

SWISS DEMOCRACY PASSPORT



**GUIDE
TO MODERN REPRESENTATIVE DEMOCRACY
WITH INITIATIVE AND REFERENDUM**

MY SWISS DEMOCRACY PASSPORT

Name

Contact Info

I am an Eligible Citizen of the Municipality of

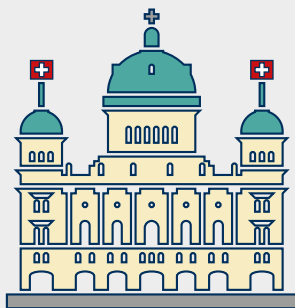
The District/Region/Province of

Name of Country (or Countries)

Name of Transnational Entity

Name of other Political Entity

Unsure about your own citizenship status? Check your (travel) passport or national ID card or consult with an information officer in your hometown/province or country.



41,285 KM²
8.637 MILLION CITIZENS
4 NATIONAL LANGUAGES
26 CANTONS
2148 MUNICIPALITIES

WELCOME

Switzerland—A Modern Representative Democracy with Strong Direct Democratic Rights

← These are some of the numbers making up a federal republic in the heart of Europe neighbored by Liechtenstein, Austria, Italy, France and Germany. Switzerland is a “nation of will” convening different cultures, religions and languages. The laws of the land are made by the Swiss themselves—in a way which very much fulfills Art. 21.1. of the Universal Declaration of Human Rights:

“Everyone has the right to take part in the government of his country, directly through freely chosen representatives”

The Swiss elect their representatives in regularly held elections. And they are also involved in the business of law- and constitution-making—on three political levels. The modern state was established by referendum in 1848 and since then all amendments to the federal constitution have had a majority

of the participating voters at large and the majority of voters in a majority of states (‘double majority’) behind them. However, until 1971 only men were eligible to vote.

Welcome to this second edition of the Swiss Democracy Passport. This publication by the Swiss Democracy Foundation in cooperation with partners, offers Swiss Democracy Passport holders from all across the world alike a brief and concise introduction into how a modern representative democracy can become even more representative if citizens are continuously involved in the agenda-setting and decision-making of a political community.

This Passport highlights the interplay of direct and indirect democracy by explaining principles, procedures and practices on all political levels—and is designed to become a useful and informative companion for everybody interested in the future of democracy—in times of global crisis and challenges.



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WELCOME TO SWITZERLAND

Welcome to the Swiss Democracy Passport

There is no doubt that reaching decisions in a democracy can be time-consuming, laborious, slow and difficult. As Winston Churchill is often referenced to have said: democracies are the worst form of government—except for all the others.

Direct democracies are even more complex than representative ones. As a consequence, a stable form of direct democracy cannot come into existence overnight. And a system of direct democracy must be carefully and continually nurtured in order to make it work. Given the particularities of every state and society, institutions of direct democracy cannot simply be copied, but must be shaped in their specific context.

As a longstanding direct democracy and multi-cultural society, the case of Switzerland highlights what direct democracy can achieve. It increases popular support for political decisions. It also forces all stakeholders to compromise in order to assure popular majorities on specific issues. At the same time, direct democracy favors the inclusion of minorities, especially through its combination with federalism and the rule of law. This combination ensures that minorities are heard and protected at the institutional and political level. Direct democracy cannot flourish under all conditions. The Swiss experience underlines the importance of a shared culture of debate and informed responsibility of citizens. Such attributes cannot develop overnight but are fostered by a practice with initiatives and referendums.

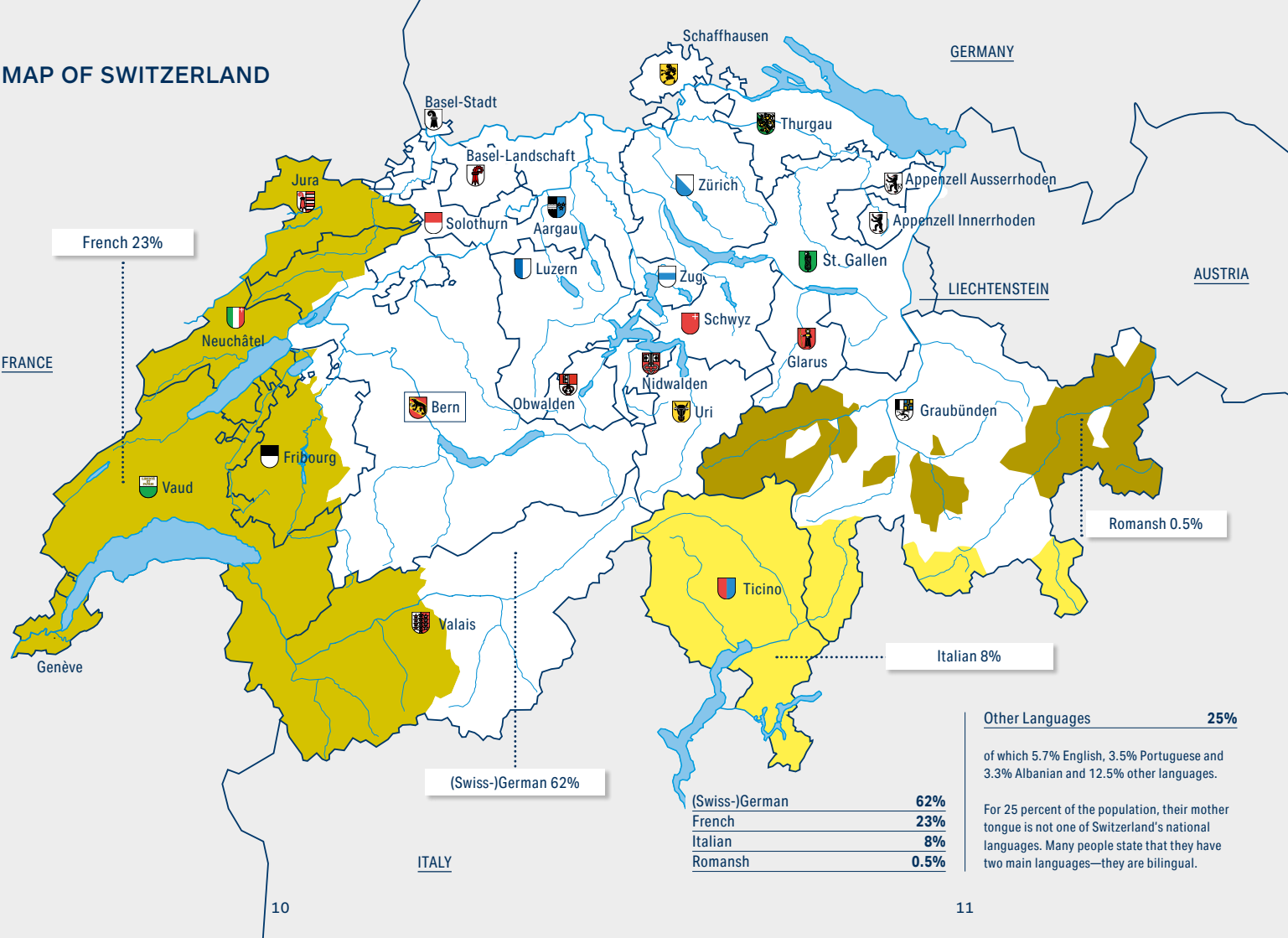


The Swiss experience in direct democracy is not without its own challenges, in particular when it comes to foreign policy. Domestic and foreign policies are more than ever closely intertwined. While new instruments of international regulation (e.g. soft law) offer opportunities by allowing swift responses to new global challenges, they raise legitimate questions regarding democratic participation in their elaboration. A balance must be struck. While governments need to remain capable to safeguard key foreign policy interests in a dynamic international environment, it is important to ensure a more effective democratic participation in foreign policy issues.

There is no doubt direct democracies have the necessary strength needed to tackle these challenges and remain a model fit for the 21st century. As a natural reference point for modern direct democracy, Switzerland, in accordance with its constitutional mandate to promote democracy globally, will continue to actively support citizens' participation in political decision-making.

