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The federal popular initiative

This instrument enables a handful of citizens to put forward a partial or complete amendment to the federal constitution. This article, an extract from a master's thesis at the Swiss Graduate School of Public Administration, aims to explain the development of its use over the course of time.

While the federal popular initiative is enjoying great success today, that has not always been the case. As the graphic below illustrates, it was a little used instrument until 1932, while its use has increased continuously since the 1970s.

While it is difficult to explain the increase in popular initiatives since the 1970s, two hypotheses are nonetheless outlined here, the first concerning federal politics and the second speed of action.

Interest in federal politics

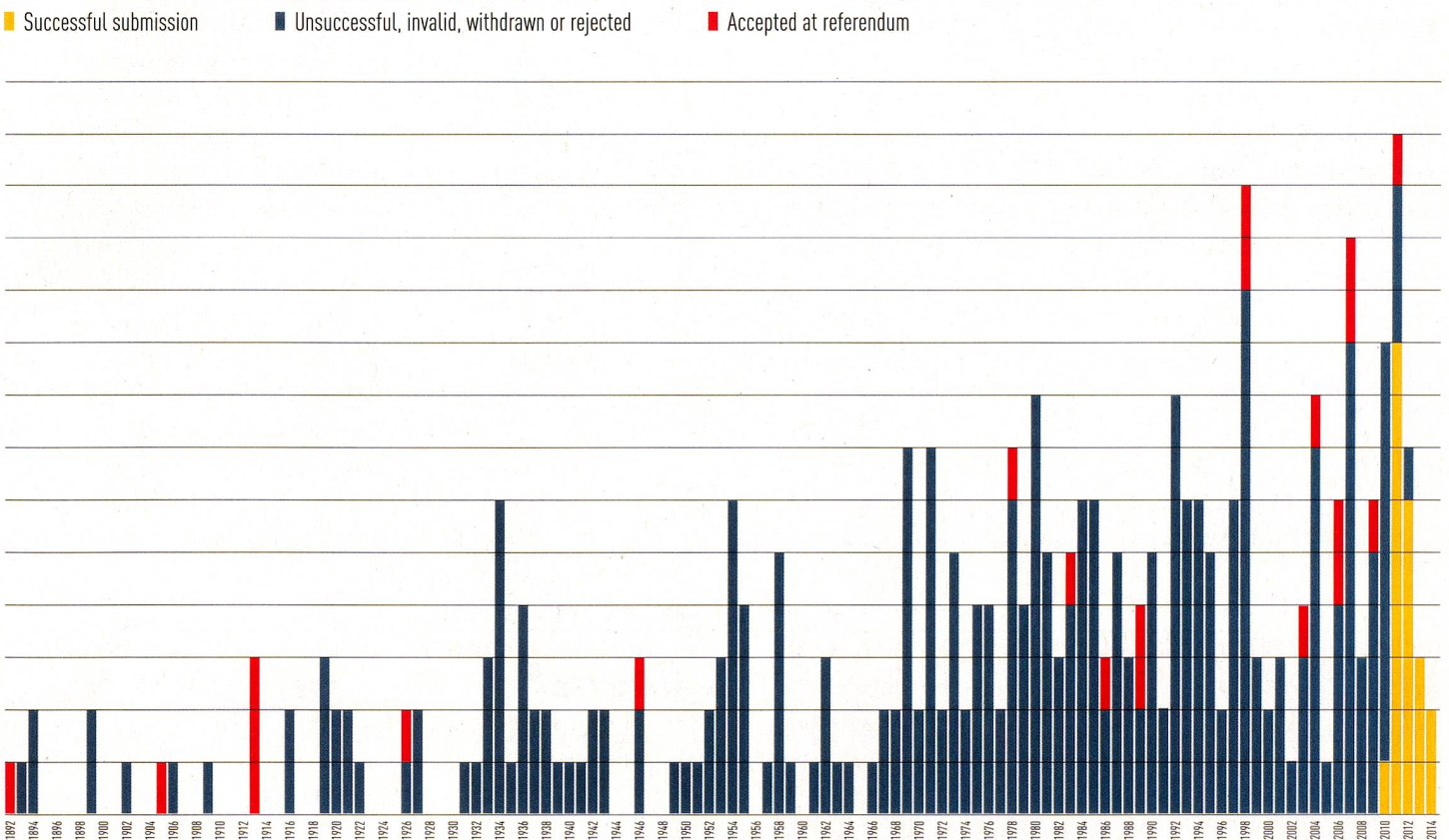
Until the 1874 constitution, the Confederation's powers were limited. It was in the cantons that the real political debate took place. From 1874 and throughout the 20th century, more and more powers were gradually transferred from the cantons to the Confederation. This may, on the one hand, explain the few initiatives between 1891 and 1932 and, on the other, why there has been a surge of interest in federal politics since the 1970s. In other words, the more power a government body holds, the greater the interest in the politics conducted there.

