

Book Review: Bruno Kaufmann, Rolf Büchi, and Nadja Braun, eds., *Guidebook to Direct Democracy in Switzerland and Beyond*, 2007 Edition (Bern: Initiative and Referendum Institute Europe, 2006), 335 pages.

Direct Democracy in a Comparative Perspective

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Direct democracy is not only a utopian dream of a better society with well-informed and free citizens. It also is a reality when we look at the growing use of referenda at all levels in the world. In fact, popular initiatives and referenda are the key instruments of direct democracy nowadays, whereas the ancient forms of direct democracy (assemblies of citizens, *Landsgemeinde* in two Swiss cantons) do not fit the complexity of the contemporary world. The purpose of the *Guidebook to Direct Democracy* is to offer scholars and practitioners a reference book which accurately defines the concept of direct democracy as well as its main tools. Knowing how direct democracy procedures work helps the reader to understand how to analyze their relationship to representative government. The more successful the representative government is, the easier its combination with direct democracy. The less representative a government is, the more populist effects can emerge from direct democracy procedures. Indeed, representative government and direct democracy procedures complement each other: direct democracy procedures aim at placing some needs or problems on the political agenda. Consequently, they show a desire for the engagement of citizens in politics in civil society instead of public apathy. The book is written in order to explore this modern mixture between both forms of democracy; it is an introduction to the broad field of direct democracy.

Swiss institutions of direct democracy are analyzed in detail, as the current instruments of direct democracy in the world are a part of this political tradition. Indeed, the country has experienced many referenda since the Constitution of 1848: 540 federal referenda were held between 1848 and 2006 (pp.189-230), which makes an average of three to four federal referenda a year. If we take cantonal and local referenda into account, Swiss citizens can vote at least ten times a year on different issues between elections.

The authors' goal is not to promote a model of government, but to examine how direct democracy procedures practically work. Governed by

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twenty-six pieces of legislation, the Swiss referenda show a wide diversity. The juridical conditions are not the same throughout the country and the inclusion of direct democracy procedures is less strong in some French-speaking cantons than in the German-speaking ones. Between 1970 and 2003, 3,709 cantonal referenda were held, but only 53 took place in Ticino (Italian-speaking canton), whereas 457 were organized in Zurich (p.119). The distinction between popular initiative and referenda is crucial, as popular initiatives are the most directly democratic instruments. In this case, some citizens collect signatures so that a referendum can be organized on a specific topic. Hence, it is important to note the possible topics that are subject to referenda, the required number of signatures to place a topic on a referendum, and the permitted period for the collection of them. Direct democracy is not immediate democracy; it takes time and is sometimes more complex than parliamentary democracy. As for cantonal initiatives and referenda, the subjects of referendum concern laws and finances, except in the canton of Vaud, where the subject can be either laws or administration. In Neuchâtel, a popular initiative on the subjects of laws, finances, and administration requires the signatures of a minimum of 5.7 percent of the electorate, whereas in the canton of Basel-Country,¹ the minimum of only 0.9 percent of the electorate is required so that an initiative on laws and finances can be accepted and lead to a referendum (pp.133-136). The collection period for signatures is between two months (Nidwalden) and eighteen months (Solothurn); some cantons have not limited the period of collection. For referenda on facultative (nonconstitutional and nonobligatory) matters,² the number of signatures is somewhat different as well as the signature collection period. As a matter of fact, Switzerland has to be studied from an internal comparative perspective.

The book aims to promote more comparative studies on direct democracy around the world. Some criteria are very important to the determination of the quality of direct democracy procedures: Who initiates the referendum? Do popular initiatives exist? How long does it take to launch an initiative? How many signatures are required in order to call for a referendum? Are referenda binding or merely consultative? What can be said about the campaign and the result? Not only does the book focus on referenda issues, but also it includes new voting experiences such as e-votes, which were initiated in the canton of Geneva. In a country where citizens are used to expressing their opinion several times a year, e-voting and simplified postal voting are supposed to facilitate the voting procedures (pp.128-131). It is early to state conclusions

¹ In 1833, the historic Canton of Basel was divided into two half-cantons, the canton of Basel-Country and the canton of Basel-City.