Ignazio Cassis
President of Switzerland

MAP OF SWITZERLAND



THE LATE INTRODUCTION OF FEMALE SUFFRAGE

Compared to other democratic countries, Switzerland was particularly late in establishing the right to vote regardless of gender. While democratic countries like New Zealand (in 1893) or Finland (in 1906) introduced suffrage for both women and men more than a century ago, in Switzerland, women could only exercise their voting and electoral rights many decades later.

However, already in the late 19th century the argument was made for a universal suffrage right for both men and women:

As an example Emilie Kempin-Spyri, the first woman in Switzerland to graduate with a law degree asked the (male) Court for a re-definition of the concept "Swiss citizens" to include both women and men. This was rejected in 1887 and followed by many new (male) decisions to exclude women from the right to vote.



With this decision, Switzerland was one of the last countries in the world to introduce female suffrage on a national level.

On February 7, 1971, 65.7% of the—then only male—voters approved the amendment to the Federal Constitution on women's suffrage and voting rights. Swiss men had rejected the same proposal in 1959.

With this decision, Switzerland was one of the last countries in the world to introduce female suffrage on a national level. Among the Swiss municipalities and cantons, the first to introduce female suffrage was the canton of Vaud in 1959.

However, in the canton of Appenzel Innerrhoden, women were denied the right to vote on cantonal and municipal levels even until 1990 when the Swiss Supreme Court decided that this was unconstitutional. That was more than a century after the highest court of Switzerland for the first time had to judge on the interpretation of article 4 of the Federal Constitution.

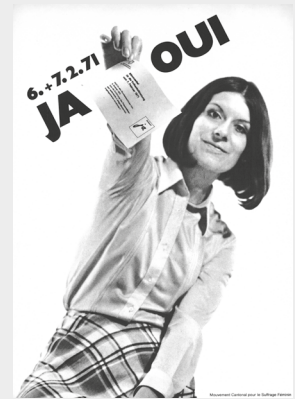
A Misused Reference to Direct Democracy

As in every democracy, in a direct democracy it is key to have full voting rights in order to be able to take part in the agenda-setting and decision-making process. This right was basically enshrined in the Swiss constitution from the beginning in 1848.

But the male decision-makers continued for 123 years to exclude women, even if both the government, the parliament and the courts had many opportunities (and were repeatedly invited by the Swiss women) to change this injustice.

Until 1971 the reference to direct democracy (and the seemingly necessity of a male 'popular' vote) was flagrantly misused to exclude the women from their fundamental rights as citizens.

Historically—out of more than 670 popular votes since 1848—in the first 224 cases only the male voters could participate.



More reading:
Studer, Brigitte and Wytenbach, Judith:
«Frauenstimmrecht – historische und rechtliche Entwicklungen, 1848-1971»,
Hier und Jetzt.

Eugster, David und Troxler, Paula:
«Der lange Weg zum Frauenstimmrecht»,
<https://www.swissinfo.ch/ger/der-lange-weg-zum-frauenstimmrecht/46347344>.

ch2021.ch

SWITZERLAND'S FASCINATING INTERPLAY BETWEEN DIRECT AND INDIRECT DEMOCRACY

By Marc Bühlmann

No other country offers as extensive participatory and direct democratic rights as Switzerland. But that does not make Switzerland a direct democracy as such. Instead, the popular initiative and referendum are not constituent elements but make the representative system more representative.

The Swiss system is a fine-tuned combination of two different answers to the basic political question who should rule. The elitist answer emphasizes the merits of decisions by political representatives who have the expertise and necessary time to decide on complex political questions.

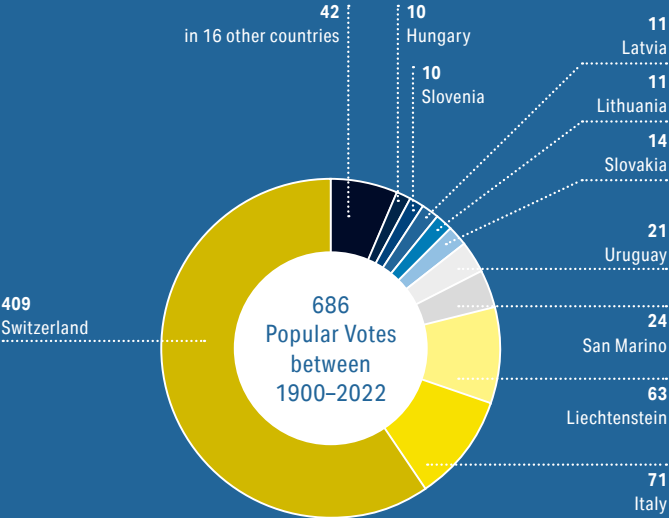
According to the participatory answer, political decisions made by all citizens are more legitimate and have a broader argumentative basis.

“
The Swiss system is a fine-tuned combination of two different answers to the basic political question who should rule.

The Swiss political system combines these two ideas: the majority of the political work is done by elected representatives. The eligible voters in turn are bringing new issues onto the political agenda (popular initiative) or control the legislature by voting on laws passed by the representatives (referendum).

It is important to note that the representative and the participatory elements are not directed against each other but linked in a very sophisticated way. It is their interplay as checks and balances that guarantees the stability of the Swiss political system.

Between 1900 and 2022*, in 26 Countries Worldwide, a Total of 686 Citizen-initiated Popular Votes on the National Level were held



Switzerland	409	Taiwan	8
Italy	71	Palau	6
Liechtenstein	63	New Zealand	5
San Marino	24	Micronesia and Ukraine—each	4
Uruguay	21	Bulgaria	3
Slovakia	14	Germany	2
Lithuania	11	Netherlands	2
Latvia	11	Philippines, Bolivia, Colombia, Peru, Georgia, North Macedonia, Malta, Croatia—each	1
Slovenia	10		
Hungary	10		

*until end of september 2022
Source: direct-democracy-navigator.org

Referendums and the Elected Representatives— a Successful Combination

Since the introduction of the optional referendum in 1874, the national parliament has passed more than 3400 laws. Only 205 of them have been questioned by referendum (6%). Of these referendums, 88 were successful. Thus, more than 97% of all decisions taken by the representatives are legitimized directly (unsuccessful referendum) or indirectly (no demand for a referendum) by the citizens entitled to vote. Paradoxically, the optional referendum—although used so rarely—is partly responsible for this high success rate. Because the optional referendum hangs over each legislative process like the sword of Damocles, the representatives make every effort to include the important interests that could take part in a referendum in a legislative decision. Sometimes the mere threat by a party or a group to start a referendum leads to their interests being taken into account. The low number of referendums suggests that this inclusion is successful in most cases.

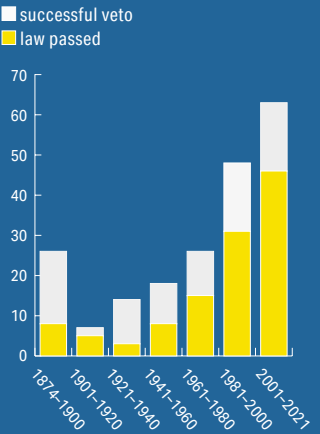


Not only the small share of optional referendums, but also the high number of accepted mandatory referendums seems to indicate a high degree of agreement between citizens and representatives: In only about one-fourth of the 198 mandatory referendums voted on, the majority of citizens hold a different opinion from parliament. But what happens if the integration of important forces is not successful? After all, there have been 86 optional and 50 mandatory referendums in the last nearly 150 years in which parliamentary decisions have been rejected by the Swiss population with voting rights (until 1971 only by the male citizens). Here the interplay between direct and indirect democracy is nicely demonstrated. With the rejection at the ballot box, the citizens play the ball back to parliament. A “No” vote does not usually mean a shamble, but rather a mandate to the authorities to rethink the proposed reform—also with the help of an

Optional Referendum

The optional referendum can be initiated by collecting 50,000 signatures during a period of 100 days after a law that was passed by parliament is published. In this case, it is decided at the ballot box whether the parliamentary decision should stand or not.

