



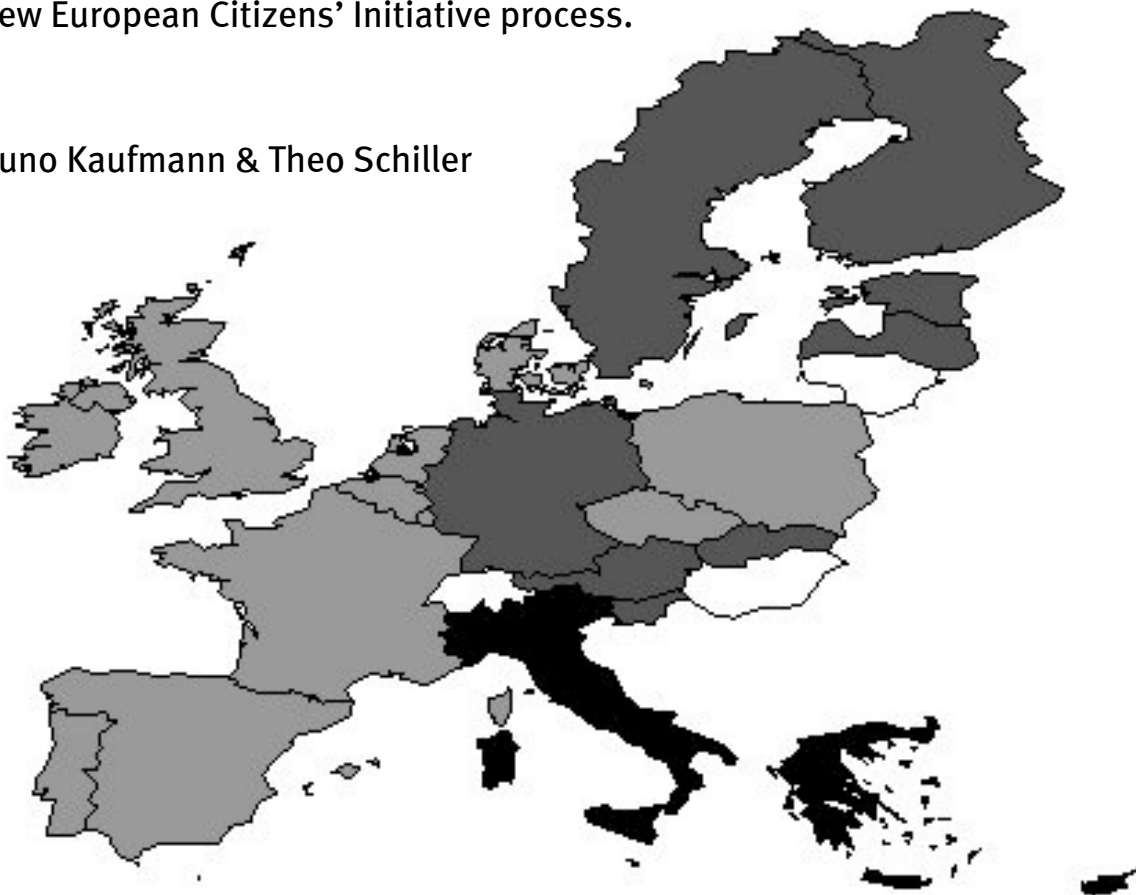
Initiative & Referendum Institute Europe

Working Paper – February 2005

The Democratic Issue Bringing in the European Citizens

IRI and DI working paper on the upcoming EU Constitution Referendum
Challenge and the options and limits of Art. 47.4 in the EU Constitution –
the new European Citizens' Initiative process.

by Bruno Kaufmann & Theo Schiller



www.iri-europe.org

In cooperation with Democracy International (www.democracy-international.info)
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The Democratic Issue

- Bringing in the European Citizens

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- EU Constitution Referendum Challenge 2005/2006 and
- the options and limits of Art. 47.4 in the EU Constitution
 - the new European Citizens’ Initiative process.

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1. Introduction

The founding fathers of the EU did not think much of the idea of bringing the citizens of Europe into the decision-making process at the European political level. This had less to do with the experience of the Second World War than the growing threat from the Cold War. Instead of a democratic European federation, a cooperation based on economics and bureaucracy evolved: a system which did not provide for any direct involvement by the citizen.

However, at the beginning of the 1960s, President Charles de Gaulle of France clearly formulated the democratic challenge for a political Union in Europe:

“Europe will be born on the day on which the different peoples fundamentally decide to join. It will not suffice for members of parliaments to vote for ratification. It will require popular referendums”.

And here we are. Over the next two years, more than 250 million European citizens will have a say on Europe in the world’s most comprehensive series of referendums, involving a double-digit number of states. The people of Spain will start this unique process with a vote on February 20 this year on the new EU Treaty establishing the first transnational Constitution.

This is just the first step of bringing in the European citizens. A further step is included in the new Constitution for Europe itself. Art. 47.4. introduces the first tool for direct participation in European politics – the European Citizens’ Initiative:

“Not less than one million citizens who are nationals of a significant number of Member States may take the initiative of inviting the Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Constitution. European laws shall determine the provisions for the procedures and conditions required for such a citizens’ initiative, including the minimum number of Member States from which such citizens must come.”

Both the upcoming EU constitution referendums and the new Citizens’ Initiative seem to be small steps. But they can be the starting point for important democratic innovations in Europe.

The initiative right and the constitutional referendums are twin responses to the notorious criticism of the ‘democratic deficit’ originating from the mostly indirect forms of legitimation in a ‘secondary democracy’.

Secondly, these two direct democratic procedures are not isolated elements in the development of democracy in Europe. Since the early 1970s, more than 40 national referendums have been held on EU issues, making European affairs the single most-voted on issue worldwide. Further, the new EU Citizens’ Initiative is embedded in a new approach to democracy set out in the European Constitution.

The European Constitution clearly seeks to give a new start to democracy in Europe. *It postulates the principle of equality and of representative government and gives an equal status to both participatory and representative democracy (art. 47).*

The Union’s secondary democracy lacks a consolidated and lively political public sphere and, therefore, a basis for transparency in European affairs. This is exactly where the qualities of initiative & referendum processes can be brought to bear:

- The focus on issues relating to ‘normal’ European politics contributes to the public visibility of European matters and allows transnational public debate and a European public to develop.
- Participation, visibility and debates can and must cross borders and involve citizens in many member states of the Union and thus contribute to the ‘Europeanisation’ of political decision-making.
- The Initiative as an instrument of direct democracy opens up opportunities for citizens to participate in European agenda-setting and can also serve as a means for the popular control of policy.

This working paper looks into the prospects for issue-focussed activities which may enrich electoral processes, make European institutions more responsive and attract the active involvement of European citizens. Or, in other words: how will the forth-coming constitution referendums and the new Citizens’ Initiative contribute to an issue-centred and pan-European democratic process?

