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Importable or exceptional? Swiss direct-democratic instruments in the French and German Parliaments, 2000–19

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ABSTRACT

Recent years have seen growing interest in the ways politicians conceive direct democracy instruments (DDIs) and their integration into representative systems as one way to increase citizen participation. Our investigation focuses on how French and German members of parliament (MPs) have mobilized DDIs in Switzerland as a (counter-) model in parliaments from 2000 to 2019, a period marked about debates on the need to complement representative democracy with alternative procedures. The Swiss case acts as a prism of perception through which we can trace the larger conceptual struggles around democracy and DDIs. We underline the heightened topical importance of DDIs in the 2000s and their increasingly controversial nature, especially in the late 2010s following the rise of populism and the Brexit Referendum. The growth of anti-system and radical-right challengers presenting a DDI agenda and claiming the Swiss model for their own led mainstream parties to a defensive position as regards to representative democracy, whether by rejecting DDIs more than ever or by trying to reclaim their interpretative monopoly over them.

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Direct democracy instruments; representative democracy; participation; France; Germany; Switzerland; conceptual history; polarization

Since the 1990s, citizen's initiatives, referendums and recalls – usually referred to with the umbrella term of 'direct democracy instruments' (DDIs)¹ – have taken centre stage in debates on ways to complement representative democracy. Much of the empirical literature in political science has focused on constitutional issues, factors leading to the use of DDIs, voting campaigns or policy-related after-effects.² While many have studied the DDI discourses of legal scholars and theorists, government and opposition figures, or the general public,³ few have focused on the perspectives of elected representatives.

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¹We use 'DDIs' as, due to differing political traditions, the terminology used across countries and languages does not always stand for similar direct-democratic instruments. For example, a 'référéndum' means two different things in Switzerland and France. Political theory usually distinguishes between 'top-down' or 'bottom-up' DDI, according to which political actor can trigger them (the executive or the legislative vs a group of people or a minority party). See D. Altman, *Direct Democracy Worldwide* (Cambridge, 2010).

²See for an overview, L. Morel, and M. Qvortrup (eds), *The Routledge Handbook to Referendums and Direct Democracy* (London, 2018); J. Smith (ed.), *The Palgrave Handbook of European Referendums* (Cham, 2021).

This is slowly changing as scholars have increasingly investigated how members of parliaments (MPs) position themselves in regard to DDIs specifically and democratic innovations in general. Drawing on surveys and interviews, Nino Junis and his colleagues have highlighted the role of ideologies, but also of strategic interests and institutional positions in explaining MPs' support for referendum and deliberative experiments, while Vincent Jacquet and his team underline the subordinated nature of sortition (political lotteries) in politicians' views.⁴ Analysing parliamentary debates, Aude Bicquelet and Helen Addison have studied how MPs in France and the UK have discussed referendums to show how they 'draw selectively on these divergent conceptions [of sovereignty and political representation] to justify either popular or parliamentary vote, arguing strategically for the mechanism that suits their party's interests even if this means advocating contradictory positions from time to time'.⁵ Our goal here is to pursue and deepen this trend in literature by taking a more diachronic and qualitative perspective.

With this work, our aim is to understand the nuanced shifts in the (re)conceptualization of democracy and DDIs in parliamentary debates, as they transpired during the first two decades of the twenty-first century. We decided to focus on parliamentary debates in France and Germany from 2000 to 2019, where, as we will show, deliberations concerning DDIs have been robust and divergent. The turn of the new century corresponds to a period of intensified debates on the need to increase participation in representative democracy, which the various political crises of the following two decades might have only amplified, beginning with the consequences of the failed French and Dutch referendums for the European Constitution in 2005. We decided to end our research period before the beginning of the Covid-19 pandemic in 2020, as this event opened a new political conjuncture, with renewed controversies over representative democracy and DDIs.⁶

We chose to focus on parliaments as they play a key role in representative systems in implementing DDIs and in some cases introducing them,⁷ which can lead to tensions between representative and direct-democratic processes.⁸ In both Germany and France, introducing DDIs calls for a parliamentary decision with a qualified majority.⁹ Moreover, we regard parliaments as analytical nexuses wherein competing (re)conceptions

³For instance, H. Christensen, and M. Setälä, 'Do Populists Want Direct Democracy? Examining How Thick and Thin Populist Attitudes Are Associated with the Finnish Citizens' Initiative', *Contemporary Politics*, (published online 20 December 2023), pp. 1–19; N. Steiner, and C. Landwehr, 'Learning the Brexit Lesson? Shifting Support for Direct Democracy in Germany in the Aftermath of the Brexit Referendum', *British Journal of Political Science* 53, (2023), pp. 757–65.

⁴V. Jacquet, C. Niessen, and M. Reuchamps, 'Sortition, its Advocates and its Critics: An Empirical Analysis of Citizens' and MPs' Support for Random Selection as a Democratic Reform Proposal', *International Political Science Review* 43, (2022), pp. 295–316; N. Junis, J. Matthieu, D. Caluwaerts, and S. Erzeel, 'Is it Interests, Ideas or Institutions? Explaining Elected Representatives' Positions Toward Democratic Innovations in 15 European Countries', in J.-B. Pilet, C. Bedock, and P.-E. Vandamme (eds), *Improving, Bypassing or Overcoming Representation?* (Frontiers, 2021), pp. 132–45.

⁵A. Bicquelet, and H. Addison, 'Are Discretionary Referendums on EU Integration Becoming "Politically Obligatory"? The Cases of France and the UK', *Parliamentary Affairs* 71, (2018), pp. 219–42.

⁶G. Bobba and N. Hubé (eds), *Populism and the Politicization of the COVID-19 Crisis in Europe* (Cham, 2021); S. Volk and M. Weisskircher, 'Defending Democracy against the "Corona Dictatorship"? Far-right PEGIDA during the COVID-19 Pandemic', *Social Movement Studies*, (published online 7 February 2023), pp. 1–19, <https://doi.org/10.1080/14742837.2023.2171385> (accessed 31 July 2023).

⁷P. Norton, 'Referendums and Parliaments', in J. Smith (ed.), *The Palgrave Handbook of European Referendums* (Cham, 2021), pp. 91–108.

⁸A. Blick, and B. Salter, 'Divided Culture and Constitutional Tensions: Brexit and the Collision of Direct and Representative Democracy', *Parliamentary Affairs* 74, (2021), pp. 617–38.

⁹Norton, 'Referendums and Parliaments', pp. 91–108.

of democracy are proffered by politicians purporting to embody the popular will. Although there are variances in party parliamentary representation due to the two countries' different electoral legislations, parliamentary debates bring to light the various stances that represented parties develop over time on an issue. These stances do not stand in a vacuum, as they often occur through the reiteration and reformulation of democratic discourses sourced from alternate forums such as academic debates and the media.¹⁰

To analyse concrete discussions on DDIs, we chose to focus on references to a specific example abroad: Swiss DDIs. Indeed, in line with P. Alasuutari and al., we argue that especially since the Second World War, MPs have been susceptible to 'referencing policies [from other countries] that are constructed and branded as models'.¹¹ We suppose this is particularly the case in European countries, not least due to Europeanization processes – one may only think of comparative reports on democracy issued by various European institutions.¹² We chose to focus on references to Swiss DDIs as they represent a longstanding and congruent point of comparison for its two neighbouring countries with which Switzerland shares linguistic and cultural connections, thus facilitating a nuanced interrogation of conceptual paradigms and of their circulation. The Swiss federal constitution integrated DDIs from the 1850s onwards: the rights to request a complete revision of the constitution (1848), to reject laws adopted by the parliament (referendum, 1874), and lastly to demand new articles inserted in the constitution (popular initiative, 1891).¹³ These developments quickly gave way to transnational discussions on the values and drawbacks of DDIs and Switzerland became discussed both at home and abroad as an alternative democratic 'model'.¹⁴ With variations in popularity over time, the 'Swiss model' of direct democracy has been appropriated by various actors across the political spectrum, which makes it particularly elusive. The selection of this prism of perception should not be misconstrued as an assertion of the irrelevance of other nations, nor does it signify an intention to delineate a comparative historical narrative of the utilization of the Swiss model.

Both France and Germany have conflicted, autocratic histories with DDIs, which makes them interesting case studies – and which may lead MPs to prefer referring to experiences abroad when speaking about DDIs. From the nineteenth-century French 'plébicités' of the First and Second Empire, to the German interwar 'Volksabstimmungen'

¹⁰P. Ihalainen, and T. Saarinen, 'Integrating a Nexus: The History of Political Discourse and Language Policy Research', *Rethinking History* 23, (2019), pp. 500–19.

¹¹P. Alasuutari, M. Rautalin, and J. Tyrkkö, 'The Rise of the Idea of Model in Policymaking: The Case of the British Parliament, 1803–2005', *European Journal of Sociology/Archives Européennes de Sociologie* 59, (2018), pp. 341–63.

¹²See for instance the study 'Regulatory framework for citizen-initiated instruments of direct democracy. Comparing experiences in the EU Member States and beyond' (Policy Department for Citizens' Rights and Constitutional Affairs, European Parliament, 2023) [https://www.europarl.europa.eu/RegData/etudes/STUD/2024/757732/IPOL_STU\(2024\)757732_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/STUD/2024/757732/IPOL_STU(2024)757732_EN.pdf) (accessed 1 August 2024) or the study 'Instruments of direct democracy in the member states of the Council of Europe' (Silvano Möckly, Committee on Parliamentary and Public Relations, Parliamentary Assembly of the Council of Europe, 1996), <https://rm.coe.int/09000016807ad102> (accessed 1 August 2024).

¹³U. Serdült, 'The Referendum Experience in Switzerland', in Smith (ed.), *The Palgrave Handbook of European Referendums*, pp. 209–12; I. Herrmann, 'The Historical and Institutional Formation of Swiss Political Culture', in P. Emmenegger et al. (eds), *The Oxford Handbook of Swiss Politics* (Oxford, 2023), pp. 33–49.

