

"BETTER" RATHER THAN "MORE" DEMOCRACY? CITIZENS' PERCEPTIONS OF DIRECT VS. REPRESENTATIVE DEMOCRACY IN A COMPARATIVE PERSPECTIVE

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In the light of increasing claims for a more accountable political representation on the background of what is perceived a crisis of representative democracy, this discussion paper examines citizens' perceptions of direct vs. representative democracy. It first provides a historical contextualisation by exploring the evolution of the process of reintroduction of direct democracy in modern era as a complement to representative democracy, and the dynamics of comparative global trends in increase of implementation of instruments of direct democracy. These "path dependence" aspects are then correlated in a detailed comment on a recent comparative study of citizens' perceptions of direct democracy that demonstrated complex idiosyncrasies of particular European polities, but also important common characteristics i.e. the prevailing support for direct democracy in all considered Western states and the interdependence of citizens' perceptions of direct and representative democracy, as well as the decisive impact of the political representatives' attitude toward direct democracy on citizens' perceptions of the latter.

Key words: Direct Democracy, Political History, Post-Communist Europe, Path Dependence.

1 INTRODUCTION

In the context of overall economic, financial, social, environmental and political crisis, public criticisms of representative democracy and claims for political alternative, essentially focused on reintroduction or reinforcement of direct democracy (in absence of new ideological and ruling concepts), have been made increasingly prominent and even put forward in recent protest actions and movements across the globe. Although it appears that citizens are eager to take sovereignty back in their hands from their representatives,

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this eagerness may not necessarily reflect neither a reaction to the current crisis alone nor it is necessarily consistent with greater political awareness, civic education and readiness to engage in active citizenship practices in contemporary “knowledge societies”.

This discussion on public perceptions of direct democracy vs. representative democracy will be based in part on a cross-national study by Bowler, Donovan and Karp that, while exploring citizens’ attitude towards direct democracy in affluent democracies, also presents some noteworthy conclusions on citizens’ perception of representative democracy.²

In a study that included 11 EU Member States (“old” as well as post-Communist democracies), USA, Australia, New Zealand, Canada and Switzerland, the authors demonstrated that substantial enthusiasm for direct democracy in studied polities “may reflect what people find lacking in representative democracy as much as it reflects interest in a more participatory version of democracy”. Approval for direct democracy is therefore not coming primarily from people who are politically engaged and wish for “more democracy”, i.e. public participation in decision-making processes, but at least as much from people who are not necessarily interested in politics but feel a strong urge to control and correct the ways representative democracy is currently functioning. The results of the study demonstrated furthermore that “the most consistent factors predicting interest in additional opportunities to participate are political distrust and the idea that citizens must “keep watch” on their Government”.

Since collected data originate from a period prior to the current crisis and the authors of the study only superficially probed into the causes for detected prevailing citizens’ position, I am first going to verify their argument on the background of historical reintroduction and evolution of implementation of direct democracy worldwide aiming at a possible detection of path dependence indicators.³ Since the authors explain the outcomes of their study primarily by procedural varieties in direct democracy regulations, I am going to address these in comparison. Second, I am going to comment on the outcomes of the study done by Bowler *et al.* to demonstrate correlations between attitudes of political elites and public perceptions of direct democracy based on political practices pertaining to direct democracy in some of the countries included in the study. An explanation of these correlations will be attempted based on Lijphart’s model of democracies determined by behaviour of their political elites.⁴

2 DIRECT DEMOCRACY IN HISTORICAL CONTEXT

Instruments of direct democracy are remnants of the earliest era of democracy. Following the adoption of modern representative democracy referenda and plebiscites have been rather few in between, with however, notable exceptions.

In the early period of (theory of) modern democracy the size of polities and the slowness of communication rendered direct participation of citizens in

² Shaun Bowler, Todd Donovan and Jeffrey A. Karp, “Enraged or Engaged? Preferences for Direct Citizen Participation in Affluent Democracies,” *Political Research Quarterly*, 60, 3 (2007), 351–362.

³ See Paul Pierson, “Path Dependence, Increasing Returns, and the Study of Politics,” *American Political Science Review* 94, 2 (2000), 251–267.

