to further acceptance of the ethnonational differences that exist within the Danish state.

The new Faroese Government (2015) has planned to have a referendum in 2018 about a Faroese Constitution that is supposed to place the sovereign authority with the Faroese People. This politics can be seen as a continuation of the politics that was a consequence of the deep economic crises in 1990s that was followed by a deep political crisis in the relations between Denmark and the Faroe Islands, but the response from the Danish state authorities continues to be that the intended Faroese Constitution has to comply with the provisions in the contemporary Danish Constitution. Consequently, only strong political pressure from an almost united Faroese political representation can force the Danish state authorities to accept a Faroese Constitution. Nothing indicates any such political national agreement in the Faroe Islands, but history has proved that the Faroese voters can behave unexpectedly and different than politically anticipated if they have the possibility to vote.

The picture is, of course, not all that simple, but the intention with this chapter has been to show that even if we limit the research to the category of ethnonational referendums it appears a bit challenging to classify these referendums in a few general typologies. These typologies are, of course, general in character, and a closer look at selected referendums that apparently belong to the same typology reveal some important individual differences between them that questions the value of such otherwise very valuable generalisations.

## Perspectives

On the election on November 8, 1946, the unionist parties obtained 12 representatives and the People's Party got eight. Ironically, the unionist parties now took initiative to organise new negotiations, while the People's Party did not accept the new preconditions. These negotiations led to the Home Rule Act of April 1, 1948, according to which the Danish Parliament preserved the legislative power in common affairs, while the *Løgting* achieved legislative power in internal Faroese affairs – a law passed in the *Løgting* by the unionist majority without a new referendum. The ancient Faroese title, the *Løgmaður* (originally the title had referred to the chairperson of the ancient *Løgting*, which had been abolished in 1816), was re-established, but now referring to the leader of the new Faroese Government, the *Landsstýri*. At the same time, the *Løgting* acquired the right to collect direct and indirect taxes in the Faroe Islands, originally proposed by Jóannes Patursson (1903: 136). This was the main result of the Faroese referendum on September 14, 1946.

In 1949 a new political party, the Republican Party, as a consequence of the referendum, was founded, whose main goal was to establish an independent Faroese state. Danish state authorities did not argue – formally, anyway – that they dissolved the *Løgting* on September 25, 1946 because they did not recognize the result of the famous referendum – the formal argument was that the actions of the majority of the *Løgting* in the days after the referendum were illegal. The Faroese historian

Hans Jacob Debes has claimed that this Faroese example (i.e. where a nation first takes a decision of full sovereignty from another country and then returns to a kind of dependency, a phase or a decision that Hans Jacob Debes characterizes as a “re-lapse”) is historically quite unique (Debes 1991:24). However, according to Matt Qvortrup, the Faroese referendum on September 14, 1946 and the referendum on independence in Western Australia on April 8, 1933, where both the turnout and the majority of the electorate in favour of separation from Australia were remarkably more compelling than in both Iceland in 1918 and in the Faroe Islands in 1946 (Table 7), are the only two examples of successful referendums on independence that did not lead to independence (Qvortrup 2014:51).<sup>8</sup> In addition, just as in the Faroe Islands in 1946, the opponents of separation in Western Australia won the (following) general election to the parliament, while the nationalists were defeated, which resulted in the fact that there was no political majority in the parliament to imple-

ment the very clear decision at the 1933 referendum – 66.2% of the valid votes and 58.5% of the electorate. This nationalistic defeat was according to Matt Qvortrup what effectively destroyed the decision (Qvortrup 2014:29). This was exactly the same as what happened in the Faroe Islands at the general election to the *Løgting* in November following the referendum in September 1946, and the fact is that since the 1946 referendum, there has never been a Faroese majority in the *Løgting* solid enough to implement the decision. However, fifty years after the referendum there was indeed a majority in the *Løgting* for independence.

Following the extensive economic crises in the Faroe Islands in 1992-1995, which had a deteriorating effect on the political relations between the Faroe Islands and Denmark, the Republican Party for the first time became the biggest party in the Faroe Islands (Sølvará 2002:343-385). In 1998, a majority in the *Løgting* – the Republican Party, the People’s Party and the Home Rule Party – agreed upon a govern-

8) However, Matt Qvortrup elsewhere mentions other referendums that appear to fall into the same category, but the circumstances were extraordinary. He refers to the three Southern American States, Texas, Virginia and Tennessee, where a majority of the voters at referendums in 1861, on the eve of the civil war, voted for secession from the Union, but these decisions were reversed as a result of the civil war. Further, in Nova Scotia a majority of 65% at an unofficial referendum in 1867 voted for secession from Canada, but this was ignored by Canadian authorities (Qvortrup 2014: 21-22, 25, 55). No countries that have split up, or from which one part has seceded, have become unified, but there are, on the other hand, many examples of reverse developments that also have included referendums (Qvortrup 2014:19 ff and 46). Interestingly, in Newfoundland, which had a dominion status in the United Kingdom, a majority at a referendum in 1948 decided that Newfoundland should become a part of Canada (Qvortrup 2014:68-70). The decisive difference between these two otherwise very similar referendums in Western Australia and in the Faroe Islands was, on the other hand, that while the referendum in Western Australia in 1933 was initiated, prepared and passed by a parliamentary majority that really intended to separate Western Australia from Australia, the famous referendum in the Faroe Islands in 1946 was initiated, prepared and passed by a unionist parliamentary majority that almost unanimously intended to have the government’s proposal, i.e. not secession, accepted.