¹⁴J. Kurunmäki, and I. Herrmann, 'Birthplaces of Democracy: The Rhetoric of Democratic Tradition in Switzerland and Sweden', in J. Kurunmäki, J. Nevers, and H. te Velde (eds), *Democracy in Modern Europe: A Conceptual History* (New York, 2018), pp. 88–112; F. Robinet, 'Actualiser le gouvernement du peuple. La Suisse comme modèle alternatif en France, aux États-Unis et en Espagne à la fin du xixe siècle', *Revue d'histoire du XIXe siècle* 64, (2022), pp. 153–69.

(direct popular votes) used by the *Nationalsozialistische Deutsche Arbeiterpartei* (NSDAP), DDIs have usually been associated with ‘plebiscitarian’ top-down processes, aimed at legitimizing autocratic regimes.¹⁵ In both cases, this troubled history has been constructed ex post as a seemingly definitive justification for the absence of DDIs in later constitutions, a path dependency that recent scholarship has yet relativized.¹⁶ The newly called ‘referendums’ present in the French constitution of 1958, with many restrictions and a top-down procedure, still carried this ‘plebiscitarian’ stigma, all the more so as De Gaulle used them for self-legitimation.¹⁷ But the demand for DDIs has been growing in both countries since the 1980s, echoing a widespread diagnosis of democratic disenchantment and calls for extended participation.¹⁸ This demand has been mostly expressed by newer parties sharing an outsider position, but with very different ideologies: from the 1980s onwards, the Greens in Germany and to a lesser extent in France, but also and increasingly strongly radical-right parties – the *Front national (FN)/Rassemblement national* in France since the 1990s and the newer *Alternative für Deutschland (AfD)*, two parties which entered the respective parliaments in 2017. While these demands gave way to the increased or first use of DDIs throughout Europe – and in Germany at the subnational level – their supporters in France and Germany were not in a position to introduce them in the respective constitutions, which stand apart from this trend.¹⁹

In this article, we thus ask how and to what end French and German MPs referred to Swiss DDIs between 2000 and 2019. What elements of the Swiss experience have been presented as inspirations or as drawbacks? On a more fundamental level, how did MPs conceptualize the integration of DDIs into two very different representative systems? How do references to Swiss DDIs relate to MP’s ideological orientation, but also to instrumental strategies linked to their parties’ respective positions in the political field? We particularly expect to see major differences between established and challenger parties, and among the first category to see variation whenever a party is in a governing position or not. How do these references and their political uses change over time and how does it relate to changes in the political context, particularly in interparty competition?

¹⁵P. Rosanvallon, *La démocratie inachevée: Histoire de la souveraineté du peuple en France* (Paris, 2002); A. Biefang, ‘Parlamentarismus und Demokratie’, in A. Biefang, D. Geppert, M.L. Recker, and A. Wirsching (eds) *Parlamentarismus in Deutschland von 1815 Bis Zur Gegenwart* (Düsseldorf, 2022), pp. 29–53.

¹⁶See Pierre Rosanvallon’s re-reading of the 1875 constitution debates (2002). For the German debate on both the Weimar experiences and their role in the 1949 constitutional processes, see O. Jung, *Formen direkter Grundgesetz und Volksentscheid: Gründe und Reichweite der Entscheidungen des Parlamentarischen Rats gegen Demokratie* (Wiesbaden, 1994); ‘Plebiscitärer Durchbruch 1929? Zur Bedeutung von Volksbegehren Und Volksentscheid Gegen Den Youngplan Für Die NSDAP’, *Geschichte Und Gesellschaft* 15, (1989), pp. 489–510.

¹⁷L. Morel, ‘The Referendum Experience in France’, in Smith (ed.), *The Palgrave Handbook of European Referendums*, pp. 181–3.

¹⁸H.J. Wiegand, *Direktdemokratische Elemente in der deutschen Verfassungsgeschichte* (Berlin, 2006); N. Allen, and K. Mirwaldt, ‘Democracy-Speak: Party Manifestos and Democratic Values in Britain, France and Germany’, *West European Politics* 33, (2010), pp. 870–93; F. Grotz, and M. Lewandowsky, ‘Promoting or Controlling Political Decisions? Citizen Preferences for Direct-democratic Institutions in Germany’, *German Politics* 29, (2020), pp. 180–200; C. Close, J.-B. Pilet, S. Rangoni, and P.-E. Vandamme, ‘La demande de démocratie directe’, in R. Magni-Berton and L. Morel (eds), *Démocraties directes* (Brussels, 2022), pp. 105–15.

¹⁹R. Erne, ‘Obligatorisches Referendum, Plebiszit und Volksbegehren — drei Typen direkter Demokratie im europäischen Vergleich’, in T. Schiller and V. Mittendorf (eds), *Direkte Demokratie: Forschung Und Perspektiven* (Wiesbaden, 2002), pp. 76–87.

To answer these questions, we use both quantitative text-mining methods and qualitative contextualizing analysis of the discourses, in an approach that draws from conceptual history and combines the systematic reading of all references to direct democracy and the consideration of a broader semantic field with the analysis of illustrative examples contributing to the ongoing debate. Indeed, the abundance of terms used to discuss DDIs and the diversity of democratic forms advocated make the debate somewhat challenging to decipher. Conceptual history helps disentangle signifiers from signified by focusing on actor-based concepts in primary sources.

Our analysis is structured as follows: section 1 provides a methodological overview, explaining the analytical perspective of conceptual history, the data and our mixed methods. The core of the paper is structured around two distinct periods: the years 2000–2013 (section 2) and 2017–2019 (section 3), which means before and after the British Brexit Referendum, which also contributed to changing attitudes about DDIs. These underline the increased topicality and controversial nature of DDIs in the two countries, especially after the partisan reconfigurations of the 2010s. In the first period, the Swiss experience with DDIs could serve as an inspiration for strengthening citizens' participation, even if opponents of DDIs at national level typically denied the relevance of the comparison. The rise of anti-system challengers claiming a DDI agenda and the Swiss model for their own yet led established parties to a more defensive position, whether they rejected DDIs more than ever or tried to reclaim their interpretative monopoly over them.

Combining a quantitative and a qualitative approach to debates on DDIs

To understand how perceptions of Switzerland and DDIs have evolved, we use the framework and methods developed by conceptual historians. Their starting point is that the exact meanings of key terms in political debates are unavoidably contested and often related to intentional speech acts. Given this, the researcher's goal is not so much to discover the 'true' meaning of contested concepts like 'democracy', but rather to reconstruct their different layers of meaning.²⁰ Conceptual history is particularly suited to the task at hand since DDIs have been conceptualized in various ways, through many terms, nation-specific experiences and transnational transfers.

Combining conceptual history with a quantitative analysis of digitized texts can help access broader vocabularies used to refer to concepts like the various DDIs.²¹ To do so, we use parliamentary debates as our main corpus that reflects debates on democracy in society more broadly. Several digital humanities projects have made use of these debates, but are rarely comparative and do not always proceed to the conceptual analysis of the actual speech acts by parliamentarians. With this approach, we consider both quantitative general trends in conceptualizations of direct democracy and uses of concepts by individuals in particular political struggles qualitatively.

²⁰R. Koselleck, *The Practice of Conceptual History: Timing History, Spacing Concepts* (Stanford, 2002); Q. Skinner, *Visions of Politics* (Cambridge, 2002); W. Steinmetz and M. Freeden, 'Introduction: Conceptual History: Challenges, Conundrums, Complexities', in W. Steinmetz, M. Freeden, and J. Fernández-Sebastián (eds), *Conceptual History in the European Space* (New York, 2017), pp. 1–46.

²¹J. Marjanen, 'Quantitative Conceptual History: On Agency, Reception, and Interpretation', *Contributions to the History of Concepts* 18, (2023), pp. 46–67.

Here, we use data from the comparative interface *People & Parliament* (P&P) covering the parliamentary debates of nine Northwest European countries since the nineteenth century.²² This interface allows us to trace the relative term frequency of keywords, analyse the neighbouring words of a searched term or trace words appearing in similar contexts with a keyword through word embeddings. This quantitative perspective helps to decipher long-term trends in parliamentary discourse and then focus textual analysis on limited periods.²³ While we make use of quantitative tools to select relevant data, our research rests on a qualitative analysis of parliamentary speeches, complemented by other sources (particularly party programmes and media sources) and literature for the discursive context.

Concretely, we selected a number of terms related to DDIs in both France and Germany. To do this, we first relied on historical analysis and word embeddings. Our search terms in French were *référendum**, *plébiscite**, *votation**, *initiative populaire*, *démocratie directe*, while in German we searched for occurrences of *direkte Demokratie*, *Referendum**, *Plebiszit**, *Volksabstimmung** (usually the concept encompassing the whole process of a popular vote in Germany), *Volksentscheid** (in most cases the final popular vote) and *Volksbefragung** (people's inquiry, a non binding ballot question). Since the two corpora are structured a bit differently, in the French case, we searched our keywords occurring within the same page as *suisse** or *helvétique** (in both upper and lower houses), while in the German one, it was within the same speech as *Schweiz** (only in the lower house as no references were located in the *Bundesrat*).²⁴

To get a more precise idea of the terms used by MPs, **Figures 1** and **2** visualize the vocabulary used in the two countries between 1990 and 2020, which tend to indicate that MPs of both countries use a specific vocabulary for DDIs which relates more to their own historic experiences and less to the actual terms designating DDIs in French- and German-speaking Switzerland. In France, the strength of *référendum* is quite striking, since it is the dominating term in most years. In the *Bundestag*, *direkte Demokratie*, *Volksabstimmung** and *Volksentscheid** are the most frequent, with the first term gaining ground since 2017. For our qualitative analysis, we decided to focus on 2000–2019, a period with comparable discussions in both countries. In the French case, while more than 275 results were found, we proceeded to eliminate around 50 per cent (mentions of Switzerland unrelated to DDIs, different speakers, etc.). In the end, we analysed around a hundred occurrences. For the German case, while the total number of results was smaller (165), the number of false positives was lower too, so the numbers of occurrences examined were relatively equal.