⁴ See Arend Lijphart, “Consociational Democracy,” *World Politics*, 21, 2 (1969), 207–225.

public decision-making processes rather unfeasible. Enlightenment political theorists and practitioners such as American Founding Fathers considered direct rule of the people an unwelcome possibility although the people were established sovereign and the first modern referendum was held in Massachusetts in 1787, when the settlers first opposed a constitutional proposal.⁵

In general, the middle class that was taking political power over from the aristocracy of the *ancients régimes* did not trust uneducated masses. A failed attempt in this direction represented the 1793 French Constitution, which was to regulate a form of inner federalization and inclusion of citizens into public assemblies for direct participation in decision-making processes; the majority of assemblies' votes would then prevail in decisions at the national level. This Jacobin constitutional proposal that aimed at concretising and upgrading the Declaration on the Rights of Man and Citizen of 1789 was introducing general suffrage for men and a new concept of sovereignty of the people instead of the nation. Albeit it was approved by a referendum,⁶ it was however, never implemented for the short existence of the Jacobin regime. Under the influence of republican arguments advanced by conservative E. J. Sieyes, another model prevailed instead that was explicitly representative.⁷ In that model, in place and in absence of the sovereign - the nation, elected representatives were the ones in charge of legal initiative, the debate on the latter and the decision making process.⁸ The deflection from direct democracy was understandable in the light of French Revolution's final character as a bourgeois revolution – the new division of power had finally been determined by the bourgeois elites in the name of the people. While in the United States of America the form of representation and sovereignty of the people became a matter of an early solid social consensus, France had been tormented for more than a century following the French revolution by the conflict on optimal inclusivity of political participation that had a lasting destabilisation effect on French politics.

Direct democracy got a bad name early on in the 19th century, as a technique of autocratic Bonapartist power. Napoleon Bonaparte had his domination of the Consulate approved by a plebiscite in 1800 as well as the establishment of the Empire in 1804; the will of the people was not expressed at the polls at that, as the French had two weeks to cast their public vote at municipal quarters to support then popular ruler. Napoleon III continued with similar practices when he had the coup of 1851 legitimised by a plebiscite and another plebiscite organised to establish the Second Empire in the constitution of which plebiscite had an important part.⁹ Subsequently, French politicians and political theorists regarded direct democracy as incompatible with representative democracy; only in early 1930s this viewpoint started to

⁵ Vlado Sruk, *Leksikon politike* (Maribor: Obzorja, 1995), 278.

⁶ Of seven million registered voters, three million abstained, supposedly due to the vote being public.

⁷ Urbinati, Nadia, *Representative Democracy: Principles and Genealogy* (Chicago: University of Chicago Press, 2006), 163.

⁸ François Hamon, *Referendum, primerjalna študija* (Ljubljana: DZS, 1998), 18.

⁹ Differentiation between referendum and plebiscite has not yet become a matter of interpretative consensus. Kaufman identifies plebiscite as a non-binding top-down initiative by the Government or the Head of State that is meant to reinforce or save their position. It is therefore not about taking but about legitimising decisions. "Unfortunately, plebiscitary and direct-democratic popular vote procedures are often confused, as can be illustrated by the fact that the common term "referendum" is used to describe both of these fundamentally different procedures. By doing so, we obscure the concept of direct democracy and in addition to that, perhaps unintentionally, discredit direct democracy by association with the use of plebiscites by all kinds of dictators and authoritarian regimes." See Bruno Kaufman, Rolf Büchi and Nadja Braun, *The IRI Guidebook to Direct Democracy in Switzerland and Beyond* (Köniz: Ast & Jacob, Vetsch AG, 2010), 89.

change.¹⁰ However, at that time new counterarguments for implementation of direct democracy began to emerge on the other side of the Rhine.

Parliamentary elections in Germany at the end of 1933, the first under the rule of the National Socialist Party, could be interpreted as a plebiscite since voters had no longer any opposition to opt for. Simultaneously, a referendum was held on Germany's exit from the League of Nations. German voters almost unanimously approved of this decision, while turnout was extremely high (over 96 percent; 3,3 million voters however, voted nil in protest at these parliamentary elections). In 1934 almost 90 percent of voters approved at another referendum the Hitler's proposal to merge the position of Chancellor and the President of the State. Elections in German Parliament in 1936 were also a plebiscite since voters only approved of its single-party composition and "gave permission" to Hitler to occupy Rhineland. Turnout was again high and the pressure on voters merciless – National Socialist Party had samples of "correct" voting forms to voters' information cast from zeppelins! The last "parliamentary" elections in Germany under Nazi regime were in 1938, while a referendum was also held on annexation of Austria (where elections took place as well). Turnout was almost 100 percent, in Austria even slightly higher than in Germany.¹¹

