



ONLINE FORUM
ON MODERN
DIRECT DEMOCRACY

Swiss Direct Democracy in Practice

Tools & Practices

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Outline

1. Direct democratic tools in Switzerland

1. Mandatory referendum
2. Optional referendum
3. Popular initiative

Rules-in-form

2. Use of direct democratic tools at the Federal level

3. Use of direct democratic tools at the Cantonal level

Rules-in-use



1. Direct democratic tools in Switzerland

- At the federal level:
 - Mandatory referendum (Art. 140 Cst)
 - Optional referendum (Art. 141 para. 1 Cst)
 - Popular initiative (Art. 139 Cst)
- At the cantonal level the democratic rights are more extended (e.g.):
 - Financial referendum
 - Administration referendum
 - Legislative initiative
 - ...

1.1 Mandatory referendum

- All proposals for constitutional amendments and important international treaties are subject to a mandatory referendum.
- Requirement for a «double majority», i.e. it must be approved by a majority of those who vote (electorate) and a majority of the 26 cantons (Art. 142 para. 2 Cst).
- Examples:
 - UN membership
 - Voting age 18

1.2 Optional referendum

- It refers to ordinary legislation (any bill approved by the Federal Assembly).
- Any 50,000 Swiss citizens (or eight cantons) may request an optional referendum to contest a new or revised law.
- 50'000 signatures have to be collected within 100 days. If this happens, a popular vote must be held.
- A simple majority of the Swiss electorate decides to reject or accept the bill.
- Examples:
 - Motherhood insurance
 - Abortion to go unpunished

1.3 Popular initiative

- 100,000 Swiss citizens can, by signing a formal proposition within 18 months,
 - Demand a partial or complete amendment of the Federal Constitution
 - Propose the alteration or removal of an existing provision
- Constitutionalized procedure: 1) Initiative is deposited at the Federal Chancellery, which checks the validity of the signatures 2) Initiative is discussed by the Federal Council and the Parliament. They **may** draw up an alternative propositions (=counterproposal) or formulate more precise proposition, 3) Initiatives (and their eventual counterproposal) are presented simultaneously to the popular vote

1.3 Popular initiative

- If a partial amendment of the Federal Constitution is demanded, then a double majority of the Swiss people and of the Cantons is required.
- Examples:
 - Lifelong detention of violent criminals
 - Forty-hour work week
 - Abolition of the army

2. Use of democratic tools at the federal level

Tabelle 8.3: Direkte Wirkungen direktdemokratischer Instrumente beim Bund, 1848-2019

	Total	Angenommen ✓	Verworfen ✗	Annahmerate
Obligatorische Referenden	200	150	50	75%
Fakultative Referenden	187	107	80	57%
Volksinitiativen	216	22	194	10%
Direkte Gegenentwürfe	41	17	24	41%
Total	644	296	348	46%

