

14 hypothesis from Andreas Gross on

The Experience of Direct Democracy in Switzerland: *Why do we have it, how have we used it, what has to be improved and what lessons can be learn from it*

1. Switzerland (CH) is neither a model nor an example for Direct Democracy (DD); but a source of inspiration and encouragement for all those who want to try more democracy and to share better the power with the citizens.
2. CH is also not the inventor of DD. The modern referendum was first used in the new England States during the making of the USA; the initiative is a idea of the French Philosopher Marquis de Condorcet (1743-1794) who constituted it for the first time in the first constitution of the French Revolution 1793.
3. Democracy is a mosaic with more than hundred parts on the move, an eternal process. Today many of these parts are in regression, democracy as such in decline. The main reason: The erosion of the autonomy of the nation-state and the lack of transnational democracy.
4. Every Democracy is always unfinished. There is no perfect Democracy. But Direct Democracy is a little bit less unfinished than the only representative Democracy. The empowerment of the citizens allows them more freedom and offers more influence in the making of their country. Direct Democracy is never the antithesis to indirect democracy (ID), but it's supplement. Direct Democracy makes representative Democracy even more representative.
5. 1830-1871 Switzerland became one of the most progressive and open countries in Europa; no other state realised so many ideas of the French Revolution. The Swiss Revolution of 1847/48 was the only success story of the "European Peoples Spring" of 1848. But the Swiss owe their success and the first citizen's democracy also to the other European revolutionaries; without them the leader of the European Conservatives, the Duke of Metternich, would have defeated the radical-liberal Swiss Revolution.
6. The Swiss made 1848-1868 the first (negative) experiences with an only representative democratic system in the cantons and the federal level. Many felt that the Parliament ignored their basic problems and favoured mainly capital interests. That's why in the 1860's in broad cantonal people's movements they asked

for decisive participatory rights also between the elections. This led to revisions of the Federal Constitution and 1874 to the Referendum – they right to bring any law decided by the Parliament within three months to the people's vote – and 1892 to right to citizen initiatives, by which today 100'000 citizens can propose to all fellow citizens any change of the Swiss Constitution and where nobody then the initiators themselves can prevent the people's vote on this initiative.

7. The quality of Direct Democracy depends on its design. Crucial elements of a good design are: Low signature-requirements (ZH: 0.6% / CH: 2 %); Time to collect signatures (ZH: 6 months / CH: 18); no special majority requirements; clear distinction between constitutional and legislative levels; carefully designed interface between DD and ID with the right of the Parliament to accompany a citizen's initiative with a parl. counter project); supervision by the Constitutional Court; financial fairness rules and transparency requirements).
8. Direct Democracy is a set of participatory rights, which on the local and regional level even richer than on the federal level.
9. From 1848 until 2015 we had in CH 617 popular votes; in a quarter of them the majority of the people disagreed with the majority of the Parliament. Two thirds of them happened in the last third of this 167 years, which means that since the end of the 1960ies the use of DD (as well as the production of laws and the revision of laws) is much more intense. Since 1980 295 Initiatives were launched, 106 failed to get enough signatures, and 124 came to the ballot box (14 of them were accepted by the majorities of the cantons and the citizens) and 65 were rejected because they produced sufficient indirect effects. The Parliament decides in about 14% of the initiatives to launch a counter project; in 39% of the initiatives you see indirect effects in the sense of the initiative.

Concerning the Referendum you see that only against 7% of the laws a Referendum is launched; a third of them is rejected by the majority of the people.

10. The power of Direct Democracy, which changed the Swiss political system and the Political culture during the last 125 years lies in the openness of the system towards its citizens and their associations; You never now, when a referendum against a law might be triggered. You never now, who could when start a initiative process, by which a relatively small group may force the Nation to the discussion of an issue or a question, the elites or the government or the mainstream-parties might dislike. Also the government became much more inclusive (Concordance); each issue has to find its own majority which makes politics much more communicative and transparent – no fixed majorities; no quick fixes).
11. This kind of democratisation of democracy produces enormous benefits for the society: Reduces personalisation of politics and increases issue-orientation; reduces alienation between citizens and institutions/state; politics become more communicative and deliberative; integrates a diverse society and enables collective learning; engagement serves identification; contributes to the democratisation of parties, parliamentary-groups and even the media.

12. Switzerland belongs to the states with most experiences with votes also in European Affairs. Depending on their scope and character international treaties can or must be put to peoples vote. Since 1972 people in Europe voted about 55 times on European affairs – about ten of these votes happened in Switzerland.
13. In the last 15 years Switzerland discovered deficits in the context of it's DD which have to be overcome especially if Switzerland does not want to undermine the attractiveness of DD:
 - The DD-process has been colonised by oligarchic money; CH is the only country in Europe without any laws concerning the transparency and the balance of money in politics;
 - The competence of the Constitutional Federal Court has to be increased; initiatives which can not be realised because of the ECHR or other important international treaties should not be put on the ballot;
 - The crises of the Press reduced the space for political deliberation in Swiss political matters especially in German-speaking part of CH drastically so that the public deliberation does not find the space it needs anymore; we have to learn to include the quality press in the public service and support it.
 - The political education as well as the support of civil society engaged in politics is underdeveloped and has to be strengthened.
14. The European Union needs more Democracy and DD as much as Democracy needs the transnational level and the EU in particular. Both can only be strengthened with the help of the other. DD at home helps to create the new people's movements we need in order to transform the EU from a treaty-based governmental structure to a constitution based transnational democracy where the citizens also feels him- and herself at home as much as in Dublin, Berlin or Rome.

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