Following World War II an increasing number of Constitutions included regulations pertaining to direct democracy, yet few states actually resorted to these instruments while attempts at abuse of popular decisions continued to take place. Presidents, governments, even dictators tied vote of confidence to a referendum result – and some had to step down. Charles de Gaulle for example tied his presidency to the constitutional referendum of 1969 that was to bring about decentralisation of France and a reform of the Senate, were it approved.¹² General Pinochet was swept from power by a referendum in 1988, by which he intended to prolong his rule for additional eight years, after he had legitimised the military junta in Chile by a referendum eight years earlier. A referendum on economic and political reforms in Communist Poland in 1987 weakened the government of the General Jaruzelski and opened way to the collapse of the communist regime two years later.¹³

3 DIRECT DEMOCRACY: PROCEDURAL VARIETIES

"Variety" is the master descriptor for contemporary referendum legislations. As every democratic state adapted its political system to the specifics of its political culture, direct democracy instruments have been procedurally interpreted accordingly. Public participation in decision making processes can be self-evident at some places and a mere theoretical possibility elsewhere, if practically insurmountable legal obstacles have been raised in the way of its implementation.

Referendum, the principal instrument of direct democracy, is a randomly organised variation of general elections with a yes-or-no vote on mostly "closed" questions as opposed to "open" choice of candidates or party

¹⁰ Raymond Carré de Malberg, "Considérations théoriques sur la question de la combinaison du référendum avec le parlementarisme," *Revue du droit public*, (1931), 225.

¹¹ Dieter Nohlen and Philip Stöver, *Elections in Europe: A data handbook* (Berlin: Nomos, 2010), 762.

¹² François Hamon, *Referendum, primerjalna študija* (Ljubljana: DZS, 1998), 19.

¹³ Agata Fijalkovski, *From Old Times to New Europe: The Polish Struggle for Democracy and Constitutionalism* (Burlington: Ashgate, 2010), 112.

candidate lists proposed at elections.¹⁴ Contemporary regulative models include mandatory, binding and/or consultative referendum with further divisions as to who is the initiator of the law/legal proposal that is subject of popular consultation/decision, and who initiates the referendum itself. States around the world adopted various combinations of solutions in this area. Referendum may be binding in case the Parliament is to adopt any constitutional law and the Parliament then also initiates referendum (like in Australia, Denmark, Ireland and Switzerland). Binding referendum can also follow citizen initiative on any constitutional matters, for example in Switzerland and California. In the latter, a referendum is also binding following any legal initiative by citizens. Consultative referendum may be initiated by the Parliament like in Great Britain or Sweden; by the Head of State like in France (upon a Government proposal) or in Romania (autonomously). A referendum initiative may come from a certain number of Members of the Parliament like in Denmark or Slovenia, or from the citizens directly in order to postpone or annul an already adopted legal act like in Italy or Slovenia. A referendum can be called for by local authorities like in Switzerland or Italy or by a combination of these like in Ireland or in Massachusetts.¹⁵

In German federal Land of Bavaria a citizen initiative will only lead to a referendum, if 10 percent of signatures (almost one million) are collected in 14 days at State administrative offices. According to the 1973 referendum legislation in Austria 100,000 signatures need be collected in one week, also at certain times in certain places only. When there was an attempt to depose President Hugo Chavez in Venezuela in 2004, his political opponents were required to collect signatures of 20 percent of voters in merely 4 days. In the United States the threshold of signatures required for a referendum initiative varies from 2 percent of voters in North Dakota to 15 percent in Wyoming.

Some states have left the impact of the turnout upon the validity of the popular decision open, while others have determined the minimum quorum that renders the referendum valid. In Italy for example, half a million signatures suffices for a referendum initiative to be implemented, yet the decision needs be approved by at least 50 percent turnout.¹⁶

Another important variety in referendum procedures is related to whether they are exclusively controlled by the Parliament and the Parliament thus renounces to its exclusive legislative power by its own decision, or the Parliament's legislative authority is effectively checked by other institutions that can also initiate a referendum such as the Head of State in a semi-presidential or presidential system (not necessarily, Croatia for example represents an exception).

There are rather few democracies that have provided for frequent implementation of citizen referendum initiative, the most inclined to direct democracy being Switzerland (over 400 referenda held since 1874), the USA (where referenda are regularly implemented in 24 federal states), Italy (38 national referenda on 65 issues held since 1970) and Ireland (33 national referenda held since the first constitutional referendum in 1937).

¹⁴ Not exclusively, there have been several so called multiple choice referenda as well. They are quite common in Switzerland; there have been two in Sweden, while in Australia in 1977 voters were summoned to a referendum to choose the national anthem out of four options. In such referenda a convincing support for one of the proposals may represent a problem.

¹⁵ François Hamon, *Referendum, primerjalna študija* (Ljubljana: DZS, 1998), 31.

