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**INSTRUMENTS OF DIRECT DEMOCRACY
IN THE MEMBER STATES OF THE COUNCIL OF EUROPE**

Study by

Mr Silvano Mückli,
Institut für Politikwissenschaft,
Hochschule St Gallen (Switzerland)

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1. Foreword

1.1 Object of the study

Should the people's scope for action be limited to electing their representatives, or should it include the opportunity of deciding certain issues for themselves directly? And in the latter eventuality, how and by what formal means? These are questions which are constantly being considered by national parliaments. There are in fact many countries in Europe which already have some measure of direct democracy, and we are witnessing more or less worldwide the emergence of political pressures to introduce or strengthen instruments such as the referendum or popular initiative. Most of the new democracies in Central and Eastern Europe have chosen to include elements of direct democracy in their constitutions.

So it is altogether understandable that the Council of Europe's Committee on Parliamentary and Public Relations should decide to take a look at direct democracy. It found in the course of its survey that no comparative study yet exists of the instruments of direct democracy in Europe. The present report seeks to fill that gap, but it seeks also to provide inspiration for countries currently setting out along the road of direct democracy or for countries which are already well down that road but want to reform their institutions.

1.2 Prior questions

Given the object in view, namely to provide an in-depth picture of the current situation, this report reflects the answers to a number of specific questions. These were as follows:

- What types of institutions of direct democracy exist in the member states of the Council of Europe?
- How do they operate?
- What is the legal basis for popular votes?
- What kind of issues are put to a vote?
- Is the result of a popular vote legally binding?
- What criteria must be met for a text to be adopted (thresholds)?
- Who has the authority to initiate a referendum?
- Who decides on the wording of the question?
- Are voters briefed about the issues and by whom?

1.3 Data used

The data on which this study is based were supplied by the member states of the Council of Europe themselves in their replies to a questionnaire. 28¹ out of the 32² delegations, plus Croatia, replied. I should like at this point to thank all those who took the time to complete the questionnaire, which was a lengthy one. I am also grateful to the Secretary of the Committee on Parliamentary and Public Relations for his valuable assistance and to Mr Dumeni Columberg, head of the Swiss delegation to the Parliamentary Assembly, without whose help this report could not have been compiled.

1.4 Definitions

Given that the terminology of direct democracy is not precise, I have ventured to use in my report a number of definitions which are borrowed from Swiss practice. Thus:

Electorate: all persons eligible to vote in an election or referendum at national, regional or local level.

Direct democracy: system whereby the people themselves take certain decisions by means of a vote.

Authorities: parliament, government (including the president), the courts and civil service machinery.

Legally binding result: result of a vote which has force of law in all circumstances.

Non-legally binding result: result of a vote which is or is not incorporated into legal texts as the authorities see fit.

Referendum: vote on a text put to the people by the authorities.

Obligatory referendum: vote which is mandatory under the legal rules currently operative.

Minority optional referendum: vote held at the instigation of a number of constituent states, a minority of members of parliament or a section of the electorate who wish the people to pronounce on a text produced by the authorities.

Plebiscitary optional referendum: vote held at the instigation of a majority of members of parliament, the government or president who wish, but are not obliged, to seek the view of the people on a given subject.

¹Austria, Belgium, Bulgaria, Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Liechtenstein, Lithuania, Luxembourg, Malta, Netherlands, Norway, Poland, Portugal, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, United Kingdom

²Since this study three other countries became member of the Council of Europe: Albania, Latvia, Moldova

Popular initiative: instrument allowing a section of the electorate to submit to the authorities a text which will subsequently be put to a popular vote.

Clearly these definitions cannot encompass the whole range of instruments existing in Europe or take account of the specific peculiarities of every legal system (eg the very special system applying in the United Kingdom).

1.5 Structure of the study

The study begins with a breakdown of the various instruments of direct democracy, by both country and political level (national, federal state/regional, local).

We then have three sections which deal with the obligatory referendum, the optional referendum and the popular initiative (at national level only).

Lastly we have a description of the procedures followed, and a brief consideration of the relationship between political system and degree of direct democracy.

2. The instruments of direct democracy, by country and political level

We needed first of all to ascertain which countries already had instruments of direct democracy and at what level. We differentiated between a) the obligatory referendum, b) the optional referendum with a pre-existing legal basis, c) the optional referendum for which an ad hoc legal basis has to be created and d) the popular initiative. It should be noted that the data given indicate merely that the possibility of holding a referendum or initiative exists; whether or not one *has* been held is unimportant here.

Table 1: The various instruments of direct democracy in the member states of the Council of Europe (plus Croatia), broken down by type of instrument and political level

Political level ⇒	national	federal state/region	local
a) Obligatory referendum	Austria, Croatia, Denmark, Germany, Hungary, Iceland, Ireland, Italy, Lithuania, Poland, Romania, Slovakia, Spain, Switzerland (14)	Austria, Germany, Italy, Spain, Switzerland (5)	Austria, Bulgaria, Czech Republic, Hungary, Italy, Liechtenstein, Poland, Slovenia, Switzerland, UK (10)
b) Optional referendum with pre-existing legal base	Austria, Bulgaria, Croatia, Denmark, Finland, France, Greece, Hungary, Ireland, Italy, Liechtenstein, Lithuania, Poland, Portugal, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland (21)	Austria, Germany, Slovakia, Switzerland, (4)	Austria, Belgium, Bulgaria, Croatia, Czech Republic, Finland, France, Germany, Hungary, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Norway, Poland, Romania, Spain, Sweden, Switzerland (20)
c) Optional referendum without pre-existing legal base	Czech Republic, Denmark, Finland, Ireland, Liechtenstein, Luxembourg, Norway, Portugal, Sweden, UK (10)	Austria, Czech Republic, Denmark, Norway (4)	Bulgaria, Denmark, Finland, Iceland, Ireland, Italy, Norway, Sweden, UK (9)
d) Popular initiative	Hungary, Liechtenstein, Lithuania, Slovakia, Switzerland (5)	Austria, Germany, Switzerland (3)	Austria, Belgium, Czech Republic, Germany, Finland, Hungary, Liechtenstein, Luxembourg, Poland, Switzerland (10)

The Netherlands is the only country which has no institution allowing for the exercise of direct democracy. In Greece, the plebiscitary optional referendum is possible at national level only, and only at local level in Belgium. In Poland, where there are currently no rules on the procedure to be followed for a popular vote, a law is to be adopted shortly.

The **obligatory referendum** exists in barely half the 29 countries which replied to the questionnaire. This instrument is more widespread at national level than at regional or local level. The **optional referendum** with a pre-existing legal basis is far commoner than the optional referendum requiring the creation of an *ad hoc* legal basis. As for the **popular initiative**, the prime instrument of direct democracy, this is virtually non-existent; only Switzerland, Lithuania, Liechtenstein, Hungary and Slovakia have introduced it at national level, though it exists in nine countries at local level.

It transpires that contrary to common belief the instruments of direct democracy are not less widespread at national level than at regional or local level, except for the popular initiative. In *Austria* the regions of Burgenland, Upper Austria and Vorarlberg have the popular initiative at local level. In *Finland* the local council decides on matters for a local popular initiative. In *Iceland* one third of the electorate in a given local commune can ask for a vote on the proposed opening of an outlet selling alcohol. In the *United Kingdom* the local population must by law be consulted on certain issues, eg cinema openings or, in Scotland, the sale of alcohol on Sundays; since 1961 the people of Wales are consulted every seven years (initially by region, now by district) on Sunday pub opening. In *Luxembourg*, Section 35 of the Communes Act of 13 December 1988 states that a fifth of the electorate in communes with more than 3 000 inhabitants, and a quarter in other communes, may demand a vote on an issue of local interest (though the result is not legally binding). The arrangements for such a referendum will be laid down in a grand-ducal regulation.