mental basis where the main goal would be to constitute an independent Faroese state. The Faroese Government produced three books on the vital issues about legal, administrative and economic preparations of an independent Faroese state (*Hvítabók* + 1 and 2 1999). Through negotiations with the Danish Government, the new Faroese Government's intention was to reach and sign an agreement on a transitional period of about 15 years, which the Faroese People should vote for – or against – on a referendum. This model was inspired by the Icelandic treaty with Denmark from 1918. Following this referendum there would be another referendum on a Faroese Constitution. The Danish-Faroese negotiations started in March 2000, but the *Løgmaður* eventually cancelled both Faroese referendums when the Danish Prime Minister proclaimed that the Faroese People would only get a transitional period of four years to reduce the Danish state subsidies – around one billion *Kroner* a year – to zero.<sup>9</sup> The Icelandic way was apparently not one that the Faroese Government wanted to walk.

In accordance with Matt Qvortrup's formal model very strong political competition in the aftermath of the deep economic crises preceded these two proposed referendums, but the Faroese Government obviously did not expect that the result of the political negotiations with the Danish

Government had strong support among the Faroese People – otherwise it wouldn't have cancelled the referendums on the agreement and the Faroese Constitution.

Consequently, it can be concluded that *only* in the period 1998-2000 has there existed an independent minded political majority in the Faroe Islands who in a situation with strong political competition really considered to use a referendum as an instrument to achieve the voters support for their politics (the first criteria in Matt Qvortrup's formal model), while there, on the other hand, *never* has been an independent minded political majority in the Faroe Islands who also considered their secessionist politics to be so popular that they implemented a referendum on secession (the second criteria in Qvortrup's model).

We have to keep in mind that the referendum in 1946 was passed by a unionist majority in the *Løgting* and that it was widely expected – even among the more or less secessionist minded political opposition in the *Løgting* – that given the only and totally unprepared secessionist alternative, the Faroese voters would accept the government's proposal.

The intended referendum in 2018 is, of course, from the republican point of view only a step towards secession, but from a broader political perspective the intention with this referendum on a Faroese Consti-

9) The documents from these negotiations are still classified, but one of the officials – Sjørður Skaale – who participated in the negotiations has recently published a book where he from an insider's view describes the negotiations. Sjørður Skaale became at the time increasingly involved in the Republican Party, which was the leading political force in the Faroese Government behind the independence plans, but he has since developed into a leading politician of the Social Democratic Party, which was in opposition to the politics of the Faroese Government in the years following 1998 (Skaale 2016).



tution is more like a difference managing referendum.

### Concluding remarks

It could be argued that referendums in the Faroe Islands have usually been used or even passed – as in 1946 – in connection with occasional and narrow party politics. They have seldom been used or passed in connection with any long-term strategy or any democratic ideal for solving any basic societal questions. In addition, many of them originated in a Danish state context quite alien to Faroese voters, while others, e.g. the one in 1946, who related to a specific Faroese context, were proposed or passed under political pressure from the Danish state authorities. Apart from the referendum in 1907, the only Faroese initiated referendums that have been carefully prepared for a longer period, are the two referendums planned to take place in 2000; but, ironically, they were both cancelled.

The basic Faroese question on the disputed relations with Denmark, which has split the Faroese People into two, has had far-reaching influence on so to speak every referendum in the Faroe Islands. This relationship is the reason for that both sides of the political spectrum in the Faroe Islands are reluctant to risk a new referendum on the sovereignty question. Both sides are evidently afraid of losing this referendum, which explains the *status quo*. In compliance with Matt Qvortrup's formal model, the political competition about this issue has generally been strong in the Faroe Islands since the Second World War, at least on the rhetorical level, but only occasionally has any side of the political

spectrum really expected that they had support from the majority of the Faroese People.

The (Faroese) lesson from 1946 might be that a referendum can prove to be a two-edged sword to utilize in party politics. The majority of the political elite in power might under pressure of strong political competition and in difficult political situations be tempted to implement referendums and even calculate possible connections between the constructed referendum questions and certain answers with the intention to increase the possibility of eventually having their views on the winning side. However, the apparently calculated actions of the unionist majority parties in the Faroe Islands in September 1946 proved that the real outcome can be quite different than anticipated; in this case with long-lasting and unintended political consequences. The political system in the Faroe Islands is still struggling with the severe consequences of a defectively prepared referendum in 1946. A conclusion might be that only if referendums are so carefully prepared that the voters (who should be in the centre, not the political parties) are in a position to choose between relevant possibilities with a well-defined content, are they likely to achieve any popular acceptance as a serious alternative to representative decision making. The Icelanders appear to have been more careful in planning their referendums on sovereignty (in 1918 and 1944) according to this principle, but they were also in a politically more powerful position when they already before 1918 gradually could force the Danish Government to accept their de-