¹⁶ Bruno Kaufman, Rolf Büchi and Nadja Braun, *The IRI Guidebook to Direct Democracy in Switzerland and Beyond* (Köniz: Ast & Jacob, Vetsch AG, 2010), 87.

TABLE 1: DIRECT DEMOCRACY WORLDWIDE SINCE 1793

Period	Europe	Asia	Americas	Oceania	Africa	Total	Average
1793-1900	58	0	3	0	0	61	0.6
1901-1910	14	0	0	4	0	18	1.8
1911-1920	21	0	3	5	0	29	2.9
1921-1930	36	1	2	6	0	45	4.5
1931-1940	40	0	7	6	0	53	5.3
1941-1950	36	2	3	11	0	52	5.2
1951-1960	38	13	3	5	9	68	6.8
1961-1970	44	22	4	7	19	96	9.6
1971-1980	116	50	8	14	34	222	22.2
1981-1990	129	30	12	7	22	200	20.0
1991-2000	235	24	76	15	35	385	38.5
2001-2010	167	30	44	22	35	298	29.8
Total	934	172	165	102	154	1,538	7.1
Share (%)	60.8	11.3	10.9	6.8	10.2	100	

Source: Bruno Kaufman, Rolf Büchi and Nadja Braun, *The IRI Guidebook to Direct Democracy in Switzerland and Beyond* (Köniz: Ast & Jacob, Vetsch AG, 2010), 208.

Judging from the data on organization of referenda in world regions, the implementation of instruments of direct democracy spread worldwide after World War II and it has since then been on a general, if unsteady, increase. This increase is to be attributed to the creation of a number of new states and democratisation processes following decolonisation, as well as to the consolidation and/or crisis of representative democracy in the West. Implementation of referenda in Africa and Asia saw the most intensive increase in the period of decolonisation between 1950s and 1980s. A particularly substantial general increase is evident in the 1970s – in that decade the number of referenda in Europe tripled compared to the former decade, while it doubled in other world regions. Another substantial general increase in number of referenda took place in the 1990s, the most intensely in both Americas, while in Europe the number doubled again and other regions followed the trend except for Asia. In early 21st century a decrease is evident worldwide. This dynamics falls in line with global political changes of the last sixty years: the liberalisation and the crisis of corporatism (in Europe) in the 1970s that politically mobilised increasingly active citizens, followed by the collapse of authoritarian regimes and dictatorships and subsequent reinforcement of democracy in Central/South America and Eastern Europe in the 1980s and early 1990s, while Asian democracies were already focused on the neoliberal economic project; and finally the global trend of neo-conservatism in early 21st century resulting in a decrease of frequency of referenda in the West in particular, while renewed interest in direct democracy in Asia and Oceania is evident.

In the modern era then, the implementation of referendum has increased by twenty times globally. All in all, over 1,500 national referenda have been held so far. This number may appear rather high and direct democracy to be evolving. However, 1,500 referenda may alternatively appear a rather modest achievement, considering the existence of over 200 states, the great majority of which claim to be a form of democracy; after all, during the entire period considered only seven referenda took place per year worldwide. Most of countries thus do not make use of instruments of direct democracy although legal regulation is provided for.

4 “BETTER” RATHER THAN “MORE” DEMOCRACY?

As mentioned earlier, in 2004 Bowler, Donovan and Karp conducted an extensive study on public perceptions of direct democracy in 16 countries.

The outcomes demonstrated that “people found lacking in the performance of representative democracy [rather] than they reflected demands for a fully participatory version of democracy. Although we do find that expectations for more opportunities to participate are associated with greater support for using direct democracy, our results also demonstrate that the most consistent factors predicting interest in additional opportunities to participate are political distrust and the idea that citizens must “keep watch” on their government”.¹⁷

Authors’ principal conclusion was that “support for having “more” opportunities to participate is motivated by distrust of government, as well as the belief that a citizen has a duty to keep a watch on their government. ... The most consistent result in cross-national findings, how-ever, is that people who are suspicious of government expect more opportunities to participate. Overall, we find people support direct democracy to better control discretion delegated to their representatives”. Or, as Hibbing and Theiss-Morse noted on citizens’ attitude in the United States, their “sourness toward government does not stem from the fact that they want to be more involved, but from the fact that they feel as though they need to be involved even though they would rather not be”.¹⁸