To set these references to Switzerland in perspective compared to references to other countries, we applied the same parameters with four other countries which we identified as being often discussed in relation to their experiences of DDIs: the United States, Italy, Ireland and the United Kingdom. Figures A1–A3 in the Appendix compare the results. In

²²The interface is being constructed by the Universities of Jyväskylä and Utrecht. For a technical description, see P. Ihalainen, B. Janssen, J. Marjanen, and V. Vaara, 'Building and Testing a Comparative Interface on Northwest European Historical Parliamentary Debates: Relative Term Frequency Analysis of British Representative Democracy', in M. La Mela, F. Norén, and E. Hyvönen (eds), *Proceedings of the Digital Parliamentary Data in Action* (Uppsala, 2022), pp. 52–68.

²³For a similar approach, see A. Ristilä and K. Elo, 'Observing Political and Societal Changes in Finnish Parliamentary Speech Data, 1980–2010, with Topic Modelling', *Parliaments, Estates & Representation* 43, (2023), pp. 149–76.

²⁴Ideally, looking for co-occurrences of a DDI term and '*suisse*/helvétique*/schweiz**' within the same sentence would be more precise. Nonetheless, as what follows demonstrates, the parameter used yields results worth exploring.

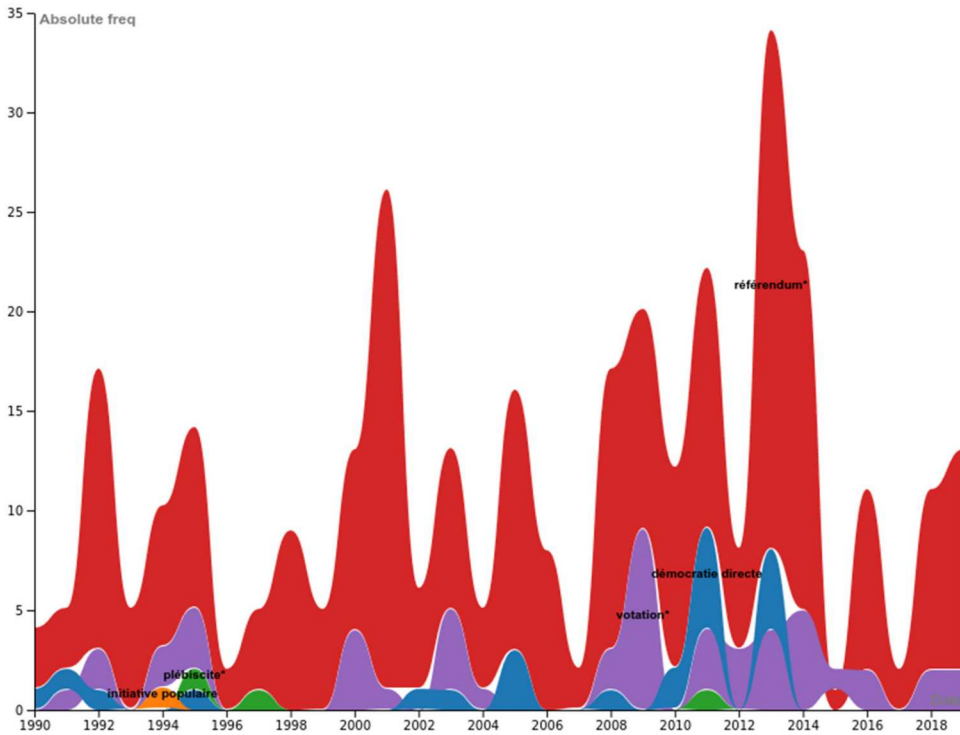


Figure 1. Absolute frequency of *réferendum**, *plébiscite**, *votation**, *démocratie directe*, within the same page as *suisse** or *helvétique**, France, both chambers, 1990–2019, data from P&P.

the German case, Switzerland is the country the most referred to, and the most constantly. We read through all references to ‘direkte Demokratie’ from the studied period, finding alternative positive references to Scotland and European integration more generally²⁵ and a few warning examples from the Brexit referendum.²⁶ France offers a similar case: reading through all mentions of *démocratie directe*, one can spot mentions of the United-States (and especially California) as a frequent user of DDIs,²⁷ or technical discussions on Italy and its threshold for initiatives.²⁸ In contrast, in both Germany and France, as we will see, references to Swiss DDIs are more varied and changing over time: they offer a more fruitful entry point for debates on (direct) democracy, both diachronically and synchronically. While this quantitative approach gives us an overview of the references to Switzerland and DDIs in both countries, we now turn to a contextualizing textual analysis of illustrative examples, which is vital to understand the political actions taken with them.

²⁵Klaus Hagemann, SPD (Rheinland-Pfalz), 21 September 2006; Axel Schäfer, SPD (Nordrhein-Westfalen), 28 August 2009; Gabriele Fograscher, SPD (Bayern), 8 July 2010; Ingo Wellenreuther (Baden-Württemberg), CDU, 10 November 2011.

²⁶Axel Schäfer, SPD (Nordrhein-Westfalen), 22 September 2016; Christoph Bernstiel, CDU (Sachsen-Anhalt), 4 April 2019; Christoph Vries, CDU (Hamburg), 4 April 2019.

²⁷Philippe Richert, UMP, NA, 2 December 2010; Christian Vanneste, UMP, NA, 21 December 2011; Paul Molac, EELV, NA, 25 April 2013; Roland Lescure, PS, NA, 21 September 2019.

²⁸Philippe Richert, UMP, NA, 2 December 2010; Paul Molac, EELV, NA, 25 April 2013.

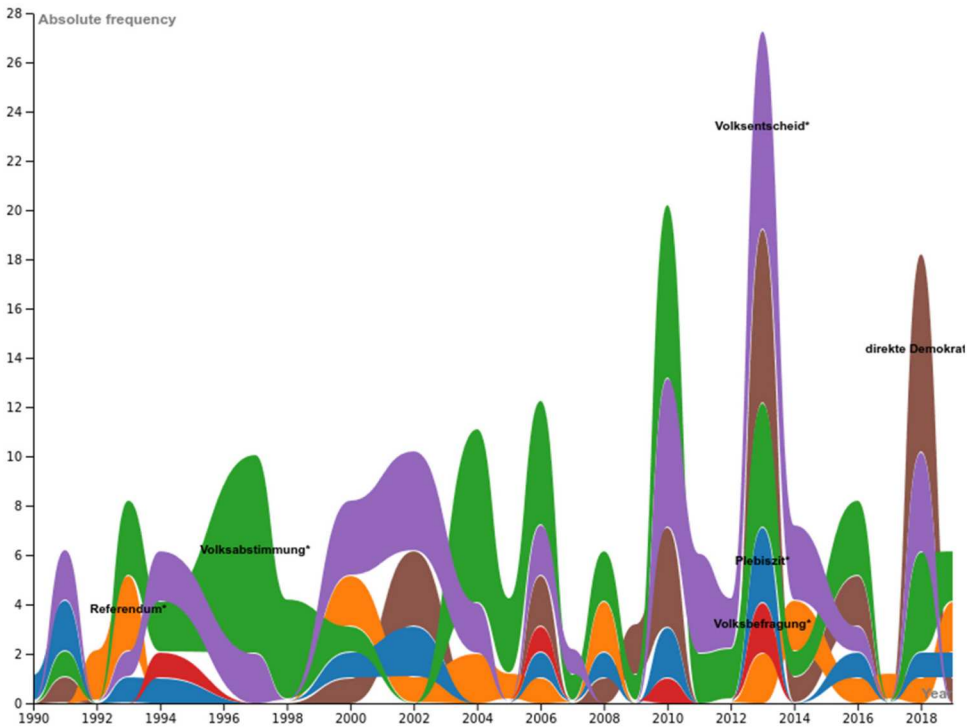


Figure 2. Absolute frequency of *direkte Demokratie*, *Referendum**, *Plebiszit**, *Volksabstimmung**, *Volksentscheid** and *Volksbefragung** within the same speech as *Schweiz**, *Bundestag*, 1990–2019, data from P&P.

Switzerland as a source of inspiration in the 2000s

A positive reference at the turn of the millennium

In line with ongoing transnational debates over democracy and participation, the option of DDIs was discussed in both countries at the turn of the millennium, with a rather positive look to Switzerland. In Germany, the reunification process opened windows for strengthening or introducing DDIs in the *Länder* (federal states), but not at the federal level – particularly due to the long-standing opposition of the Christian Democrats (CDU).²⁹ These early 1990s debates were mostly inward-looking: citizens’ demands for participation in Western and especially Eastern states favoured DDIs, while German history served as a powerful counter-argument.³⁰ On specific topics, such as demonstrated by Miina Kaarkoski as to the question of nuclear energy, conceptions of representative and direct democracy clearly clashed.³¹ Nonetheless, by 1998, the new red-green coalition agreement between the Social Democratic Party (SPD) and the Greens included

²⁹Wiegand, *Direktdemokratische Elemente*; T. Schanetzky, ‘Verfassungsreform und direkte Demokratie im deutsch-deutschen Einigungsprozess’, in T. Schanetzky, N. Frei, K. Meyer, S. Steinbacher, D. Süß, and A. Weinke (eds), *Demokratisierung der Deutschen. Errungenschaften und Anfechtungen eines Projekts* (Göttingen, 2020), pp. 285–98.

³⁰Wiegand, *Direktdemokratische Elemente*.