mands – i.e. Icelandic sovereignty in a union with Denmark (Thorsteinsson 1985:246). This was not at all the case in the Danish-Faroese negotiations in Copenhagen leading to the referendum 1946, when the Danish state authorities were in the powerful negotiating position, because there was no real consensus about the subject in the Faroese delegation. A more general (Faroese) conclusion might be that e.g. historical and cultural context is very important. It is not all that obvious that the explicitly formulated questions only – especially if they are ambiguous and deliberately constructed to serve tactical and short-term political goals – decide the outcome of referendums, but generally the decisive factors appear to be the historical context and the political culture in which they function.

The referendum in Iceland in 1944 was much better planned and the result of a conscious political struggle that originates in the middle of the 19<sup>th</sup> century, while the Faroese 1946 referendum partially can be argued to be the consequence of narrow party politics, but the differences in historical context and in political intentions are also very important. These two referen-

dums, at approximately the same time, in two apparently similar neighbouring countries, regarding the relations to the same Danish state, are for obvious reasons often compared in the Faroe Islands. However, the differences might be more obvious than the similarities: Iceland was a nation with sovereignty granted since 1918, the Faroe Islands had been under the Danish Constitution since 1850. The historical context is actually so different, and the political intentions and preparations so dissimilar, almost contradictory, that it can explain the very different outcome. The outcome of referendums is, of course, not supposed to be ‘planned’, but carefully prepared and contextualized referendums are more likely to be successful and might even create a common understanding on a subject.

The 1946 referendum in the Faroe Islands did not create such a common understanding. The English historian John F. West wrote in his history of the Faroe Islands that the 1946 referendum was actually “*a masterpiece of inconclusiveness*” (West 1972:188). However, if there is a piece of truth in these words, then they can’t refer to the turnout or the voters’ de-

**Table 9.** Referendum May 30, 2012 on uniting 30 Municipalities into 7 units

	Yes (% of valid votes and number)	No (% of valid votes and number)	Invalid votes (% of poll and number)	Poll (% of electorate and number)	Electorate	Yes (% of electorate)
Faroe Islands	38.0% 4.162	62.0% 6.795	5.4% 626	32.6% 11.583	35.531	11.7%

Only in 9 of the 30 Municipalities was there a majority for uniting the Municipalities and in five of the 7 main areas there was a majority in only one of the Municipalities. This so far latest Faroese referendum, which

was passed in the *Løgting*, was legally consultative.

Source: The Faroese Ministry of the Interior (*Innlendismálaráðið*), Email June 24, 2013.

cision, but rather to the inappropriate preparations of the political elite in power. This, of course, goes for the Danish as well as the Faroese political elite in power in 1945-46.

Two additional (Faroese) points can be emphasized. The first is that while referendums can prove to be ineffective to implement or generate acceptance for long term change as demonstrated in 1946 (as well as also in 2012 when the Faroese voters on a consultative referendum decided to vote against the political agenda to unite 30 Municipalities into 7 Municipalities) (Table 9), successful political decisions can sometimes be taken despite referendums. The latter point was demonstrated in 1992. That year, the majority in the *Løgting* – without a referendum – changed the decision taken at the 1907 referendum, a decision, which even was renewed at a referendum on November 8, 1973 (Table 10).<sup>10</sup> The decision taken in 1992, which actually established the same Government Monopoly to sell alcohol in the Faroe Islands (and allowed restaurants and bars to serve wine, beer and spirits), which for the second time was rejected by the participating Faroese voters at the referendum on November 8, 1973, was, of course, de-

bated in 1992, but this system is widely accepted and virtually undisputed in the Faroe Islands today.<sup>11</sup> The second point is that the (Faroese) voters tend to react against any political majority's agenda in relation to referendums – especially if these politicians don't give the opponents of their intentions a real choice. This was demonstrated at the referendum in September 14, 1946, when the voter apparently reacted against the political agenda of the unionist parties in spite of – or rather because – they had not given opponents of the government's proposal a real choice with a positive content. It can be argued that the same thing happened in May 30, 2012, when the Faroese voters decided to go against the general political agenda to unite the 30 Municipalities into 7 – probably because the Faroese political system despite their alleged intentions had not given the intended change a real positive content. For example, little, if anything, was planned about the responsibilities, powers and the recourses that would be given to the “new” Municipalities, if the “Yes” votes should win. In the absence of a real choice with real contents, the voter probably demonstrated more against the political elite in power than against the in-

10) These two latest mentioned referendums in 1973 and in 2012 are for one reason fundamentally different from the other twelve referendums: While the latter formally or in reality somehow related to Danish-Faroese relations, the former only related to Faroese issues (alcohol and municipalities), because the Faroese Home Rule authorities had in 1948 become fully responsible for these issues as a consequence of the Home Rule Act. This fact had the consequence that the politically turbulent Danish-Faroese relations that had ‘disturbed’ all the other twelve referendums in the Faroe Islands were completely missing in relation to the other two referendums. Consequently, these two referendums have only marginal importance in relation to these questions addressed in this article.