TABLE 2: PUBLIC ATTITUDES ON DIRECT DEMOCRACY IN SIXTEEN NATIONS

	Strongly agree (%)	Agree (%)	Neither agree nor disagree (%)	Disagree (%)	Strongly disagree (%)
Australia	44	37	11	6	3
Germany	35	46	10	7	2
Spain	27	51	15	6	1
Czech Republic	26	38	23	10	4
Switzerland	22	62	12	4	1
New Zealand	22	49	18	8	3
United Kingdom	19	48	23	8	2
Canada	19	47	21	11	2
Latvia	19	43	27	8	3
Slovenia	19	27	19	18	16
Finland	18	37	23	17	6
Netherlands	16	50	20	11	4
Slovakia	16	40	24	15	5
Austria	15	48	23	11	2
United States	12	52	27	8	1
Hungary	10	30	32	20	8

Source: International Social Survey Program (ISSP) Citizenship module (2004).¹⁹

For the purpose of this discussion paper I extracted and aggregated some data from the study that focus specifically on the situation in the European Union. Europe champions direct democracy by far compared to other world regions (see Table 1) yet that is primarily due to Switzerland, which I therefore left out. On the other hand, I expanded the table with some additional data for contextual clarification.

¹⁷ Shaun Bowler, Todd Donovan and Jeffrey A. Karp, “Enraged or Engaged? Preferences for Direct Citizen Participation in Affluent Democracies,” *Political Research Quarterly*, 60, 3 (2007), 360.

¹⁸ John Hibbing and Elizabeth Theiss-Morse, *Stealth Democracy: Americans’ beliefs about how government should work* (New York: Cambridge University Press, 2002), 227.

¹⁹ Respondents were asked, “Thinking about politics in [COUNTRY], to what extent do you agree or disagree: Referendums are a good way to decide important political questions?” Countries include Austria (AS; 937 participants), Australia (AU; 1,777 participants), Canada (CAN; 1,149 participants), the Czech Republic (CZ; 1,274 participants), Finland (FIN; 1,226 participants), Germany (GER; 1,234 participants), Great Britain (GB; 763 participants), Hungary (HUN; 934 participants), Latvia (LAT; 934 participants), the Netherlands (NL; 1,583 participants), New Zealand (NZ; 1,260 participants), Spain (SP; 2,176 participants), Slovakia (SLA; 1,012 participants), Slovenia (SLO; 1,015 participants), Switzerland (SWI; 1,020 participants), and the United States (US; 1,378 participants). See Shaun Bowler, Todd Donovan and Jeffrey A. Karp, “Enraged or Engaged? Preferences for Direct Citizen Participation in Affluent Democracies,” *Political Research Quarterly*, 60, 3 (2007), 352.

TABLE 3: PUBLIC ATTITUDES ON DIRECT DEMOCRACY IN TWELVE NATIONS: "REFERENDUMS ARE A GOOD WAY TO DECIDE IMPORTANT POLITICAL QUESTIONS."

	(Strongly) agree (%)	Neither agree nor disagree (%)	(Strongly) disagree (%)	Number of national referenda (in recent history)	Trust in Parliament ("I trust" vs. "I don't trust" in %)*	Trust in Political Parties ("I trust" vs. "I don't trust" in %)*
Germany	81	10	9	No nat. referenda	39 vs. 54	13 vs. 83
Spain	78	15	7	6 nat. referenda	48 vs. 43	26 vs. 66
United Kingdom	67	23	10	6 nat. referenda	37 vs. 54	15 vs. 78
Netherlands	66	20	15	1 nat. referendum	49 vs. 47	34 vs. 60
Czech Republic	64	23	14	1 nat. referendum	18 vs. 75	10 vs. 85
Austria	63	23	13	3 nat. referenda	51 vs. 33	23 vs. 71
Latvia	62	27	11	11 nat. referenda	21 vs. 71	6 vs. 85
Slovakia	56	24	20	7 n. referenda	25 vs. 67	9 vs. 85
Finland	55	23	23	1 nat. referendum	68 vs. 30	26 vs. 70
Slovenia	46	19	34	21 nat. referenda	36 vs. 53	17 vs. 76
Hungary	40	32	28	12 n. referenda	38 vs. 52	18 vs. 70

Source: Eurobarometer (2004–2011). The missing percentage accounts for undecided.

Although there is positive perception of direct democracy prevailing in all countries, substantial differences in the level of support (ranging from 81 percent supporters in Germany to 40 percent supporters in Hungary out of national total) are interpreted by authors of the study as stemming from procedural specifics.²⁰ I have demonstrated at length the existence of these procedural varieties in Chapter 3, yet if that alone were to explain varied levels of public support of direct democracy, the Netherlands, where national referendum is not provided for, and United Kingdom could not show an almost equal level of support, let alone Germany and Switzerland (see Table 3). The difference between consolidated and "new" democracies cannot account for the fact that there is only 40 percent approval in Hungary and 64 percent in Czech Republic (higher than in Austria). Neither can the North-South divide be used to interpret the almost equally high rate of support in Spain and Germany at the top of the list. Surprisingly, there seems to be no straightforward correlation with the discontent with political representation as the data on (dis)trust in political institutions from the same period demonstrate. Why then in some states citizens perceive of direct democracy as good and less so elsewhere?

