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News from the Swiss Embassy

Switzerland – where the people co-govern via referenda & initiatives

On 13 December 2013, the results of a Citizen-initiated referendum on the proposed sale of up to 49% of Meridian Energy, Mighty River Power, Genesis Power, Solid energy and Air New Zealand by the New Zealand government were released. These showed that 920,188 or 67.3% of New Zealand's eligible voters were against such asset sales. Leading up to the day, Swiss Ambassador Marion Weichelt Krupski provided her views on the role of referenda in New Zealand and Switzerland.

On 13 December, we will find out how many New Zealanders support the sale of up to half of the country's state-owned power companies and Air New Zealand. But since the referendum is non-binding, it is unlikely to change the government's plans, something John Key has already hinted at.

Were we in Switzerland, it would have a) been easier to call a referendum because fewer signatures are required and b) the referendum would be binding. In Switzerland, the people have extensive decision-making power. As in New Zealand, Swiss nationals elect the members of parliament and just as in New Zealand, everyone is entitled to address written requests, suggestions and complaints to the authorities. But in Switzerland, citizens get more of a say.

In binding referenda people can voice their disagreement. Federal legislation, decisions of parliament and certain international treaties are subject to an optional referendum. In this case, a popular ballot is held if 50,000 citizens so request. The signatures must be collected within 100 days of publication of the new legislation. Mandatory referenda are required for all amendments to the constitution and proposals for membership of specific international organisations. This means that a popular vote must always be held, the people must be consulted on these matters and their decision must be respected.

The referendum acts like a veto. It delays and safeguards the political process by blocking amendments adopted by parliament or the government. The referendum is therefore often described as a brake applied by the people.

But Swiss citizens can not only block decisions. Swiss citizens also have the right to make laws. In popular initiatives citizens present a precisely formulated text, or, if they prefer, a general proposal which parliament or government write out. For such an initiative to come about,

the signatures of 100,000 voters who support the proposal must be collected within 18 months. Popular initiatives do not originate from parliament or government, but from the people. They act as the driving force behind direct democracy.

Referenda contribute to political agreement. They force government and parliament to draft proposals that can pass a referendum. For this reason, the legislative process in Switzerland is a continuous search for political compromise. The right to force a referendum on a law passed by parliament puts constant pressure on parliament. Parliamentarians need to take into account the interests of as wide a spectrum of political forces as possible in order to pass a law. Optional referenda, in which referendum committees have forced popular ballots on federal acts and decrees approved by parliament, have a one-in-three level of success. Mandatory referenda have a much higher acceptance rate of 75%, meaning that three out of four governmental or parliamentary proposals get passed.

In contrast, nine out of ten popular initiatives fail at the ballot box. Despite this low success rate, popular initiatives can nevertheless result in changes in law and society even when rejected. Sometimes the authorities respond to an initiative with a direct counter-proposal – generally less far-reaching – in the hope that a majority of the people will support that instead. Voters have the possibility of a double “yes” vote: they may approve both the initiative and the counter-proposal. A deciding question determines which of the two texts will enter into force if both secure a majority.

Popular initiatives can place an issue on the political agenda which has been ignored by the politicians. They can channel protest and dissatisfaction and allow citizens to go beyond mere resistance. Popular initiatives allow

citizens to offer constructive challenge and innovation. And popular initiatives can bring opposition forces into the political system, allowing them influence.

Both referenda and popular initiatives raise the status of citizens to that of occasional politicians. They give citizens more effective control of government and parliament and help to prevent the political institutions from shutting themselves off from the “outside world”. Political decisions become more transparent and a dialogue between the people, government and parliament is stimulated. Furthermore, referenda and popular initiatives act as a sensor for unresolved social problems and conflicts.

Voting on substantive issues raises the demand for political information. Media responds with a richer and more competent supply of political analysis. As a study has proved, Swiss voters are better and more comprehensively informed when they come to vote on an issue, than the average European member of parliament.

Some argue that the ordinary citizen is not competent to decide on complex issues. If the argument of incompetence, however, were true, the stable and successful direct Swiss democracy could not have existed for over a hundred years. The Swiss system shows that binding referenda and popular initiatives strengthen not only democracy, but society as a whole. It is a system that democracies such as New Zealand with its longstanding, democratic tradition, its high literacy rate, its broad range of media services and small population could give a thought.

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<http://www.nzcp.com/switzerland-where-the-people-co-govern-via-referenda-and-popular-initiatives/>

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