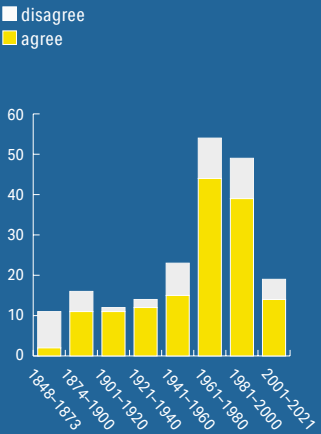
The optional referendum was introduced in 1874. Between then and mid-2022, a total of 205 were voted on, of which 86 were successful (42%), meaning they repealed the law.



Mandatory Referendum

Constitutional amendments and membership of international organizations passed by parliament must be put to a popular vote. These laws pass only when the majority of the people as well as the majority of the cantons agree.

The mandatory referendum exists since 1848. Between then and mid-2022, a total of 198 were voted on, of which 148 were successful (75%), meaning the people and the cantons ratified them.



Popular Initiatives— Valves and Negotiations

interpretation of the arguments discussed during the voting campaign.

Although this means a lot of extra work for government and parliament, a revised law with which a large majority of citizens agree, gains legitimacy.

Citizens in most democracies are calling for more participatory and direct democracy. One argument is the fear that there is a growing gap between representatives and citizens, because parliamentarians have allegedly lost touch with the population and no longer know where the shoe pinches. The rather few cases in which citizens disagree with the parliament in Switzerland are an indication that a combination of direct and indirect democratic elements strengthen the representative quality of the system and can bridge this gap.

The ongoing interplay between indirect and direct-democratic elements in the sense of cooperation and interaction between representatives and citizens, is even more evident when we look at the institution of the popular initiative.

The real idea of the popular initiative is that minorities can bring issues that are important to them into the political arena. Normally, these are issues that are—from the perspective of these minorities—not sufficiently or not at all considered by the parliamentary majority. The initiative committees therefore hope that citizens will evaluate their issues more favorably than the parliament and anchor their concerns in the constitution.

A glance at the sheer numbers seems to suggest at first that popular initiatives are a weak instrument and that direct democracy does not have the expected significance: out of 228 popular initiatives voted on since 1891, only 25 were accepted at the ballot box.

Two times—in 1955 and 2020—an initiative got a majority of the

popular vote but not the majority of cantons—and failed.

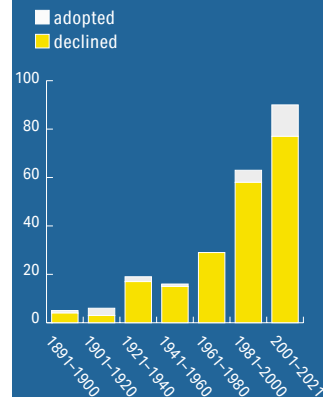
Furthermore, the fact that only 11 percent of popular initiatives were accepted once again suggests that there is no great divide between the representatives and the people. This is especially true because parliament itself had recommended six of the 25 successful initiatives to be adopted. Moreover, this 11 percent only refers to the 228 popular initiatives that have been voted on since 1891. If we take the total of about 350 initiatives that were submitted, the 25 successful ones correspond to 7 percent only. This percentage would fall even further if those initiatives that failed to pass the signature hurdle were also included in the bill. Approximately one in three of the initiatives launched do not take off at all.

This does not mean, however, that the popular initiative has no effect. On the contrary, the various indirect effects attributable to the complex interplay between representative and participatory elements are very impressive.

Popular Initiative

Citizens have the possibility to propose an amendment to the constitution. This proposition is voted on when 100,000 citizens support a formulated text and their signatures are collected within 18 months. A popular initiative is adopted when the majority of the people as well as the majority of the cantons agree.

The popular initiative exists since 1891. Between then and mid 2022, a total of 228 were voted on, of which 25 were successful (11%), meaning they were adopted by the people and the cantons.



Negotiation and Integration

Like the optional referendum, the popular initiative can have an inclusive effect. If an important interest group or a party announces that it considers launching a popular initiative on a particular issue, this issue may become more important in parliament. More often, however, initiatives are used to make demands that are not heard at all in parliament.

If an initiative committee has successfully collected the necessary signatures, its request goes to parliament, where the matter is discussed. The parliament is not allowed to change the proposal but has various possibilities to react to it.

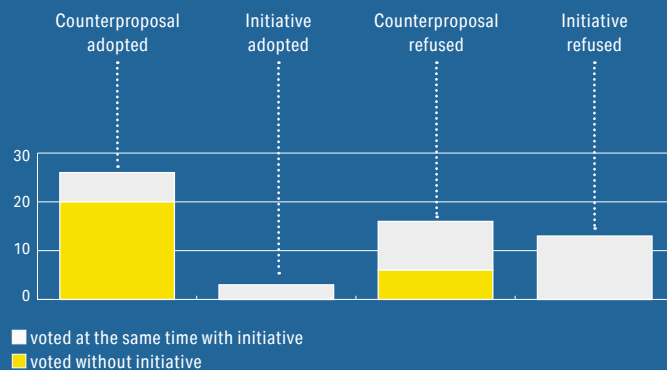
The parliament can declare the initiative invalid if, for example, it infringes upon mandatory provisions of international law. So, it is parliament that decides whether an initiative is valid or not, not a court. This deliberately political rather than legal process has resulted in only four initiatives being declared invalid. In controversial cases, the parliament usually decides “in dubio pro populo”, meaning it leaves

the final decision to the people’s vote. If declared valid, an initiative must be discussed by the parliament. Usually, the final decision is a recommendation to the citizens to reject the initiative. However, normally at least a part of the parliament supports the idea of the initiative.

This often leads to lively parliamentary debates in which numerous pros and cons are exchanged, which, thanks to media coverage, can also mobilize and expand public debate.

The parliament has the option of formulating a so-called counterproposal. In this case, a majority in parliament at least shares the intention of the popular initiative idea but turns it into a less extreme or more practicable demand. This instrument can also be used for strategic reasons when the parliament wants to take the wind out of a popular demand’s sails. This shows how the indirect and direct elements of modern representative democracy work together.

Counterproposal—Direct and Indirect



The parliament can propose an alternative to a submitted popular initiative.

The direct counterproposal is a proposition of a different amendment to the constitution whereas the indirect counterproposal is the proposition of a law or law amendment, i.e. a non-constitutional amendment.

If the initiative committee withdraws its initiative, the direct counterproposal will be voted on or the indirect counterproposal comes into force, as long as there is not enough support for an optional referendum.

If the initiative committee does not withdraw its initiative, the direct counterproposal as well as the initiative are put to the vote.

Since 1987, a third question—whether voters prefer the initiative or the counterproposal—decides in case both are approved at the ballot box. Before 1987 voting “Yes” on both the initiative and the counterproposal was not allowed.

Since 1891, 42 direct counterproposals have been voted on, 26 were accepted (62%).

Valve

To be clear, the majority of all initiatives submitted are rejected by the parliament without a counter-proposal and voted on unchanged at the ballot box. And in the vast majority of cases, these popular initiatives do not find a majority in the voting population either. Does this mean that popular initiatives are only effective if they are at least partially supported by parliament?

Not necessarily, for at least two reasons arising from the so-called valve function of an initiative.

First, a popular initiative can help to reduce political frustration. A minority that receives little or no attention in the parliamentary arena for an issue that is important to them can try to get it directly from the electorate, practi-

cally bypassing parliament. A welcome side effect is that this channeled and institutionalized way of letting off steam should lead to a

lasting pacification of political dissatisfaction.

This is especially true because the authorities are obliged to deal with the frustration that is packed into an initiative, take it seriously and argue against it.

This institutionalized organization of political frustration is one of the reasons why mass demonstrations and, above all, violent political actions hardly ever take place in Switzerland.