Generally speaking, countries which have direct democracy at national level have it at regional or local level too.

As regards the effects of the vote, in 13 countries the result is legally binding, in three countries it is not legally binding, in three other countries (Poland, Romania, Spain) it depends on the object of the vote and in one country (Iceland) the authorities have the discretion to decide.

Chapters 3, 4 and 5 deal only with votes held at national level.

3. The obligatory referendum

It is very clear from Table 1 that a referendum is obligatory at national level in 14 countries on a certain number of questions.

What are the issues which make the holding of a referendum mandatory? It is essential to list them country by country here, since the situations vary so widely. In *Italy*, Article 132 of the Constitution requires approval by a referendum for the creation of new regions. In *Denmark*, a referendum is obligatory for any revision of the Constitution, to change the age of majority and, in some cases, to transfer powers to a supranational organization. A referendum is obligatory in *Croatia* before the country joins any supranational organization, in *Spain* and *Hungary*, in *Austria* and *Poland* before any full

revision of the Constitution, in *Romania* and *Iceland*, before any partial revision of the Constitution. In *Iceland*, a referendum is also obligatory if the President refuses to ratify a law enacted by Parliament. In *Switzerland* and *Ireland*, a referendum must be held prior to any revision of the Constitution, whether full or not, to the signature of certain international treaties or to membership of a supranational organization, and to any territorial modifications. In *Slovakia*, the Constitution stipulates that any union with another country or withdrawal from a treaty of union must be put to a referendum. In *Lithuania*, a referendum is obligatory for any revision of the Constitution.

The result of an obligatory referendum is nearly always legally binding.

A number of countries have also introduced a minimum participation level and a required number of positive votes which determine whether or not the result is valid (irrespective of the percentage of yes votes).

In *Italy* a majority of the electorate has to have voted. In *Denmark* amendments to the Constitution are approved only if there has been a participation rate of at least 40% (Article 88 of the Constitution). In *Croatia*, *Lithuania*, *Hungary* and *Slovakia* the minimum participation rate has to be a majority of the electorate, whilst in *Lithuania* and *Slovakia* a text is adopted only if it is approved by a majority of the electorate. In *Switzerland* a joint majority of the electorate and the cantons is required for the adoption of a constitutional amendment. In *Romania* the minimum rate is fixed on a case by case basis.

4. The optional referendum

The optional referendum exists in 25 out of the 29 countries (all except Belgium, Germany, Iceland and the Netherlands).

What are the issues which are put to a referendum?

In 1970 *Italy* introduced the "abrogative" referendum³; a referendum may not be held before a law comes into effect but only afterwards, with the intention of getting it repealed in whole or in part. Referenda are not permitted on a number of subject areas, notably fiscal or budgetary matters, amnesties and the quashing of convictions by a court, or the ratification of international treaties⁴. *San Marino* has a similar type of referendum, plus a referendum which allows the people to ratify laws pertaining to the authorities and principal powers of the state.

In *Denmark* certain laws and the ratification of international treaties are submitted to an optional parliamentary referendum, but certain subjects may not be voted on in this manner, namely budgetary and fiscal laws, laws pertaining to the state and civil servants' pay, naturalization, expropriation, those needed to enable the state to discharge its international undertakings, and laws concerning the monarch and succession

³ In Italian law and practice this type of referendum is often the equivalent of a popular initiative. See relevant section.

⁴ Cf. Article 75, paragraph 2 of the Italian Constitution.

to the throne. There is also *de facto* a parliamentary referendum on the transfer of powers to a supranational organization.

In *Liechtenstein* the range of issues open to a referendum is particularly wide, including revision of the Constitution, all international treaties, any membership of a supranational organization, any territorial modification, all laws and a number of decrees on public spending.

In *Portugal* an optional referendum may be held on any important question of national interest, including international treaties but excluding financial issues. The system is similar in *Ireland* where a referendum may be held on any law which is of special national importance. In *Finland* matters for a referendum are decided by Parliament. In *Luxembourg* Article 51 of the Constitution states that the electorate may be required to pronounce on subjects on conditions to be determined by law. In *Spain* the electorate may express its view on all important issues and on partial revisions of the Constitution (Articles 92 and 167 of the Constitution). In *Switzerland* an optional referendum may be held on all federal laws and certain international treaties.

In *Poland* the subject of an optional referendum has to be an issue of special interest to the state. Peculiar to the Polish system is the "pre-constitutional optional referendum" which allows a number of basic principles to be agreed before work starts on any change to the Constitution. In *Slovakia* the range of issues open to a referendum is fairly wide, certain international treaties, membership of an international organization, territorial modifications and other matters of national interest (with the exception of fundamental rights and financial questions). In *Romania* a referendum may be held on territorial modifications and other issues to be determined by legislation. In *Greece* the people may be asked to pronounce on certain laws, and in *Lithuania* on certain legislative provisions and questions of immediate concern to the state and the general public. In *France* a referendum on amendments to the Constitution is effectively optional in that it is not necessary if they have the backing of three fifths of the Congress; the people may be consulted on a number of international treaties and certain laws. On 31 July 1995 the French Parliament, meeting as a Congress, adopted a constitutional amendment extending the scope of the optional-plebiscitary referendum. In future the President of the French Republic - at the request of the government or of either of the parliamentary chambers - may also subject to a popular referendum important matters concerning economic and social policy as well as reforms in the public service.

Now to the question of who has the authority to initiate an optional referendum. Here too, the systems vary.

a. One possibility only: a referendum is initiated by one authority only

In *Finland* Parliament decides by a majority vote on the holding of a referendum. In *Spain* one tenth of the members of the Congress or Senate may call for the people to be consulted on a partial revision of the Constitution. In *Romania* the President is empowered to decide that a referendum must be held. In *Austria* any legal text may be put to the people if the Nationalrat so decides or if a majority of its members so requests.

b. One possibility only: a referendum is initiated jointly by several authorities

In *Denmark* Article 42(1) of the Constitution stipulates that one third of the members of the Folketing (60 out of 179) have three working days after the adoption of a law in which to decide that it should be put to the people. If a referendum is requested, the majority of Parliament has five working days from adoption of the text in which to withdraw it, so that a popular vote becomes unnecessary and none is held. On matters concerning the transfer of powers to a supranational organization, one sixth of the members of Parliament may initiate a popular vote, but here too, the proposal may be withdrawn, in this case by the Government.

In *Portugal* it is the President who has the power to call a referendum, on a proposal from Parliament or the Government. In *France* too this power rests with the President, but there must first have been a proposal to this effect from the Government or both Chambers; on revisions of the Constitution (full or partial) a referendum will be held only if the Congress, meeting on a proposal by Parliament, does not itself adopt them by a three-fifths majority, which means that two fifths of the members of the Congress may demand a referendum. In *Spain* consultative referenda on important issues are decided on by the monarch after prior proposal by the Prime Minister and approval by Parliament. In *Poland* the President is empowered to hold a referendum provided the Senate approves. In *Luxembourg* this power is shared by the Grand Duke and the Chamber of Deputies, and a referendum requires legislation.