³¹M. Kaarkoski, ‘Conflicting Conceptualisations of “Democracy” in the German Bundestag during the Anti-Nuclear Demonstrations, 1995–2001’, *Parliaments, Estates & Representation* 38, (2018), pp. 121–33.

a federal reform with a three-step bottom-up law-making process inspired by a widespread model at *Länder* level as one measure to strengthen ‘the democratic participation rights of citizens’ (SPD and B90/DG 1998, 39).³² Pushed by civil society organizations and supported by favourable poll results, several more or less ambitious proposals were discussed in later years, which again failed to reach the required two-third majority due to repeated opposition from CDU.³³

The *Bundestag* debates and the references to Switzerland followed these party frontlines. Presenting DDIs as a way to curb popular mistrust in representative democracy, the Greens were their most outspoken proponents, often referring to Switzerland and Bavaria (the stronghold of the CDU’s sister party, the Christian Social Union or CSU) as ideal cases of functioning direct democracy at communal and *Länder* level.³⁴ The Swiss experience was an authoritative argument for the Bavarian lawyer Max Stadler of the Free Democratic Party (FDP), who was rather open to DDIs but whose fraction remained divided on the issue. Suggesting in 2002 to settle on a citizens’ indirect initiative as a compromise, he highlighted an argument developed by the Swiss law professor Daniel Thürer in his audition by the interior commission of the *Bundestag* on the issue: ‘Professor Thürer has shown that greater popular participation in legislation is more likely to lead to more economical budget management than if parliament alone decides on budget laws [...] That gives food for thought’.³⁵ This long-standing liberal argument about the link between DDIs and budget austerity served here to convince his bench colleagues, proving the flexible use of references to DDIs and Switzerland in the debates. Yet, opponents of DDIs at federal level refuted any relevance to foreign DDI experiences, thus indirectly showing their rhetorical appeal.³⁶

In early 2000s French politics, direct democracy was also on the agenda. In the 2002 election manifestos, the Communist, Socialists, Green, Gaullist and centre-right parties all referred to ‘direct democracy’ in one form or another.³⁷ The MPs’ discussions of Swiss DDIs reveal a certain optimism about the possibility of introducing them in local politics, a scale understood as appropriate for experimentation,³⁸ as in other Western European countries at the time.³⁹ In 2003, the parliament adopted a constitutional revision extending decentralization, which introduced a (much restricted) right for electors to set items on the agenda of a local assembly via a petition and the possibility for local collectivities to launch a ‘local referendum’ – without much effect since then.⁴⁰

³² Koalitionsvereinbarung zwischen der SPD und Bündnis 90/Die Grünen’ (1998), https://www.spd.de/fileadmin/Dokumente/Beschluesse/Bundesparteitag/koalitionsvertrag_bundesparteitag_bonn_1998.pdf (accessed 1 August 2024), p. 39.

³³ Wiegand, *Direktdemokratische Elemente*; F. Decker, ‘Das Volk als Gesetzgeber? – Zur Diskussion um die Einführung plebiszitärer Elemente auf Bundesebene’, *Jahrbuch Extremismus & Demokratie* 21, (2010), pp. 72–98.

³⁴ Cem Özdemir, Grüne (Baden-Württemberg), 17 February 2000, 15 September 2000, 26 September 2001, 27 November 2001, 21 March 2002; Anne Lührmann, Grüne (Hesse), 26 June 2003.

³⁵ Max Stadler, FDP (Bavaria), 7 June 2002. Translations of citations from debates are the authors’ own.

³⁶ Wiegand, *Direktdemokratische Elemente*, pp. 294–5.

³⁷ Allen and Mirwaldt, ‘Democracy-Speak’, p. 880.

³⁸ C. Prémat, ‘The Implementation of Participatory Democracy in French Communes’, *French Politics* 7, (2009), pp. 1–18.

³⁹ B. Geißel and M. Joas, *Participatory Democratic Innovations in Europe: Improving the Quality of Democracy?* (Leverkusen, 2023).

⁴⁰ C. Prémat, ‘La marginalisation du référendum communal en France depuis 2003. Étude des mobilisations citoyennes à l’échelon local’, *Revue française de science politique* 70, (2020), pp. 257–70.

References to the Swiss DDIs were multiple and general, hence seldom controversial. Some MPs mentioned the low turnout in Swiss popular votes and demanded that any referendum with more than 50 per cent abstention should be void.⁴¹ Others argued that Switzerland showed DDIs were successful and useful.⁴² Or, as Jacques Myard (Union for a Popular Movement, UMP, Gaullist and right-wing) put it optimistically: ‘Sooner or later, as in Switzerland [...] we will organize popular initiative referendums’.⁴³ Yet beyond party lines, other MPs rejected the relevance of the ‘Swiss model’ for French politics. The idea that ‘La France n’est pas la Suisse’ was put forward by opponents of broader applications of DDIs beyond local politics, or to counter any mention of Switzerland.⁴⁴ At a time when French exceptionalism was heavily debated regarding a wide variety of topics,⁴⁵ several MPs were thus keen to reject any kind of comparison with other political systems, particularly the Swiss. A line of this exceptionalist discourse insisted on a monist and centralist understanding of sovereignty as a specifically French tradition to be preserved.⁴⁶ For Léonce Deprez (also UMP), for instance, the federal nature of Switzerland and the United States meant that their examples were irrelevant to France due to the ‘indivisible’ nature of the Republic.⁴⁷

A Europeanized debate? Contrasted consequences of the treaty establishing a constitution for Europe

In both countries the topic of DDIs came back prominently from 2004 onwards in the context of the debates on the Treaty establishing a Constitution for Europe (TCE), which itself included very restrictive popular initiative options at European level. The procedure for adopting that text was discussed throughout the EU; some personalities like the new EU parliamentarian Daniel Cohn-Bendit (German Greens) even pleaded for an EU-wide vote to avoid the dangers of national ones.⁴⁸ In Germany, preparations for such national votes in other EU countries served as a reference and the red-green coalition was criticized by both their own ranks and from the opposition (CDU-CSU and FDP) for deciding to let the parliament vote on the constitution.⁴⁹

When the failure of the TCE temporarily froze the option of DDIs at the EU level, German MPs re-discussed new proposals for DDIs at the national level coming from the Greens, the Left and the FDP – the new coalition agreement of the SPD/CDU-CSU coalition minimally promising to ‘study the possibility to introduce instruments of direct democracy’ (SPD and CDU-CSU 2005, 127). Again, comparisons with other European countries and particularly Switzerland served to support demands from

⁴¹Patrice Gélard, RPR, Senate, 29 October 2002 and 4 June 2003, cf. 25 January 2001 for a similar point; Daniel Hoeffel, UMP, Senate, 4 June 2003.

⁴²Robert Bret, PCF, Senate, 5 March 2003; Patrice Gélard, UMP, Senate, 21 July 2003.

⁴³Jacques Myard, UMP, National Assembly (NA), 21 November 2002.

⁴⁴Gérard Gouzes, PS, NA, 15 June 2000; Jean-Pierre Sueur, PS, Senate, 16 February 2005.

⁴⁵E. Godin and T. Chafer, *The French Exception* (Oxford, 2004).

⁴⁶Rosanvallon, *La démocratie inachevée*.

⁴⁷Léonce Deprez, UMP, NA, 15 July 2003.

⁴⁸R. Beste et al., ‘Furcht vor dem Volk’, *Der Spiegel*, 25 July 2004, <https://www.spiegel.de/politik/furcht-vor-dem-volk-a-5bc01a72-0002-0001-0000-000031617095> (accessed 12 December 2023).

⁴⁹M. Gebauer, ‘Referendum über EU-Verfassung: Volkes Stimme wird lauter’, *Der Spiegel*, 26 July 2004, <https://www.spiegel.de/politik/deutschland/referendum-ueber-eu-verfassung-volkes-stimme-wird-lauter-a-310493.html> (accessed 12 December 2023); Wiegand, *Direktdemokratische Elemente*.

citizens' movements at the time.⁵⁰ The CDU counter-argument on the untouchability of the 1949 Basic Law still mostly kept to well-established historical narratives about the dangers of DDIs in the interbellum. Ingo Wellenreuther, as a lawyer, could not accept claims that what he dismissively called plebiscites represented true democracy and a solution to disenchantment with representative democracy. Wellenreuther dismissed any comparison with other countries as irrelevant due to differences in population size and state tradition. Echoing French debates, he only referred to Switzerland when mentioning the country's usual low turnout, which would disprove the claim that DDIs could mitigate the 'political disenchantment' (*Politikverdrossenheit*) among citizens.⁵¹ Wellenreuther relied on a recurring counter-argument in German debates, echoing the problematization of *Politikverdrossenheit* and turnout decline in Germany during the 1980s; yet it contrasts with near-contemporaneous normalization of low turnout rates in Swiss political debate since the 1990s.⁵²

In comparison with Germany, the 2005 French 'No' to the referendum on the TCE following an inflammatory campaign was a turning point in French politics in general and for DDIs in particular.⁵³ Due to the institutional framework, the parliament had little formal role in discussing the Treaty, outside of adopting the *motion référendaire*. In this debate, MPs seldom referred to Switzerland, only to discuss whether a French referendum would be needed to approve its entrance into the EU.⁵⁴ In comparison with the 2003 discussion on local referendums, the 'Swiss model' did not prove relevant when discussing national and European issues. But the 'No' revealed a gap between much of the citizenry and the established political parties, and gave way to a diagnosis of democratic 'défiance' (distrust), a new wave of 'hatred of (direct) democracy' and criticism of 'the people' among French political elites.⁵⁵ In their 2007 election programmes, most established parties turned down their promises to introduce (already limited) DDIs,⁵⁶ while the populist radical-right FN, still not represented in parliament, strengthened its earlier demand of referendums on European and societal issues.⁵⁷ The adoption of the Lisbon Treaty in 2007 without any consultation of voters, while introducing a much limited (only consultative) European citizens' initiative, only further spread Euroscepticism and distrust towards political elites in the French electorate.⁵⁸

As a result of this troubled context, debate on DDIs in the French parliament resumed only in 2008, regarding a constitutional revision project supposed to 'modernize' the institutions of the Fifth Republic. Mandated by the President Nicolas Sarkozy (UMP), a committee drafted a series of options including a 'shared initiative' referendum (known as *référendum d'initiative partagée*, RIP), allowing 1/5 of parliamentarians and

⁵⁰Maik Reichel, SPD (Saxony-Anhalt), 11 May 2006.