Bruno Kaufmann, Theo Schiller
Amsterdam, Marburg and Brussels
January, 27th 2005

2. The EU Constitution Referendum Monitor

2.1. The referendum - a work in progress

Elections and referendum votes have become essential ingredients of political democracies. While elections for representatives are generally seen as a precondition of a free society, referendums are still seen as an extraordinary measure involving an element of “pure gambling” - as the spokesperson for the Danish Liberals, Charlotte Antonsen, put it. Why? “There is no guarantee of a positive outcome, unfortunately,” Antonsen argued frankly.

It is obvious that a gap exists between the rulers and the ruled in today’s Europe, in which national governments simultaneously lead their own countries and act as the most important lawmakers at a European level. According to a Eurobarometer study, 88% of EU citizens indicated that they viewed a constitutional referendum as “indispensable” or “essential”.

Referendum processes are about public debate and legitimacy. But they present an additional test for the political elites and their decisions. So it is perhaps no surprise that many so-called “decision-makers” are not entirely happy about this direct complement to indirect democracy. The former EU commissioner for External Affairs, Chris Patten, recently admitted that he hated referendums.

Irrespective of the preferences of leading politicians, however, referendum votes have become a big issue in European politics. This is no coincidence. Two developments in particular stand out in a clear trend towards more (direct) democracy.

Firstly, the democratic revolutions in Eastern Europe led to no less than 27 new constitutions, most of which were approved by the people in referendums. Secondly, the acceleration of integration within the EU opened the floodgates to a wave of direct democracy with transnational implications: 31 of the 41 national referendums in Europe and about Europe have taken place since 1992.

Table 1 - 41 Referendums on Europe in Europe

Country ^a	Date ^b	Issue ^c	Yes-Votes ^d	Turnout ^e	Special requirements ^f	Type: who triggers? Binding? ^g	Basis in the Constitution ^h
France	23.4.1972	EEC expansion	68.28%	60.27%	No	President/ No	Art. 11 & 89
Ireland	10.5.1972	EC accession	83.1%	70.88%	No	Obligatory referendum/ Yes	Art. 46.2
Norway	26.9.1972	EC accession	46.5%	79.2%	No	Parliament/ No	None
Denmark	2.10.1972	EC accession	63.29%	90.4%	Non-approval requirement 30%	Obligatory referendum/ Yes	Art. 20
Switzerland	3.12.1972	Free Trade Treaty with EEC	72.5%	52%	Double majority (cantons, people)	Obligatory referendum/ Yes	None
Britain	5.6.1975	EC membership	67.23%	64.03%	No	Government / No	None
Greenland	23.2.1982	EC membership	45.96%	74.91%	No	Parliament / No	None
Denmark	27.2.1986	Common market	56.24%	75.39%	Non-approval requirement 30%	Parliament/ Yes	Art. 42
Ireland	26.5.1987	Common market	69.92%	44.09%	No	Obligatory referendum/ Yes	Art. 46.2
Italy	18.6.1989	European constitution process	88.06%	85.4%	No	Citizens’ initiative/ No	Art. 71
Denmark	2.6.1992	Maastricht Treaty	47.93%	83.1%	Non-approval requirement 30%	Obligatory referendum/ Yes	Art.20
Ireland	18.6.1992	Maastricht Treaty	68.7%	57.31%	No	Obligatory referendum/Yes	Art. 46.2
France	20.9.1992	Maastricht Treaty	51.05%	69.69%	No	President/ Yes	Art. 11
...							

Country ^a	Date ^b	Issue ^c	Yes-Votes ^d	Turnout ^e	Special requirements ^f	Type: who triggers? Binding? ^g	Basis in the Constitution ^h
...							
Switzerland	6.12.1992	EEA accession	49.7%	78%	Double majority (cantons, people)	Obligatory referendum/ Yes	(Art. 89.5 and Art.123)
Liechtenst.	12.12.1992	EEA accession	55.81%	87%	No	Parliament/ Yes	Art.66
Denmark	18.5.1993	Maastricht Treaty	56.77%	85.5%	Non-approval requirement 30%	Parliament/ Yes	Art. 42.
Austria	12.6.1994	EU accession	66.58%	82.35%	No	Obligatory referendum/ Yes	Art.44
Finland	16.10.1994	EU accession	56.88%	70.4%	No	Parliament/ No	Art. 22
Sweden	13.11.1994	EU accession	52.74%	83.32%	No	Parliament/ No	Chap. 8 § 4
Åland-Ilands	20.11.1994	EU accession	73.64%	49.1%	No	Parliament/ No	None
Norway	28.11.1994	EU accession	47.8%	89%	No	Parliament/ No	None
Liechtenst.	09.04.1995	EEA	55.88%	82.05%	No	Obligatory referendum/ Yes	Art.66 bis
Switzerland	8.6.1997	EU accession procedures. Blocking.	25.9%	35%	Double majority (cantons, people)	Citizens' initiative / Yes	Art. 121
Ireland	22.5.1998	Treaty of Amsterdam	61.74%	56.26%	No	Obligatory referendum/ Yes	Art. 46.2
Denmark	28.5.1998	Treaty of Amsterdam	55.1%	76.24%	Non-approval requirement 30%	Obligatory referendum/Yes	Art.20
Switzerland	21.5.2000	Bilateral treaties with the EU	67.2%	48%	No	Facultative referendum/Yes	Art. 141
Denmark	28.9.2000	Euro accession	46.87%	87.2%	Non-approval requirement 30%	Obligatory referendum/Yes	Art. 20
Switzerland	04.03.2001	EU accession procedures. Start.	23.2%	55%	Double majority (cantons, people)	Citizens' initiative/ Yes	Art. 139
Ireland	07.06.2001	Treaty of Nice	46.13%	34.79%	No	Obligatory referendum/ Yes	Art. 46.2
Ireland	19.10.2002	Treaty of Nice	62.89%	48.45%	No	Obligatory referendum/ Yes	Art. 46.2
Malta	08.3.2003	EU accession	53.6%	91.0%	No	Parliament/No	None
Slovenia	23.3.2003	EU accession	89.6%	60.3%	Turnout 50%	Parliament/ Yes	Art. 169
Hungary	12.4.2003	EU accession	83.8%	45.6%	Approval 25%	Parliament/Yes	Art. 19 + 28
Lithuania	11.5.2003	EU accession	91.1%	63.4%	Turnout 50% Approval 33%	Parliament/ Yes	Art. 147
Slovakia	17.5.2003	EU accession	92.5%	52.2%	Turnout 50%	Parliament/ Yes	Art. 93.2
Poland	8.6.2003	EU accession	77.5%	58.9%	Turnout 50%	Parliament/ Yes	Art. 125
Czech Rep.	14.6.2003	EU accession	77.3%	55.2%	No	Parliament/ Yes	Ad-hoc law
Estonia	14.9.2003	EU accession	66,8%	64%	No	Parliament/ Yes	Art. 105
Sweden	14.9.2003	Euro accession	42%	82,6%	No	Parliament/ No	Art. 4
Latvia	20.9.2003	EU accession	67%	72,5%	Turnout 50% of Turnout at last parl. elections	Parliament/ Yes	Art. 79
Romania	19.10.2003	Constitution Amendment for EU acc.	89.6%	55.2%	Turnout 50%	Parliament/Yes	Art. 3

a) 23 countries: 17 EU, 3 EFTA, 2 autonomous regions

c) 27 accession 11 reform 1 constitution 1 enlargement 1 withdrawal

d) Average 63% Yes, 9 x No, 32 x Yes

f) 17 countries with specific majority requirements

h) 7 votes without a constitutional basis

b) 41 votes 1983: 7, 84-93: 9, 94-03: 25

e) Average 67%, 83: 70.2, 93: 73.9, 03: 63

g) Top-down: 23, Bottom-up: 18

It is not only the simple number of referendums which has increased. There has also been a positive development in the quality of direct democracy as well: whereas most of the early referendums on Europe were non-binding plebiscites imposed 'from above', the recent trend has been for such referendums to function increasingly like the constitutional referendums in Switzerland i.e. they are mandatory and binding. Even in Sweden, where the '2003 referendum' on the Euro was in formal terms a non-binding plebiscite, all the parties promised before the vote to respect the outcome, whatever the result.