² Constitutional referendum is obligatory for all cantons, which means that one cantonal government cannot change its constitution without organizing a referendum. In some cantons, modifications to law or finances must be done with the agreement of the people, whereas in other cantons referenda on these matters are not obligatory in case of changes. This is why the book deals with the difference between obligatory referenda and facultative referenda.

about these experiences: the debate is ongoing about the pros and cons of e-voting (e.g., control of the procedure, effectiveness regarding the turnout).

Does a referendum democracy such as Switzerland lead to an ultra-individualistic form of government where every citizen can defend his or her own interest? Or is this type of democracy subject to collective mobilizations? In reality, the referendum tool encourages social and individual autonomy: the average turnout for referenda and elections is about 45 percent in the different cantons. Swiss citizens control the instruments of popular initiative and referendum which are not in the hands of organized minorities. The major initiators of “popular demands” (popular initiatives and facultative referendums) in the cantons between 1979 and 2000 were political parties (37 percent of all the popular demands), *ad-hoc* initiative committees (30 percent), combined sponsorship (16 percent), interest groups (10 percent), and new social movements and individuals (7 percent) (p.165).

The study of direct democracy procedures can be encouraged through the analysis of the Swiss experience: ten main proposals could be highlighted as starting points in a further comparison of those practices.

1. Direct democracy procedures are rarely subject to manipulations as they are a long-term process. Unlike authoritarian regimes which use quick plebiscites to legitimize the power of the president, direct democracy supposes both a basic common interest and a constructive organization of civil society. If the initiators want to succeed, they have to convince a majority of citizens; then the equation between the protection of minorities and the rule of majority is maintained (pp.25-31).
2. Direct democracy has a tradition. Unlike utopians’ vision of a self-organized society, referenda and popular initiatives have been a way of enlarging the possibility of voting and expressing common interests. Direct democracy has European roots and the history of direct democracy in Switzerland shows the influence of some European countries such as France and Germany (pp.32-39).
3. There is a strong link between federalism and democracy. The referendum plays an important role in the division of powers between federation and cantons. Furthermore, the current tendency toward greater decentralization in Europe might encourage the use of referenda (pp.40-47).
4. Direct democracy does not mean a deep disturbance of representative government (pp.48-55). From 1848 to 2006, of 160 popular initiatives, only fifteen (9 percent) (pp.149-150) were approved, and from 1990 to May 2006, only six of sixty popular initiatives were approved

(p.150). It is very hard to have a successful initiative, even in a country which is very familiar with direct democracy procedures. The popular initiative “For Switzerland’s membership in the United Nations” (placed on a referendum on March 3, 2002) (p.226) was also supported by the government and parliament: popular initiatives are not negative instruments, rather, they often strengthen the political decisions of the representatives.

5. Direct democracy procedures can solve social conflicts (pp.56-64). The creation of the twenty-sixth canton of Switzerland (Jura) was possible thanks to direct democracy. The referendum of June 23, 1974, avoided a national separation (pp.152-157).
6. Direct democracy is a part of the political education of citizens (pp.65-71). The involvement of the incompetent citizen is an argument used against direct democracy procedures which are characterized as simplifying some political problems. In fact, “direct” does not mean “simple” or fulfillment of immediate wish but a closer relation between citizens and political topics. The complexity of the procedures allows citizens to organize themselves and learn much from the political culture of their country.
7. Direct democracy is not governed by the media (pp.72-77). The media, including the newspapers, can help citizens to have a clear idea about a referendum question. Direct democracy is not inexpensive, but it may help to avoid huge lobbying expenses. Nevertheless, the Californian example needs to be investigated in detail in order to justify this conclusion. Some studies mention lobby influence in some popular initiatives in California.³
8. Direct democracy is often labeled conservative. Representatives do not dare to propose fiscal reforms because they fear the power of popular initiatives. The Swiss cantons, which greatly favor the use of direct democracy, have economic stability (pp.79-85). Indeed, direct democracy helps representatives to control economic development. In addition to this, the communes of these cantons are highly autonomous. Once again, the Californian example shows that the recurrent use of popular initiatives on tax matters could be a threat to local