11) A similar example from the international literature is related to a referendum in Sweden in 1955 where the Swedes voted 85% to 15% against driving in the right, but only twelve years later the Swedish Government made the change without a referendum (Butler and Ranney (ed.) 1994:260).

**Table 10.** Referendum November 8, 1973 on a law passed in the *Løgting* on establishing a Government Monopoly to sell alcohol in the Faroe Islands

	Yes (% of valid votes and number)	No (% of valid votes and number)	Invalid votes (% of poll and number)	Poll (% of electorate and number)	Electorate	Yes (% of electorate)
Faroe Islands	38.5% 5.683	61.5% 9.086	0.7% 97	61.7% 14.866	24.103	23.6%

The passed law was rejected if a majority at the referendum was against it – though at least 33% of the electorate (interestingly, this is the same majority that actually voted for separation in September 1946). The majority against the law was 37.7% of the electorate.

Sources: *Rigsombudsmanden på Færøerne 1973* 1974:15, *Dimmalætting*, November 10, 1973, *Dagblaðið*, November 10, 1973, and *Løgtingstíðindi* 172 1974A:164-165.

tended change itself. Apparently, the voters tend to behave in a way that involves referendums in a broader political, historical and cultural context and questions, especially, I suppose, if the politicians haven't really done their homework on the preparatory level, as in September 14, 1946, thereby undermining voters thrust, and mainly see the referendum as a part of tactical party politics. If so, careful preparations of referendums that intend to include rather than exclude possibilities, place the voter in the center and minimize the influence from narrow party politics in the preparations of the legal preconditions underlying the referendum (but of course not exclude politics from the following campaign), are – in my view – more likely to have success in establishing a common understanding among the voters on the disputed referendum issues in question.

In the Faroe Islands, apart from 1907, there have been very few, if any at all, successful referendums, if we measure them in relation to the intentions of the political system. Several of them have in reality been invalidated by the voters because of a

low turnout, while the voters clearly have demonstrated against the political establishment in others. The first point is clearly demonstrated by the fact that Faroese voters apparently because of historical circumstances have shown marginal interest in all the ten Danish initiated referendums, while the latter point e.g. complies with the Faroese initiated referendum in 1946. The latter point also appears to be the case with the second referendum on alcohol in 1973. Initially the Faroese Government had intended to have the *Løgting* to pass a law that established a government controlled monopoly to sell alcohol in the Faroe Islands, but the opponents of the proposal in the *Løgting* succeeded in their efforts to claim a referendum on the issue. They argued very reasonable and convincingly that when the prohibition to sell alcohol was implemented after a referendum it could not be abolished without a referendum. Even if the Faroese voters who were in favor of the monopoly at this referendum really had the possibility to choose a well prepared alternative to *status quo*, a majority of the participating voters were

against the government's proposal (Table 10). However, in none of the 14 referendums in the Faroe Islands has the decision been taken by a majority of the electorate, and the turnout has been lower than to the general elections to the *Løgting*. This fact might indicate a democratic problem with referendums and also the often very conservative or – perhaps more accurate – counteractive role of referendums in the democratic process.<sup>12</sup> Furthermore, the Faroese 'separatist' political parties appear to have had great success in their effort to question all the constitutional referendums in the Faroe Islands even if they so far haven't really succeeded in their efforts to invalidate the constitutional relations between the Faroe Islands and Denmark.

Interestingly, the 1946 referendum, where the turnout often is claimed to have been very low, had the highest turnout of all Faroese referendums, even higher than the Icelandic referendum on sovereignty in 1918. In fact, the referendum in 1946 is – together with the referendum on alcohol in 1973 – the only referendum in the Faroe Islands that fulfils the requirements presented by Matt Qvartrup, where a result that is endorsed by 50% of the votes plus

one should be accepted if a majority of the registered voters have cast a ballot (Qvortrup 2014:132). None of the other Faroese referendums fulfils the requirement that a simple majority of the electorate have cast a ballot (Table 8 – see Appendix 2, 3 and 4 for examples of how to compare/rate success of referendums).<sup>13</sup> In this respect it could be argued that the famous Faroese referendum on September 14, 1946 was a real success.

However, international research on referendums also indicates that while the turnout in ordinary referendums on average is 10% lower than to general elections, the turnout to referendums on secession usually is higher than to general elections (Qvortrup 2014:132). This apparent anomaly in the Faroese referendum (on secession) in September 14, 1946, where the turnout was lower than to the contemporary election to the *Løgting*, can, on the other hand, as mentioned earlier, in part be explained by the biased political preparations. The voters who really disagreed with the government's proposal had no other opportunity then to vote for an unprepared secession, which was intended as a threat, or stay at home. Furthermore, the turnout

12) George Williams and David Hume have noticed the same phenomena in Australia where only eight of 44 referendums since 1901 have been "Yes" votes – consequently, these referendums according to Williams and Hume have obstructed vital constitutional reform (Williams and Hume 2010:vii-viii). For a discussion of arguments against or in favor of referendums (see e.g. Svensson 2004:39-60).

