

Brief opinion on the role of referendums

Dr. Uwe Serdült, Centre for Research on Direct Democracy, Switzerland

§1 Introduction

As a general remark it should be noted that I would only like to highlight a few general points regarding the use of referendums and the implications this has on a political system. I mainly draw on the experience in Switzerland and our database covering the use of referendums worldwide (see: www.c2d.ch).

§2 Development of direct democratic institutions over time

The introduction of direct democratic elements into a Constitution can be perceived as a 'critical juncture' on a historic path, to put it in the jargon of neo-institutionalist theorists. Once it is in the system there is hardly ever a return to the status quo ante. Some direct democratic institutions might be ill-designed or not work well, they might even stagnate and not be used much, however, since direct democracy provides the means to redesign itself by its own mechanisms, such difficulties can in the long run usually be overcome. Especially political elites making use of direct democracy or advocating it also have to keep in mind that the instrument could one day be turned against them.

§3 *Direct Democracy and Federalism*

For direct democracy to work and to be overall beneficial (and be it only in the subjective understanding of citizens) certain preconditions need to be fulfilled. Among the most important is the presence of strong, competing political parties. Party competition has positive effects on the use of direct democratic instruments. In general, direct democracy needs powerful political actors besides the central government, providing the connection between the state and society. In federal political systems these actors can also be territorial subunits. Federalism is therefore a component in a political system enhancing the beneficial use of direct democracy. Or to put it the other way round, direct democracy is more problematic in centralized systems without a sound power

balance between the state and organized civil society. However, central government has to expect and be prepared for subunits of the political system to organize referendums against its interests.

§4 The 'people' in a direct democracy

A few words about the notion of the 'people'. They are certainly there and in the end as individuals have the final say over important political matters (at least in Switzerland where referendums are binding). However, they only on very rare occasions intervene directly and organize a referendum or a citizen's initiative. Contrary to what quite a few scholars and advocates of direct democracy suggest (namely that the worldwide use of direct democracy is on the rise) bottom-up mechanisms that involve the active participation of citizens in the form of signing petitions and/or collecting signatures are still very much the exception (compared to automatic referendums or plebiscites). Out of 37 countries worldwide providing bottom-up mechanisms of direct democracy on the national level only 14 have had more than one referendum experience according to our database.

Table 1: Number of referendums organized by the collection of signatures to trigger the vote, 1874-2009

Countries and year of introduction	Initiators			Total
	Parties of the governing coalition	Opposition parties	Civil society	
Italy (1974)	2	60	--	62
Lithuania (1994)	--	9	--	10
Latvia (1923)	--	9	1	9
Hungary (1989)	--	6	1	7
Uruguay (1958)	--	4	6	10
Liechtenstein (1925)	4	17	33	54
Switzerland (1874)	37	91	195	323

Source: www.c2d.ch

In the first place, the arsenal of direct democracy is an institutional weapon for organized interests (political parties, interest groups, employer's and employee's associations) and not for the people as such.

There is not much room for a detailed analysis of what is presented in Tables 1 and 2. The main point is to show that in an over-crowded party system such as the one of Italy and as well in recently democratized countries with authoritarian legacies such as in Lithuania, Latvia and Hungary, combined with a relatively weak civil society sector, referendums are mainly used as a tool of the opposition parties to fight the ruling party or governing coalition. Only in very few countries with a longer tradition of direct democratic mechanisms referendums are also organized by civil society actors. And as Table 2 shows for Switzerland in more detail, even in those countries with a frequent use of bottom-up referendums those mechanisms used to be an important tool for opposition parties (to gain politically and eventually being co-opted into the governing coalition such as in Switzerland) and only recently became frequently used by actors of a nowadays well organised civil society sector.

Table 2: Initiators of referendums in Switzerland from bottom-up (collection of signatures was necessary to trigger the procedure) from 1874-2009

Time	Initiators			Total
	Parties of the governing coalition	Opposition parties	Civil society (social partners)	
<i>1874-1919</i>	2	28	11 (4)	41
%	4,9%	68,3%	26,8%	100%
<i>1920-1959</i>	3	27	39 (10)	69
%	4,3%	39,1%	56,5%	100%
<i>1960-2009</i>	32	36	145 (17)	213
%	15%	16,9%	68,1%	100%
Total	37	91	195	323
	11,8%	27,8%	60,4%	100%

Source: www.c2d.ch

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Uwe Serdült, Dr. phil.

Vice-Director

C2D - Centre for Research on Direct Democracy

ZDA - Zentrum für Demokratie Aarau

University of Zurich

Villa Blumenhalde

Küttigerstrasse 21

CH- 5000 Aarau

Switzerland

Web: <http://www.c2d.ch/>

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