Second, a popular initiative can break taboos. Often it is an avant-garde minority that brings a completely new topic onto the political agenda. In the history of



Institutionalized organization of political frustration is one of the reasons why mass demonstrations and, above all, violent political actions hardly ever take place in Switzerland.

popular initiatives in Switzerland, there are numerous examples of how a demand first constitutes a breach of taboo, the corresponding initiative is rejected at the ballot box by a large majority, but the topic is then repeatedly discussed and society becomes more open to it, and finally, after the necessary period of time, it is incorporated into legislation.

This can also be called the catalyst function of the popular initiative. In these cases, too, it is important that these demands are not simply ridiculed but must be treated seriously by the political elite in an institutionally secured manner.

While both the release of frustration and the breaking of taboos have no direct effect in the sense of a changed law, they do initiate discussions in an institutionalized manner that may, over time, lead to social changes and political reforms.

Switzerland without an Army



In Switzerland, military service is compulsory for male Swiss citizens.

The armed forces were considered a "sacred cow" in Switzerland since the Second World War and during the Cold War.

Slaughtering this cow was the aim of the initiative for a Switzerland without an army.

Although the initiative was rejected in November 1989, the surprisingly high 35.6% vote in favor opened the door to very comprehensive army and security policy reforms in Switzerland.

The Minaret Ban



The minaret initiative to ban the construction of new minarets in the federal constitution was adopted in November 2009 with 57.5% of yes-votes.

The result was interpreted as reaction to the terrorist attacks in the USA and Europe and gave islamophobic sentiment a vent.

While the ban remains in effect the public dialogue between Muslim associations and other parts of the Swiss public has been strengthened.

Popular initiatives can thus help to deal more seriously with emotionally charged political issues in the long term.

What is crucial is that it is not up to the elected representatives to decide what is important and what is being negotiated. If a matter passes the signature hurdle, it is considered important—regardless of which political minority has put it forward. In this case this means that taboos and frustration cannot simply be ignored but must be debated.

Canvassing

The third effect of the popular initiative, which can also provide a link between participatory democratic and indirect arenas, is the role in canvassing ahead of an election.

Often, it is a political party that not only wants to use an initiative to make itself heard in parliament on an issue that is important to it, but also to be remembered by its voters.

A welcome effect for political parties when launching, submitting and discussing an initiative during a voting campaign is that media attention normally increases. Thus, especially before upcoming elections, the parties hope to achieve an advertizing effect by activating direct-democratic instruments.

On the other hand, however, this also helps voters because it shows them what the central concerns of a party standing for election are.

Direct Democracy and Party Success



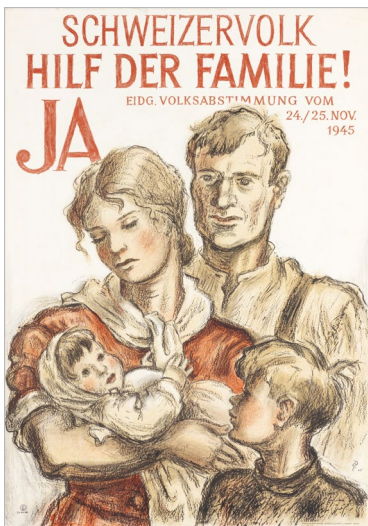
Between 1990 and 2011, the Swiss People's Party (SVP) more than doubled its voter share.

This is also due to its transformation from a conservative to a conservative-populist party, which is illustrated by their use of popular votes initiated by citizens initiatives.

Numerous popular initiatives of the SVP were accompanied by controversial campaigns in which the party's logo was always visible.

The party has both gained in presence and integrated into the representative system by using direct democratic tools.

The Long Road to Maternity Leave



It took no less than 60 years and almost 20 attempts before a maternity insurance was legally regulated in Switzerland.

In fact, in 1945, a direct counterproposal was adopted by a majority of 76.3 percent and the creation of a maternity insurance was enshrined in the constitution. But only in 2004,—60 years later—did the citizens adopt a law implementing the idea

of the constitution. In 1974, 1984, 1987, and 1999 different propositions did not find support from the people. Also, the numerous proposals in the parliament did not find a majority for decades. Only in 2020, a paternity leave of two weeks was adopted by 60 percent of the voters. In an international comparison Switzerland lags quite behind in terms of parental leave.

The Implementation of Accepted Popular Initiatives—the Interplay Goes On

As mentioned, 25 popular initiatives so far have been approved at the ballot box. It is important to note that the interplay between direct and indirect democracy in the representative system does not end at this stage. An accepted popular initiative “merely” represents a constitutional amendment. For an adopted popular initiative to be effective, it must be specified and implemented in a law. And this is where parliament comes into play again.

Along with considerations on how to best combine the new regulations with existing laws, the parliament has to interpret the simple “Yes” to the initiative at the ballot box.

Which arguments were important during the voting campaign? Should the arguments of the Nominority also be taken into account?

Such an implementation process can sometimes take a long time and often leads to a significant curtailment of the original objectives of the adopted popular

initiative. The idea is that a body representing the population—the parliament—should discuss and decide what the voters might have meant.

The sovereignty of definition is deliberately not left to the initiative committee, even though the committee often does not agree with the dilution of its goals: It was not the committee that voted, but the entire electorate. It should be noted, however, that the implementation of the initiative at the legislative level, as proposed by Parliament, can again be revoked by an optional referendum.

Again, the interplay between direct and indirect democracy is a never-ending story in a modern representative democracy like the Swiss one.

Why Do the Swiss Trust their National Government?

The institutionalized and dynamic balance between elected representatives and eligible citizens in the Swiss political system have two mayor effects: integration and legitimization.

Integration

Integration means that demands from outside the representative institutions can enter the political arena more easily thanks to the direct democratic elements. Thus, political minorities that usually have very limited access to political power have institutionalized opportunities to make their voices heard. Furthermore, the constant threat of a referendum forces integration of all important political interests during the decision-making process. Finally, the instruments of direct democracy force the actors of the representative institutions to take a stand on issues that would otherwise not be discussed or at least not discussed on a broader scale because of their taboo or emotional nature. In this

sense, direct democracy even forces institutionalized integration of frustration, which can be recognized early and must be taken seriously.

Legitimation

The feeling of being able to make a difference or at least being taken seriously by political decision makers is a central prerequisite for granting legitimacy to political decisions. The inclusion of as many interests as possible in a decision also makes it more widely accepted.

The likelihood of accepting a decision even if one is not in favor of it and is therefore in a minority position increases with the number of participation possibilities. Thanks to modern direct democracy—and in contrast to purely indirect representative democracies—, depending on the issue, each citizen is at least occasionally in the majority. Furthermore, just knowing that an unpopular decision could be questioned by referendum or reformed by popular

initiative makes it much easier to accept it for the time being. In such a fine-tuned representative democracy we find “humble winners” and “happy losers”.

Of course, the possibility of being able to influence political decisions directly not only increases the legitimacy of a specific decision, but of the entire political system as such.

Impact on Society

This higher level of legitimacy has interesting social consequences. There is strong evidence that a modern participatory representative democracy increases the sense of belonging, because people take part in the decision-making process together and discuss different issues when voting. Modern direct democracy also increases civil society involvement in the sense of “social capital”.