If we first consider the top half of countries with the highest approval of direct democracy, Germany, Spain and United Kingdom, the three at the very top are federalized. Few national referenda there does not mean that direct democracy is being repressed, since a significant number of referenda are organized at the regional (five in Spain and nine in United Kingdom) and local level (over 200 per year in Germany). Moreover, national and regional referenda in Spain and United Kingdom have primarily addressed issues related to their federal organization (British devolution referenda, Spanish referenda on regional autonomy). While, according to Lijphart, these democracies do not correspond to the definition of consociational democracies as Switzerland does, with regard to direct democracy they seem to act along consociational lines, using it to diffuse conflict before it extends to the national level. As Lijphardt argues, the aim of consociational approach "is not to abolish or weaken segmental cleavages but to recognize them explicitly and to turn the segments into constructive elements of stable

²⁰ Shaun Bowler, Todd Donovan and Jeffrey A. Karp, "Enraged or Engaged? Preferences for Direct Citizen Participation in Affluent Democracies," *Political Research Quarterly*, 60, 3 (2007), 352.

democracy". Segmental autonomy therefore creates self-rule on issues that impact life within the own subgroup, but at the same time counteracts overarching centrifugal forces by reducing interference by the other groups to the bare minimum".²¹ The correlation between consociationalist approach and positive perception of direct democracy may explain the fact that Germany and Switzerland display a practically equal level of support of direct democracy, and would also account for the other two consociational democracies in the upper half of the list, the Netherlands and Austria where referenda are non-existent or extremely rare.²² Similarly, in Czech Republic referenda are being frequently organized only at the local level with local councillors accounting for 75 percent of referendum initiatives on mostly environmental levels;²³ perhaps for this approach to local democracy as well, Czech political elites have been the most successful among all post-Communist states to come close to a consociational democracy.²⁴

Implementation of direct democracy as a welcome complement to representative democracy at the level that cannot impact overall national political stability and can legitimize political representation in citizens' view - without bringing about unpredictable changes in inter-party power relationships - seems to result therefore in high public approval of direct democracy. In fewer words, even oppositional political elites seem to be in consensus on the fact that predictable and controlled direct democracy outcomes can benefit them by providing citizens with the illusion they are not entirely powerless, and thus mitigate general public distrust in political institutions.

In the bottom half of the list we find post-Communist states with a high number of national referenda held, except for Finland. Finns have only held one referendum in recent history that they were bound to, the EU accession referendum in 1994. Finnish constitution provides for referendum at the local level only and there have been over fifty of those after World War II. However, local referendums that can be called for by municipal authorities or by citizens' collecting 5 percent of signatures are merely consultative and although citizen initiatives mostly concern mergers or divisions of municipalities, "local councils have departed more than was expected even from fairly clear-cut referendum results. This clearly tends to diminish popular trust in the importance and usefulness of referendums of a consultative nature".²⁵

In their comparatively short independent democratic history, Latvia, Slovakia, Slovenia and Hungary have had the highest number of national referenda organised in the group. Latvian voters were called to the polls eleven times in the last 20 years. They got to vote on Latvian independency (1991), secession from the Soviet Union (1991), pension system reform (1999 and 2008), legislation on citizenship (1998), EU accession (2003), security laws

²¹ See Didier Caluwaerts, Caluwaerts, Didier. *How prudence comes about: a new institutional interpretation of consociationalism*, ECPRNET 2010. Available at <http://www.ecprnet.eu/databases/conferences/papers/311.pdf> (October 2012), 7.

²² In the 2nd Republic, three referenda have been carried out: on nuclear power in 1978, on Austria's accession to the European Union in 1994 and on genetically modified organisms in 1997. Butler, David and Austin Ranney (ed.), *Referendums Around the World: the Growing Use of Direct Democracy* (Washington, DC: AEI Press, 1994), 90.

²³ Tauchen, Jaromír. "Local Referendum in the Czech Republic – History and Present Days," *Journal on Legal and Economic Issues of Central Europe*, 1, 1 (2010): 52–55.

²⁴ Radomir Špok, Vera Rihačková, Tomáš Weiss, Vladimír Bartovic and Jeanne Dromard, *Místní referenda v České republice a vevybraných zemích Evropské uni* (Praga, Vydal Institut pro evropskou politiku EUROPEUM, 2006), 15–21.