⁵¹Ingo Wellenreuther, CDU (Baden-Württemberg), 11 May 2006.

⁵²Z. Kergomard, 'Das Schweigen deuten: Stimm- und Wahlenthaltung als Streitgegenstand in der Schweiz (1960–1990)', *Zeithistorische Forschungen/Studies in Contemporary History* 19, (2022), pp. 482–510.

⁵³J.G. Shields, 'Political Representation in France: A Crisis of Democracy?' *Parliamentary Affairs* 59, (2006), pp. 118–37.

⁵⁴René Dosière, PS, NA, 27 January 2005; Robert Badinter, PS, Senate, 15 and 16 February 2005; Christian Cointat, UMP, Senate, 16 February 2005.

⁵⁵J. Rancière, *Hatred of Democracy* (London, 2007); F. Dupuis-Déri, *La Peur Du Peuple: Agrophobie et Agoraphilie Politique* (Montréal, 2017); B. Cautrès, T. Chopin, and E. Rivière, *Un euroscepticisme à la française. Entre défiance et ambivalence, le nécessaire "retour de l'Europe en France"* (Paris, 2021).

⁵⁶Allen and Mirwaldt, 'Democracy-Speak', p. 880.

⁵⁷C. Prémat, 'Les promesses de rénovation institutionnelle des candidats à la présidentielle', *Cahier Sens Public* (2007, article 392).

⁵⁸S. Kahn, *Histoire de La Construction de l'Europe Depuis 1945* (Paris, 2021), pp. 293–311.

1/10 of the electorate to launch a referendum on a selection of topics.⁵⁹ When debating this idea, MPs mostly referred to the Swiss model to reject or restrict it, even if some, like right-winger Christian Vanneste, praised Switzerland as an example of what he called ‘semi-direct democracy’.⁶⁰ Most MPs referring to Swiss experiences however judged it irrelevant due to the country’s small size⁶¹ or different history. Indeed, for former minister Hervé de Charette (UMP) ‘the referendum procedure does not stem from the popular tradition in France, unlike in other countries, such as Switzerland’, which meant that it would lead to ‘the triumph of demagogy at the expense of the spirit of reform’.⁶² While the constitutional revision was adopted in 2008, it took several laws and decrees to specify the inner workings of the shared-initiative referendum, making it a possibility only in 2015.

The 2009 minaret ban in Switzerland: no immediate game-changer

In November 2009, the Swiss adopted an infamous citizen initiative to ban the construction of new minarets. In public debate, this concrete example of popular initiative was mostly framed in a negative light. This event sparked an international controversy on the compatibility of direct democracy with international standards regarding religious freedom and more generally human rights, which attracted comments from various political figures. French President Sarkozy, in an open letter in a French newspaper, thus condemned the ‘excessive, sometimes caricatured reactions to the Swiss people, whose democracy, which is older than ours, has its own rules and traditions’.⁶³

But the minaret ban was not central to later French parliamentary debates on DDIs. When ironing out the details of the RIP, MPs maintained a restrictive line, even after the majority went to the socialists in 2012. Only occasionally did the minaret ban yet serve the argumentation of MPs critical of DDIs, such as PS heavyweight Michelle Vauzelle.⁶⁴ To oppose or restrict DDIs, MPs, particularly among the more right-leaning and elitist senators, rather refuted any possible Swiss inspiration altogether, as ‘France is not Switzerland’.⁶⁵ For the socialist Senator Jean-Pierre Michel, for instance, ‘Switzerland is not a model’. Furthermore, ‘Jean-Jacques Rousseau triumphed in the Swiss Confederation [...], is the least that this country owes him! But there is nothing illogical about the fact that France prefers Montesquieu’.⁶⁶ This reading of political philosophy classics thus emphasized Montesquieu’s plaidoyer for power limitations instead of Rousseau’s ideal of *volonté générale* – an ideal yet very present in the history of French institutions.⁶⁷

⁵⁹The criteria also limit interference of this tool in parliamentary decisions, since it cannot be used to repeal a law adopted less than a year prior.

⁶⁰Christian Vanneste, UMP, NA, 22 May 2008.

⁶¹Claude Goasguen, UMP, NA, 22 May 2008; Alain Gournac, UMP, Senate, 19 June 2008.

⁶²Hervé de Charette, UMP, NA, 22 May 2008.

⁶³Nicolas Sarkozy: “Respecter ceux qui arrivent, respecter ceux qui accueillent”, LeMonde, 8 December 2009, https://www.lemonde.fr/idees/article/2009/12/08/m-sarkozy-respecter-ceux-qui-arriventrespecter-ceux-qui-accueillent_1277422_3232.html#ens_id=1258775 (accessed 1 August 2024).

⁶⁴Michel Vauzelle, PS, NA, 2 December 2010.

⁶⁵Philippe Kaltenbach, PS, Senate, 2 July 2014.

⁶⁶Jean-Pierre Michel, PS, Senate, 28 February 2013 and 12 June 2013.

⁶⁷P. Rosanvallon, *Democratic Legitimacy: Impartiality, Reflexivity, Proximity* (Princeton, 2011).

If anything, for DDIs proponents, the Swiss minaret ban marginally served as a warning on the practical uses and consequences of these instruments. For instance, François de Rugy, acting as spokesperson for the Greens, a party long in favour of DDIs,⁶⁸ used this example to plead for ‘a priori constitutional review. [...] This would also dispel the fantasy that such an initiative would open the door to populists and demagogues’.⁶⁹ Regardless of the minaret ban, proponents of DDIs from left-wing parties and the FN still referred to Swiss DDIs as a positive inspiration when discussing the *référéndum d’initiative partagée*, asking for lower thresholds, longer periods to collect signatures or more ‘simplicity’ in the process in general.⁷⁰ Some MPs, again right-wing Christian Vanneste but also colleagues from other benches, still highlighted ‘true direct democracy’ by referring to Swiss DDIs.⁷¹ References to Swiss DDIs also served particular political aims, as when right-wing MPs called for a referendum on same-sex marriage⁷² – the conservative movement opposed this issue in 2012–13 in the name of the ‘people’s will’.⁷³

Likewise, the minaret ban did not fundamentally change the direction of German debates at the turn of the 2010s, whose dynamic was much more related to domestic issues. For DDIs’ proponents, actual disputes such as the one over the economic and ecological sense of rebuilding the Stuttgart main station (Stuttgart 21), on which a local referendum was held in November 2011, seemed to show that parliamentary democracy alone did not suffice. A further peak in German debates on DDIs at federal level can be observed during the electoral year 2013, in connection with ongoing discussions related to the consequences of the financial crisis of the EU. The liberals, one party in the outgoing coalition open to more participation since the 1970s, were welcoming to DDIs, listing mechanisms such as ‘a citizens’ plenary procedure, an optional legislative referendum and [...] popular initiatives, petitions for referendums and referendums’.⁷⁴ In parliament, Oliver Luksic, an expert on EU issues from the FDP, pleaded for ‘more direct participation by citizens’, as ‘the current [European] crisis is not only of a financial nature, it is also a crisis of confidence’. Speaking indistinguishably of *Referendum* and *Plebiscit* regardless of the latter’s negative connotations, he thereby referred to Switzerland, ‘where we see time and again how plebiscites can work’.⁷⁵

The negative reception of the minaret ban did not prevent proponents of DDIs from pointing to Switzerland. Pleading for a referendum about Stuttgart 21, Peter Friedrich (SPD), an expert in administration sciences and member of the German – Swiss parliamentary group, thus argued that ‘Switzerland is not a country of retrogression and Austria is in no way hostile to the economy, although they manage to use direct democracy to create the acceptance needed to push through such a project’.⁷⁶ For the long-

⁶⁸D. Boy, ‘Les Écologistes en France’, *French Politics and Society* 10, (1992), pp. 1–25.

⁶⁹NA, 20 December 2011. Cf. Michel Vauzelle, PS, NA 2 December 2010.

⁷⁰François de Rugy, EELV, NA, 2 December 2010 and 25 April 2013; Jacques Valax, PS, NA, 20 December 2011 and 19 November 2013; Patrick Braouezec, FASE, NA, 21 December 2011; Jean-Jacques Urvoas, PS, NA, 21 December 2011; Hélène Lipietz, EELV, Senate, 28 February 2013; Paul Molac, ECO, NA, 25 April 2013; Marc Dolez, Ind., NA, 25 April 2013; Éliane Assassi, PCF, Senate, 12 June 2013; Marion Maréchal-Le Pen, FN, NA, 19 November 2013.

⁷¹NA, 21 December 2011; cf. Claude Bodin, UMP, NA, 21 December 2011. For a similar ‘first step’ approach, see Cécile Untermaier, PS, NA, 19 November 2013.

⁷²Marc Le Fur, UMP, NA, 3 February 2013; Éric Straumann, UMP, NA, 18 April 2013.

⁷³P. Portier, ‘Norme démocratique et loi naturelle dans le catholicisme contemporain. Retour sur la mobilisation contre le « mariage pour tous »’, *Société, droit et religion* 6, (2016), pp. 39–54.

⁷⁴*Wahlprogramm zur Bundestagswahl 2013 der Freien Demokratischen Partei*, p. 58, https://wahlprogrammevergleich.de/media/programme/fdp_bundestagswahl_2013.pdf (accessed 23 May 2024).