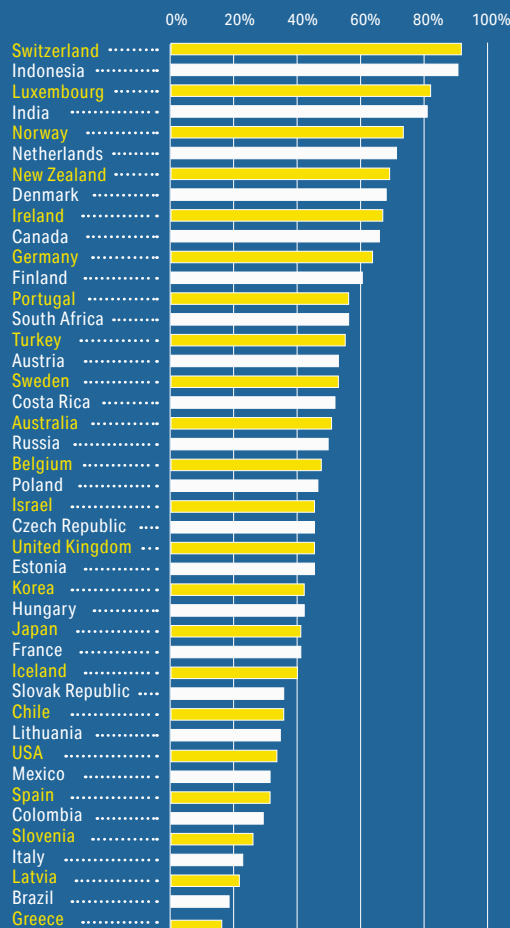
Studies furthermore indicate that political information and even life satisfaction are greater thanks to the practice of direct democracy.

Although participation as such may not make people happier, it has a significant impact on satisfaction with the political system and trust in institutions and political actors. By international comparison, the political trust of Swiss citizens is very high.

Economic Impacts

There is further empirical evidence that the referendum in particular has a braking effect. Although the referendum is accompanied by a status quo bias and hinders innovation, it has positive effects on the national budget. Comparisons of Swiss cantons suggest that government spending and public debt are lower in cantons with a well-developed financial referendum: Where the population has a say in the budget thanks to direct democracy, the actors in the representative system appear to have greater spending discipline.

Trust in the National Government



What are the Weaknesses of the Swiss Political System?

In view of all these positive effects the question arises: What are the weaknesses of today's Swiss-style representative democracy? It goes without saying that Switzerland is far from being a perfect political system. In this context three issues are emphasized: efficiency, integration and inclusion.

An Efficient System?

Modern direct democracy has a price. The more interests are involved, the weaker the influence of the individual actors becomes. Political parties and elected individuals that are strong in purely representative systems, but also institutions like parliament and government, experience more power competition in Switzerland because they have to involve strong associations and the population. This slows down the decision-making process which may impact the efficiency of the system.

At the same time this slowness also has a positive side: the political legitimacy of decisions taken is

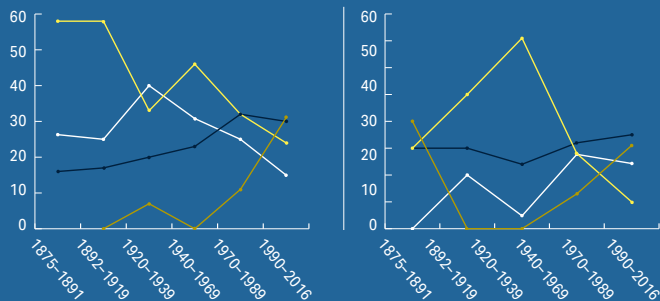
higher than in many other countries. After all, social changes can usually only take place slowly and are only accepted when large majorities can be convinced of the change in lengthy discussions. The question arises, however, as to whether more rapid solutions might not be needed to solve complex and, above all, global problems such as health crisis, migration or climate change.

Limited Integration

Modern direct democracy forces the inclusion of all important political interests. Which political interests are considered "important" remains an open question, however.

The history of Switzerland and the use of direct democracy show quite impressively that it is considered "important" who can credibly threaten with a referendum. In Swiss political science, it is conventional wisdom that Switzerland's transformation from a traditional majoritarian democracy (with one government party and several opposition parties) to a

Authors of Referendums and Initiatives



Authors of optional referendums (left) and popular initiatives (right) in % per period

■ government party ■ association
■ non government party ■ committee

consensus democracy (with a broad coalition of governing parties) is due to the referendum: Parties that blocked decisions became part of the government over time. However, a referendum can only be organized by interest groups that have the necessary resources. In fact, there are very few examples of referendums or initiatives taken by committees that were not supported at least by parties or associations. Active direct democracy—from collecting signatures to campaigning for votes—is

relatively expensive, and, thus, not all minority interests can afford to go to the ballot box or make themselves sufficiently heard in the voting campaign.

Inclusion

A further critical feature is inclusion. While most—around 90%—eligible citizens are participating at least once every five years—a significant share of the resident population remains excluded from having a formal say. This group of excluded

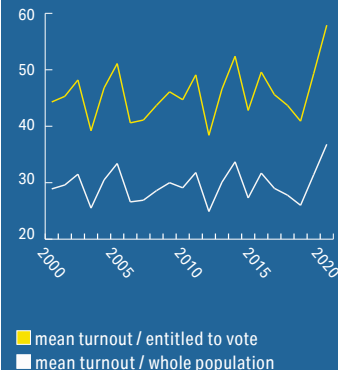
people include young people under the age of 18, residents without a Swiss passport, and persons who “lack legal capacity due to mental illness or mental incapacity” (Federal Constitution of Switzerland, Art. 136, para. 1). Thus, one third of the population of Switzerland is still excluded from institutionalized decision-making. And remember: until 1971, when women's suffrage was finally introduced (see page 12/13), only a clear minority of the resident population was entitled to vote.

This “tyranny of the majority” (as Alexis de Tocqueville warned against the majority principle), or rather the tyranny of the eligible voters, is a weighty disadvantage of direct democracy: citizens who do not have the right to vote can only poorly defend themselves in direct democracy and their interests face a high risk of being simply ignored.

Possible Reforms

Thinking of further reforms, it will be important to carefully preserve the advantages, namely the integrative and legitimizing effect of the interplay between representation and direct democracy which contribute greatly to

Turnout at the Ballot-Box



peaceful stability, cohesion, political confidence, and satisfaction in Switzerland. Indeed, if the promise of modern democracy is a conversation that never ends, Switzerland's participatory political system offers ideal conditions, while there is still much potential to be explored, especially with regard to further expansion of eligibility of young people, residents without a Swiss passport or people with intellectual disabilities.

*Marc Bühlmann is Director of
Année Politique Suisse*

SELECTED FACTS AND FIGURES AFTER 175 YEARS OF VOTING IN SWITZERLAND

By Hans-Peter Schaub

Since 1848, the eligible part of the Swiss population has been called to vote on more than 670 proposals (more than 440 since the introduction of female suffrage in 1971) on the federal level to change a law or the constitution. Looking into this rich and diverse history provides us with insights on how direct democracy in Switzerland has been functioning. The following paragraphs do not aspire to give an overview of all the most important developments in the history of voting in Switzerland, but to present some selected records, crucial facts and curious cases.

Collecting the Required Signatures—or much more

Apart from the mandatory referendums, an issue is put to vote only if the required number of signatures are collected. Between 1980 and 2022, more than 130 popular initiatives, including some by large political parties, failed to collect the required number of signatures in

the set time. Those initiatives were thus not put to a vote.

In the other cases, the initiators usually content themselves with meeting the legal threshold plus some safety margin. The most accurate collecting was done for an initiative that was voted on in 2008 and aimed at installing full local autonomy on how to organize the naturalization of foreigners, which handed in 100,038 valid signatures, i.e. a mere 0.04 percent above the threshold of 100,000.

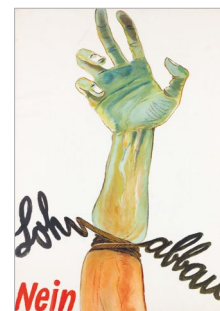
Similarly, an optional referendum against the extension of the transalpine railway network in 1992 met the threshold of 50,000 by only 51 excess signatures (0.1 percent). In both cases, the initiators ended up not being supported by a majority of voters at the ballot box.¹

In contrast, other actors have overly exceeded the legal requirements. In doing so, they used the signature collection to demonstrate

¹ www.swissvotes.ch/vote/532.00
www.swissvotes.ch/vote/382.00



The 2008 right-wing initiative
"for democratic naturalizations"
was signed by 100,038 citizens



1933 poster against lowering
state employees' salaries

the widespread support for their issue, to build a broad base of supporters already in a pre-stage of the campaign, or simply to manifest their political power. Thus, a coalition of health insurance companies submitted over 390,000 signatures for their initiative for a health reform in 1985 (almost 4 times the required threshold). In 1933, a coalition of trade unions collected over 325,000 signatures for a referendum against lowering state employees' salaries, i.e. almost 11 times the then-threshold which at the time was 30,000 signatures. Yet another possibility to excel is by collecting the signa-

tures as fast as possible. The all-time record in this discipline is held by the pacifist initiators of a 1993 initiative that aimed at preventing the acquisition of new fighter jets. After a mere 34 days, they handed in over 180,000 signatures, which also makes for a record 5,300 signatures per day.

