Embassy of Switzerland in Ukraine
Presence Switzerland
"Local Referendum. Swiss practices. Possible insights for Ukraine"
Kiew, Dipl. Academy of Ukraine, 13th of march 2017
By Andreas Gross (St-Ursanne), political scientist, Dr. h.c.

Communal/Municipal Direct Democracy (DD) building

I. Core ideas of DD and communal DD

- A Democracy is more than elections (representation), but also participation (referendum)
- In a strong democracy politics are not only made for the people, but also by the people
- Citizens are subjects, not object of politics and the state
- The latters serve and are made by the citizens, they do not command or own them
- In a democracy all those who are concerned by a decision should be directly or indirectly part of the decision making process
- A democracy enables people to be free. Freedom means more than to have a choice; freedom means the right, the capacity and the ability to influence together with others the common way of life
- By inviting all to take part in the decision making processes democracy secures a central promise, a fair distribution of the life chances among all citizens
- A way to democratise democracy is to decentralise the political power; every topic has to be decided as close to the concerned people as possible (Nation, region, municipality, commune)
- A strong democracy shares power: Horizontally between the capital, the region and the communes, vertically between the government, parliament and the citizens ("Flat hierarchies")
- Politics is more then the arena, where you fight for your private interests; it's the place where one looks for the "common good" – the sum of the private interests do not define already the common interest

II. The ways how communal DD is realized (in Switzerland)

- The state/ the regions define the rights, autonomy and the competences of the municipalities/communes
- Each municipality/commune defines within this regional/state-frame it's way of organising it's politics (DD) in a communal order/rule-book/"constitution", which has to be agreed by a majority of the citizens in this town

- A certain amount of citizens can always propose a change of this communal order; the proposition has to be discussed in the communal parliament and has to be decided in a local Referendum
- In this communal order is defined which competences the governor, the government and the parliament have; as well as the citizens
- In Switzerland the communal order does this by certain amount of money-spending-competences: - 2 mio /2-20 mio/ above 20 mio
- In Switzerland the amount of citizens who have the right to propose changes or oppose proposed changes are small (Zurich: 1% - 0.7%)
- There are no special quora asked for in Referenda (no "supermajorities")
- In a referendum the resources of the different positions have to be transparent and fairly distributed (CH still has to realize this too)
- Referendums should be decisions, not advisory, non-binding consultations
- The Parliament may in the future modify decisions made in referendum; if the citizens would not agree, they may look for a new referendum

III.   Where you have to pay special attention for a good local DD

- The quality of DD depends from the quality of it's design
- The design has to be user-friendly and should challenge the powers and not serve them ("Inclusive democracy, not exclusive")
- Local DD has to be well fit into the regional and national D or DD
- The interface between Parliament and citizens (indirect/direct Democracy) has to be carefully organised
- As well as the interface between Human Rights and DD
- A correct information for every citizen has to be guaranteed
- Institutions and organisations which serve the the civic information, education, discussion and deliberation of citizens should be fairly supported by the town and/or regions
- The quality of the outcome of a Referendum depends from the quality of the process which produced the referendum
- No speed fast-food democracy; no 'consultation', but a common decision

IV.   What a well designed communal DD produces

- Satisfaction of the citizens ("Happiness")
- A collective identity
- A sense of ownership
- Identification with the town and the common good
- Integration
- Social Integration of societal diversity
- Communicative , and not authoritarian politics: Everybody can convince each-other, nobody might command anybody
- Citizens learn a lot; also how to use their freedom and democratic rights

V.   DD-Cultural seeds to be planted

- The new municipality is not made without me
- I am a subject here, not just an object of others
- I care how my village and land is organised
- Together with others I can influence the way we develop
- I have the right to express, defend and argue for my interests, wishes and hopes
- Together with others I can formulate and defend our common interest and wishes
- When we make use of our direct-democratic-rights (Questions and propositions) the mayor, the administration and the council will listen, discuss and respond
- Critical remarks and propositions are always welcome; they do not disturb but are essential for a democratic development as well as a development of democracy
- When I feel a lack of respect or negative consequences in my civic engagement I have to right to complain to the Ombudsperson or the Courts

VI.   Main challenges for Ukraine/post-totalitarian-societies

- Life is not a destiny (any more)
- Individually you may only despair; if you want to change things you have to put yourself together with likeminded others
- In a democracy political power is not personal, but based on the rule of law and defined in the laws
- Power-holders /Representatives have also to learn how to work and act in a democracy
- The state is not a private, but a public good
- Winning a election, having a majority does not mean, that you own it
- Winning an election defines your share of power; the losers also still have a share (The share of everyone: His/her basic rights ...)
- Before the law and its rules, everybody is equal
- Democracy is an ongoing, never ending process

Andreas Gross, St-Ursanne (JU/CH)
Atelier for Direct Democracy (ADD)/
Scientific Institute for Direct Democracy
info@andigross.ch
www.andigross.ch