Perhaps the most important outcome of the 2003 EU accession referendum cycle was that the European Union became marginally more democratic – not least in terms of the frank self-criticism of numerous leading politicians in the new member states. "No-one can maintain that we had a fair referendum," admitted Peter Weiss, adviser to the Slovakian Prime Minister Mikulas Dzurinda after the pro-EU victory in June 2003. Opponents of Slovakian accession had been all too obviously disadvantaged in the public media, and the judiciary turned a blind eye to clear violations of electoral law by the pro-EU side.

In sum, the referendum is still very much a work in progress on European issues, as the growing experience with this instrument provides at least two lessons:

Referendums matter for Europe!

Referendums contribute more than elections to getting citizens involved in European affairs. Since 1972, an average of more than two-thirds of the eligible voters have taken the opportunity to vote in a referendum. While most citizens' decisions endorsed the proposals of governments and parliaments, in certain cases opposition to those proposals – for example in Denmark (1992) and Ireland (2001) – contributed to a faster reform and democratisation process.

Design matters for referendums!

The quality of direct democracy is not determined by the number of referendums, however, but by the way referendums come about and by the design of the relevant procedures and majority requirements. On these criteria, many countries are still lagging far behind. In only 10 of the 43 European countries examined by the Initiative and Referendum Institute Europe do citizens – at least in part – enjoy that right which is decisive for the quality of direct democracy: the right to carry out initiatives and referendums even against the wishes of their government or parliament.

The future of direct democracy in Europe and across the world depends on the free expression and fair use of citizens' rights. The following represent the minimum requirements for free referendums which must be met:

- Citizens must have the right to launch a popular initiative and referendum process themselves.
- Popular referendums must be binding. Non-binding consultations are often ambiguous; instead of solving problems, they create new ones.
- There must be no minimum turnout quorums: these permit non-voting to be used tactically and increase the likelihood of referendums being declared invalid.

It should also be a requirement for:

- all donations and campaign funds used in the run-up to referendums to be declared in the interests of transparency
- both sides in a referendum campaign to be given space and time in the media
- the role of government and of public debates in referendum campaigns to be clearly defined.

Many reforms which are 'sold' to citizens as 'participatory' or 'direct' democracy only reveal their true character when they are measured against the six requirements listed above.

The EU Constitution drawn up by the parliamentary Convention and signed by the heads of government (October 29, 2004) and the European Parliament (January 12, 2005) now faces its sternest test – securing the approval of the citizens.

2.2. IRI Europe Constitution Briefing – February 2005

The Chairman of the EU Convention, former French President Valéry Giscard d'Estaing, made it clear in the first session of the constitutional assembly in February 2002: "Treaties are made by states and ratified by parliaments, Constitutions are made by popular assemblies and ratified by citizens". Although it is still not very clear if the new Treaty is a Constitution or not, many countries with little referendum experience were inspired to take up the challenge and make the new Constitution a democratic issue. In other countries, fears about losing control, the lack of political will and legal limitations contributed to the decision not to involve the citizen directly in the decision-making on the EU constitution.

As we face the first of many citizens' tests on the EU constitution in Spain on February 20, we have the following situation in the ratification process:

- *Two countries (Lithuania, Hungary) have already ratified in 2004 (by parliament-only decisions)*
- *Ten countries will have a referendum vote on the constitution*

- Five more countries are still considering the option of letting the citizens decide
- In eight more member states the parliament will get the last word on the issue
- Additionally, several current or future candidate countries (BG, CR, CH, NO) are planning referendums linked to the constitution.

Table 2 – The EU Constitution Ratification Process 2005/2006

Country	Decision by...	And when?	Yes/No trend
Lithuania	parliament	11.11.2004	84 yes: 4 no
Hungary	parliament	20.12.2004	304 yes: 9 no
Spain	citizens	20.02.2005	70/30
Italy	parliament	03 2005	85/15
Netherlds.	citizens	06 or 09 2005	55/45
France	citizens	06 2005	55/45
Belgium	possibly citizens	Summer 2005	65/35
Luxembg.	citizens	10.07.2005	75/25
Malta	parliament	2005	70/30
Greece	parliament	2005	85/15
Cyprus	parliament	2005	75/25
Germany	parliament	2005	80/20
Austria	parliament	2005	80/20
Denmark	citizens	Autumn 2005	60/40
Estonia	parliament	Autumn 2005	80/20
Portugal	citizens	Spring/Autumn 2005	75/25
Slovenia	poss. citizens	Autumn 2005	70/30
Poland	citizens	Autumn 2005/ Spring 2006	55/45
Latvia	poss. citizens	Autumn 2005/ Spring 2006	65/35
Slovakia	poss. citizens	Autumn 2005/ Spring 2006	70/30
Finland	parliament	Autumn 2005/ Spring 2006	60/40
Sweden	poss. citizens	2006	55/45
Ireland	citizens	2006	60/40
UK	citizens	03 2006	45/55
Czech Rep.	citizens	06 2006	60/40

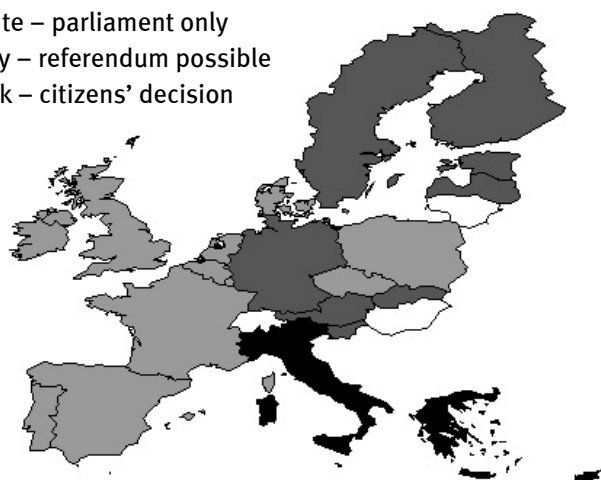
In addition to the member states' referendums, a series of voter tests can be predicted in current and future candidate countries:

- In **Bulgaria** a combined accession/constitution referendum is likely to take place in the second half of 2005.
- **Swiss** voters will have to decide if the country will join forces with the EU on the Schengen/Dublin Treaty on June 5.
- **Romanians** are about to vote on full membership next year.
- **Norwegians** are expected to re-evaluate a membership bid at the ballot box by 2008.