After a fierce voting campaign, the initiative was eventually rejected. Nonetheless, the impressive demonstration of the antimilitarists' mobilizing power was consequential in that the authorities have since put all their air force acquisition projects to a popular vote.

Wide Variety of Topics

Popular votes in Switzerland can touch on any policy area, and indeed eligible voters have been called to vote on the whole range of policies. This being said, some policy areas have been at the center of votes more often than others.

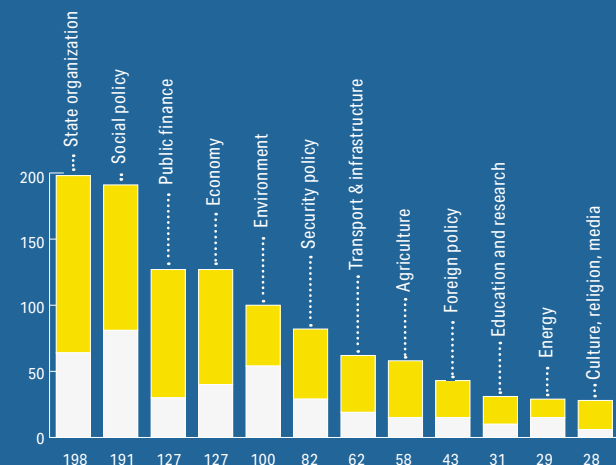
Until February 2022 eligible voters (up to 1971 only men, see page 12/13) have most frequently voted on proposals concerning state organization (198 votes), social policy (191 votes), social policy (191 votes), economy and public finance (127 votes each).

The picture looks slightly different if we consider popular initiatives only, excluding mandatory and optional referendums: Popular initiatives have most frequently dealt with social policy (81), state organization (64) and environmental policy (54).

This mirrors the fact that social and environmental concerns have often been put on the political agenda by organizations who did not get their positions through in the representative institutions and who therefore resorted to the direct-democratic arena.

By contrast, issues of state organization and public finance were more often tabled by the authorities themselves.

Frequency of Votes by Policy Field, 1848–2022



Initiatives		Referendum	
State organization	64	State organization	134
Social policy	81	Social policy	110
Public finance	30	Public finance	97
Economy	40	Economy	87
Environment	54	Environment	46
Security policy	29	Security policy	53
Transport & infrastructure	19	Transport & infrastructure	43
Agriculture	15	Agriculture	43
Foreign policy	15	Foreign policy	28
Education and research	10	Education and research	21
Energy	15	Energy	14
Culture, religion, media	6	Culture, religion, media	22

A Constitutional Amendment to Regulate Cows' and Goats' Horns?

The general idea of Switzerland's legislative system is to have citizens vote on the most important

questions (constitutional amendments and contested laws), while parliament and government deal with the less important issues. However, who is to decide which issues are important and which are not? The popular initiative ensures that as long as it does not breach mandatory provisions of international law nor the requirements of internal formal and material consistency³, any question which

is backed by a sufficient number of signatures is put to a vote. As a consequence, eligible voters are

every now and then called to vote on issues that appear curious or irrelevant to outside observers.

A recent example is the so-called "horn-cow initiative": In 2018, voters decided whether farmers who abstain from removing their cows' and goats' horns should get additional state subsidies.

One might think that it is absurd to have a national vote on such an issue, and indeed the initiative was rejected by the majority. However, it did not only get over 1 million of Yes votes (45%), but also man-

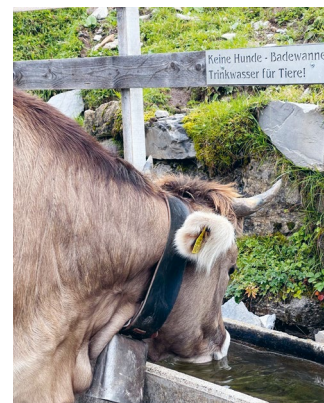
aged to stimulate a broad public discussion about mass livestock farming and the dignity of animals. Recent examples with similar effects are the "sovereign money initiative" that aimed at introducing

a new monetary system (rejected in 2018) or the initiative for an unconditional basic income for every resident (rejected in 2016).

In 1895, (male) voters were called to vote on whether the right to produce matches should be reserved to the state. Absurd as this idea may appear from a contemporaneous viewpoint, the advocates of the proposal deemed this step necessary in order to ensure that the workers in match factories are decently protected against the risks of phosphor. After a fierce voting campaign, the voters decided to reject the state monopoly.

Another initiative whose relevance was contested was even adopted by a majority of voters in 2009: A popular initiative demanded to ban the construction of new minarets in Switzerland.

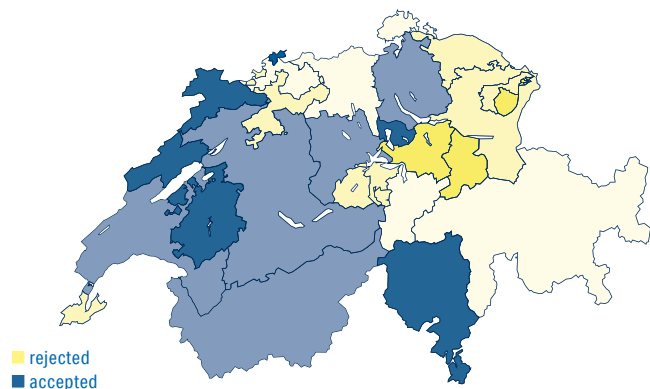
The opponents of the initiative not only appealed to the freedom of religion and the core values of an open society, but also referred to the fact that the practical relevance of the initiative was negligible,



given that only four minarets had been built in all Switzerland so far. However, the initiative sparked a public debate on topics that went far beyond a few edifices, touching symbolic and emotional questions such as intercultural relations, women's rights in Islam, or terrorism.

³ Federal Constitution of Switzerland, Art. 139 para. 3.

As Close and Clear as it gets



50.05% of voters rejected a VAT increase for the pension insurance in 2017, with a Yes majority in the west of the country and a No majority in the east.

The history of Swiss votes has seen many close races as well as resounding victories. Remarkably, the top three closest votes have all taken place in the new millennium. In 2017, a tiny majority of 50.05% voted against raising the value-added tax to finance the pension system. With over 2.5 million votes cast, the margin for the No side was a mere 2,361 votes which is way less than the number of invalid ballots (8,000) and empty ballots (26,000) in that vote.⁴

Similarly, a wafer-thin majority of 50.08% accepted a controversial change in the fees for the public broadcast company in 2015, and in 2002 a mere 50.09% defeated a popular initiative to heavily restrict the access to asylum in Switzerland (a majority of the cantons would have approved that initiative). Even more recently, in

⁴ To be precise, the tax raise would also have required a majority of the cantons which was missed more clearly (9,5 Yes against 13,5 No).

September 2020, a 50.14% majority of voters approved a credit of CHF 6 billion to acquire new fighter jets for the armed forces.

On the other side of the spectrum, the very clearest voting results are less recent. The largest Yes share resulted in 1915. Remarkably, it signified voters' approval of a new tax. In the context of the First World War, the introduction of a temporary "war tax" did not meet any opposition in parliament nor by any political party, and 94.3% of the (male) voters said Yes.