³ David Broder, *Democracy Derailed: Initiative Campaigns and the Power of Money* (New York: Harcourt, 2000).

governments.⁴

9. The constitutional design of direct democracy determines the quality of the procedures (pp.86-95). If all the criteria of time, topics, and number of signatures are well-defined, there will not be any damage in the use of direct democracy. As previously pointed out, the design of direct democracy implies the foundation of a stable representative framework. Nevertheless, a comparative study of direct democracy procedures is needed. It can inform us about various possible institutional designs and help us to evaluate direct democracy in a more comprehensive manner.
10. Any abuse of direct democracy might be banned by a constitutional court. In Switzerland, the Federal Court is able to decide whether the matter of a referendum conforms to the principles of the constitution (pp.97-103). Dominique Rousseau holds similar views when he promotes a form of “continuous democracy,”⁵ in which the constitutional judge controls direct democracy procedures.

Recently, article I-47 of the EU-Treaty draft included the possibility of a European popular initiative among one million citizens from at least three European countries. The referenda on the EU-Treaty showed that direct democracy tools are effective in creating political debates but that the future of such procedures is quite uncertain, although there is an empowerment at the local level in Europe. The 2007 edition of the *Guidebook to Direct Democracy* updated the 2005 edition⁶ with the same arguments. There is a strong necessity in the field of political science to strengthen the comparison of referenda around the world, which means collecting data, creating research units focused on direct democracy,⁷ and maybe starting a scientific *Journal*

⁴ Fareed Zakaria showed how popular initiatives in California changed radically from the 1960s to the 1980s. In the 1960s, popular initiatives were in favor of a greater welfare state before Proposal 13 in 1978 changed that trend in social thinking and turned it into a fight against the increase of taxes. Fareed Zakaria, *L'avenir de la liberté, la démocratie illibérale aux Etats-Unis et dans le monde* (Paris : Odile Jacob, 2003), 233-240.

⁵ Dominique Rousseau, ed., *La démocratie continue* (Paris: Bruylant, 1995), 16.

⁶ Bruno Kaufmann, Rolf Büchi, Nadja Braun, eds., *Guidebook to Direct Democracy in Switzerland and Beyond, 2005 Edition* (Bern: Initiative and Referendum Institute Europe, 2005), 286 pages.

⁷ In Europe, there are two important research units in direct democracy, the Research Centre for Direct Democracy and Citizen Participation at the University of Marburg (www.forschungsstelle-direkte-demokratie.de), and the Research and Documentation Centre on Direct Democracy of the University of Geneva (<http://c2d.unige.ch>).

of *Direct Democracy* (referendum studies). Some political scientists such as Austin Ranney and David Butler⁸ have dealt with a worldview comparison of referenda, but political scientists must broaden this research so that direct democracy procedures become more familiar to citizens worldwide and less subject to ideological justifications.

The authors deal with the globalization of direct democracy; this does not mean that they promote the international unification of direct democracy institutions, but rather that they analyze the adaptation of direct democracy institutions in a variety of political cultures. The comparison could have been divided into significant areas such as direct democracy in Asia,⁹ direct democracy in Latin America, and direct democracy in Africa, before jumping too quickly into generalized statements. Fundamentally, referenda underline the foundations of political systems; this is why the volume urges readers to study them systematically. A world conference on direct democracy scheduled in Lucerne, May 22-24, 2008 (p.321),¹⁰ should address the necessity of forming research units on referenda issues around the world.

⁸ David Butler, Austin Ranney, eds., *Referendums around the World: The Growing Use of Direct Democracy* (London: Macmillan, 1994).

⁹ Jau-Yuan Hwang, ed., *Direct Democracy in Asia: A Reference Guide to the Legislations and Practices* (Taipei: Taiwan Foundation for Democracy, 2006).

¹⁰ There was a regional conference on direct democracy in Asia, organized on July 14, 2006, in Fukuoka by the International Institute for Democracy and Electoral Assistance (see <http://www.idea.int>).