The emerging European Referendum agenda has led to the formation of pan-European alliances campaigning for/against the new treaty. While the pro-forces can count on strong political organisations across Europe, including the European Parliament, the sceptics are a rather fragmented alliance including neo-liberal businesses, socialist trade unions and political groups on the left and right. By their actions, however, the no-activists may possibly contribute more to the Europeanisation of political democracy than will the established promoters.

Another developing aspect of a public sphere at the EU level are the activities of media organisations. For almost two years, the EU constitution referendums will be part of the headlines and background reporting on the Internet, in newspapers and magazines, as well as on radio & TV. It is already obvious that the media in referendum countries are dedicating much more space, resources and care to covering the issue than newspapers and broadcasters are doing in "parliament only" states.

white – parliament only
grey – referendum possible
dark – citizens' decision



It is still far too early to assess the dynamics of the upcoming referendum processes in many EU member states. There are already some emerging features, however:

In **Spain**, the government is attempting to make the February 20 ballot a showcase for a pro-EU country. In an attempt to inform the citizens about the issue as such, 5 million copies of the constitution were distributed across the country together with the biggest daily newspapers on January 16. One concern is a possible low turnout, as the referendum has only consultative character. Regional political forces in Catalunya and the Basque country are sceptical about the EU Constitution, as subnational parliaments and governments are not due to receive extra powers.

The **Netherlands** are facing their very first referendum in history! With no previous experience, the country is rather unsure about how to handle this democratic procedure. During February a date will be decided for the citizens' vote to take place in late spring or early autumn this year.

France has a long tradition of presidential plebiscites. The problem with this form of referendum "from above" is that a no-vote could be seen as a vote against the president. The strongly pro-direct democracy rhetoric of the current president Jacques Chirac does not alter this fact. On the other hand, the French are to be consulted on EU affairs and they have plenty of experience of intense public debates. This is also true for the media, which is covering the debate.

Luxembourg is one of the surprising referendum countries, as the Grand Duchy is not at all used to letting the people decide on issues. Although a date has been fixed for the ballot decision (July 10), the legal framework has still to be settled. Additionally, long-serving Prime Minister and current EU-President Jean-Claude Juncker, has announced that he will resign if the people vote "no" – not a very smart way of copying the referendum culture of neighbouring France.

In **Denmark**, the referendum option has never been in doubt: it has been clear from the very beginning, even though the Danes were not asked to decide on the Nice Treaty. In preparation for the vote, the Danish Prime Minister has formed an alliance with the Socialist Left, as well as with all the parties of the political centre-ground. During more than 30 years of EU membership, the Danes have voted six times on Europe and are well-informed on European politics.

Portugal has first to elect a new parliament before deciding on when to go for a constitutional vote. As the Portuguese constitution does not currently allow citizens' decisions on international treaties, parliament will have to change the national constitution. Instead of voting together with Spain, Portugal, where the major parties are in favour of the new treaty, is now expected to organize the referendum early next year.

Poland will hold its referendum together with the presidential elections this autumn. In this most populous of the new member states, strong forces (farmers, religious groups) are opposing the constitutional proposal. A 50% turnout quorum may yet put the validity of the vote into question. A manoeuvre by the outgoing social-democratic party to bring the referendum forward to an election date in June was not strongly criticised by President Kwasniewski in early 2005.

In **Ireland**, the issue of neutrality often makes a difference to EU decisions. This happened in 2001, when Ireland surprisingly rejected the Nice Treaty and it may happen again. However, if this issue is addressed in a proper way, most Irish citizens will endorse the new constitution in a referendum in early 2006. The government is considering to introduce e-voting opportunities together with the binding referendum.

UK Prime Minister Tony Blair did not announce a referendum in his country because he had suddenly turned into a convinced democrat, but because this strategic shift helped him to avoid devastating losses at last year's EU elections. While the EU constitution is highly contested in Britain, Blair may hope to get some more people to vote 'No' before the Britons are called to the ballot box in 2006 (always assuming that New Labour win the general election due in spring or summer 2005).

Finally, the **Czech Republic** has turned out to be one of the countries in which the European Constitution issue is most hotly contested, as the political elite is committed to hard-core neo-liberal policies. While former President Vaclav Havel recommended skipping a referendum altogether, the current head of state, Vaclav Klaus, is mainly concerned about getting a 'No' to the constitution. A long, hard debate and campaign can be expected.

In those member states still considering the possibility of an EU constitution referendum, the following should not be overlooked:

Belgium is a deeply-divided federal country and this issue is no exception. A majority of the constitutional committee in the federal parliament has recommended holding a popular vote, but the leaders of the socialist and Christian-democratic parties are strongly against. A plebiscite held back in 1950 still seems to paralyse the democratic reform process in this country at the heart of the EU. All Belgium's neighbours (with the exception of Germany) will have a referendum.

In **Slovenia**, referendums are the rule for important decisions. So it would be surprising if the constitution were not seen as such an "important decision". There is also the

possibility of launching a citizens' initiative in order to trigger a popular vote. But as in most other member states, the political elite would like to avoid being forced out on a long campaign-trail on the constitution issue.

Similar to Slovenia, popular votes on issues are a normal part of decision-making processes in **Latvia**. A first attempt to fix a date for a referendum on the constitution was, however, dismissed in parliament on December 16 (16 yes, 66 no, 3 abstentions). Now, a citizens' initiative for a constitutional amendment has been launched in order to trigger a referendum.

Another member state with a fairly wide-ranging initiative & referendum record is **Slovakia**. President Gasparovic has recently announced his opposition to a popular vote on the constitution. Although a citizens' initiative did not succeed in collecting enough signatures, the ruling Christian democrats are now consulting the country's constitutional court to check whether a referendum is legally required or not.

In **Sweden**, a large majority of the parliament and the ruling social-democrats has been opposed to popular votes as they are against involving citizens directly in voting on issues on principle. Nonetheless, there are still two scenarios which may make a binding popular vote on September 17, 2006 possible. Firstly, a 1/3 minority of the parliament may trigger such a vote; secondly, the social-democrats may yet do a U-turn on the issue, as they might fear a loss of power due to internal splits on the constitution issue.

Of the remaining eight member states, only Greece and Germany have never had a referendum on Europe. In **Greece**, the conservative government is against the whole idea of direct democracy, while the **German** government has actually proposed legislation to enable the first popular vote at the national level since 1945. Just a portion of the opposition (the Christian Democrats) has been able to prevent all attempts so far to allow the people to be directly involved. In most of the remaining countries, such as **Finland**, **Estonia**, **Lithuania** and **Hungary**, the ruling majorities argued that the citizens had already had a say on Europe in an earlier referendum and assumed that this gave them a popular "carte blanche" for any further development of the EU. Finally, a completely different approach comes from **Austria**. Here almost all the parties favour a pan-European referendum on the constitution, but are opposed to a country-by-country referendum method. Austrian Prime Minister Wolfgang Schüssel has already proposed an all-European popular vote on Turkish membership in 2015.

