Zeitschrift: Swiss review : the magazine for the Swiss abroad
Herausgeber: Organisation of the Swiss Abroad
Band: 31 (2004)
Heft: 6

Artikel: Direct democracy : war of words over direct democracy
Autor: Ribi, Rolf
DOI: https://doi.org/10.5169/seals-906832

Nutzungsbedingungen
Die ETH-Bibliothek ist die Anbieterin der digitalisierten Zeitschriften auf E-Periodica. Sie besitzt keine Urheberrechte an den Zeitschriften und ist nicht verantwortlich für deren Inhalte. Die Rechte liegen in der Regel bei den Herausgebern beziehungsweise den externen Rechteinhabern. Das Veröffentlichen von Bildern in Print- und Online-Publikationen sowie auf Social Media-Kanälen oder Webseiten ist nur mit vorheriger Genehmigung der Rechteinhaber erlaubt. Mehr erfahren

Conditions d'utilisation
L'ETH Library est le fournisseur des revues numérisées. Elle ne détient aucun droit d'auteur sur les revues et n'est pas responsable de leur contenu. En règle générale, les droits sont détenus par les éditeurs ou les détenteurs de droits externes. La reproduction d'images dans des publications imprimées ou en ligne ainsi que sur des canaux de médias sociaux ou des sites web n'est autorisée qu'avec l'accord préalable des détenteurs des droits. En savoir plus

Terms of use
The ETH Library is the provider of the digitised journals. It does not own any copyrights to the journals and is not responsible for their content. The rights usually lie with the publishers or the external rights holders. Publishing images in print and online publications, as well as on social media channels or websites, is only permitted with the prior consent of the rights holders. Find out more

Download PDF: 10.01.2026

ETH-Bibliothek Zürich, E-Periodica, https://www.e-periodica.ch

War of words over direct democracy

Illustration: Igor Kravarik

Switzerland is proud of its direct democracy. But the role of the electorate and the democratic, federally-organised Confederation's "inability to reform" are the subjects of heated debate.

ROLF RIBI

NO OTHER COUNTRY in the world offers its citizens as many rights of co-determination, or the opportunity to exercise them as frequently, as Switzerland. "Our direct democracy is the envy of the world," said Federal Councillor and Foreign Minister Micheline Calmy-Rey recently. Yet precisely this issue is the subject of passionate debate in our country. There are two main reasons for this: a public difference of opinion between two Federal Councillors on the role of the people, and severe criticism of the democratic system's "inability to reform" from centre-right economists and business associations.

The people – the sovereign power?

"Yes, I believe that Christoph Blocher's attitude is dangerous to our democracy." Not for a long time has such a harsh statement been made about a fellow Federal Councillor. Minister of Home Affairs Pascal Couchepin was speaking at a press interview and expressing his anger at statements made by the Minister of Justice: "Blocher always says that the people are the sovereign power. That is wrong."

This autumn, media headlines and public discussion has been dominated by the high-profile dispute about the role of the people in a democracy. The reason lies in our national mindset. According to political scientist Alois Riklin, "Switzerland harbours a strong mythical image of an electorate that reigns supreme above the constitution and above state authorities." Federal Councillor Blocher's attitude is not far removed from this principle of "Vox populi, vox Dei": "The

people and cantons are the sovereign power that formulates and revises the constitution."

But the federal constitution recognises various state authorities among whom responsibility is shared: the people and cantons, parliament and the government, and the judiciary. Hence there is a division of powers – a system of checks and balances – as envisaged by the founders of the constitution in 1848. "Our constitution provides for a division of powers between the people and state institutions. The people cannot be a dictator", argues Federal Councillor Couchepin.

There are good reasons to set certain constraints on decisions by the people. What would happen if a decision by the people violated basic rights or civil liberties as laid down by the federal constitution; if it affected minority rights; if it constituted a breach of international human rights or even disrespect for the dignity of human beings?

The people cannot and should not be free to do as they like, says former State Councillor and professor of law René Rhinow: "The electorate is bound by higher legal constraints." "Human rights and the dignity of people must not become a democratic football," urges constitutional lawyer Thomas Fleiner. "Federal judges in our federalist state have the job of enforcing the basic rights enshrined in the federal constitution even if cantonal and communal decisions countermand them," declares constitutional lawyer Walter Haller.

But who are "the people"? Obviously, all Swiss nationals aged 18 or older and living either in Switzerland or abroad are entitled to vote. This was not always the case: women were enfranchised only in 1971. Swiss nationals living abroad have only been entitled to vote since 1992. And foreign nationals living in Switzerland have no political rights in the confederation (or in most cantons and communes). Not even the children and grandchildren of former immigrants are entitled to have a say in politics here.