Circumstances were less favorable for an initiative that aimed at reforming the state subsidies for grain production in 1929. After the government and the parliament had presented a counter-proposal to solve the issue, even the initiators preferred the latter and no longer supported their own initiative. However, in those days it was not allowed to withdraw an initiative once it had been handed in. It was thus up to the voters to put the final nail in the initiative's coffin,



Only 8% of the voters were convinced by this 2015 initiative for an ecological tax reform

and they did so with a share of 97.3% No votes. The same day, they accepted the counter-proposal.

In 2015, an initiative that actually had organized support took a battering that was almost as harsh. The Eco-Liberal Party proposed to do away with the value-added tax and to introduce a tax on energy consumption instead. The idea was also supported by the Green Party, but a mere 8.0% of voters were ready for such a far-reaching remodelling of the tax system.

Developing Rules of the Game

Swiss direct democracy has needed to mature and evolve over time, not only with regard to the possibility to withdraw an initiative but even with regard to things as basic as who is entitled to vote (see text on pages 12-13) or how the votes are counted.

In the very first nationwide vote of modern Switzerland, when the new federal constitution was put to a vote in 1848, one canton simply counted all absentees as Yes votes.

In 1920, the (then only male) voters could choose between, on the one hand, a popular initiative that demanded a general ban on commercial gambling, and, on the other hand, a counter-proposal by the parliament that wanted to allow gambling as long as it served charitable objectives and respected

the common welfare. However, since it was the first time in Swiss history that an initiative and a counter-proposal were put to a vote, there was no clear understanding

among the authorities on how to count the votes correctly. It took more than a year, three recounts and several lengthy decrees by the federal government and the parliament until the government finally determined the result.

It declared the initiative to have been accepted while the counter-proposal was rejected. The government had to concede

that the exact numbers of Yes and No votes could not be established anymore since some local authorities had meanwhile destroyed a part of the ballots. Nevertheless, the government was confident that

“

It was not before 1987 when a more balanced system was introduced that correctly mirrors the voters' preferences. A “double Yes” is now possible.

there was “not only a high probability, but certainty” that the initiative had indeed received a majority of the votes.⁵

The chaos of 1920 had mainly been caused by the question of how to proceed with ballots that contained Yes votes for both the initiative and the counter-proposal. The government then affirmed that such “double Yes” votes were to be treated as invalid. Any single voter could thus only accept either of the proposals or reject both of them. Whenever the parliament decided to devise a counter-proposal, the status quo had thus a systematic advantage against any reform. This disadvantage was probably decisive in defeating reforms for health insurance, protection of tenants and public cultural funding in the 1970s and 1980s.⁶ It was not before 1987 when a more balanced system was

⁵ www.swissvotes.ch/vote/82.10

⁶ www.swissvotes.ch/vote/245.10
www.swissvotes.ch/vote/270.10
www.swissvotes.ch/vote/339.10



Poster against both the deportation initiative and the counter-proposal in 2010: Justice with one Peter and one Pedro in the balance, the latter is additionally weighted down.

introduced that correctly mirrored the voters' preferences. A “double Yes” is now possible, and the voters are asked in an additional tie-breaker question which option they prefer if both options get a Yes majority.

Since 1987, there have been three votes about initiatives and counter-proposals, but in none of these cases was the tie-breaker question of practical importance because there was no double Yes majority.

Refusing Additional Holidays

One would expect that the vast majority of people would happily accept if they are given the choice to grant themselves more holidays. Swiss voters, however, appear to be different.

Both in 1985 and in 2012, over 65% voters declined popular initiatives by trade unions that demanded more holidays. In 1985, the initiators wanted to raise the then legal minimum of 2 weeks holidays per year to 4 weeks for younger employees and to 5 weeks for older employees. In order to tackle the initiative, Parliament agreed to grant 4 weeks of holidays to everybody. That minimum of 4 weeks was still in force in 2012 when the next initiative demanded a raise to 6 weeks per year. This time, authorities were confident enough to win the



Direct-democratic instruments have been an important factor in Swiss politics ever since their introduction, and they have had far-reaching consequences.

vote even without a counter-proposal. The voting results proved they were right.⁷

These examples impressively illustrate that direct democracy in Switzerland is more than just asking voters about their individual short-term preferences. Rather, voters do consider the common good (or what they believe it to be) when they make up their minds. Votes about tenants' issues are another case in point: Even though a clear majority of Swiss are tenants rather than homeowners, several initiatives to strengthen tenants' rights have failed.

⁷ www.swissvotes.ch/vote/329.00
www.swissvotes.ch/vote/557.00

Campaigners therefore need to convince a majority that their position corresponds to the common interest. As for the example of the holiday initiatives, post-vote polls showed that most voters were convinced by the opponents' argument that additional holidays would be too expensive for enterprises, particularly for small ones. According to this argument, longer holidays would hurt the economy and thus also conflict with employees' own long-term interests.

More broadly speaking, experience has shown that both fears and hopes of the 19th century that introducing direct-democratic instruments in Switzerland would mean a break-through for specific interests were greatly exaggerated.

Direct-democratic instruments have been an important factor in Swiss politics ever since their introduction, and they have had far-reaching consequences in shaping

Switzerland's peculiar political system. But their workings and their impacts within the complex system of indirect and direct democratic elements have been much more complex, intricate and richer than one might assume at first thought.

All the more they are worth a closer look!

*Hans-Peter Schaub is
project director of Swissvotes*





Vote Info

Your online tool to upcoming popular votes with real-time result reporting on decision days. Upcoming nationwide ballots are scheduled in 2022 for September 25 and November 27. In 2023 Swiss voters will be able to make decisions on March 23, June 18, October 22 (elections to the federal parliament) and November 26.

The App also offers popular vote archives for all nationwide and most state-wide (cantonal) votes in Switzerland—in some cases back to 1831. Vote Info is provided by the Federal Chancellery and the Federal Statistical Office. All information is available in German, French, Italian and Romansh. *VoteInfo for Android and iOS*

SWI swissinfo.ch

Swissinfo is the international service of the public-service Swiss Broadcasting Company. Since 2015 SWI swissinfo.ch runs a "Global Democracy Beat" covering participatory and direct democratic stories in Switzerland, Europe and around the world in ten languages: English, Chinese, Arabic, Spanish, Russian, Portuguese, French, German, Japanese

and Italian. SWI offers continuous reports, insights and opinions around all ongoing, upcoming and past initiatives, referendums, recalls and elections in Switzerland. As a unique feature SWI swissinfo.ch hosts transnational ten-language public debates.



Easyvote, an offer from the Federation of Swiss Youth parliaments, explains Swiss politics in an easy-to-understand and politically neutral way. According to the motto "from the youth for the youth" the information platform enables young people to get involved in politics, without prior knowledge.

Easyvote prepares young people for the voting-Sundays with 3-minute explanatory clips and useful background information on all national votes. With a comprehensive political dictionary, topic dossiers on the Swiss political system, teaching materials and the votenow-app, easyvote provides comprehensive information and supports young adults in forming their opinions.



**2022 GLOBAL FORUM
ON MODERN
DIRECT DEMOCRACY**
21-25 September - Lucerne, Switzerland

Welcome to Join in Person On-Site and Digitally Online

The Global Forum is the premier world conference on participatory and direct-democratic procedures and practices around the world. It has convened ten times: Aarau/Switzerland in 2008, Seoul/Korea in 2009, San Francisco/USA in 2010, Montevideo/Uruguay in 2012, Tunis/Tunisia in 2015, San Sebastian/Spain in 2016, Rome/Italy in 2018, Taichung/Taipei/Taiwan in 2019, online (during the pandemic) in 2020 and in Lucerne/Switzerland in 2022.

The Forum gathers people, from all walks of life, whose work and activism involve direct citizen participation in political decision-making. The Forum is coordinated and supported by partners from around the world—including the Swiss Democracy Foundation, Democracy International and Arizona State University as well as local, regional, national and international governmental organizations. The Forum supports many projects

and tools like the Navigator to Direct Democracy, the Magna Charta on Democracy Cities, the series of Democracy Passports and the vital online hub, www.democracycommunity.com.