In *Greece* the organization of a referendum is a tripartite affair: the Council of Ministers must first propose a referendum on an issue of national importance; a majority of Parliament must approve it, and the President then takes the final decision. A similar procedure applies for draft legislation which has already been adopted (except for financial legislation): two fifths of the members of Parliament propose a referendum, three fifths of them approve the proposal, and the President sets a timetable. In *Ireland* the holding of a popular vote must follow a complex procedure involving Parliament, the President and the Government (cf. Article 27 of the Constitution).

c. Several possibilities: a referendum is initiated in more than one way

In *Italy* Article 75 of the Constitution provides for a popular vote if 500 000 voters or five regional councils ask for one.

In *Switzerland* a law adopted by Parliament may be put to the people if 50 000 voters or eight cantons so request. In *Liechtenstein* a decision to hold a referendum may be taken either by a majority of Parliament, by 1 000 voters (laws) or 1 500 voters (constitutional amendments), or by three or four communes. In *San Marino* the system is similar, since 350 voters or five "giunte di castello" (parishes) may ask for an "abrogative" referendum.

In *Slovakia* a referendum may be requested either by a majority of Parliament or by at least 350 000 voters. Likewise in *Lithuania*, though the minimum number of voters there is only 300 000. In *Hungary* a referendum may be asked for by the Government, the President, 50 members of Parliament or 50 000 voters. In *Austria* a popular vote on partial revision of the Constitution may be initiated by one third of the members of the

Nationalrat or Bundesrat. In *Slovenia* a referendum may be requested either by a majority of Parliament - or also, in the event of a constitutional reform, by a minority of Parliament - or by at least 40,000 voters.

In the case of the optional referendum a distinction must be drawn between the referendum initiated by one or more authorities which were under no obligation to hold a vote (plebiscitary referendum), and the referendum which is demanded by a section of the electorate or by Parliament and is somewhat akin to a veto (minority referendum). The table which follows summarizes the various possibilities.

Table 2: Plebiscitary and minority referenda

	Plebiscitary optional referendum	Minority optional referendum
One possibility only: referendum initiated by a single authority	Finland, Romania, Slovakia, Lithuania Austria (laws)	Denmark (laws), Slovakia, Lithuania
One possibility only: referendum initiated jointly by several authorities	France (laws), Spain, Poland, Luxembourg, Greece, Portugal, Ireland	France (Constitution)
Several possibilities: referendum initiated in more than one way	Hungary, Slovenia	Spain (partial revision of the Constitution), Switzerland, Italy, Liechtenstein, San Marino, Hungary, Austria (partial revision of the Constitution), Slovenia

Table 3: Voters needed to initiate a referendum

Country	Signatures required	Time limit for collecting signatures (month)	Signatures required as % of total electorate
Hungary	50 000	-	0.63
Italy	500 000	3	1
Liechtenstein	1 000 (laws) 1 500 (Constitution)	1	7.2 10.7
Lithuania	300 000	2	12
San Marino	350	2	1.2
Switzerland	50 000	3	1.1
Slovakia	350 000	-	9.3
Slovenia	40 000	2	2.6

The results of optional referenda are in principle legally binding except in Finland, Denmark (plebiscitary referendum), Spain (plebiscitary referendum), and Luxembourg.

In Austria, the outcome of a referendum decided by the Parliament is obligatory. But, after a certain time, the Parliament is free to discuss the issue again and to take a different decision (without referendum).

Eight countries have introduced a minimum participation rate. Thus in *Italy, Slovakia, Lithuania, Hungary, Slovenia* (in the event of an amendment to the Constitution) and *Poland* at least half the electorate must have taken part for the result to be valid⁵. In *San Marino* the minimum is 25%. In *Romania* it is set by legislation on a case by case basis.

In ten countries an absolute majority is required for a text to be adopted under an optional referendum. Five countries have opted for a greater than absolute majority. In *Denmark* and *Ireland* a text is rejected only if a majority of those voting, who must, however, form at least 30% of the electorate, have said no. In *Slovakia* and *Lithuania* a majority of the electorate must have voted. In *Romania* the majority is set by legislation on a case by case basis.

5. The popular initiative

The popular initiative is the prime instrument of direct democracy, since it enables a section of the electorate to initiate a referendum on an issue of its own choosing, even if the authorities do not want one⁶. This option is available in just five countries: *Switzerland, Slovakia, Lithuania, Hungary* and *Liechtenstein*. In *Italy, Austria, Hungary, San Marino* and *Spain* a given number of voters (50 000 in *Italy*, 100 000 in *Austria*, 50 000 in *Hungary*, 60 in *San Marino* and 500 000 in *Spain*) may put a proposal to Parliament, but Parliament's acceptance of it is required.

In *Slovakia, Lithuania* and *Liechtenstein* the number of signatures required to register a popular initiative is the same as for an optional referendum, namely 350 000, 300 000 and 1 000 (or 1500, depending on the case) respectively. The time limits for collecting signatures are also the same. In *Liechtenstein* an initiative may also be registered by three communes. In *Switzerland* twice as many signatures (100 000) are needed for an initiative as for a referendum, though the promoters have six times longer to collect them, namely 18 months. *Hungary* has a similar system: 50 000 signatures for a referendum, 100 000 for a popular initiative, but no time limit for the collection of signatures.

What types of subject may give rise to a popular initiative? In *Switzerland*, initiatives to revise the Constitution may be formulated either as a general proposal or, in the case of a partial revision, as a ready-made text, but a proposal for full revision of the Constitution must be couched in general terms only. In *Slovakia* there are several possibilities since both approaches are permissible and the initiative may concern either a law, the Constitution, membership of an international organization, a territorial

⁵ If a minimum participation rate of this kind were to be introduced in *Switzerland* hardly any constitutional amendments or draft laws would be adopted by popular vote, since the participation rate is rarely higher than 50% (cf. Appendix, page 28 ff.)

⁶ Whilst a popular initiative may seek the repeal of legislation already in force, it is different from an "abrogative" referendum in that the latter, as its name suggests, aims solely to overturn legislation without offering the populace a chance to propose a text themselves. Nevertheless the "abrogative" referendum is regarded in *Italy* as having the same effect as a popular initiative, given that popular rejection of a law requires Parliament to pass a new law which takes account of the wishes of those promoting the referendum.

modification, the dissolution of Parliament or dismissal of the President (though fundamental rights and financial matters may not be the subject of an initiative). In *Lithuania* an initiative may address a full or partial revision of the Constitution or a particular piece of legislation. The same applies in *Liechtenstein* where an initiative may concern total or partial revision of the Constitution (couched or formulated in general terms), a law, an international treaty, territorial modification or the dissolution of Parliament.

As with the optional referendum, the popular initiative also requires a minimum participation rate in *Slovakia*, *Lithuania* and *Hungary*. In these three countries at least half the electorate must vote, and in *Slovakia* and *Lithuania* at least half the voters must vote yes for the initiative to be adopted. In *Switzerland* an initiative to revise the Constitution must be approved by a majority of those voting and a majority of the cantons.

The results of popular initiatives are always legally binding.

Finally, the initiating threshold for a popular initiative is low only in *Switzerland*, both for it to be registered and for its result to be valid. In *Liechtenstein* only a majority of those voting is required, but for an initiative to be registered at least 7.2% of the electorate must be in favour in the case of a law, and 10.7% in the case of an amendment to the Constitution. In *Lithuania* and *Slovakia* a high participation rate is required both for an initiative to be registered and for its result to be valid. These obstacles, and particularly the requirement that at least half the electorate (and not just those voting) must vote yes, reduces the effectiveness of this instrument accordingly⁷.

6. Procedure

It is important to look at the wording of the text put before the people and the information which the authorities provide.

In 11 countries the authorities provide the electorate with an information leaflet setting out the issues. In *Italy* this information is given out primarily through television.