In his book "19 avril 1874 – L'audace de la démocratie directe", (19 April 1874 – the Daring of Direct Democracy), the lawyer and historian Olivier Meuwly shows that certain ideas develop in the cantons before reaching federal level. This was the case, for example, with direct democracy, which originated in the cantons. From the mid-19th century onwards, the cantons, one after another, introduced various democratic tools to enable the people to participate in cantonal politics (legislative initiative, mandatory legislative referendum and optional financial referendum). In a sense, the cantons are political laboratories which enable an idea to develop and blossom into maturity. If something works well in the cantons, it may also be adopted at the higher level.

Speed of action

Initiatives enable direct intervention in the setting of the federal political agenda, without going through the representative parliamentary route. It often takes about ten years for a political idea to result in legislation via Parliament. In contrast, a proposal put forward through an initiative can sometimes produce a constitutional article in just three years. The initiative on mass immigration – adopted by referendum on 9 February 2014 – is a fine example as it only took two and a half years for a new constitutional article to come into force from its launch on 26 July 2011. The initiative can therefore be a much quicker means of imposing a decision, although its chances of success

319 initiatives were submitted between 1892 and 2014



are very low considering the proportion of initiatives adopted by referendum (5% of initiatives between 1979 and 2014). This speed and the opportunity to bypass Parliament are factors which may explain the surge of interest in popular initiatives since the 1970s.

The federal popular initiative is very much alive today, even if the chances of winning popular support remain slim. What is clear is that the initiative is attracting a great deal of attention at the moment and it often gets people to turn out at the ballot box. This has implications, as every successful initiative creates a significant amount of administrative work and involves high costs, which are borne by the taxpayer.

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STATISTICAL SOURCES

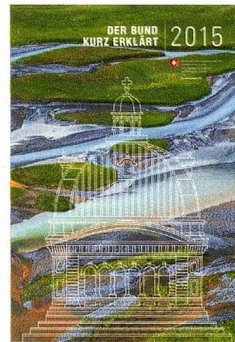
Data compiled by the author using Federal Chancellery database

http://www.admin.ch/ch/f/pore/vi/vis_2_2_5_9.html

LEGAL BASES

Articles 136, 138, 139, 139b and 140 of the Federal Constitution of the Swiss Confederation, SR 101

Articles 68 to 76 of the Federal Act of 17 December 1976 on Political Rights, SR 161.1



Publications

“The Swiss Confederation a brief guide 2015” Current information on Swiss politics as well as on Switzerland’s administration and judicial system. It is one of the federal administration’s most widely circulated publications. How is Parliament made up? How long does it take for a law to enter into force? How many people are employed by the federal administration? What does the Federal Supreme Court decide upon? The answers to such questions are found in “The Swiss Confederation a brief guide 2015” brochure which is published annually. The 80-page publication is aimed at anyone interested in the Swiss political system. It is used by many secondary and vocational schools for the teaching of political studies.

The Federal Chancellery works closely with Parliamentary Services, the departments and the Federal Supreme Court on the production of the texts. Information graphics illustrate the textual content and photos show the federal administration’s employees performing their various roles. For the subject of the cover page photo, the Federal Chancellery did not choose the Federal Palace this year but instead the magnificent Tschingelsee lake in the Kiental valley in the Bernese Oberland – one of 283 wetland areas in Switzerland protected by federal government.

“The Swiss Confederation a brief guide 2015” is published in a print run of 292,000 copies in the four national languages as well as in English. The brochure can be ordered free of charge from the Federal Office for Buildings and Logistics at www.bundespublikationen.admin.ch.

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Federal referenda

Four proposals will be put to the vote on 14 June 2015:

- Federal decree of 12 December 2014 on the amendment to the constitutional provision on reproductive medicine and genetic engineering involving human beings
- Popular initiative of 20 January 2012 "Stipendieninitiative" (Grants initiative)
- Popular initiative of 15 February 2013 "Millionen-Erbschaften besteuern für unsere AHV (Erbrechtssteuerreform)" (Tax million-franc inheritances for our old-age and survivors' insurance (AHV) – (inheritance tax reform)
- Amendment of 26 September 2014 to the Federal Act on Radio and Television.

All information on the proposals (voting pamphlets, committees, recommendations of Parliament and the Federal Council, and electronic voting, etc.) can be found at www.ch.ch/en/votes/.

You will find facts, instructions, useful information and additional links concerning the federal elections on 18 October 2015 at www.ch.ch/en/elections2015/ – a joint website provided by the Federal Chancellery, Parliamentary Services, the Federal Statistical Office and ch.ch.

Popular initiatives

The following new federal popular initiatives had been launched at the time of going to press (deadline for the collection of signatures in brackets):

- "Zur Förderung der Velo-, Fuss- und Wanderwege (Velo-Initiative)" – (Promoting cycling, foot and hiking paths (cycling initiative)) – (03.09.2016)
- "Schweizer Recht statt fremde Richter (Selbstbestimmungsinitiative)" – (Swiss law instead of foreign judges (self-determination initiative)) (10.09.2016)

The list of pending popular initiatives can be found at www.bk.admin.ch > Aktuell > Wahlen und Abstimmungen > Hängige Volksinitiativen.

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