Overall then, we can see a growing trend towards the use of initiatives and referendums within member states on European issues. This trend, which started 30 years ago, has recently received extra impetus. However, the fact that

slightly more than half of the member states will exclude their citizens from decision-making on the constitutional issue shows that we cannot yet speak of a breakthrough for direct democracy in Europe.

It is not yet possible to make a comprehensive assessment of the quality of the ongoing and upcoming referendum processes. There are serious concerns about the "rules of the games", both legally (the freedom dimension) and in practice (the fairness dimension). In addition, instrumental approaches to democratic procedures still prevail in many societies, where political opponents tend to mistrust the other side fundamentally.

The following aspects should be considered in the framework of monitoring work around the EU constitution referendums.

1. *Legal basis*

- 1.1. *Origin of the referendum process (constitutional/triggered by whom)*
- 1.2. *The character of the citizens' decision (binding/consultative)*
- 1.3. *Special majority requirements (turnout quorums/territorial requirements)*
- 1.4. *Voters' list (national citizens only/all registered residents)*
- 1.5. *Secrecy of the ballot*
- 1.6. *Appeal against the result*
- 1.7. *Counting procedures*
- 1.8. *Voting: how, where (by post/e-voting)*

2. *Timing*

- 2.1. *Who sets the date and formulates the question?*
- 2.2. *Time for voting: one day/more*
- 2.3. *Length of time between announcement and ballot day*
- 2.4. *Referendum on same day as other votes/elections?*
- 2.5. *Domino effect on other countries*
- 2.6. *Designated time period before another vote may be held on the same subject*

3. *Financial rules*

- 3.1. *Spending limits*
- 3.2. *Disclosure of campaign funds*
- 3.3. *Affirmative action to help under-funded campaigns*
- 3.4. *Transparency in use of tax-payers' money*

4. *Campaign rules.*

- 4.1. *Managed by referendum commission or other independent body*
- 4.2. *The role of the media*
- 4.3. *International interference*
- 4.4. *Role of government, civil servants, political parties*
- 4.5. *Official information provided to the voters*

3. The European Citizens Initiative

3.1. The device

Within the framework of modern democracy, the citizens' initiative right is playing an increasingly important role. In addition to their voting rights in elections (of parties and/or individuals) and referendum votes (on issues), the right of initiative gives people the possibility of becoming political agenda-setters.

Popular initiative rights were developed in the late nineteenth and early twentieth centuries in federal countries such as Switzerland, the United States and Australia. They were introduced as a complement to the already existing tools of elections and referendum votes. Initiative rights were also introduced as an innovative and counter-balancing element to the more majoritarian referendum vote device. While in referendum votes majorities must prevail, initiative rights enable minorities to become part of a polity.

The instrument of the initiative plays a very specific role in the political process: instead of the promise of a possible majority, initiatives gives societal groups the option of offering innovations and reforms to the parliament or even the whole electorate. 21 European countries have some form of initiative process today:



Light Grey – countries with binding citizen initiative rights on the national level
Grey – countries with agenda initiative rights on the national level only
Dark Grey – countries with local/regional citizen initiative rights only
Black – countries with NO citizen initiative rights at all.

Austria, Britain, Germany, Finland, France, Italy, Latvia, Liechtenstein, Lithuania, Poland, Romania, Sweden, Switzerland, Slovakia, Slovenia, Spain, Portugal, Hungary, Macedonia, The Netherlands, Norway

As a pure decision-making instrument, the initiative process is not a very efficient tool. Its main strength derives from the communication process of gathering signatures and the establishment of a value-added quality in the dialogue between citizens and officials. It is the kind of instrument which the citizens of the EU have been demanding for a considerable period of time.

3.2. Art. 47.4

Art. 47.4 of the EU constitution finally establishes the first element of modern direct democracy within the EU. The governments of Italy and Austria had already proposed the creation of a citizens' initiative right in 1996, during the Amsterdam negotiations. However, at that time most governments had not developed the necessary understanding for the Austro-Italian proposal. In the EU Convention things went better: after a series of different proposals for an initiative right had been presented, 70 Convention members were finally able to agree on a proposal to include the principle of the Citizens' Initiative Right in the draft Constitution.

As the European Union has its own unique political system, the new citizens' right has to meet certain special requirements:

- the European Citizens' Initiative is the equivalent to the European Parliament's possibility of proposing new laws etc. to the EU Commission.
- Art. 47.4. does not exclude any specific policy areas from the initiative right.
- the European Citizens' initiative does not – unlike the initiative rights in e.g. Slovenia or Slovakia – trigger a referendum process.
- there is a requirement that the signatures supporting the initiative must come from a "significant number of states".

Art. 47.4. is embedded in a new democratic approach within the EU (Art. 46 and 47), granting the citizens the right to participate in the decision-making process. However, the constitutional article leaves the *specific procedures and conditions required for such a citizens' initiative* to a European law.

It will be this law-making process which will determine the success of the new European Citizens' Initiative right.

3.3. What can be achieved?

It is obvious that the different players within the European polity have different aims in respect of the implementation of Art. 47.4 in a European law. Whereas the introduction of such an instrument back in 1996 was still seen as unnecessary by most heads of Government, a majority of the Convention understood the usefulness of creating the first direct policy-making link between the citizens and the European institutions – one which does not take a detour through the member states' polities. Additionally, it can be said that the member states did not oppose this during the intergovernmental conference.

The need for more democracy in the EU is notorious, but not surprising. For a long time, the European integration process functioned on the basis of traditional international treaties, negotiated and agreed on by states and governments. With the end of the Cold War and agreement to the Maastricht Treaty on the foundation of a "political Union", the bar was significantly raised. "Europe must become more democratic or Europe will disappear", stated the former President of the EU Commission, Jacques Delors in 1992, after the Danish 'No' to the Maastricht Treaty. In the subsequent debates it became obvious that the European Union was in need of: more issue-related discussion; greater legitimacy; a narrowing gap between politicians and citizens; stronger integration of minorities; more identification and communication – and all of that at a transnational, European level.

3.4. How can the European Citizens' Initiative contribute to this?

The experience with direct democratic devices in the member states shows that the initiative tool has the potential to improve the overall democratic culture. Much depends, however, on the specific design of the initiative instrument, as it must be user-friendly in order to unfold its potential. A simple test is to look at the frequency of the use of initiative tools in regions and countries. Whereas the "abrogative" initiative in Italy has been used more than 50 times in 20 years, the Latvian citizens' initiative has been tried only five times in ten years. There are two main reasons for this: in Italy, only 2% of the electorate have to sign a valid initiative; in Latvia the threshold is 10%. In addition, the Latvian constitution excludes many issues from the initiative process, whereas most Italian laws can be contested by the people.

The first aim with the European Law on Art. 47.4. must be to create a user-friendly procedure, which can promote issue-related debates across Europe, improve the dialogue between citizens and politicians and become instrumental in integrating minorities into the EU polity. For this reason, binding and encouraging elements must be incorporated into the European Citizens' Initiative Law. A preliminary checklist of elements to be considered may help us in preparing the further work.