Who has the authority to decide on the content of information leaflets? In *Romania*, *Lithuania* and *Slovenia* (3) it is Parliament; in *Switzerland*, *France* and *Liechtenstein* (3) it is the Government; in *San Marino* and *Hungary* (2) the civil service. In *Denmark* it is any one of these three, depending on the case. In *Croatia* it is a commission with special responsibility for referenda; in *Ireland* it is the appropriate ministry, albeit subject to approval of the wording by the two Chambers, which decides.

Who has the authority to decide what wording will appear on the ballot paper? In *Finland*, *Switzerland*, *Romania*, *Lithuania*, *Great Britain* and *Austria* (6) it is Parliament; in *France* and *Liechtenstein* (2) it is the Government and in *Portugal* and *Greece* it is a joint decision of the Government and Parliament. In *Croatia* it is the aforementioned committee with responsibility for referenda which decides, in *Hungary* a constitutional committee. *Poland* has no specific rules, but it is generally accepted to be the authority

⁷ Historically speaking it is interesting to note that the thresholds were virtually the same in *Switzerland* during the period of the Reform Movement (1830-1848), when the right of initiative was gradually becoming established in the cantons.

initiating the referendum, ie either Parliament or the President. In *Slovakia* it is either Parliament, the Government or the initiative committee.

Political parties receive financial help with their electoral campaigns virtually everywhere, but this is hardly ever the case for referenda. *Lithuania* is the only country which has any formal provision for this. In *Finland* the law may sanction funding by the state, whilst in *Hungary* it is Parliament which decides on a case by case basis. In the *United Kingdom*, on the occasion of the only national referendum ever held there (on membership of the European Economic Union), the two main parties each received £125 000 from the state plus reimbursement of the cost of distributing a leaflet to all households. In *Denmark* the state provided funding for the campaign leading up to the referendum of 18 May 1993 on the Maastricht Treaty.

7. Links between political system and direct democracy

The population of the countries studied ranges from 24 000 (San Marino) to 81 million (Germany). There appears to be no direct correlation between a country's population (or size of its electorate) and the number of its institutions of direct democracy. It is noteworthy, however, that with the exception of Italy only countries with fewer than 8 million inhabitants have introduced the prime instruments of direct democracy, viz. the popular initiative or, in some cases, the minority optional referendum.

It is not possible to confirm the hypothesis that countries with a parliamentary system - whereby parliament can dismiss the government and the government can dissolve parliament - have fewer instruments of direct democracy. Significantly, however, those countries with the lowest initiating threshold for a popular vote, namely Switzerland and Liechtenstein, do not have a parliamentary system. In Lithuania and Slovakia, both of which have a high initiating threshold, it remains to be seen whether this is compatible with a parliamentary system. Texts adopted by referendum in Lithuania have to date dealt with matters on which there was a broad consensus⁸, whilst no referendum has yet been held in Slovenia and in Slovakia since 1994 only one referendum has been held.

8. Summary and conclusions

This study offers an overview of the instruments of direct democracy in use in the various member states of the Council of Europe.

The data on which it is based are drawn from a questionnaire sent out to the member state delegations in summer 1994. 28 of the 32 countries replied, plus Croatia.

⁸ Referendum of 9 February 1991 on independence (yes vote = 90.5% of votes cast, 76% of the electorate); referendum of 14 June 1992 on withdrawal of troops of the former USSR (yes vote = 90.8% of votes cast, 68.7% of the electorate); referendum of 25 October 1992 on the draft of a new constitution (yes vote = 75.4% of votes cast, 56.8% of the electorate). On 23 May 1992 a draft law on the powers of the President was not adopted because the turnout was lower than the minimum participation rate: 69.5% of those voting said yes, but they were only 40% of the electorate. Turnout for the referendum of 27 August 1994 was even lower, with only 37% of the electorate voting.

The table which follows gives a breakdown of the instruments of direct democracy for the countries in question, by type and the political level at which they are used.

The various instruments of direct democracy in the member states of the Council of Europe (plus Croatia), broken down by type of instrument and political level

Political level ⇒	national	federal state/region	local
a) Obligatory referendum	Austria, Croatia, Denmark, Germany, Hungary, Iceland, Ireland, Italy, Lithuania, Poland, Romania, Slovakia, Spain, Switzerland (14)	Austria, Germany, Italy, Spain, Switzerland (5)	Austria, Bulgaria, Czech Republic, Hungary, Italy, Liechtenstein, Poland, Slovenia, Switzerland, UK (10)
b) Optional referendum with pre-existing legal basis	Austria, Bulgaria, Croatia, Denmark, Finland, France, Greece, Hungary, Ireland, Italy, Liechtenstein, Lithuania, Poland, Portugal, Romania, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland (21)	Austria, Germany, Slovakia, Switzerland, (4)	Austria, Belgium, Bulgaria, Croatia, Czech Republic, Finland, France, Germany, Hungary, Iceland, Ireland, Italy, Liechtenstein, Luxembourg, Norway, Poland, Romania, Spain, Sweden, Switzerland (20)
c) Optional referendum without pre-existing legal basis	Czech Republic, Denmark, Finland, Ireland, Liechtenstein, Luxembourg, Norway, Portugal, Sweden, UK (10)	Austria, Czech Republic, Denmark, Norway (4)	Bulgaria, Denmark, Finland, Iceland, Ireland, Italy, Norway, Sweden, UK (9)
d) Popular initiative	Hungary, Liechtenstein, Lithuania, Slovakia, Switzerland (5)	Austria, Germany, Switzerland (3)	Austria, Belgium, Czech Republic, Germany, Finland, Hungary, Liechtenstein, Luxembourg, Poland, Switzerland (10)

In all or virtually all countries at least one of the instruments of direct democracy described above is formally enshrined in the constitution. The countries where direct democracy is the least developed are the Benelux countries, the United Kingdom, Norway, Finland, Sweden and the Czech Republic. Those where it is most developed are Lithuania, Slovakia, Hungary, Liechtenstein and Switzerland. Our survey reveals that contrary to common belief direct democracy is no less widespread at national level than at regional or local level, except for the popular initiative which is concerned primarily with local issues.

The **obligatory referendum** most commonly concerns a revision of the constitution, territorial modification or membership of an supranational organization.

In the case of the **optional referendum**, the decision whether or not to hold it is most commonly taken by the authorities ("plebiscitary optional referendum", using the terminology employed in this report). Twelve countries have only the plebiscitary optional referendum; five countries have only the "minority" optional referendum (which can be initiated by a minority of members of parliament or a section of the electorate), and seven countries have both (cf. Appendix, page 21).

A further feature is whether a referendum can be initiated (a) by a single authority, (b) by several authorities, or (c) under some other arrangements. Six countries come into category (a), seven into category (b) and eight into category (c).

The **popular initiative**, the prime instrument of direct democracy, is virtually non-existent at national level. Only five countries have it, and only Liechtenstein and Switzerland have given it a "low" initiating threshold (that is to say, the number of signatures and minimum participation rate required are relatively small).

The following **conclusions** may be drawn as to the geographical distribution of the instruments of direct democracy and the various forms in which it is encountered.

All or virtually all the member states of the Council of Europe have direct democracy, albeit to varying degrees. But ultimately the fact that elements of direct democracy exist in a country is less significant than the rules which govern their use: in most countries the practical constraints are such that, with the exception of Switzerland and Liechtenstein, where they are commonplace, popular votes are invariably a major political event.

Usually it is the ruling majority which decides whether or not an issue should be put to a referendum. Only in Denmark, Slovakia, Lithuania, Hungary, Spain, France, Switzerland, Italy, Liechtenstein, San Marino and Slovenia is it possible under the system to initiate a referendum against the wishes of the ruling majority. One has to infer from this that in practice, direct democracy proceeds "from the top down" rather than "from the bottom up".