²⁵ Council of Europe, Steering Committee on Local and Regional Authorities, *Local Referendums: report (Local and Regional Authorities in Europe No. 52)* (Strasbourg: Council of Europe, 1993), 55.

(2007), constitutional amendments (2008 and 2011), dissolution of the Parliament (2011) and the establishment of Russian as a second official language (2012). The latter, with 71 percent turnout and 75 percent votes against the proposal, prompted Latvian political leaders to start discussions on constitutional amendments to modify referendum regulations. At present, anyone who can collect the signatures of 10 percent of the electorate in support of proposed legislation can initiate a referendum.

The 12 referenda in post-Communist Hungary were in 1989, 1990, 1997, 2004 and 2008. The number of referendum initiatives presented to the National Election Commission rose from 23 in the period 1989–2011 to 48 in 2006 alone.²⁶ Beside the EU and NATO accession, Hungarian voters were asked to decide on issues related to the former Communist regime and on privatisation of hospitals. At the “super referendum” in 2008 they voted on payment of hospital treatment, payment of GP visits and school tuitions i.e. dissolution of public health and education systems. The outcome of this referendum brought radical changes in Hungarian politics. The ruling coalition fell apart, the Prime Minister resigned a few months later, the popularity of the Socialist Party, major partner of the socialist-liberal coalition, hit bottom. The 2008 referendum also initiated an extensive debate in Hungary on the institutional aspects of the referendum, focusing on whether the people’s will could overwrite the program of the democratically elected government, how far could the Constitutional Court go in the interpretation of referendum questions and whether referendum was used as a weapon in party politics.²⁷

In Slovakia, referenda may be called on by citizens collecting 350,000 signatures, while the Parliament and the Head of State also have the referendum initiative. A referendum must be held within 30 days following the call and the Constitutional Court must rule on the appropriateness of the referendum questions (according to a 2001 constitutional amendment adopted due to a number of referendum initiatives considered topically inappropriate). Six referenda were held since independence in 1993 and five of them failed due to insufficient turnout (50 percent being required quorum). The highest turnout was at the EU accession referendum in 2003 (52.1 percent), which was also an obligatory ratification instrument according to the Slovak constitution. In 1997 the then Prime Minister Vladimir Meciar called for a referendum on direct presidential elections, which enabled him to take over as acting Head of State and grant controversial amnesties. The 2010 referendum on a package of reforms was spearheaded by Freedom and Solidarity (SaS) party that launched a petition for a referendum on excessive privileges enjoyed by the country’s political elite. Although the six proposed measures—including stripping lawmakers of immunity from prosecution, downsizing the Parliament, and setting a price limit on government cars—attracted overwhelming support, only 22.9 percent of the country’s 4.3 million eligible voters made it to the polls. Critics charged that given Slovakia’s past form with referenda, spending 7 million Euros on the vote was lavish.²⁸

Slovenia’s Constitution and legislation regulate referenda pertaining to constitutional revisions, legislative referenda and referenda on establishment of a local community. These are all binding, yet a consultative referendum

²⁶ Pal Reti, “Using or Misusing Direct Democracy? Global Forum on Modern Direct Democracy, 13. – 16. September 2009, Seoul, Korea. Available at http://www.iri-europe.org/fileadmin/user_upload/pdf/15-Reti.pdf (October 2012).

²⁷ Ibid.

²⁸ See The Economist. *Slovakia’s Voters: However*, The Economist Online, 20 September 2010. Available at http://www.economist.com/blogs/easternapproaches/2010/09/slovakias_referendum (October 2012).

can also be called for. A national referendum can be called for by at least 30 out of 90 members of the Parliament, by a citizen initiative backed by 40,000 voters' signatures or by the government. In independent Slovenia, there were 20 national and local binding and consultative referenda so far, addressing various issues.²⁹ Between the 1990 referendum on Slovenia's secession from the Socialist Yugoslavia and 2003 there were three referenda of which the most controversial was the previously mentioned 2001 referendum on artificial fertilization of single women. Then there were six referenda in 2003 alone, including the ones on Slovenia's accession to European Union and NATO. Approximately a referendum per year followed, and Slovenian voters got to decide on topics such as reorganization of public television and the Slovenian Railways and the insurance companies or again, on the regionalization model. In 2010, another referendum followed on public television³⁰ as well as the referendum on the arbitration agreement on the maritime border between Slovenia and Croatia. In 2011 there were three referenda initiated by the opposition that ended up weakening the government to the point of stepping down and making way for the first preliminary parliamentary elections so far.