13) Dependent on how the turnout percentage is calculated the referendum(s) in 1907 come close to fulfilling these requirements, but they will never really fulfil these requirements. The invalid votes in the tables in this article (from 0.0% to 12.1%) are calculated as part of turnouts at the referendums. However, the turnout in none of the referendums would change from being below 50% to be above 50% or vice versa dependent on how the invalid are calculated, but the referendum(s) in November 1907, where the turnout without the invalid votes was 48.0%, comes rather close. If the invalid votes are calculated as a part of the turnout at the referendum(s) in 1907 the turnout will end up to be somewhere between 48.8% and 49.4% of the electorate (see table 1 and the comments to the table).

to the referendum in 1946 was indeed 10% higher than to the contemporary general election to the *Folketing* (Table 8). Additionally, the question is, if the referendum in September 1946 should be characterized as a referendum on secession.

From the point of view of Faroese voters, which, of course, from a democratic point of view should be the only relevant perspective, this appears to be exactly the most common use of referendums in the Faroe Islands: to demonstrate against the political agenda of the elite in power, whether Danish or Faroese. In a broader historical, cultural and political context, this point even seems to fit the 1907 referendum, which very effectively came up against the political agenda of the strong Faroese home rule supporters who even were politically supported by the Danish Government in power in 1901-06. The reasons for this peculiarity partially appears to be dependent on Faroese history and cultural context, but a part of the explanation appears to be that many of the referendums – especially the ones initiated within a Danish state context by the Danish state authorities – missed any real relevance among Faroese voters and that the

political elite has not always succeeded in the effort to focus on the voters and neglect the narrow interests of the political parties.

It would be easy to conclude that referendums are democratically inappropriate tools because the voters tend to demonstrate or vote against *any* political agenda of the elite in power, but a more constructive conclusion would be that if referendums are to be used, the political elite in power must take them serious; i.e. that they have to implement them independent of their own political intentions and give, if not all, then at least all the major groups of voters, relevant choices with tangible contents to choose between. Needless to say, this point is even more important in relation to ethnonational referendums, where the decision taken can be of immense importance and apparently is irreversible. Otherwise, voters apparently tend to demonstrate against or simply invalidate, if not always all the referendum in itself, then the intentions of the political elite in power with a referendum.

But that is, of course, also a way that the voters have and still can express their opinions.



## Appendix 1

In order to change the electoral age a referendum according to the Danish Constitution was mandatory to confirm the decision of the Danish Parliament. The decision in the Danish Parliament was overthrown if a majority of the participating voters – though at least 30% of the electorate – rejected it. The proposal to lower the electoral age from 21 to 18 was rejected in 1969, while the others were accepted. These referendums were only about the electoral age to the elections to the Danish Parliament, while the electoral age to the *Løgting* was changed at different times and since 1948 only by the *Løgting*. While the electoral age to the Danish Parliament, the *Folketing*, was set to be 18 years in 1978 this change wasn't done to the election to the *Løgting* until 1984 (see Wang 1988:94-95).

While the electoral age to the *Løgting* had been 25 years until 1944 when it was lowered to 21 years, the electoral age to the *Folketing* was 25 until 1953 when it was lowered to first 23 and then in 1961 to 21. This can in part explain why the Faroese voters were in favor of lowering the

electoral age to the *Folketing* in 1953 and in 1961, while they were against in 1969, 1971 and 1978, but the Faroese turnout was marginal in 1953 and 1961.

None of these five referendums were in the Faroe Islands held on the same time as other regular elections, e.g. the elections to the *Folketing*, but the pattern fits very nicely to the general picture where the turnout at referendums is considerable lower than to the similar general elections. Neither did any of these five referendums in the Faroe Islands coincide with a general election to the *Løgting*, where the turnout was considerable higher than to the *Folketing*. However, the Faroese referendum on the electoral age on May 28, 1953 was at the same time as the Faroese referendum on the Danish Constitution – a fact that does not seem to have bolstered the interest for the referendum on the electoral age. The specific dates and the turnout numbers to the closest general elections to the *Løgting* and to the *Folketing* in the Faroe Islands are noticed at the bottom of each of the five tables.

**Table 11.** Referendum on electoral age May 28, 1953

	Yes (% of valid votes and number)	No (% of valid votes and number)	Invalid votes (% of poll and number)	Poll (% of electorate and number)	Electorate	Yes (% of electorate)
Denmark	54.6%* 841.352	45.4%* 699.585	4.2% 67.688	57.1% 1.608.625	2.815.100	29.9%
Faroe Islands	54.6%* 715	45.4%* 595	12.1% 181	8.7% 1491	17.091	4.2%

\* There were two proposals that the voters were asked to answer, an electoral age of 23 or 21. In these two columns the numbers refer to those voters who are in favour of an electoral age of respectively 23 and 21, where those in favour of 23 had the majority. The percentages in the left column refer only to those who are in favour of an electoral age of 23, but it might be expected that those in favour of an electoral age of 21 also would accept an electoral age

of 23 when the valid electoral age before the referendum was 25.