In general, when the ruling majority holds a referendum it does so for reasons of political expediency: thus the consultation exercise will address an issue of the national interest, where a simple decision by the government or parliament would lack the requisite legitimacy, or it will address an issue on which the government or ruling party is itself split (so that the people are asked to decide); a referendum may also be held

instead of elections, when the government merely wishes to be sure that it still enjoys the confidence of the country. The number of referenda held on the question of European integration shows how seriously this issue was taken by many countries: between 1972 and 1984 the countries of Western Europe held no fewer than 18 votes on it.

Our appraisal of the forms of direct democracy prevalent in the countries of Western and Central Europe depends on what we understand by "democracy". On the one hand it is true that in theory, that is to say on paper, most member states of the Council of Europe have direct democracy in one form or another. In practice, however, the procedures in place do not allow the populace to have any real say in the holding of a popular vote. Existing institutions do little to encourage a system of direct democracy which would give a say in political decision-making to citizens who do not ordinarily have that say, because only in the rarest of cases do they allow a popular vote to be held if the ruling majority does not want one. It is fair to conclude that the popular vote continues to be a means for the government to exercise power rather than a means whereby the people can curb the government's power.

9. Appendices

9.1 The various forms of direct democracy in the member states of the Council of Europe (plus Croatia)

COUNTRY	Population in 1993	Obligatory referendum	Optional referendum with pre-existing legal basis	Optional referendum with ad hoc legal basis	Optional referendum: plebiscitary / minority	Popular initiative
Belgium	10	No	No	-	-	No
Bulgaria	8 459 723	No	Yes	No	p	No
Croatia	4 789 000	Yes	Yes	No	p	No
Czech Republic	10 334 013	No	No	Yes	-	No
Denmark	5 195 998	Yes	Yes	Yes	m	No
Finland	5 055 000	No	Yes	Yes	p	No
France	57 803 600	No	Yes	No	p and m	No
Germany	81 338 000	Yes	No	No	-	No
Greece	10 500 000	No	Yes	No	p	No
Hungary	10 277 000	Yes	Yes	No	p and m	Yes
Iceland	264 919	Yes	No	No	-	No
Italy	57 103 000	Yes	Yes	No	m	No
Liechtenstein	29 868	No	Yes	Yes	m	Yes
Lithuania	3 700 000	Yes	Yes	No	p and m	Yes
Luxembourg	400 000	No	No	Yes	p	No
Netherlands	15 341 000	No	No	No	-	No
Norway	4 300 000	No	No	Yes	p	No
Poland	38 418 100	Yes	Yes	No	p	No
Portugal	9 862 056	No	Yes	Yes	p	No
Romania	20 352 980	Yes	Yes	No	p	No
San Marino	24 000	No	Yes	No	m	No
Slovakia	5 330 044	Yes	Yes	No	p and m	Yes
Slovenia	1 989 408	No	Yes	No	p and m	No
Spain	40 000 000	Yes	Yes	No	p and m	No
Sweden	8 712 000	No	Yes	Yes	p	No
Switzerland	6 968 600	Yes	Yes	No	m	Yes
United Kingdom	55 500 000	No	No	Yes	p	No

Key

- = no data

m = minority referendum

p = plebiscitary referendum

Source: Council of Europe, Survey of direct democracy (as at February 1995)

9.2 Popular votes in the member states of the Council of Europe between January 1980 and August 1994

We asked member states of the Council of Europe to append to their questionnaires a list, with results, of popular votes held at national level since 1 January 1980. The tables below were compiled from these data and cover the period from early 1980 to summer 1994. For popular votes prior to 1980 and their results, see Butler/Ranney⁹.

Countries are listed in alphabetical order.

Austria

Date	Object of vote	Yes vote (%)	Participation rate (%)
1994 12.06	Membership of the European Union	66.6	82.4

Croatia

Date	Object of vote	Yes vote (%)	Participation rate (%)
1991 19.05	Referendum on the creation of a sovereign and independent Republic of Croatia	93.2	-

Denmark

Date	Object of vote	Yes vote (%)	Participation rate (%)
1986 27.02	Reform of the European Community (consultative referendum)	56.2	75.4
1992 02.06	Treaty on European Union	49.3	82.9
1993 18.05	Edinburgh agreement and Maastricht Treaty	56.7	86.6

⁹ BUTLER, David/RANNEY, Austin (Ed.): "Referendums around the world. The growing use of direct democracy, Washington DC, 1994, pp. 265-284.

France

Date	Object of vote	Yes vote (%)	Participation rate (%)
1988 06.11	Future of New Caledonia	80	36.8
1992 20.09	Maastricht Treaty	51	69.7

Hungary

Date	Object of vote	Yes vote (%)	Participation rate (%)
1989 26.11	Date of the presidential election	50.5	54
	Outlawing of political organizations from the workplace	95.1	54
	Disclosure of the communist party's assets	95.4	54
	Disbanding of the militia	94.9	54
1990 29.07	Direct election of the president by universal suffrage	85.9	13.8*

* Vote invalid because participation rate was less than 50%.

Ireland

Date	Object of vote	Yes vote (%)	Participation rate (%)
1983 07.09	Banning of abortion	66.9	53.4
1984 13.06	Giving foreigners the vote	75.4	45.5
1986 26.06	Repeal of the ban on divorce	36.5	60.6
1987 26.05	Ratification of the Single European Act	69.9	43.9
1992 18.06	European Union	69.1	57.3
1992 25.11	"Right to life" (termination of pregnancy)	34.6	75
	Travel abroad (to secure an abortion)	62.4	
	Information on clinics offering abortions	59.9	

Italy

Date	Object of vote	Yes vote (%)	Participation rate (%)
1981 18.05	Repeal of the public order act	14.9	79.4
	Repeal of the law on bearing arms	14.1	79.6
	Abolition of life imprisonment	22.6	79.4
	Ban on abortion	32.0	79.4
	Ban on abortion (amended text)	11.6	79.4
1985 09.06	Repeal of a decree on wage indexing	45.7	77.9
1987 08.11	Authority to select sites for nuclear power stations	80.6	65.1
	Abolition of subsidies to communes providing land for nuclear power stations	79.7	65.1
	Abolition of funding for foreign nuclear projects	71.9	65.1
	Third-party liability of judges	80.2	65.1
	Abolition of provisions to make ministers answerable only to Parliament	85.0	65.1
1989 19.06	Powers of the European Parliament (consultative referendum)	88.0	80.7
1990 04.06	Repeal of the law on hunting	92.2	43.4 ¹⁰
	Partial repeal of the law on hunting	92.3	42.9
	Repeal of the law on pesticide use	93.5	43.1
1991 10.06	Partial repeal of the electoral law	95.6	62.4
1993 18.04	Powers of the department of the environment	82.5	76.9
	Drugs	55.3	77.0
	Public funding of parties	90.3	77.0
	Management of the state savings bank	89.8	77.0
	Abolition of the ministry for state investment	90.1	76.9
	Election of the Senate	82.7	77.1
	Abolition of the agriculture ministry	70.1	77.0
	Abolition of the ministry for tourism	82.2	76.9

¹⁰ Because the requisite 50% quorum was not reached, the laws in question were not repealed despite the overwhelming yes vote.

