

Initiative and Referendum Around The World

by Amy K. Frantz

Initiative and referendum are examples of “direct democracy,” meaning that citizens vote directly on public policy issues. The initiative process permits citizens to petition to place measures on their state’s ballot. The referendum process allows the Legislature to place an issue on the ballot for the voters’ decision. Dr. Gary M. Anderson discusses the use of initiative and referendum around the world and their advantages and disadvantages in his chapter “Electoral Limits” in *Limiting Leviathan*.

“Since 1793, nearly one thousand nationwide referendums have taken place around the world.” Every major democracy but four (including the United States) has held a nationwide referendum. While most countries use the referendum only to make decisions in unusual cases, a few (including Switzerland) use referendums frequently — and the referendum has become part of regular government operations.

There are two fundamentally different views of the use of initiative and referendum among political theorists. “Participationists” believe that elected officials are “inefficient middlemen which interfere with the expression by citizens of their true preferences. Participationists support the use of instruments of direct democracy to allow the true desires of voters to be known. “Representationists” believe that the burden of participation in direct democracy is wasteful and unnecessary, and public policy decisions are best made by politicians who know the issues.

However, the discussion of direct democracy should not be limited only to the extremes. While a pure direct democracy, in which all political decisions require a vote by the citizens, would be very costly and burdensome, that does not mean the devices of direct democracy should not be used at all. Anderson believes the initiative and referendum can be useful additions to a basically representational democracy.

Supporters of initiative and referendum argue that citizens perceive as more legitimate public-policy decisions made by the citizens than by elected officials. Citizens believe that elected officials can be influenced by special-interest groups to make decisions that are not in the public interest, while initiatives and referendums are more insulated from that influence.

Through the use of direct democracy devices such as the initiative and referendum, voters have the opportunity to control the political agenda. Even if used rarely, the availability of the initiative and referendum can serve to “constrain the behavior of elected officials.” When the initiative and referendum are available, politicians know that voters have the means to review and possibly overturn their decisions, and “this awareness may encourage them to avoid opportunistic behavior.”

Initiative and referendum may also be used to fight “bureaucratic opportunism.” Bureaucrats “nominally serve as the agents of elected officials,” but have significant influence over the allocation of public resources and public policy. An example of how direct democracy can be used to overcome bureaucratic opportunism is the passage of Proposition 209 (California Civil Rights Initiative) by California voters in 1996. The “higher-education bureaucracy in California developed a maze of race- and ethnically-based special preference programs over the past two decades.” Proposition 209 banned state programs which use race or ethnicity as a criterion for eligibility.

Opponents counter that referendum voters “may be prejudiced, ignorant, and relatively poorly informed.” They say public-policy decisions should be made by elected officials who are able to specialize in certain policy issues. But Anderson argues that “the same electorate eligible to vote on referendum questions also votes for elected officials.” Recent studies have shown that referendum voters tend to be older, better educated, and more active in politics, which would suggest a “greater level of political awareness.”

Anderson’s chapter next takes a look at direct democracy in practice by exploring the varying usage of referendums around the world. Switzerland leads the world in the use of national initiative and referendum to decide political questions, having held 414 by 1994. There are four basic types in use today in Switzerland. All constitutional amendments must be voted on by the citizens in a constitutional referendum. The constitutional initiative allows citizens to petition to revise the constitution. The facultative referendum permits citizens to petition to vote on any law passed by the Federal Assembly. The optional treaty referendum allows Swiss voters to vote on certain international agreements. “The Swiss example demonstrates that a significant degree of reliance on the institutions of direct democracy is consistent with both a high level of personal freedom and a strong, robust economy.”

The author also discusses initiative and referendum in the United States. The U.S. does not allow nationwide referendum, but 26 states allow direct legislation in various forms. In the late 1970s to the early 1980s the possibility of a national referendum was the topic of Congressional hearings and proposed legislation introduced in Congress, but was not acted upon. “Given the fact that 48 percent of respondents in a 1987 poll favored a ‘referendum amendment’ to the U.S. Constitution, the possibility remains a live political option.”

This Institute Brief is one in a series on the chapters of an upcoming book, Limiting Leviathan, edited by Dr. Don Racheter, Executive Director of Public Interest Institute, and Dr. Richard Wagner, Economics Professor at George Mason University and Chairman of the Institute’s Academic Advisory Board. Limiting Leviathan makes a case for limited government and discusses the types of limitations on government that are appropriate and necessary.

The author of this chapter in Limiting Leviathan is Dr. Gary M. Anderson of California State University, Northridge.

This summary of Dr. Anderson’s chapter was written by Amy K. Frantz, a Research Analyst with Public Interest Institute.

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