The election to the *Folketing* was on May 7, 1953, and the Faroese turnout was 20.0%, while the turnout to the later election to the *Løgting* on November 8, 1954 was 66.9%.

Sources: *Rigsdagsvalgene* 1953 1953:23, 157, 194-95 and Isholm and Ísakson 2003:109.

**Table 12.** Referendum on electoral age May 30, 1961

	Yes (% of valid votes and number)	No (% of valid votes and number)	Invalid votes (% of poll and number)	Poll (% of electorate and number)	Electorate	Yes (% of electorate)
Denmark	55.0% 585.892	45% 479.367	0.9% 9.299	37.3% 1.074.558	2.880.337	20.3%
Faroe Islands	69.0% 518	31.0% 233	0.7% 5	4.0% 756	18.852	2.7%
Greenland	75.4% 3.480	24.6% 1.134	3.7% 177	36.1% 4.791	13.272	26.2%

The voters were asked to vote “Yes” or “No” to lower the electoral age from 23 to 21.

Sources: *Folketingsvalget 1960* 1961:38 and *Statistisk Årbog 1961* 1962:310, and Isholm and Ísakson 2003:109.

The election to the *Folketing* was on November 15, 1960, and the Faroese turnout was 57.1%, while the turnout to the election to the *Løgting* on November 8, 1962 was 74.6%.

**Table 13.** Referendum on electoral age June 24, 1969

	Yes (% of valid votes and number)	No (% of valid votes and number)	Invalid votes (% of poll and number)	Poll (% of electorate and number)	Electorate	Yes (% of electorate)
Denmark	21.4% 448.418	78.6% 1.646.993	0.4% 8.443	63.6% 2.103.854	3.309.551	13.5%
Faroe Islands	13.6% 599	86.4% 3.808	0.5% 21	19.7% 4.428	22.434	2.7%
Greenland	51.0% 3.320	49.0% 3.189	1.4% 94	30.1% 6.603	21.959	15.1%

The voters were asked to vote “Yes” or “No” to lower the electoral age from 21 to 18.

Sources: *Statistisk Årbog 1970* 1970:368, *Folketingsvalget 1968* 1968:66, *Folketingsvalget 1971* 1972:306-307, and Isholm and Ísakson 2003:110

The election to the *Folketing* was on January 23, 1968, and the Faroese turnout was 56.6%, while the turnout to the election to the *Løgting* on November 7, 1970 was 79.7%.

**Table 14.** Referendum on electoral age September 21, 1971

	Yes (% of valid votes and number)	No (% of valid votes and number)	Invalid votes (% of poll and number)	Poll (% of electorate and number)	Electorate	Yes (% of electorate)
Denmark	56.5% 1.600.955	43.5% 1.232.593	2.7% 78.201	86.2% 2.911.749	3.378.087	47.4%
Faroe Islands	48.7% 1.019	51.3% 1.072	0.0% 0	9.0% 2.091	23.260	4.4%
Greenland	73.0% 6.896	27.0% 2.545	5.4% 537	43.8% 9.978	22.783	30.3%

The voters were asked to vote “Yes” or “No” to lower the electoral age from 21 to 20.

The election to the *Folketing* in Denmark and in Greenland were indeed on September 21, 1971, i.e. at the same time as the referendum, but in the Faroe Islands the election was on October 5, 1971, and the Faroese turnout was 56.8%. This might explain the

relatively low turnout at the Faroese referendum in 1971 compared with high turnouts in Denmark and in Greenland, but the pattern is the same to the other four referendums which in all three countries were at other times than the contemporary elections to the *Folketing*.

Source: *Folketingsvalget 1971* 1972:78 and 306-308.

**Table 15.** Referendums on the electoral age September 19, 1978

	Yes (% of valid votes and number)	No (% of valid votes and number)	Invalid votes (% of poll and number)	Poll (% of electorate and number)	Electorate	Yes (% of electorate)
Denmark	53.8% 1.223.569	46.2% 1.050.723	0.4% 8.984	63.2% 2.283.276	3.615.158	33.8%
Faroe Islands	19.1% 1.329	80.9% 5.629	0.4% 27	26.4% 6.985	26.457	5.0%
Greenland	78.9% 6.850	21.1% 1832	1.9% 167	33.1% 8.849	26.705	25.7%

The voters were asked to vote “Yes” or “No” to lower the electoral age from 20 to 18.

The election to the *Folketing* was on October 23, 1979, and the Faroese turnout was 65.4%, while the turnout to the election to the *Løgting* on November 7, 1978 was 85.6%.

Sources: *Folketingsvalgene 1979* 1980:92, *Statistisk Årbog 1986* 1986:57, and Isholm and Ísakson 2003:110.