Liechtenstein

Date	Object of vote	Yes vote (%)	Participation rate (%)
1980 07.09	Funding for a fine arts centre (optional referendum)	50.3	75.7
	Funding for a conference centre (optional referendum)	47.1	75.7
1981 10.05	Initiative on the majority clause	47.1	89.7
1984 01.07	Franchise for women	51.3	86.2
1985 03.02	Law on hunting (optional referendum)	37.5	68.5
1985 02.06	Increasing the number of members of parliament		
	Initiative I	40.0	71.5
	Initiative II	43.6	71.5
1985 01.12	Initiative on equal rights	23.3	70.9
	Counter-proposal by the Landtag	28.3	70.9
1986 07.12	Nationality act	52.0	78.6
1987 13.09	"Twice yes" initiative	62.9	54.1
1988 24.01	Increasing the number of mandates	51.7	69.0
	Law on professional insurance	51.4	69.0
1988 02.10	Repairs to the Gnalp-Steg tunnel (optional referendum)	53.8	55.6
1989 19.03	Initiative for referendum on international treaties	43.2	64.9
	Health insurance funds act (optional referendum)	59.0	64.9
1989 03.12	Initiative on supervision of the machinery of justice	55.1	51.1
	Initiative on the right of minorities to exercise supervision	58.3	52.0
1990 21.10	Taxation act	24.0	70.5
1991 22.09	Initiative on noise protection	20.3	69.1
	Initiative on the schools act (six-day week)	34.7	69.1
1992 15.03	Constitutional initiative concerning a referendum on international treaties	71.4	64.7
1992 28.06	Lowering of the age of political majority (eligibility to vote and stand for election)	43.7	36.5
1992 08.11	Constitutional initiative to abolish the 8% quorum	32.3	53.6
	Constitutional initiative on the banning of discrimination	24.6	53.6
1992 13.12	Agreement on the European Economic Area	55.8	87.0
1993 07.03	Funding for the Landtag parliament building	20.4	59.5

Lithuania

Date	Object of vote	Yes vote (%)	Participation rate (%)
1991 09.02	Independence of Lithuania	90.4	84.5
1992 23.05	Introduction of the presidential system	69.4 ¹¹	57.2
1992 14.06	Withdrawal of troops of the former USSR	90.8	76.0
1992 25.10	Draft constitution	75.4	75.2
1994 27.08	Eight laws on the legality of certain earlier privatisations and the devaluation of investments and savings	31	36.9

Poland

Date	Object of vote	Yes vote (%)	Participation rate (%)
1987 29.11	Economic reform Democratization	66 ¹² 69	44.28 46.26

San Marino

Date	Object of vote	Yes vote (%)	Participation rate (%)
1982 25.07	Repeal of the law on loss of citizenship on marriage to a foreign national	42	69.8

¹¹ Text not adopted because the quorum of 50% of the electorate was not reached.

¹² Text not adopted because the quorum of 50% of the electorate was not reached.

Spain

Date	Object of vote	Yes vote (%)	Participation rate (%)
1986 12.03	NATO membership	52.5	59.4

Sweden

Date	Object of vote	Yes vote (%)	Participation rate (%)
1980 23.03	Nuclear power		75.6
	Question 1	18.9	
	Question 2	39.1	
	Question 3	38.7	

Switzerland

See Appendix, page 28 ff.

9.3 Popular votes in Switzerland since 1980

<u>Column 1:</u>	date	A = initiative B = counter-proposal
<u>Column 2:</u>	object of vote	
<u>Column 3:</u>	type of text	Obl. = obligatory referendum Opt. = optional referendum Init. = popular initiative Co = counter-proposal (in response to an initiative)
<u>Column 4:</u>	participation rates	
<u>Column 5:</u>	number of citizens voting yes	
<u>Column 6:</u>	number of citizens voting no	
<u>Column 7:</u>	percentage of citizens voting yes	
<u>Column 8:</u>	number of cantons voting yes (including half cantons)	
<u>Column 9:</u>	number of cantons voting no (including half cantons)	
<u>Column 10:</u>	final result (text approved or rejected)	

Popular votes in Switzerland since 1980

1		2		3	4	5	6	7	8	9	10
Year	Date	Object of vote			% particip.	YES votes	NO votes	% YES	Approval Cantons	Rejection (no. of votes)	Approval./rejection
1980	2 March	Separation of church & state		Init.	34.7	281 475	1 052 575	21.1	0	20 6/2	rejected
1980	2 March	New laws on the national economy (excl. FI, the results for which were omitted in error)		Obl.	34.5	1 117 007	181 009	86.1	20 6/2	0	approved
1980	30 Nov.	Federal road traffic act (compulsory wearing of seat belts)		Opt.	42.1	841 901	791 208	51.6			approved
1980	30 Nov.	Abolition of cantons' share in net stamp duty revenue		Obl.	41.9	1 059 760	514 995	67.3	17 6/2	3	approved
1980	30 Nov.	Redistribution of the net revenues of the Federal alcohol sales department (from tax on spirituous liquors)		Obl.	41.9	1 127 595	459 632	71	18 6/2	2	approved
1980	30 Nov.	Revision of the national wheat regime		Obl.	41.9	1 012 812	518 204	63.5	17 6/2	3	approved
1981	5 April	Solidarity on a new policy on foreign nationals		Init.	39.9	252 531	1 304 153	16.2	0	20 6/2	rejected
A 1981	14 June	Equal rights for men & women		Init.*							
B 1981	14 June	Equal rights for men & women		Co	33.9	797 702	525 885	60.3	14 3/2	6 3/2	approved
A 1981	14 June	Consumer protection		Init.*							
B 1981	14 June	Consumer protection		Co	33.9	858 008	450 998	65.5	18 4/2	2 2/2	approved
1981	29 Nov.	Extension of the financial regime & improvement of Federal finances		Obl.	30.4	818 327	368 508	69	20 6/2	0	approved
1982	6 June	Swiss penal code		Opt.	35.2	880 879	501 791	63.7			approved
1982	6 June	Foreign nationals act		Opt.	35.2	680 404	690 268	49.6			rejected
A 1982	28 Nov.	Price monitoring		Init.	32.9	730 938	530 498	56.1	16 2/2	4 4/2	approved
B 1982	28 Nov.	Price monitoring		Co		281 132	850 880	21.6	0	20 6/2	rejected

* As the popular initiative was withdrawn in favour of the Federal Assembly's counter-proposal, only the latter was voted on.