Some 4.5 million Swiss are currently entitled to vote. Of these, on average 40 percent turns out at the polls. So whenever the majority is narrow, this means that less than one million Swiss citizens – one-fifth of all voters – dictate the outcome of a vote. Despite this small margin, "the people" have spoken and their decision must be respected.

"Results based on low voter turnout and poor information campaigns lose their legitimacy and damage democracy," warns Professor René Rhinow. He questions whether the people are as fully informed as the parliament. There is no doubt that the Confederation takes its duty to inform citizens seriously, and the media provide an extensive pool of information in the run-up to referenda.

Powerful interest groups such as business associations and unions want to influence opinion ahead of people's referenda. But "It's easier to influence members of parliament, who are relatively small in number, than to influence all voters," says empirical researcher Bruno S. Frey. But are voters swayed by emotional messages (such as the "Muslims soon in the majority?" campaign against the naturalisation of young foreigners)? Federal Councillor Couchepin is of the opinion that "The masses can be influenced, but democracy is not a case of domination by emotionalised masses." To which Federal Blocher responds: "Just try manipulating four million voters!"

"Democracy inhibits reforms"

For some time, business associations and centre-right economists have been severely criticising democracy and urging reforms to citizens' rights, federalism and the concordance of political powers. The argument goes thus:

"Many of the root causes of weak economic growth are to be found in the foundations of the political system, in direct democracy and in the concept of concordance" (Professor Silvio Borner). "Political stalemate is a characteristic of direct democracy, where every single reform can be contested by people's rights" (Professor Thomas Straubhaar). "With its extremely provincial federalism, ever more extensive people's rights and ritually elevated concept of concordance democracy, Switzerland has gone beyond the optimum" (Hans Rentsch).

Basle Professor Borner has nothing good to say about Switzerland's democracy. For him the people, Federal Council and parliament are mere "veto exercisers". He criticises the "highly decentralised Swiss system with its emphasis on citizens' control and the tendency to address every conceivable minority." He calls for "reforms at the highest level, to federalism and to direct political rights." He would like to see direct democracy limited to "small, manageable communities for the procurement of simple public facilities such as street lighting or kindergartens,".

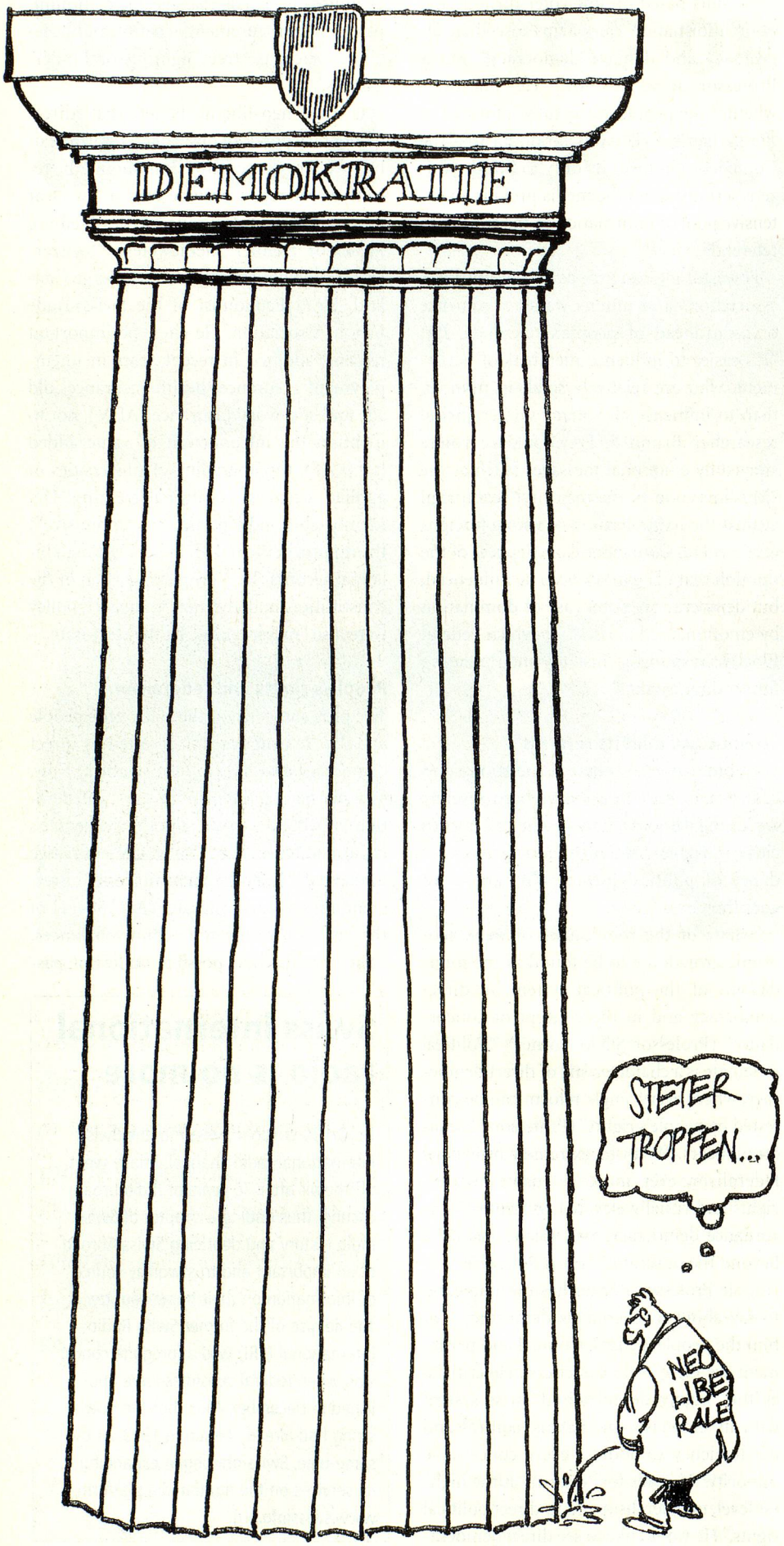
Is this neo-liberal belief that direct democracy poses an obstacle to reform really true? "From a scientific standpoint, the results of referenda provide only a few clear examples of bad decisions," writes Freiburg Professor Henner Kleinewefers. "Switzerland is capable of reforms," says Serge Gaillard, Head Economist of the Swiss Trade Union Association. He cites the important reforms adopted in recent years in unemployment insurance, health insurance, old age and survivors' insurance (AHV), not to mention the introduction of value added tax (VAT), the upgrading of universities of applied sciences, vocational training, UN membership and ("particularly impressive") the rapprochement with Europe through bilateral accords. The complete revision of the constitution and the new transport policy were also "major coups" by the electorate.