3.5. The European Citizens' Initiative Hot Spots

3.5.1. Thresholds and time limits

The first qualifying hurdle is already written down in Art. 47.4. *"No less than one million citizens"*. This is a sizeable, but manageable, number of signatures and should not be increased. The second threshold element – *"a significant number of Member States"* – is more controversial, as there are arguments both for keeping the number of member states as small as possible – making initiatives easier – and for extending it to a large number of states – the European dimension.

There are no time limits written into Art. 47.4. Experience shows that a significant amount of time is needed to develop a dialogue between the group launching an initiative and the wider society. Public dialogue is of value in itself. For this reason, the time limit should not be shorter than one year. It is possible to argue that there is no need for a time limit at all, since the initiatives are just an advisory, agenda-setting tool. This would, however, weaken the motivation to concentrate on and complete the signature-gathering process. A final deadline should, therefore, be considered.

Finally, there should be firm time limits for the subsequent processing of the subject of the Initiative by the EU institutions.

3.5.2 Issues to be targeted by the Citizens' Initiative

This may be another issue in the upcoming debate as Art. 47.4. states that initiatives can be launched *"for the purpose of implementing this Constitution"*. *There should be no further restrictions as to the subjects which can be proposed by an initiative.*

The big challenge will, however, be the question: in what legal form will the future Citizens' Initiatives be launched? Will they be presented in a general form, giving the Commission the freedom to "translate" the proposition into a draft law or a constitutional amendment; or in a more formulated way, already setting out the specific text of a new law?

3.5.3. Developing the EU citizenship

Up to now, Union citizenship was merely an indirect concept. With the new Treaty / Constitution, the citizens of Europe will potentially gain new strength, as the Charter of Fundamental Rights becomes part of the common legal foundation. The European Citizens' Initiative opens the door for the very first time to direct involvement of the citizens in the EU decision-making process.

The issue of eligibility for the initiative right will have to be dealt with in the same way as the voting right for EU elections, as this may strengthen the de facto legitimacy of the instrument within the political system.

However, in order to encourage and enhance the chances of the citizens using the new tool, a wide range of "official assistance" has to be considered, beginning with non-partisan advice in drafting an initiative text, through offering services to initiative groups in their signature-gathering, to a possible reimbursement for each signature gathered. A final question not to be forgotten is the legal form of initiative committees, their rights (e.g. withdrawal of an initiative) and duties (e.g. transparency, account-ability).

3.5.4. The role of the EU institutions

As the European Citizens' Initiatives will be directed to the EU institutions, member states should not interfere or deal with the process at all. This will imply that EU representations in the member states can be asked by citizens for formal advice, otherwise some assistance from national offices would be needed. However, as one goal of the new instrument is to improve the dialogue between citizens and politicians, a well-defined role for the EU Commission, the Parliament and the Council should be found. One option is for the EU Commission, having received a valid initiative, to forward the matter to the EU Parliament for discussions and recommendations, before drafting a new law or constitutional amendment, which will finally be part of the formal EU decision-making process.

3.6. Questions & Answers

1) Will the European Citizens' Initiative also include the right to propose constitutional amendments?

At a first sight this may seem to be difficult. But both the Commission and the European Parliament will have this right under the new constitution (art. IV-443). Furthermore, the EU constitution also covers policy areas (especially in part III) which it should be possible to amend and develop.

2) How many signatures will be required for a valid European Citizens Initiative?

According to the Constitution "not less than one million" will be required. This number of signatures represents approx. 0.3 percent of the eligible voters across the EU.

3) In how many countries must a minimum number of signatures be gathered?

Here the constitution is less explicit and only indicates the need for a "significant number of member states", which could be anything from four to nine of the total number of member states. While a low threshold would make the task of gathering the required signatures easier, a higher threshold would contribute to validating the proposal as a "genuine" transnational one.

4) How much time is available for gathering the required signatures?

Sufficient time is essential for a well-functioning democracy. A new idea needs time to be introduced and discussed. At the same time it is important that people sign an initiative within a certain time-frame which requires a fixed deadline for the process. A time-limit of one year could be a good balance between both requirements.

5) In what legal form must the European Citizens' Initiative be submitted to the Commission?

No indication is given by the constitutional text. There are two options. First, the initiative could be submitted as a formulated legal proposal. Second, the citizens' proposition could take the form of a general proposal, which would open a space for negotiations between the proposer (the citizens) and the recipient (the Commission).

6) What role will the EU institutions have to play in the initiative process?

The Commission will be involved from the very beginning of the EU initiative process as consultant, assistant, controller, recipient and agent of implementation. This comprehensive role will require certain rules to be written into the implementation law.

In sum, the European Citizens' Initiative Right provides the EU and its peoples with an enormous potential for democratic progress – its success will now depend on the amount and quality of the care, time and resources which all the players in the implementation process are prepared to contribute.

4. Implementation

4.1. Mapping the interests

It is no surprise that Articles 46 and 47 have aroused a great deal of interest within civil society in Europe, and especially within the NGO community. Many citizens' groups were involved in promoting the introduction of Art. 47.4. already during the Convention's work. Subsequently, many NGOs have started to discuss the future opportunities linked to the European Citizens' Initiative. Three different groups can be identified:

- Large and well-established pan-European organisations such as the trade unions.
- Brussels-based umbrella organisations covering and reporting on EU developments, such as Act4Europe or ECAS.
- Smaller democracy networks and groups, both at the European level and based within member states.

Most of these groups of NGOs see the work with the European Citizens' Initiative as a longterm project and possibly as only a first step on the way to more binding direct-democratic instruments at the EU level. However, there are NGOs which are sceptical about the prospects for the ECI, such as the European Citizen Action Service (ECAS).

Whereas the future "producers" of initiatives have a natural interest in a well-designed and user-friendly procedure, the perspective of the "receivers" and "processors" of these initiatives, e.g. the EU Commission, the European Parliament, the political parties and the media, is less obvious and has still to be mapped carefully. However, groups of the EP and the members of the Commission Task Force in charge have started to work on the promising and challenging nature of Art. 47.4. and to explore the implementation process. The same is true for a limited number of think-tanks or activist networks. Interestingly, we have not yet seen any outspoken opponents of the European Citizens' Initiative right.

4.2 Providing Information

For the process of developing the implementation law, a broad background of information on the entire field of the right and practice of the initiative should be made available. Participants should have the opportunity of access to a similar level of information on the regulations and practical use of the initiative in the various European member states (and beyond). Such a broad information base will support participants in identifying the most relevant issues of implementation and reaching consensus on evaluating the qualities of designs and regulations of the instruments. Information should cover the agenda initiative as well as the full initiative leading to a referendum ballot, in order to have a complete picture of popular activities relevant to this field of direct democracy. For the relevant countries there should be available:

- Design and administrative regulations of the existing types of initiative (cf. example in the Appendix)
- The agenda initiative (where available) in the institutional context of various instruments of direct democracy
- Practice reports on countries with some use of initiative rights (including aspects of political participation in the political culture).