To back the assumption that frequent national referenda are not a post-Communist idiosyncrasy and do not necessarily result in high approval of direct and representative democracy, the Italian example may be telling, although there are no data available on Italian public opinion on direct democracy in the 2007 study by Bowler *et al.* Since 1974, Italians voted on 65 very diverse issues at very frequent "super referenda" usually asking several questions, as well as at two constitutional referenda. However, in several cases of legal issues rejected at the referendum, namely party financing or electoral system modifications, the government soon adopted a very similar law, thus ignoring popular will. As a consequence, Italians seem no longer to indulge in such ritualistic direct democracy as no referendum has reached the required 50 percent quorum since 1997. According to the 2004 Eurobarometer, the public (dis)trust in the Italian parliament was 31 percent vs. 51 percent, and 20 percent vs. 71 percent for political parties, quite comparable to the situation in considered post-Communist countries.

5 CONCLUSION

Direct democracy has been gradually and inconsistently gaining ground worldwide after World War II as a complement to political representation. Initial distrust and negative perceptions of direct democracy were based on now irrelevant historical circumstances. Moreover, the Swiss example and others demonstrate numerous benefits of implementation of direct democracy as a complement to the representative system. Negative perceptions of direct democracy on the other hand, reflect inadequacies in greatly varying referendum regulations as well as a lasting distrust, even contempt of political elites towards the citizens. Both negative and positive public perceptions of direct democracy are closely interconnected with citizens' perceptions of representative democracy although not in a linear, inverse symmetrical fashion.

²⁹ Kristan, Ivan. *Večina in prag udeležbe na referendumu, Več neposredne demokracije v Sloveniji – da ali ne*, Ljubljana, 11 March 2002, conference at the National Council of Republic of Slovenia. Available at http://www.ds-rs.si/2MO/dejavnost/posveti/besedila_pos/pos11-3-02_Kristan.htm (October 2012).

³⁰ In 2004 the conservative coalition government introduced legislation on public television and the centre-left opposition called for a referendum. When centre-left coalition presented another legal framework for public television, conservative opposition promptly called for another referendum in 2010.

Political representatives shape these perceptions by adopting specific legal regulations on direct democracy on the one hand and on the other hand, by their attitude toward the very purpose of direct democracy. Bowler *et al.* rightly pointed at procedural differences as a possible explanation for different levels of public support of local democracy, yet the interpretation of direct democracy by political elites i.e. how they employ instruments at hand must be added to the equation. Explanation for varieties in these interpretations can then be sought for in particular form of democracy and particular political culture of each country. To answer my own question, current claims for “more” (direct) democracy should be interpreted and addressed as claims for a “better” representation.

While there is no direct correlation between support of local democracy and levels of (dis)trust in political institutions, citizens’ perceptions of direct democracy appear to be more positive in consociational democracies or centrifugal democracies that employ direct democracy at sub-national levels mostly to appease potential societal conflict, and keep referenda far in between and topically focused on the most fundamental societal issues such as modification of borders, regional autonomy and constitutional reforms. On the other side, heterogeneous societies with opposing political elites such as Slovenia, Hungary and Slovakia have seen abuse of direct democracy with too frequent referenda on non-essential issues and subsequently, citizens created a less positive perception of direct and representative democracy. Twenty-one national referenda, of which so many were controversial and instrumental in bringing about disillusionment in democracy, in twenty years of Slovenia’s history were a matter of choice, not inexperience: Slovenia copied the referendum legislation after Denmark where there were 13 referenda in the last 60 years, of which six were related to the European integration processes, three on the modification of voting age and one on constitutional changes.³¹ Or, as Belko and Kopeček concluded in the case of Slovakia, “*the institute of referendum has become one of the important instruments (mis)used by parties in political competition. Its use by other - non-party - participants proved to be unrealistic. Its legal regulation in the Slovak Constitution led to the situation when its application produced more problems than it solved. Thus, from the standpoint of its significance, it effected the consolidation of the Slovak democracy in a rather negative way*”.³²

Is low support for direct democracy in plural societies with oppositional political elites only an evolutionary stage so to speak and these perceptions may turn positive when their political elites evolve toward more responsible coalitional behaviour patterns? ISSP plans for another module on citizenship in 2014 and comparison with the 2004 data will be most interesting, considering all economic and political transformations that observed countries have meanwhile been subjected to.

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³¹ Folketinget. *Denmark&EU, 2006*. Available at http://www.euo.dk/euo_en/dkeu/referenda/ (October 2012).

³² Marijan Belko and Lubomir Kopeček, “Referendum in theory and practice: the history of the Slovak referendums and their consequences,” *Central European Political Studies Review*, 2–3 (2003).

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