⁷⁵Oliver Luksic, FDP (Saarland), 18 April 2013.

standing proponents of bottom-up DDIs, the minaret ban served only as a warning to think about constitutional safeguards, not unlike their French counterparts. For Ingrid Hönlinger, lawyer responsible for the Greens' democracy policy, it showed how DDIs without a proper constitutional framework could be used 'for inhuman agitation, for discrimination and for the dismantling of political, economic and social rights of specific groups'.⁷⁷

But beyond the minaret ban, German proponents of DDIs could refer to other, more positive Swiss examples. Pleading in 2013 for the introduction of both initiatives and abrogative referendums, Thomas Oppermann (SPD) framed the success of a Swiss initiative to curb managers' salaries as a direct inspiration for such a reform:

A few weeks ago, the Swiss showed us how positive direct democracy can be. There, the parliament had resisted for years to do something about the excessive salaries of managers. Then the people intervened and put an end to self-service by a referendum with a large majority. I think we can learn from the Swiss. In future, the German Bundestag should share its power with the people.⁷⁸

Again, the Christian Democrats, who opposed the SPD proposal to include DDIs in their coalition agreement at the end of 2013,⁷⁹ were left alone to argue against federal DDIs. CDU MPs were thus the first to mention the minaret ban to point out the 'dilemmas' to which DDIs could lead.⁸⁰ But they more often denied the relevance of Swiss experiences for Germany, again mentioning low turnout rates.⁸¹ In 2014, lawyer Michael Frieser even suggested that the Swiss had invented what he called 'the democracy of nay-sayers' (*die Dagegen-Demokratie*).⁸² Michael Grosse-Brömer, another lawyer, made a similar argument in 2016: the German *Bundestag* was capable of initiating intensive discussion on controversial political decisions without there being a need to hold popular votes, which would only lead to lower political engagement in Germany, too.⁸³

Increased polarization on DDIs and their Swiss inspiration in the late 2010s

The fight for interpretative monopoly of the Swiss model in Germany

In Germany, the founding of the initially mostly Eurosceptic, later increasingly radical-right and populist AfD evidently changed discourses on democracy, and its entrance in the Bundestag as the third largest parliamentary group in 2017 profoundly disrupted the parliamentary culture.⁸⁴ Already in its election programme of 2013, the AfD spoke for

⁷⁶Peter Friedrich, SPD (Baden-Württemberg), 6 October 2010.

⁷⁷Ingrid Hönlinger, Grüne (Baden-Württemberg), 14 June 2013.

⁷⁸Thomas Oppermann, SPD (Lower Saxony), 14 June 2013. The initiative 'against abusive pay' was accepted on 3 March 2013 by 68 per cent of voters. A similar initiative 'for fair wages' was rejected on 24 November 2013 by 65 per cent of voters.

⁷⁹E. Simantke and R. Birnbaum, 'Kommt der Volksentscheid auf Bundesebene?: Der Ruf nach mehr direkter Demokratie', *Der Tagesspiegel*, 12 November 2013, <https://www.tagesspiegel.de/politik/der-ruf-nach-mehr-direkter-demokratie-4808461.html> (accessed 13 December 2023).

⁸⁰Helmut Brandt, CDU (North Rhein-Westphalia), 8 July 2010, cf. Thomas Strobl, CDU (Baden-Württemberg), 1 December 2010.

⁸¹Thomas Dörflinger, CDU (Baden-Württemberg), 18 April 2013; Patrick Sensburg, CDU (North Rhein-Westphalia), 14 June 2013.

⁸²Michael Frieser, CSU (Bavaria), 23 May 2014

⁸³Michael Grosse-Brömer, CDU (Lower Saxony), 9 June 2016.

‘Swiss-style referendums and initiatives’⁸⁵ and promoted this demand even louder in its 2017 campaign with posters adorning Swiss flags and mountains.⁸⁶ Initially, these claims on direct democracy and Switzerland did not deter its historic proponents. The radical-left PDS-Die Linke carried on proposing DDI constitutional reforms that were played down by Christian Democrats as ‘a kind of grassroots democracy [*Basisdemokratie*] modelled on the Swiss model’.⁸⁷ The new SPD/CDU-CSU coalition in February 2018 still announced that an expert commission should study the relevance of ‘elements of citizens’ participation and direct democracy’ to ‘complement our time and proven parliamentary-representative democracy’.⁸⁸

In the *Bundestag*, the AfD soon asserted its ownership of the issue, first by demanding that a parliamentary ‘investigative commission’ discuss the possibility of implementing constitutionally-conform DDIs in Germany by looking at experiences at communal and Länder level, and ‘in other countries, such as Switzerland or the USA’.⁸⁹ Behind this open formulation, the party speaker Jochen Haug directly called for obligatory referendums in constitutional and international matters, citizens’ initiatives and veto rights in legislative matters – referring to the ‘well-established’ Swiss facultative abrogative referendums for the latter. He denounced the lack of citizen ‘participation’ on ‘vital questions for the nation’, giving the introduction of the Euro or the ‘transfer of national sovereignty to the European Union’ as two examples. Yet ‘the German political nation [*Staatsvolk*] is not less [politically] mature than the Swiss, the Irish or the Danish’.⁹⁰ With this statement, Haug reused an old argument of DDIs proponents countering established narratives underlining an alleged German lack of democratic maturity – an argument yet much less popular amongst other parties since the electoral success of the AfD. In an already tense debate climate, this troubling mix of (selective) long-standing arguments for DDIs with the AfD’s own (in particular Eurosceptic and populist) obsessions led all other parties to react against this demand. Declaring itself as ‘the party of direct democracy’,⁹¹ the AfD was left alone with its demands for DDIs. Its proposals, which partially aimed at disrupting parliamentary procedures, for instance by allowing minority parties to bring their rejected law proposals before the citizens, were consistently opposed by the other parliamentary parties – while the Greens and the Left continued to propose DDIs of their own, with an emphasis on minority rights and bottom-up procedures.

But the AfD pre-emption of the DDI agenda, radicalizing it with radical-right populist calls for popular sovereignty and claiming the Swiss model for its own, put other parties

⁸⁴Biefang, ‘Parlamentarismus und Demokratie’; D. Geppert and A. Wirsching, ‘Krise der Repräsentation? Eine Gegenwartsbestimmung des Parlamentarismus aus historischer Perspektive’, in A. Biefang, D. Geppert, M.-L. Recker, and A. Wirsching (eds), *Parlamentarismus in Deutschland von 1815 Bis Zur Gegenwart* (Düsseldorf, 2022), pp. 417–32.

⁸⁵‘Wahlprogramm. Parteitagsbeschluss vom 14.04.2013’ (AfD, 2013), https://www.abgeordnetenwatch.de/sites/default/files/election-program-files/afd_1.pdf (accessed 1 August 2024).

⁸⁶‘Programm für die Wahl zum Deutschen Bundestag am 24. September 2017’ (AfD, 2017), https://www.abgeordnetenwatch.de/sites/default/files/election-program-files/afd_wahlprogramm_btw2017komplett.pdf (accessed 1 August 2024); C. Theile, ‘Deutsche direkte Demokratie’, Republik, 6 November 2019, <https://www.republik.ch/2019/11/06/deutsche-direkte-demokratie> (accessed 10 August 2023).

⁸⁷Barbara Woltmann, CSU (Bavaria), 9 June 2016.

⁸⁸Theile, ‘Deutsche direkte Demokratie’.

⁸⁹‘Einsetzung einer Enquete-Kommission, Direkte Demokratie auf Bundesebene’, Jochen Haug et al., Bundestag, 17 April 2018, p. 2.

⁹⁰Jochen Haug, AfD (North Rhein-Westphalia), 19 April 2018.

⁹¹Johannes Huber, AfD (Bavaria), 15 May 2019.

on the defensive. They all attempted to reclaim the interpretative authority over democracy in general, ‘representative democracy’ for the CDU in particular and ‘citizens’ participation’ or – less than before – ‘direct democracy’ for its proponents. In a similar fashion than to the British Brexit referendum,⁹² several MPs now attacked the Swiss example by pointing out to several of its drawbacks, depending on their own worries: the risk of ‘legislative inflation’ (*Gesetzesflut*), or the much lower turnout rates in Switzerland, if the aim was really to curb ‘electoral fatigue’ and ‘political disenchantment’.⁹³

Even long-standing proponents of DDIs at the federal level were more cautious in their advocacy and tried to separate their goal from a now tarnished Swiss experience. Many left-wing MPs thus insisted on the necessity to protect minorities’ rights in direct-democratic procedures. Friedrich Straetmanns (*Die Linke*) referred directly to the minaret vote – to which Alice Weidel (AfD) interjected ‘right so!’, thus highlighting her party’s sympathy with the line of their counterpart, the Swiss People’s Party (SVP).⁹⁴ Lars Castellucci from the SPD, professor of sustainable management, quoted his discussion over direct democracy with the former Swiss Ambassador in Germany to claim that ‘it is a great system that we cannot transfer [*übertragen*], but we can learn a lot from it’. Further quoting such an indigenous authority, he mentioned – to the laughter of AfD MPs – the quarter of Swiss residents ‘who are excluded from elections and referendums, because they do not have the Swiss passport’ – alluding to the country’s highly restrictive naturalization policy. This helped him to reframe the goal towards ‘the participation of all people’ which could not be achieved ‘with your direct-democratic procedure alone’. He thus defended the ‘expert commission’ promised by the CDU-SPD coalition, which ‘shall not only speak about direct democracy, but all together about how to strengthen democracy’.⁹⁵ The coalition and the main parties grew yet increasingly uneasy on the topic and no took no major measures in that direction. Since the rise of the AfD and the protests related to Covid regulations, even the Greens have downgraded their traditional demands for DDIs in their programme,⁹⁶ and the 2021 coalition agreement (FDP-Greens-SPD) only mentions public petitions.