## Appendix 2

**Table 16.** Faroese referendum success rated according to the turnout percentage

Year	Proposal	Turnout
1946	1. Government proposal/secession	67.5%
1973	2. Government Monopoly to sell alcohol	61.7%
1907	3. Licence to sell and serve alcohol	49.4%
2012	4. Uniting Municipalities	32.6%
1978	5. Electoral age to 18	26.4%
1920	6. Danish Constitution	24.9%
1969	7. Electoral age to 18	19.7%
1916	8. Sale of Danish West India	13.6%
2009	9. Law of Succession	11.8%
1939	10. Danish Constitution	10.7%
1971	11. Electoral age to 20	9.0%
1953	12. Danish Constitution	8.7%
1953	13. Electoral age 23	8.7%
1961	14. Electoral age to 21	4.0%

There are, of course, many ways to measure the success of referendums, but this turnout criterion shows clearly that only referendums initiated by the Faroese political system (the top four list) promotes any real interest among the Faroese voters, while the Danish initiated referendums (the rest of the list) don't promote any real interest among Faroese voters. If the success of these referendum was measured by the percentage of Yes votes of the valid votes only as it has been done in international literature about constitutional referendums (see e.g. Williams and Hume 2010:94-95) the result would be that the most successful referendums in the Faroe Islands was the one in 1920 (98.4%) and e.g. other constitutional referendums (83.1% and 81.8%) where the turnout was marginal (10.7 and 8.7%), while the far most unsuccessful referendum would be the referendum in 1969 (13.6%), but technically speaking the most unsuccessful referendum according to this criterion would be the one in 1907, where the No votes were 96.4% and Yes votes only 3.6%. However, in Appendix 4

this very doubtful criterion is used to construct the rating list. Another challenge with this method is that not all referendums in the Faroe Islands are Yes or No votes. The votes for Faroese secession in 1946 are for comparative reasons classified as Yes votes in table 7, but technically speaking there were no Yes or No votes in 1946 – only (x) votes for the government's proposal or secession. However, if we take into account the preparations and intentions of the political elite in power the secession votes are in reality much better characterized as No votes as has been done in Appendix 3. Notwithstanding these important technicalities, this method to measure the success of referendums completely ignores the difference in turnout that is overwhelming between the Faroese referendums and is of immense importance for especially the constitutional referendums with a low turnout – where a qualified majority of 45% of the electorate is required. These facts render this method very inappropriate to use to compare the Faroese referendums. Another method to use

to measure the success of referendums would be to calculate the percentage of majority votes (not necessarily the Yes votes) in relation to the electorate. This method that includes the turnout as an implicit factor would make the referendum in 1907 the most successful (46.3%), the referendum in 1973 the second most successful (37.7%), the referendum in 1946 the third most successful (32.9%) and the one in 1961 (2.7%) the least successful. This method appears

to give a better picture of the formal success of a referendum, but, of course, it does not tell us anything about the real success of the majority at the referendum, which is demonstrated by the simple fact that the majority in 1961 (2.7% of the electorate) had it their way, while the majority in 1946 (32.9% of the electorate) had to accept that their vote was not politically implemented. This method to measure the formal success of referendums is calculated in Appendix 3.

### Appendix 3

**Table 17.** Faroese referendum success rated according to the majority votes percentage of the electorate

The advantage with this criterion is that it informs what the simple majority voted at the referendum, but just as the one used in Appendix 2 it does not tell us anything about the simple majority's attitude to the intended change. Consequently, the "No" or "Yes" in the brackets in the column to the right indicates the attitude of the majority to the intended change while the "A" and "D" indicates if the (simple) *Faroese* majority's decision at the referendum was accepted (A) or denied (D) by the relevant governmental authorities.

Year	Proposal	Majority (%) of electorate	
1907	1. Licence to sell and serve alcohol	46.3%	(No – A)
1973	2. Government Monopoly to sell alcohol	37.7%	(No – A)
1946	3. Government proposal/secession	32.9%	(No/secession – D)
1920	4. Danish Constitution	24.6%	(Yes – A)
1978	5. Electoral age to 18	21.3%	(No – D)
2012	6. Uniting Municipalities	19.1%	(No – A)
1969	7. Electoral age to 18	17.0%	(No – A)
2009	8. Law of Succession	10.3%	(Yes – A)
1916	9. Sale of Danish West India	9.0%	(No – D)
1939	10. Danish Constitution	8.8%	(Yes – D)
1953	11. Danish Constitution	6.7%	(Yes -A)
1971	12. Electoral age to 20	4.6%	(No – D)
1953	13. Electoral age 23	4.2%	(Yes -A)
1961	14. Electoral age to 21	2.7%	(Yes – A)