People's rights and federalism

The pros and cons on the role of the people and the "reform gridlock" created by direct democracy also have a positive effect: Now, as never before, the form of the Confederation is being discussed, along with people's rights and federalism. The people's initiative to revise the federal constitution and the referendum on federal statutes (Art.138-141 of the constitution) are counterbalances. "They are the best possible outlet for pas-

Swiss international radio is no more

Ec. On 30 October Swissinfo, the Swiss international radio channel, finally went off the air after 70 years of radio broadcasting, thus ending a chapter of Swiss radio history and depriving Swiss Abroad of an important and trustworthy source of information on their home country. The demise of the former Swiss Radio International (SRI) was a foregone conclusion when federal subsidies were abolished in December 2003, but the downsizing had already begun in 1999. At the same time, Swissinfo began expanding its services on the multimedia platform www.swissinfo.org.



Constant dripping wears away the stone (Neoliberal)

Schaad in the Tages-Anzeiger

sions", wrote legal professor Suzette Sandoz. The two political rights give the people direct democratic control over the government and parliament. The right to initiative is the innovative aspect of direct democracy, while the right to referendum is its inhibiting element.

From a national policy standpoint, both these political rights ensure a virtually continuous, often controversial discussion in Switzerland, lend identity to the Swiss people, and continually legitimise the people's role. A Switzerland without initiatives or referenda would no longer be Switzerland. Business groups and centre-right politicians want to see a significant increase in the number of signatures needed to exercise these two political rights, in order to achieve "more central leadership". Those on the left of the political spectrum call for a sharp reduction in the number of signatures required, to support "more democracy". One thing is clear: the people have no wish to see their political rights taken away or restricted.

Criticism from economists centres on federalism. Sufficiently broad approval from cantons and regions on reform projects, so the argument goes, is only possible at the expense of costly concessions. Witness, for example, the NEAT national railway project with its maximum solution of two alpine tunnels, grounded in state policy. Wrong, say the federalists: Federalism at the communal and cantonal level brings government to the citizens, facilitates "sensible" decisions and is the basis of direct democracy. One thing is sure: anyone who knocks federalism is attacking the "holiest of holies" in Swiss democracy.

What has prompted this radical economic attack on our democratic form of government? "One can't help feeling that neoliberal criticism is misdirected. They blame the form of government because they disagree with the political decisions of the voting public," suggests Matthias Baer in the "Tages-Anzeiger". Former Liberal politician Franz Steinegger puts it succinctly: "There is no historical proof that less democracy has led to better decision-making."

Literature:

Wie viel direkte Demokratie verträgt die Schweiz? By Silvio Borner and Hans Rentsch. Publ by Verlag Rüegger, Zurich/Chur 1997. CHF 43.90, EUR 28.10.