To collect and provide this information in some areas more research will be needed.

IRI Europe will be ready to contribute to the extension of such an information base and to cooperate with all participants who want to support this. In particular, existing links with academic research institutions and think-tanks will be used for this aim.

Information on these subjects can be made available in different forms:

- Printed publications and online databases
- Expert meetings and seminars.
- Information should also be distributed via the media in order to interest more people and the public in the subject and the implementation process.

A dedicated project is under preparation (cf 5.3.)

5. Resources

5.1. Citizens' Initiative in selected European countries

Country	Population Mio.	Agenda Initiative		Full Initiative	
		Signatures	%	Signatures	%
Austria	8.1	100,000	1.23	–	–
Italy	57.6	50,000	0.08	referendum abrogativo 500,000	0.80
Latvia	2.3			(or 5 reg. councils) (230,000)	10.0
Poland	38.6	100,000	0.25	–	–
Slovakia	5.3	350,000	6.6	(350,000)	–
Spain	39.4	500,000	1.26	–	–
EU	480	1 Mio.	0.20	–	–

5.2. Direct Democracy Glossary of Terms

Abrogative referendum

A vote of the electorate which may decide to either retain or repeal a law or decree that has been agreed and promulgated by the legislature and already implemented.

Ad hoc referendum

A vote of the electorate required to be called by a person, organ or group within the executive or the legislature, for example by the president, or by the majority or minority within the legislature

Agenda initiative

A direct democracy instrument which enables a number of citizens to submit a proposal which must be considered by the legislature but is not put to a vote of the electorate

Alternative proposal

A synonym for counterproposal

Approval quorum

A requirement for passing a vote of the electorate which takes the form of a minimum number or percentage of the entire electorate whose support is necessary for a proposal to be passed.

Ballot paper

Piece of paper or electronic equivalent on which citizens who participate in a vote of the electorate under a direct democracy instrument mark or indicate their choice.

Ballot text

Text which appears on the ballot paper for a vote of the electorate under a direct democracy instrument, typically in the form of a question or a series of options. For a referendum it may typically be a specified question text, or a question seeking agreement or rejection of a text; for an initiative, a question asking for agreement or rejection of a proposal identified by the title of the citizens' initiative; for a recall, a question asking for agreement or rejection of the early termination in office of a specified office holder

Binding

Description of a vote of the electorate where, if a proposal passes, the government or appropriate authority is compelled to implement it

Citizens' initiative

A direct democracy instrument that allows a certain number of citizens to initiate a vote of the electorate on a proposal outlined by those citizens. The proposal may, for example, amend the constitution, or adopt, repeal or amend an existing law

Citizens' demand

A direct democracy instrument that allows a certain number of citizens to initiate an abrogative or rejective referendum on an existing law or a law just passed by the legislature

Constitutionality

The quality of being in accordance with and not contradictory to the constitution of a country

Consultative referendum

A vote of the electorate the outcome of which is in legal terms only advisory upon a government or appropriate authority. (It may, however, be politically difficult for a government or authority to evade its outcome.)

Counterproposal

A proposal agreed by the legislature to be presented to a vote of the electorate as an alternative to the proposal contained in a citizens' initiative

Direct democracy instrument

Instrument which gives citizens the right to be directly involved in the political decision making process. It may take one of the following forms:

- Citizens voting on a public policy proposal originated elsewhere (referendum);
- Citizens setting the agenda by originating a public policy proposal themselves (initiative);

Double majority

Requirement for a proposal to pass which includes both a majority of the overall total votes cast and a majority of the votes in at least a specified proportion of defined lower level electoral areas

Elected

Chosen to a public office through an election

Election

Institutionalised procedures whereby the electorate choose by ballot persons (either by name or through political parties or groupings) to occupy specific offices or posts

Elector

A person who is qualified and registered to vote in an election or in a vote of the electorate under a direct democracy instrument

Electorate

The total number of electors

Facultative referendum

A synonym for optional referendum

Initiative

A procedure which allows a certain number of citizens to submit a proposal to be dealt with by the legislature. One form (citizens' initiative) leads to a vote of the electorate, a second (agenda initiative) to the consideration of the proposal by the legislature.

Initial proposal

The first text deposited by the proponents of a referendum, initiative or recall

Legislature

The constitutional organ that is empowered to make law through the formal enactment of legislation

Legality

The quality of being in accordance with and not in conflict with the laws of a country or with international law

Legality check

The scrutiny by a public authority of the constitutionality and legality of a proposal

Mandatory referendum

A vote of the electorate which is called automatically under circumstances defined in the constitution or in legislation.

Obligatory referendum

A synonym for mandatory referendum

Optional referendum

A vote of the electorate which is called by a formal demand, which may emanate from the executive, from a number of members of the legislature, from a number of citizens or from some other defined agent

Pass

A direct democracy vote passes when it is valid and the prescribed majority requirements for approval of the proposal within it are met

Plebiscite

A public consultation controlled "from above". In the case of a plebiscite, it is the "powers that be" – usually the President or Prime Minister – which decide when and on what subject the people will be asked to give their opinion. Such polls are frequently only consultative i.e. their results are not formally binding on parliament or government. In reality, plebiscites are instruments of power which those in power use in an attempt to reinforce or salvage that power with the help of the people. Their aim is not to implement democracy, but to provide a kind of legitimacy for decisions those in power have already taken. In the terminology used here, plebiscites are not classified as direct democracy procedures, because they do not fulfil the criteria of power-sharing.

Popular consultation

A synonym for referendum vote

Proponents

The persons who first sign and deposit an initiative process, and are registered as such

Proposal

The complete text of a referendum or initiative

Publication

The act of making a proposal for an initiative public by the appropriate authority after it has been registered and checked for compliance with the substantive and formal requirements of registration

Qualification for the ballot

The act of declaration by the appropriate authority that verification of a citizens' demand or a citizens' initiative has been completed and additionally in the case of a citizens' initiative that the legislature has taken all steps to submit any desired counterproposal

Qualified majority

A majority requirement demanding that for a proposal to be passed, it must receive a proportion of the vote in excess of 50% plus 1 – for example 2/3 or 3/4

Quorum

The minimum level of support required for a vote of the electorate to pass a proposal: see approval quorum and turnout quorum

Recall

An instrument that allows a specified number of citizens to demand a vote of the electorate on whether an elected holder of public office should be removed from that office before the end of his/her term of office

Referendum

A direct democracy instrument consisting of a vote of the electorate on an issue of public policy such as a constitutional amendment or a bill. A referendum may be either mandatory or optional. The consequences of the vote may be either binding or consultative.

Referendum question

A synonym for ballot text: the question put on the ballot paper in a vote of the electorate under a direct democracy instrument

Registration of a citizens' initiative

The act of depositing an initiative for publication and collection of signatures, whereby the legal process of the initiative is officially started

Registered committee

The proponents of a referendum, initiative or recall when they are officially registered in the form of a committee

Rejective referendum

A vote of the electorate which may either retain or repeal a law or decree that has been agreed by the legislature but has not yet come into force.