The next and 10th Global Forum on Modern Direct Democracy is taking place in September 2022 (21-25) in Lucerne/Switzerland and will focus on the challenges and opportunities of active citizenship and direct democracy in times of global crisis on peace, health and climate. Key themes of the 2022 Forum include the struggle to protect democracy, supporting youth power, fighting climate change and enabling democratic digitalization.

In 2023 the Forum is scheduled to take place in Mexico City on March 1-4, where the role of electoral management bodies and development of participatory and direct democratic procedures at all political levels will be main themes.

2022globalforum.com
2023.globalforum.com

LUCERNE Welcome to a World Democracy City



Around 83,000 people, from over 140 nations, live in the city of Lucerne. Together with the surrounding autonomous municipalities, Lucerne forms a living space for 200,000 people. Lucerne fulfils many central functions for the whole of Central Switzerland and is visited by more than 10 million guests every year.

A place with so many different needs, and facing so many demands, needs a strong, participatory and direct democracy at the city level. And there is a proud history of people power in Lucerne, going back to 1831, when the first city parliament was established.

162 years later, in 1993 Lucerne established a children's parliament as one of the first cities in Switzerland. Lucerne has also introduced a special guideline for participatory planning processes. Such democratic processes must include all residents of the city, not just Swiss citizens.

Lucerne is very proud to be an innovative democracy city, and I look very much forward to welcome colleagues and friends from across the world at the 2022 Global Forum on Modern Democracy—and the 2022 Democracy City Summit on September 24.

*Beat Züsli
Mayor of Lucerne*

stadtluzern.ch

LUCERNE Youth Power in Practice

The City of Lucerne invites children and young people to join a local parliament. The Lucerne Children's Parliament and the Lucerne Youth Parliament were established in the 1990s—as a follow-up to Switzerland's ratification of the United Nations Convention on the Rights of the Child. These two Parliaments were inaugurated on January 31, 1998 by then US First Lady, Hillary Clinton (pictured).

The "Children's Parliament" (CP) has 73 MPs between the ages of 8 and 14 and is held four times a year. It doles out awards for children-friendly activities and infrastructures "Golden Lollipops," as well as "Saure Zitrone" ("Sour Lemons") for poor child policies. The Parliament is currently working on issues involving free public transportation and playgrounds across the City of Lucerne. Children journalists cover the Children's Parliament.

The "Lucerne Youth Parliament" (YP) has 20 MPs between the age of 14 and 23. It works to



prepare and integrate young citizens into participatory democracy at the local, regional and national levels. Youth Parliament MPS serve as the official voice of young Lucerne citizens towards the city parliament and government, the YP also organizes public meetings around popular votes on issues and has the right to make proposals to the city parliament.

The two Lucerne parliaments fit into the Switzerland-wide infrastructure of youth parliaments, which can be followed via targeted communication channels. And these youth parliaments have impact. In the Canton of Lucerne, a citizens' initiative launched by youth parties is proposing to lower the active voting age from 18 to 16 years. This issue is also on the agenda nationwide in Switzerland.

kinderparlament.ch, jupalu.ch, dsj.ch,
engage.ch

Committed to Sustainable Democracy Promotion in Switzerland and Worldwide

Switzerland is indeed a very small country in the heart of Europe. It has had the privilege of developing decentralized and participatory forms of democracy for centuries, starting with a confederation of cities, valleys, and, later, cantons/states, before forming a modern federal state by the mid 19th century.

The modern Swiss state itself was created by citizen participation and a first nationwide vote back in 1848. Since then, there have been high hurdles to overcome in making democracy more inclusive. While the tools of optional referendums and citizens' initiatives were introduced in 1874 and 1891, the right to vote was limited to and by male voters until 1971—longer than in most comparable countries in Europe and worldwide.

In other words: democracy has never been just given and sustained automatically. Today, democracy is facing major global challenges: The climate crisis, aggressions and war against democracy initiated by authoritarian systems, the struggle of democratic governments and societies to overcome the Covid-19 pandemic, the turmoil and conflict over digitization of society and the challenge of making democracy as inclusive as possible for all and accessible and open to young people are just some of them.



Democracies worldwide have to find answers and grow in this process. For more than 30 years, the Swiss Democracy Foundation and its predecessor organizations and projects were engaged in sustainable democracy promotion have supported the democratization of democracy. At all political levels, within Switzerland, across Europe, and throughout the world.

This second Edition of the Swiss Democracy Passport is another key feature of the Foundation's work to inform and educate current and coming generations in what it means to be active citizens in a direct democracy.

Together we are stronger. Your input in terms of content, exchange on your own engagement in democracy promotion and your financial support makes us the strong stakeholder within Switzerland and globally we are today. Contact us at any time!

*Stefanie Bosshard, Director
Adrian Schmid, President*

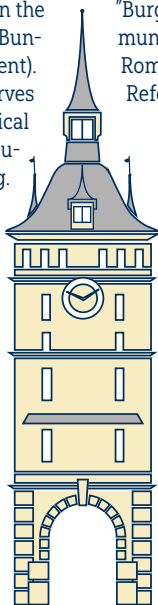
www.swissdemocracy.foundation / info@swissdemocracy.foundation

THE POLIT-FORUM BERN IN THE KÄFIGTURM

The "Käfigturm" (prison tower) in the centre of the medieval city of Berne served as a prison until the end of the 19th century.

In the 1980s, it was repurposed into a political forum. Today the Käfigturm is a center for democracy in the heart of the city and in the immediate vicinity of the "Bundeshaus" (House of Parliament).

The Polit-Forum Bern serves as a lively venue for political debates, workshops, documentation and networking. Around 50 discussion events on current issues are held annually. More than 250 times the free event room is booked by groups and organizations for workshops, media conferences and other events on political topics. And many school classes visit the studio room to prepare for their visit to the Bundeshaus or to practice the art of discussion.



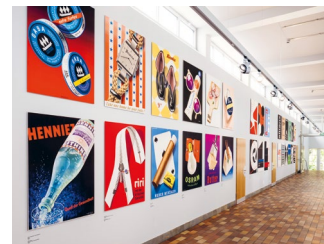
A permanent and interactive exhibition on modern democracy as well as a democracy bar turn the place into a democracy tower. The events are free of charge. The Polit-Forum Bern is supported by the City, the Canton and the "Bürgergemeinde" (civic community of Berne), as well as the Roman Catholic and Protestant Reformed churches.

polit-forum-bern.ch

THE MUSEUM FÜR GESTALTUNG ZÜRICH

The Museum für Gestaltung Zürich is the leading Swiss museum for design and visual communication. Since 1875, the museum has collected posters, graphic design, and objects that represent quotidian design alongside more artistically ambitious exemplars of the design culture.

The Poster Collection is one of the most important archives of its kind. Over 380,000 posters document Swiss and international poster history—including political, commercial, and cultural posters—from the mid-nineteenth century to the present day. The collection's historical, thematic, and geographical diversity offers both a survey of poster art and a look into a visual archive of the everyday world. In addition to the principal questions of graphics and typography, the collection concentrates on a socio-political understanding of design, as posters reflect the aesthetic and social processes of particular eras.



**Museum
für Gestaltung
Zürich**

museum-gestaltung.ch

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This edition of the "Swiss Democracy Passport" has a focus on the contemporary interplay of indirect and direct democracy. However, we are interested to develop further editions with other foci and in further languages. If you want to cooperate with us on such new editions—or if you have feedbacks, comments, corrections, updates regarding this edition (2022/23) please write to bruno.kaufmann@swissdemocracy.foundation

Other "Democracy Passport" editions published include the "European Democracy Passport" (in 24 languages—eesc.europa.eu/en/our-work/publications-other-work/publications/european-democracy-passport) and the "Global Passport to Modern Direct Democracy" (in 4 languages—www.idea.int/publications/catalogue/global-passport-modern-direct-democracy).

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