Popular votes in Switzerland since 1980

1		2	3	4	5	6	7	8		9	10
Year	Date							Approval	Rejection		
		Object of vote		% particip.	YES votes	NO votes	% YES	Cantons	(no. of votes)		Approv./rej.
1983	27 Feb.	New rules on customs duties on fuel	Obl.	32.4	679 134	609 871	52.7	14 3/2	6 3/2	approved	
1983	27 Feb.	Article of constitution on energy	Obl.	32.4	649 485	626 047	50.9	11	9 6/2	rejected	
1983	4 Dec.	Revision of nationality laws	Obl.	35.8	872 981	562 557	60.8	18 5/2	2 1/2	approved	
1983	4 Dec.	Easier naturalization	Obl.	35.9	644 669	793 253	44.8	4 2/2	16 4/2	rejected	
1984	26 Feb.	Levy on road haulage traffic	Obl.	52.8	1 254 489	882 756	58.7	13 5/2	7 1/2	approved	
1984	26 Feb.	Motorway tax disc	Obl.	52.8	1 132 497	1 005 051	53	13 6/2	7	approved	
1984	26 Feb.	Initiative on community service	Init.	52.8	771 413	1 361 482	36.2	1 1/2	19 5/2	rejected	
1984	20 May	Initiative on banks	Init.	42.5	464 637	1 258 964	27	0	20 6/2	rejected	
1984	20 May	Initiative against the selling off of national land	Init.	42.5	837 987	874 964	48.9	7 3/2	13 3/2	rejected	
1984	23 Sep.	Anti-nuclear initiative	Init.	41.7	762 792	931 245	45	5 2/2	15 4/2	rejected	
1984	23 Sep.	Initiative on energy	Init.	41.6	773 767	916 916	45.8	5 2/2	15 4/2	rejected	
1984	2 Dec.	Initiative on medical insurance: pregnancy & childbirth	Init.	37.6	241 442	1 288 974	15.8	0	20 6/2	rejected	
1984	2 Dec.	Radio and television	Obl.	37.5	1 001 888	455 536	68.7	20 6/2	0	approved	
A 1984	2 Dec.	Aid for victims of violent crime	Init*								
B 1984	2 Dec.	Aid for victims of violent crime	Co	37.6	1 241 377	270 878	82.1	20 6/2	0	approved	
1985	10 Mar.	Abolition of subsidies to primary education	Obl.	34.4	802 882	570 221	58.5	15 6/2	5	approved	
1985	10 Mar.	Abolition of the Confederation's obligation to subsidize public health	Obl.	34.4	726 781	644 649	53	10 6/2	10	approved	
1985	10 Mar.	Subsidies for training	Obl.	34.4	651 854	716 717	47.6	7 3/2	13 3/2	rejected	
1985	10 Mar.	Initiative on holidays	Init.	34.6	489 952	918 728	34.8	2	18 6/2	rejected	

* As the popular initiative was withdrawn in favour of the Federal Assembly's counter-proposal, only the latter was voted on.

Popular votes in Switzerland since 1980

1		2	3	4	5	6	7	8	9	10
Year	Date	Object of vote		% particip.	YES votes	NO votes	% YES	Approval	Rejection	Approval./rej.
								Cantons	(no. of votes)	
1985	9 June	*Right to life* initiative	Init.	35.7	448 016	999 077	31	4 3/2	16 3/2	rejected
1985	9 June	Abolition of the cantons' share in net stamp duty revenues	Obl.	35.2	903 345	454 560	66.5	19 6/2	1	approved
1985	9 June	Redistribution of net revenues from tax on spirituous liquors	Obl.	35.2	982 318	376 135	72.3	16 6/2	1	approved
1985	9 June	Abolition of aid to producers growing wheat for their own requirements	Obl.	35.3	787 056	592 851	57	16 5/2	4 1/2	approved
A 1985	22 Sep.	Alignment of the start of the school year	Init*							
B 1985	22 Sep.	Alignment of the start of the school year	Co	41	984 463	688 459	58.8	14 4/2	6 2/2	approved
1985	22 Sep.	Guarantee against innovation risks	Opt.	40.9	695 288	917 507	43.1			rejected
1985	22 Sep.	Amendment to civil code (matrimonial law)	Opt.	41.1	921 743	762 619	54.7			approved
1985	1 Dec.	Abolition of vivisection	Init.	38	459 358	1 099 122	29.5	0	20 6/2	rejected
1986	16 Mar.	UN membership	Obl.	50.7	511 713	1 591 150	24.3	0	20 6/2	rejected
A 1986	28 Sep.	Culture	Init.	34.7	232 326	1 048 679	16.7	0	20 6/2	rejected
B 1986	28 Sep.	Culture	Co		548 080	670 196	39.3	0	20 6/2	rejected
1986	28 Sep.	Vocational training	Init.	34.8	261 759	1 162 238	18.4	0	20 6/2	rejected
1986	28 Sep.	Sugar decree (amendment)	Opt.	34.9	547 779	887 727	38.2			rejected
A 1986	7 Dec.	Tenants' rights	Init*							
B 1986	7 Dec.	Tenants' rights	Co	34.7	922 221	510 490	64.4	17 3/2	3 3/2	approved
1986	7 Dec.	Road haulage levy	Init.	34.7	485 930	948 612	33.9	0	20 6/2	rejected
1987	5 Apr.	Asylum act (amendment)	Opt.	42.2	1 180 082	572 330	67.3			approved
1987	5 Apr.	Federal act on the right to residence and establishment for foreign nationals (amendment)	Opt.	42.2	1 122 027	585 460	65.7			approved

* As the popular initiative was withdrawn in favour of the Federal Assembly's counter-proposal, only the latter was voted on.

Popular votes in Switzerland since 1980

1	2		3	4	5	6	7	8		9	10
	Year	Date						Approval	Cantons	Rejection	
				% particip.	YES votes	NO votes	% YES			(no. of votes)	Approval./rej.
1987	5 Apr.	Right to a referendum on military spending	Init.	42.4	714 209	1 046 637	40.6	2 1/2		18 5/2	rejected
1987	5 Apr.	Voting procedure: initiatives and counter-proposal	Obl.	42.3	1 080 992	627 665	63.3	18 6/2		2	approved
1987	6 Dec.	RAIL 200 project	Opt.	47.7	1 140 857	860 893	57				approved
1987	6 Dec.	Federal law on medical insurance: pregnancy & childbirth (amendment)	Opt.	47.7	571 447	1 418 231	28.7				rejected
1987	6 Dec.	Rothenturm initiative (protection of marshlands)	Init.	47.7	1 153 448	843 555	57.8	17 6/2		3	approved
1988	12 June	Coordinated policy on transport	Obl.	41.9	797 955	955 300	45.5	3 2/2		17 4/2	rejected
1988	12 June	Lowering of pensionable age	Init.	42	624 390	1 153 540	35.1	2		18 6/2	rejected
1988	4 Dec.	Initiative of town & country against land speculation	Init.	52.8	686 398	1 543 705	30.8	0		20 6/2	rejected
1988	4 Dec.	Shorter working hours	Init.	52.9	769 264	1 475 536	34.3	2		18 6/2	rejected
1988	4 Dec.	Curbs on immigration	Init.	52.8	732 029	1 506 392	32.7	0		20 6/2	rejected
1989	4 June	Protection of small farmers	Init.	36.0	741 747	773 718	48.9	7 2/2		13 4/2	rejected
1989	26 Nov.	Abolition of the army	Init.	69.2	1 052 442	1 904 476	35.6	2		18 6/2	rejected
1989	26 Nov.	Reducing the speed limit from 130 to 100	Init.	69.2	1 126 458	1 836 521	38	6		14 6/2	rejected
1990	1 Apr.	Initiative "Stop the concrete jungle - no more roads!"	Init.	41.1	500 605	1 255 175	28.5			20 6/2	rejected
1990	1 Apr.	Initiative "For a motorway-free region between Morat and Yverdon"	Init.	41.1	571 640	1 175 333	32.7			20 6/2	rejected
1990	1 Apr.	Initiative "For a motorway-free district of Khonau"	Init.	41.1	547 353	1 197 678	31.4			20 6/2	rejected
1990	1 Apr.	Initiative "No motorway link Biel/Bienne to Solothurn/Zuchwil"	Init.	41.1	592 231	1 147 434	34			20 6/2	rejected
1990	1 Apr.	Federal decree on viticulture	Opt.	40.8	771 186	881 601	46.7				rejected
1990	1 Apr.	Federal law on the organization of the judiciary (amendment)	Opt.	40.7	775 870	862 524	47.4				rejected