Repealing vote

A synonym for an abrogative vote

Signature

The signature by a citizen in formal support of a proposal for a referendum, initiative or recall

Simple majority

A majority requirement of more than half of the total number of valid votes cast

Submission

The act of depositing collected signatures with the proper authority in a citizens' initiative or citizens' demand process

Title

The formal name given to the proposal in a citizens' initiative or citizens' demand

Turnout quorum

A specified minimum turnout required for a vote of the electorate to pass a proposal

Valid

1. Of a vote of the electorate, that any necessary quorum is achieved
2. Of a signature or vote, that it is correctly in accordance with procedures and regulations

Validity check

The scrutiny of a submission by a public authority for conformity with procedures and regulations

Verification

The declaration of acceptance by the proper authority that the submission contains at least the required number of valid signatures and complies with the law, regulations and procedural rules

Vote of the electorate

An electoral event under a direct democracy instrument in which the electorate expresses choice through casting a ballot

Voter

An elector who casts a ballot at an election or a vote of the electorate under a direct democracy instrument

Note: This glossary of terms has been developed in cooperation with International IDEA www.idea.int/newsletters/2004/Sep_Octo4/direct_democracy.htm and the IRI Guidebook to Direct Democracy – 2005 Edition (www.iri-europe.org)

5.3. Project Description “Initiative for Europe – a Citizens’ Agenda”

The project “Initiative for Europe – a citizens’ agenda” aims to focus on the new opportunities for participative democracy (art. I-47) as set out in the EU Constitution. This constitution seeks to give a new start to democracy in Europe. The “agenda initiative” (Art. 47.4) will give the citizens the same right as the European Parliament and European Council has today, namely to submit a proposal to the EU Commission.

Within the proposed project local, regional and national experiences will be evaluated with the aim of offering positive and negative lessons for the new initiative right in the EU. For this purpose an introductory reader will be produced and seminars will be organized in five focus regions in Europe. In cooperation with regional partner organisations and educational institutions study programmes will be designed with a special focus on youth and minority organisations – offering them an opportunity to become part of the emerging European polity.

The evaluation work will be done by editing an “Initiative for Europe” Handbook, summarising the background and context of the European Citizens’ Initiative, assessing the

pros and cons of existing practice and offering guidelines and recommendations for the future use of the European initiative tool.

Work Plan

- Step 1 May-August 2005: Developing of basic reader, literature and preparations for regional forums and study programmes
- Step 2 September 2005: Publication of the “Initiative for Europe” reader
- Step 3 October 05 – January 06: Regional Forums (including presentation of dedicated regional readers) and launch of study programmes in the regions.
- Step 4 October 05 – February 06: Assessment by expert group
- Step 5 January-March 2006: Production of final report, the “Initiative for Europe” handbook
- Step 6 March/April 2006: Final international conference at the EP in Brussels. Final report and balance.

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5.6. The Initiative & Referendum Institute Europe (IRI)

IRI Europe - Europe's Direct Democracy Think Tank.

IRI Europe was founded in 2001. The Institute's main mission is to develop insights into the theory and practice of direct democracy among politicians, the media, NGOs, academics and the public throughout Europe. IRI Europe is an independent, non-partisan and non profit-making organisation.

Since the early days of this millennium IRI has assisted and advised the EU constitution-drafters, first in the Convention and then in the EU institutions and member states, in seizing the opportunity of developing democratic tools which are both issue-based and pan-European. IRI Europe has quickly become the premier research and educational institute on the Initiative & Referendum process across Europe. With a comprehensive network of experts and correspondents throughout the region, the institute is uniquely equipped to provide the know-how and the tools Europe is now in need of.

IRI Europe's informational and educational materials include Handbooks and Guidebooks, Toolkits for Free and Fair Referendums, as well as dedicated materials for schools. In all its projects IRI Europe cooperates closely with partners from civil society, governmental institutions and international players.

IRI Europe is a research and education institute with administrative headquarters in Amsterdam and project offices in several European cities including Brussels (EU initiative & referendum), Stockholm (Congestion charging referendum), Bern (Swiss initiative & referendum) and Marburg (European DD Research Centre at Philipps University).

The Institute is led by politicians and academics from different political parties, backgrounds and countries. A small team of staff coordinates the IRI Europe, which has an open approach to cooperation and which has developed a far-reaching reputation as Europe's Direct Democracy Think Tank.

5.7. Democracy International (DI)

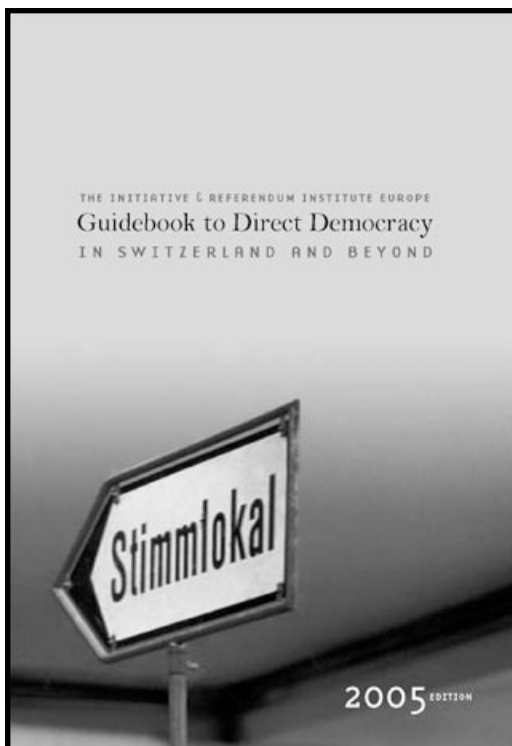
DI was formally founded in 2005 and consists of citizens movements which are explicitly campaigning for direct democracy. DI sees itself as an international coordinating agency for the direct-democratic strivings of these citizens movements, at the European and later also at the international level.

Democracy International's main objective is the implementation of direct democracy by initiatives and referendums on all political levels including the EU. Furthermore the association works with other topics that are granting the ground for an improvement of citizen participation and democratisation of political institutions. This includes the division of powers, transparency as well as the principle of subsidiarity.

Guidebook to Direct Democracy

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At the end of 2004, the heads of state and government of the member countries of the European Union signed a document which is meant to enter into force on 1st November 2006 as the first constitution for Europe. Whether this actually happens will depend on whether the 316-page text of the constitution has been ratified by then in all the 25 states of the Union. In more than ten of those states – perhaps even in a majority of them – the final decision on ratification will be taken by the citizens in referendums. Europe, and indeed the world, stands before the greatest democratic challenge of its entire history, when, in the next few years, more than a quarter of a billion people in a large number of countries will have to discuss and vote on the same issue. In some countries – such as The Netherlands – this will be the very first time ever that the citizens will have taken part in a national referendum.



The series of popular votes on the European constitution represents a new high point in the development of democracy. In fact, this development has affected most parts of the globe in recent years: of the slightly more than 1500 national referendums which have been held worldwide, more than half have taken place in the last 25 years alone – and half of those again were in European countries.

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