The return of DDIs in France: Emmanuel Macron and the Yellow Vests

The debate dynamics also changed in the late 2010s in France. After the adoption of the RIP in 2013, references to DDIs and Switzerland had first significantly dropped in the French parliament (see [Figure 1](#)). This changed in 2017, with the partisan reconfigurations following the election of Emmanuel Macron,⁹⁷ the after-shock of Brexit and a growing demand for DDIs. Several bills touched on the issue of democratic reforms from 2018 onwards, and Switzerland continued to be used as both a model or a counter-example. During a debate on a bill entitled *Démocratie plus représentative, responsable et efficace*, aimed at implementing various electoral promises of Macron,

⁹²Steiner, Nils D., and Claudia Landwehr. 2023. ‘Learning the Brexit Lesson? Shifting Support for Direct Democracy in Germany in the Aftermath of the Brexit Referendum’, *British Journal of Political Science* 53, pp. 757–65.

⁹³Andrea Lindholz, CSU (Bavaria) and Christoph de Vries, CDU (Hamburg), 19 April 2018.

⁹⁴Friedrich Straetmanns, Linke (North Rhein-Westphalia), 19 April 2018.

⁹⁵Lars Castellucci, SPD (Baden-Württemberg), 19 April 2018.

⁹⁶L. Jacobsen, ‘Die Grünen: Bloß nichts riskieren’, *Die Zeit* (25 November 2020).

⁹⁷R. Kuhn, ‘French Revolution? The 2017 Presidential and Parliamentary Elections’, *Parliamentary Affairs* 71, (2018), pp. 483–500.

the centrist MP Paul Molac could thus argue that the RIP thresholds needed to be lowered and that France needed to develop a ‘culture of the referendum’ similar to Switzerland.⁹⁸ During the same debate, Richard Ferrand, then leader of Macron’s party in the National Assembly (*La République en marche*, LREM) talked ironically about the ‘great cantonal democracy’ where the topics of popular initiatives ‘were very often the work of a few business cliques and lobbyists’, pleading instead for a stronger parliament.⁹⁹ His comments attracted criticisms both from the far right and the radical left, the latter contemplating that thinking that lobbyists did not have an impact on French legislation was quite amusing.¹⁰⁰ It is worth pointing out that by that time, Marine Le Pen’s party had embraced ‘direct democracy’ as a slogan, albeit only in the form of referendums on immigration and the European question.¹⁰¹

But it was really with the Yellow Vests movement that the proposal of introducing a citizen’s initiative (*référéndum d’initiative citoyenne*, RIC) became central in French political debate. While for most of the protesters, it seemed to have been conceived more as a way to control MPs’ decisions than to continuously participate in law-making, it newly focused on bottom-up DDIs.¹⁰² In a context where criticisms against the shortcomings of the current representative system were multiple, the Swiss experience served as inspiration for proponents of the RIC at large.¹⁰³ It was still directly dismissed by opponents of the measure, notably President Macron who declared to journalists:

We are not at all suited to this. I believe in the deep identities of peoples. [...] We are a violent people, and have been for centuries. France is not Switzerland.¹⁰⁴

A similar dynamic was at play in the parliament between the majority and opposition parties, particularly when they adopted an anti-system stance. Contrary to Germany, it was less the radical-right populist Rassemblement national, which still had only two MPs, than the radical-left *La France Insoumise* (LFI), which pushed for DDIs and referred to experiences abroad. In February 2019, LFI presented a bill to create a *Référéndum d’initiative citoyenne* (RIC). For Bastien Lachaud (LFI), an opposition to the RIC was a proof of the ‘fear of the people’ from the government.¹⁰⁵ Commenting on the various countries named as inspirations by LFI (the USA and Switzerland), Sacha Houlié (LREM) argued that these were federal states and that ‘what is practised in some federal states does not apply in our centralized, Jacobin state’.¹⁰⁶ Once again, for those refractory to DDIs, Swiss procedures could not be transposed to France due to

⁹⁸Paul Molac, ECO, NA, 16 July 2018.

⁹⁹Richard Ferrand, LREM, NA, 16 July 2018.

¹⁰⁰Nicolas Dupont-Aignan, DLF, NA, 16 July 2018; Jean-Luc Mélenchon, LFI, NA, 16 July 2018.

¹⁰¹F. Debras, ‘Back to the Future, Recovering the Past: A Critical Discourse Analysis of the Terms “Democracy” and “Direct Democracy” in the Speeches of the Rassemblement National and the Freiheitliche Partei Österreichs’, *Journal of Contemporary European Studies* 31, (2022), p. 312.

¹⁰²S. Abrial et al., ‘Control or Participate? The Yellow Vests’ Democratic Aspirations through Mixed Methods Analysis’, *French Politics* 20, (2022), pp. 479–503; S. Hamdaoui, ‘Anti-Populism during the Yellow Vest Protests: From Combatting the Rassemblement National to Dealing with Street Populists’, *The British Journal of Politics and International Relations* 24, (2022), pp. 493–510.

¹⁰³P.-A. Bruchez, *Le référendum d’initiative citoyenne: L’instaurer en France, le préserver en Suisse* (Paris, 2019); C. Egger and R. Magni-Berton, *RIC: le référendum d’initiative citoyenne expliqué à tous* (Paris, 2019).

¹⁰⁴E. Berratta, ‘Référéndum: Pour Macron, « le Modèle Suisse Est Inadapté à La France »’, *Le Point*, 2019, https://www.lepoint.fr/politique/emmanuel-berratta/referendum-pour-macron-le-modele-suisse-est-inadapte-a-la-france-01-02-2019-2290574_1897.php (accessed 9 January 2024).

¹⁰⁵Bastien Lachaud, LFI, NA, 21 February 2019.

¹⁰⁶Sacha Houlié, LREM, NA, 21 February 2019.

differences in institutions, history and culture – particularly federalism. In the end, while the government at least contemplated lowering the RIP requirements in the aftermath of the Yellow Vests movement, it dropped any plans of such a constitutional revision during the Covid crisis.

Conclusion

Our analysis of the references to Switzerland in the context of debates on DDIs by German and French MPs in the early twenty-first century helps us to get hold of changing conceptions of direct democracy – admittedly from a limited yet interesting perspective of transnational reflections in parliamentary debates. It leads to four major conclusions. First, from an empirical perspective, our analysis highlights the diversity of words and concepts used to refer to DDIs in each country, reminding us of the need for an approach that is sensitive to specific word use and casts a wide-enough net. While, for political and historical reasons, parliamentarians might use categories such as *plébiscite*, *référendum/Referendum*, or *Volksabstimmung*, they also did so to refer to Swiss procedures based on other terms. Misunderstandings abound, as between France and Francophone Switzerland: the French *référendum d'initiative citoyenne* is a Swiss 'popular initiative' (*initiative populaire*), while a referendum in Switzerland is only abrogative. Our approach, by exploring the lexicon used and the phenomena it subsumes, indicates that in terms of implementation, even MPs referring to Switzerland in a positive light rarely wished to imitate it but merely to draw inspiration from it. Although they might share some similarities, the political tools advocated differ from those used in Switzerland. Moreover, the vocabulary used suggests that this phase of inspiration is often being superimposed on, or even replaced by, a desire for local appropriation. This uneasy translation process, coupled with misunderstandings of the Swiss system, leads to semantic and conceptual confusions. Through a comparative perspective, based on conceptual history, we were partly able to disentangle these various threads, though more systematic work remains to be done. In the future, more advanced word embeddings or historical large language models may help in reconstructing an even wider semantic field.

Second, this qualitative investigation revealed the uneven references to Switzerland from German and French politicians. While quantitatively speaking the number of occurrences was rather similar (see [Figures 1 and 2](#)), German interventions proved to be longer and more thorough. Since the 1980s, activism for DDIs had already led to their introduction and use at subnational level, which facilitated either arguing for their introduction at federal level or for opposing them in the name of safeguarding the Basic Law. Swiss examples were also used due to the relative importance of German-speaking Switzerland in the German public sphere, in comparison to francophone Switzerland related to French discussions. These cultural connections between Germany and German-speaking Switzerland also explain the importance of exchanges between actors involved in discussions of DDIs: both between proponents of DDIs coming out of Green and pacifist movements since the 1980s, and more recently between the radical-right populist parties AfD and SVP. Conversely, it seemed easy for French MPs holding on to the indivisibility of the Republic to dismiss the relevance of Swiss experiences simply on the ground that France is not a federal country, while

German scholars, if less than MPs, often make comparisons with Swiss federal mechanisms to debate the compatibility of DDIs with German federalism.¹⁰⁷

Third, we can outline a few factors of change. While transnational events such as the TCE and European integration or Brexit had an impact in both parliaments, often domestic and sometimes European dynamics – changes of majorities, partisan reconfigurations, European votes – played a major role. To take the late 2010s, MPs in both countries clearly reacted to the appropriation of a DDI agenda and of the ‘Swiss model’ by the Yellow Vests, to a lesser extent the LFI and the FN, and the AfD. In Germany, while opponents of DDIs had mostly denied any relevance to the ‘Swiss model’ before, particularly after the minaret ban, their appropriation by the AfD made it easier for them to reject DDIs altogether, whereas proponents of DDIs had to distance themselves from its shadow. This is where structural factors play a key role. With its strong presidential office, constitutional change in France is highly dependent on the incumbent president’s views. While none of the presidents since the 2000s have been particularly keen on DDIs, it is clear that Emmanuel Macron favoured controlled forms of ‘participation’, as seen with the climate citizen convention, instead of direct popular votes, especially after the Yellow vests movement.¹⁰⁸ In the German case, the Basic Law adopted in 1949 had long been used by the conservatives as a rhetorical argument against reform. But the German debate on direct democracy was nevertheless positive until the rise of the AfD and even beyond it, every party speaking positively about participation, in spite of long-standing scepticism among conservative elites, with expectations for the EU as well, an element which quickly disappeared in France after 2005. Together the two cases show that direct democracy is not fundamentally tied to ‘left’ or ‘right’ but can be used effectively by political actors with different agendas and positions within the political system to challenge – or at least to complement – the established forms of parliamentary democracy.