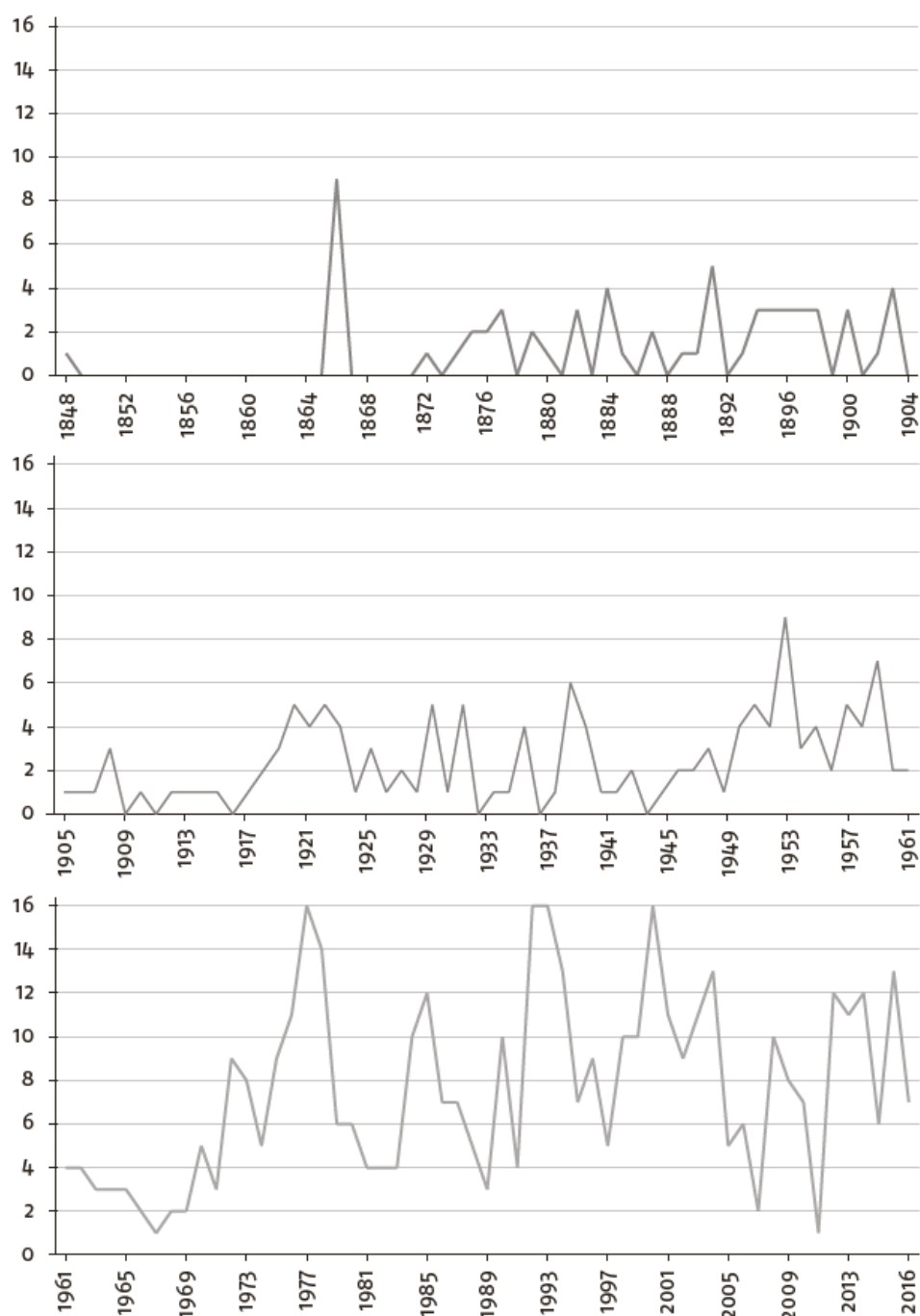
Anmerkungen: „Angenommen“ und „verworfen“ bei den Referenden beziehen sich auf die Beschlüsse, ebenso die „Annahmerate“.

Quellen: Swissvotes/Année Politique Suisse (2019) sowie Schweizerische Bundeskanzlei (2019).

Source: Vatter
(2020: 361)



Yearly number of votes 1848–2016



Quelle: Swissvotes (2017).

Source: Bühlmann (2018: 135)

2. Use of democratic tools at the cantonal level

Tabelle 8.5: Die Nutzung der Volksrechte in den Kantonen, 1990-2018

Kanton	Obligatorische Referenden	Fakultative Referenden	Volksinitiativen	Total Abstimmungen
ZH	162	53	93	321
BE	65	40	27	135
LU	71	35	37	149
UR	170	13	11	196
SZ	107	11	21	140
OW	78	25	6	111
NW	85	19	33	138
GL	355	0	234	626
ZG	58	29	13	102
FR	42	15	7	65
SO	157	21	19	200
BS	23	82	61	186
BL	160	51	55	286
SH	182	2	29	216
AR	93	7	10	112
AI	250	3	16	286
SG	125	32	16	174
GR	137	11	12	164
AG	113	20	35	170
TG	59	23	9	94
TI	20	43	21	89
VD	34	24	25	87
VS	45	13	5	63
NE	56	25	11	98
GE	80	70	49	220
JU	26	12	9	49

Hinweis: Die Spalte «Total Abstimmungen» ist mehr als die Summe von Referenden und Volksinitiativen. Diese Zahl beinhaltet auch parlamentarische Gegenvorschläge zu Initiativen, Behörden- und Gemeindeinitiativen, wie auch Ordnungs-, bzw. verfahrensbezogene Anträge seitens der Bürger.
Quelle: Vatter u. a. (2020).

Source: Vatter (2020: 364)

Literature

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- Linder, Wolf. 2010. *Swiss Democracy. Possible Solutions to Conflict in Multicultural Societies*. London: Palgrave Macmillan.
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