Interestingly, the only Yes result on the top 7 list is the vote on the constitution in 1920, – though only 24.6% of the Faroese electorate (and not the 45% that were required of the total Danish electorate) were in favour of the new constitution – which has changed the position from the 6<sup>th</sup> place in Appendix 2 to the 4<sup>th</sup> place on this list, while the Yes votes at the bottom of the list are so marginal that they in reality can be interpreted as No votes. However, both the criterion used in Appendix 2 and 3 place three Faroese initiated votes on the top three list while Danish initiated votes follow in the positions from five to 14. While all four Faroese initiated referendums constituted the top four list in Appendix 2, only the Faroese initiated referendum on Municipalities in 2012 changed position from the 4<sup>th</sup> to the 6<sup>th</sup> on this list and fell below two Danish initiated referendums, a Yes and a No. Out of 14 referendums there are 8 No votes and most of the six Yes votes represent only a very marginal part of the Faroese electorate, while all the three Yes votes on the Danish Constitution can be disputed. The same picture has been noticed elsewhere, e.g. in Australia where only 8 of 44 referendums since 1901 have been “Yes” votes (Williams and Hume 2010:vii-viii). The advantage with this criterion is that it relates the majority of the given votes to the electorate, but this method does not either differentiate between the referendums where only a *simple majority of the turnout* is required (e.g. in 1946) and the constitutional referendums (e.g. in 1920) where a *qualified majority of the electorate* (45%) is required and where those who don't vote at the referendum therefore are to be considered as No votes. If this constitutional criterion was applied to the three Faroese referen-

dums on the Danish Constitution only (i.e. not on the Danish electorate as a whole), in 1920, 1939 and 1953, the indicators in the brackets in referendums number 4, 10 and 11 would have been “No – D” in number 4 and 11 and “No – A” in number 10. However, it was only in 1939 that the majority of the total Danish electorate in favour of the intended change in the Danish Constitution was below 45% and the intended change was therefore overruled. The turnout percentage that is used as a criterion in Appendix 2 might be a better criterion to use in order to take into account these principal differences between different referendums that also affect the behaviour and interest of the voters in relation to participating in the referendum. Generally speaking a high turnout percentage is an indicator of the interest among the voters for the referendum subject in question, but a low turnout that is the case with all the constitutional referendums in the Faroe Islands actually invalidates these referendums. In addition, the fact that the Faroese votes in 1961 were considered to be an integrated part of the total Danish votes had the effect that 2.7% of the Faroese electorate had it their way while similar circumstances caused that the constitution was accepted at the Faroese referendums in 1920 and 1953 despite the fact that neither came even close to fulfilling the criterion in the constitution of a qualified majority of 45% of the electorate. Furthermore, only the referendums in 1946 and 1973 fulfil Matt Qvortrup's requirement that a majority of the electorate have cast a ballot. In conclusion, the turnout has also to be taken into consideration as a success criterion.



## Appendix 4

**Table 18.** Faroese referendum success rated according to the Yes votes percentage of the valid votes

This method of rating the success of referendums is found in the scientific literature about Australian referendums on the constitution (Williams and Hume 2010:94-95). However, a comparison with the turnout percentage and the majority vote's percentage of the total Faroese electorate (Appendix 2 and 3) demonstrates beyond any doubt that this criterion is very difficult to apply to the Faroese referendums. The major problem seems to be that this criterion does not take any notice at all of the referendum turnouts that can be – and in Faroese referendums are – very different – between 4.0% and 67.5% of the electorate. Number three on the list was actually rejected because of a low turnout in the whole state of Denmark and number one and four would also have been rejected in the Faroe Islands because of a low/marginal turnout if the referendum rules in the Danish Constitution (a majority of at least 45% of the electorate) were applied on the Faroese constituency only. Further to this, this criterion rates the success of referendums in relation to the success of the Yes

votes only while the occasionally victorious No votes – e.g. in the referendum in 1907 – are overlooked. This technicality with the referendum in 1907 could be taken into account if we simply defined the No votes as Yes votes (which would have put this very successful referendum on the second place on the list with 96.3% Yes votes). However, the more general problem is that while this criterion might be relevant to apply to similar referendums (e.g. only on nationwide constitutional referendums) the referendums in the Faroe Islands are about very different issues; some of them were only in the Faroe Islands about domestic Faroese issues; others were Danish state referendums about Danish state matters; the referendum rules (e.g. simple or qualified majority requirements) were very different etc. These different conditions and circumstances have immense importance for especially the referendum turnout percentage that is totally overlooked in this criterion. In conclusion, the rating of Faroese referendums must take notice of the turnout percentage.

Year	Proposal	Yes votes of the valid votes
1920	1. Danish Constitution	98.4%
2009	2. Law of Succession	88.2%
1939	3. Danish Constitution	83.1%
1953	4. Danish Constitution	81.8%
1961	5. Electoral age to 21	69.0%
1953	6. Electoral age 23	54.6%
1946	7. Government proposal	49.3%
1971	8. Electoral age to 20	48.7%
1973	9. Government Monopoly to sell alcohol	38.5%
2012	10. Uniting Municipalities	38.0%
1916	11. Sale of Danish West India	32.7%
1978	12. Electoral age to 18	19.1%
1969	13. Electoral age to 18	13.6%
1907	14. Licence to sell and serve alcohol	3.6%

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