Fourth, the analysis here has shown the flexibility and constructed nature of the ‘Swiss model’. While most MPs share an understanding of Switzerland as a country where DDIs have an important place, the factual details are rather vague, if not wrong. This is frequent in political discourse, where international comparison usually reduces a country to a few selected characteristics. The ‘Swiss model’ is used opportunistically according to the current intentions of the speaker, mostly rhetorically and in passing, to highlight an aspect of DDIs be it positively or negatively. Since the end of the 2010s, the argument has been increasingly appropriated by players from political groups whose legitimacy is not fully recognized – which encourages established parliamentarians to shy away from it. Thus reference to Switzerland has been turned into a figure of speech. Now, it is used because of its undeniable rhetorical power. A speaker would employ it essentially to show their seriousness and to press their point. This reference to Swiss DDIs as a ‘superlative’ compels the contradictors to refer to the Swiss system as well, whether objecting to its inapplicability in the local context or emphasizing the exportability of its advantages. Beyond these parliamentary power plays, references to the Swiss system indicate the high points of the DDI debate, and this figure of speech reflects the generalization of the idea of direct democracy itself.

¹⁰⁷F. Decker, ‘Das Volk als Gesetzgeber? – Zur Diskussion um die Einführung plebiszitärer Elemente auf Bundesebene’, *Jahrbuch Extremismus & Demokratie* 21, (2010), pp. 72–98.

¹⁰⁸G. Gourgues and A. Mazeaud, ‘Une « participation d’État » sous contrôle. La neutralisation décisionnelle des dispositifs participatifs en France’, *Revue française de science politique* 72, (2022), pp. 781–804.

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Appendix

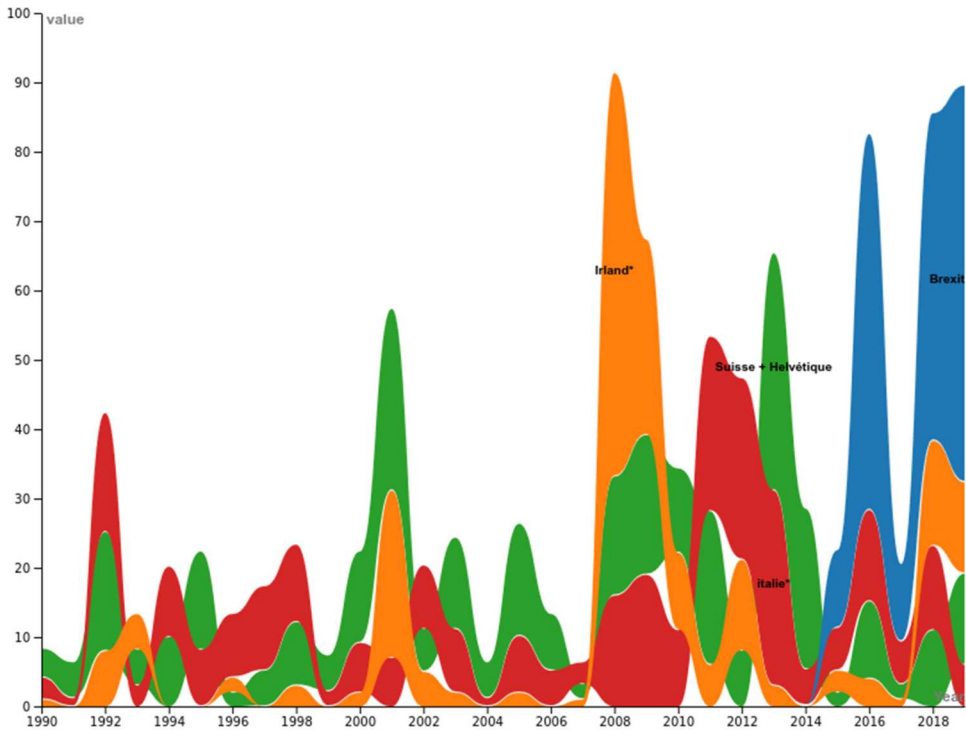


Figure A1. Absolute frequency of referendum*, plébiscite*, votation*, démocratie directe, within the same page as irland*, italie*, suisse* / helvétique* and Brexit, France, both chambers, 1990–2019, data from P&P.

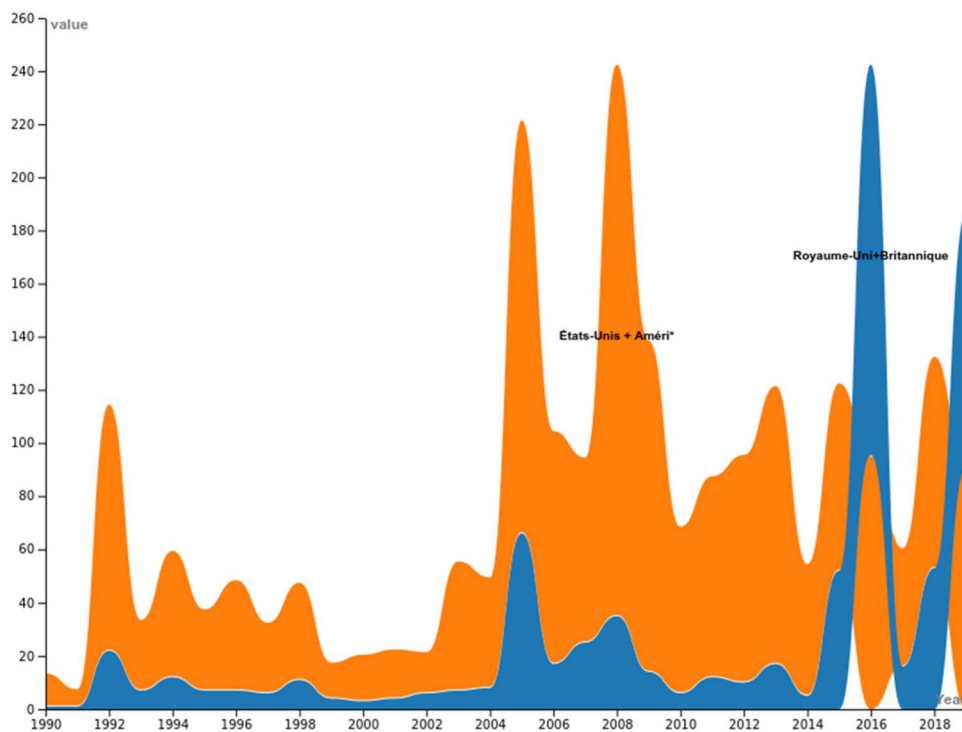


Figure A2. Absolute frequency of *referendum**, *plébiscite**, *votation**, *démocratie directe*, within the same page as *États-Unis / Améri** and *Royaume-Uni / britannique*, France, both chambers, 1990–2019, data from P&P.

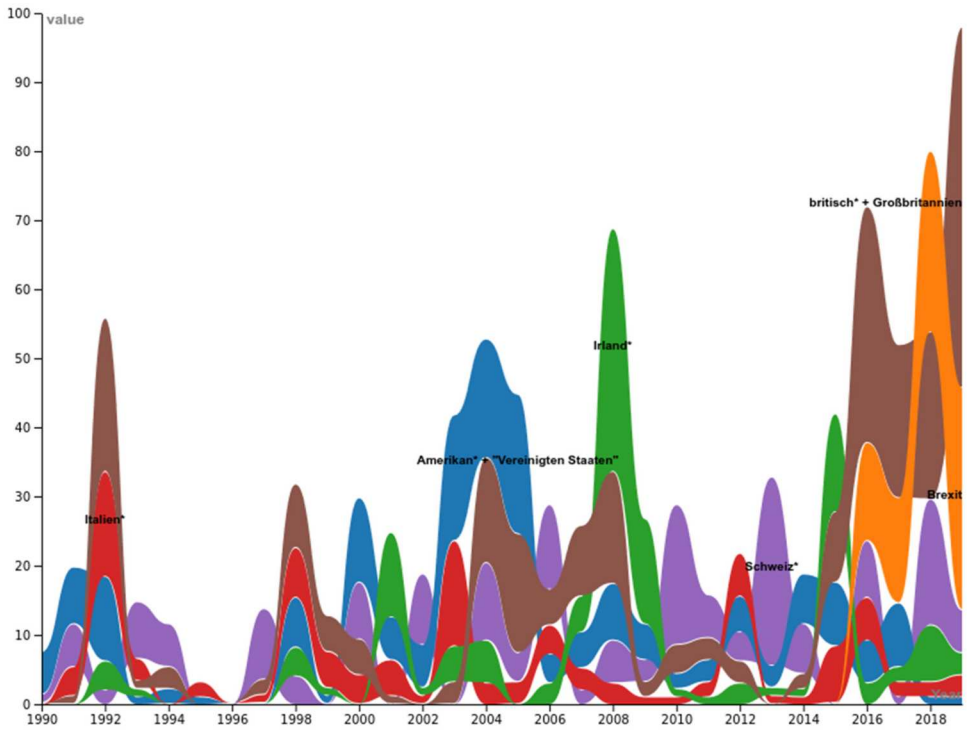


Figure A3. Absolute frequency of *direkte Demokratie*, *Referendum**, *Plebiszit**, *Volksabstimmung**, *Volk-sentscheid** and *Volksbefragung** within the same speech as *Italien**, *Amerikan* / Vereinigte Staaten*, *Irland**, *Britisch* / Großbritannien*, *Brexit* and *Schweiz**, *Bundestag*, 1990–2019, data from P&P.