Popular votes in Switzerland since 1980

1		2		3	4	5	6	7	8	9	10
Year	Date	Object of vote			% particip.	YES votes	NO votes	% YES	Approval Cantons	Rejection (no. of votes)	Approval./rej.
1990	23 Sep.	Initiative on the abandoning of nuclear power		Init.	40.4	816 289	915 739	47.1	6 2/2	14 4/2	rejected
1990	23 Sep.	Initiative "For a nuclear moratorium"		Obl.	40.4	946 077	789 209	54.5	17 5/2	3 1/2	approved
1990	23 Sep.	Article of the constitution on energy		Init.	40.3	1 214 925	493 841	71.1	20 6/2		approved
1990	23 Sep.	Amendment of the road traffic act		Opt.	40.3	899 051	803 621	52.8			approved
1991	3 Mar.	Lowering to 18 of voting age and age of eligibility to stand for election		Obl.	31.3	981 422	367 641	72.7	20 6/2		approved
1991	3 Mar.	Initiative to encourage public transport		Init.	31.2	496 645	840 374	37.2	1 1/2	19 5/2	rejected
1991	2 June	New system of federal finances		Obl.	33.3	664 304	790 948	45.7	2 1/2	18 5/2	rejected
1991	2 June	Revision of the military penal code		Opt.	33.3	817 428	650 634	55.7			approved
1992	16 Feb.	Initiative "For affordable health insurance"		Init.	44.4	772 995	1 195 550	39.3	1	19 6/2	rejected
1992	16 Feb.	Initiative "For the rigorous and gradual curtailment of animal experiments"		Init.	44.5	864 898	1 117 236	43.6	3 1/2	17 5/2	rejected
1992	16 May	Membership of the institutions of Bretton Woods		Opt.	38.8	923 685	730 553	55.8			approved
1992	17 May	Law on participation in the institutions of Bretton Woods		Opt.	38.8	929 929	718 254	56.4			approved
1992	17 May	Water protection act		Opt.	39.2	1 151 706	591 240	66.1			approved
1992	17 May	Initiative "Keep our waters clean"		Init.	39.2	644 083	1 093 987	37.1		20 6/2	rejected
1992	17 May	Genetics and fertility treatment		Co	39.2	1 271 052	450 635	73.9	19 6/2	1	approved
1992	17 May	Community service for conscientious objectors		Obl.	39.2	1 442 263	305 441	82.5	20 6/2		approved
1992	17 May	Amendment of the Swiss penal code and military penal code ("offences against sexual integrity")		Opt.	39.2	1 255 604	461 723	73.1			approved

Popular votes in Switzerland since 1980

1		2		3	4	5	6	7	8	9	10
Year	Date	Object of vote			% particip.	YES votes	NO votes	% YES	Approval Cantons	Rejection (no. of votes)	
1992	27 Sep.	Decree on transit traffic through the Alps (NLFA)		Opt.	45.9	1 305 914	747 048	63.6			approved
1992	27 Sep.	Revision of the inter-council relationships act		Opt.	45.4	1 097 185	794 132	58			approved
1992	27 Sep.	Revision of the parliamentary indemnities act		Opt.	45.6	542 768	1 424 954	27.6			rejected
1992	27 Sep.	Infrastructure costs act		Opt.	45.5	590 484	1 339 597	30.6			rejected
1992	27 Sep.	Revision of the stamp duty act		Opt.	45.7	1 230 579	771 351	61.5			approved
1992	27 Sep.	Rural land law act		Opt.	45.7	1 058 317	917 091	53.6			approved
1992	6 Dec.	Membership of the European Economic Area (EEA)		Obl.	78.7	1 762 872	1 786 708	49.7	6 2/2	14 4/2	rejected
1993	7 Mar.	Increase in duty on fuel		Opt.	51.3	1 259 373	1 051 067	54.5			approved
1993	7 Mar.	Lifting of the ban on gambling houses		Obl.	51.2	1 665 247	633 203	72.5	20 6/2	0	approved
1993	7 Mar.	Initiative against animal experiments		Init.	51.2	1 651 333	634 758	27.8	0	20 6/2	rejected
1993	6 June	Initiative against military parade grounds		Init.	55.6	1 124 893	1 390 812	44.7	6 2/2	14 4/2	rejected
1993	6 June	Initiative against fighter aircraft		Init.	55.6	1 074 661	1 435 744	42.8	3 2/2		rejected
1993	26 Sep.	Federal decree against the misuse of weapons		Obl.	33.9	1 539 782	245 026	86.3	20 6/2	0	approved
1993	26 Sep.	Change of canton for Lauffonnais		Obl.	39.5	1 188 941	392 893	75.2	20 6/2	0	approved
1993	26 Sep.	Date of the national day holiday		Init.	39.9	1 492 285	289 122	83.8	20 6/2	0	approved
1993	26 Sep.	Measures against an increase in health insurance costs		Opt.	39.8	1 416 209	342 002	80.5			approved
1993	26 Sep.	Measures on unemployment insurance		Opt.	39.7	1 225 069	515 113	70.4			approved
1993	28 Nov.	Tax system (VAT at 6.2%)		Obl.	45.4	1 347 400	674 031	66.7	19 6/2	1	approved
1993	28 Nov.	Contribution towards making good the federal financial deficit (6.5%)		Obl.	45.4	1 163 887	852 439	57.7	15 6/2	5	approved

Popular votes in Switzerland since 1980

1		2		3	4	5	6	7	8	9	10
Year	Date	Object of vote			% particip.	YES votes	NO votes	% YES	Approval Cantons	Rejection (no. of votes)	Approval./rej.
1993	28 Nov.	Support measures for the social security system		Obl.	45.4	1 258 782	752 472	62.2	19 6/2	1	approved
1993	28 Nov.	Special taxes on consumption		Obl.	45.4	1 212 002	786 396	60.6	17 6/2	3	approved
1993	28 Nov.	Initiative "On the prevention of alcohol-related problems"		Init.	45.5	516 054	1 527 165	25.3	0	20 6/2	rejected
1993	28 Nov.	Initiative "On the prevention of smoking-related problems"		Init.	45.5	521 433	1 521 885	25.5	0	20 6/2	rejected
1994	20 Feb.	Motorway tax disc		Obl.	40.8	1 259 609	579 877	68.5	18 6/2	2	approved
1994	20 Feb.	Flat-rate levy on road haulage traffic		Obl.	40.8	1 324 242	509 222	72.2	20 6/2	0	approved
1994	20 Feb.	Levy on road haulage traffic in proportion to engine capacity		Obl.	40.8	1 221 630	597 911	67.1	18 6/2	2	approved
1994	20 Feb.	Initiative on protection of the Alpine regions		Init.	40.9	954 491	884 362	51.9	13 6/2	7	approved
1994	20 Feb.	Revision of the air navigation act		Opt.	40.7	1 081 844	689 715	61.1			approved
1994	12 June	Promotion of culture		Obl.	46.6	1 059 029	1 018 188	51	10 2/2	10 4/2	rejected
1994	12 June	Easier naturalization		Obl.	46.8	1 114 158	994 457	52.8	9 2/2	11 4/2	rejected
1994	12 June	Peace-keeping (blue helmets)		Opt.	46.8	899 626	1 203 736	42.8			rejected
1994	25 Sep.	Abolition of the price cut on wheat		Obl.	45.5	1 288 697	706 379	64.6	20 6/2	0	approved
1994	25 Sep.	Ban on racial discrimination		Opt.	45.9	1 132 662	939 975	54.6			approved
1994	4 Dec.	Health insurance act		Opt.	43.8	1 021 175	950 360	51.8			approved
1994	4 Dec.	Curbs on the legal rights of foreign nationals		Opt.	43.8	1 435 040	533 297	72.9			approved
1994	4 Dec.	Initiative "For a healthy system of health insurance"		Init.	43.8	460 674	1 504 477	23.4	20 6/2	0	rejected