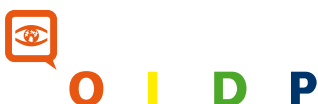


Influencing politics with signatures?

Models and experiences of local citizens' initiative

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Report
Octubre de 2018

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1. Introduction¹

More than half of Europeans and almost 40% of people living in Spain have recently signed some sort of petition (Quaranta, 2015). In other words, they have attempted to change a certain aspect of reality, using their signature. This kind of participation is one of the most common and widespread after voting. In the USA, for example, national polls show that signing a petition is 4 to 5 times more frequent than participating in a demonstration (Durso et al., 2018). Despite most of these initiatives corresponding to non-regulated actions, otherwise referred to as bottom-up participations, many public institutions have tried to enable regulated mechanisms which allow an organised process of collecting signatures, as a way of influencing public decision-making.

The subject of this report is to study the participatory tools which enable citizens to initiate a process of collecting signatures in order to influence local institutions. These initiatives have several aims: to promote a debate in the Chamber of local representatives, for example, or to call a referendum regarding a political proposal, or perhaps the removal of a public officer. Here we have presented two reasons which help explain why they can be regarded as a desirable method of participation. Firstly, it could be said that there is not a large amount of effort required from the participants. This facilitates not only a high number of participants, but also a reduction in the social bias found in other forms of participation, which involve very specific sections of the population. Secondly, it may generate a process with a strong capacity for political impact.

With this study we aim to contribute to the knowledge and reflect upon these participatory tools which have not been fully studied at local level, despite their growing presence in very diverse areas of the world. It will assess a combination of institutional tools that, if well designed, can open new channels to social involvement.

In order to analyse their use and potential difficulties, we are going to examine how these tools of initiative operate in a multitude of geographical and administrative contexts. We are going to pay particular attention to issues such as thematic scope, regulation, validity requirements and their relationship with the decision-making process. To achieve this, we are using two principal means. The first and most important is the analysis of 21 cases which illustrate different models, and their strengths and weaknesses. Using our selection criteria, we have attempted to cover a diverse overview of situations and regulations from all points of view (diversity of objects, of geographical and cultural areas, of more successful and less successful cases). It is worth noting that the availability of accessible information has undoubtedly favoured the predominance of experiences in English and Spanish speaking areas. Experiences at local level have been prioritised, but two particularly illustrative supralocal cases have also been included.

For each of these cases a reference sheet has been designed, each with a similar format, based on all the primary and secondary information that we have been able to find (the sources are detailed in each reference sheet in section 5).

Additionally, we have conducted 20 online interviews with experts (see table A1 in the Annex) regarding the subject (12 men and 8 women, 12 Europeans and 8 from other continents, 15 people from university institutions and 5 from other research centres or foundations). They have provided very relevant information, both about the existence of these tools

and their most interesting experiences with them. They also provide information about the documentation and their specific opinions regarding some of the experiences. We want to thank them greatly for their valuable contribution to this study.

The report is structured into four parts. After the introduction, the second section defines the object of study and details previous debates about its scope and limitations. In other words, primarily we establish the definition and scope of several types of initiatives and then we examine their different potential effects (both positive and negative), according to previous research in the topic. In section 3 we look at the origins of citizens' initiatives and their current presence in different geographical contexts. Section 4 analyses our empirical evidence, through a comparative and transversal reading of the 21 studied cases, together with a literary review of citizens' initiatives. In this section, we analyse the main characteristics of each of the initiatives: how they are regulated, who can initiate them, which issues can be addressed (and which cannot), what are the established procedures to allow them to operate, the number of signatures required and, finally, their influence in decision-making. The analysis performed in each of these sections can be consulted in the reference sheets which better illustrate the ideas presented. The large section at the end includes the 21 corresponding reference sheets covering the initiatives that have been analysed during the report. The study ends with our conclusions and the bibliography where further information about the issue can be found.

2. What is the initiative: typology and potential uses

In this section we define our object of study, the different types of citizens' initiatives. Following this, we introduce a debate to discuss the expectations and concerns that these tools generate in the context of increasing citizen disaffection with representative institutions.

2.1. Types of initiative

To explain what we mean when addressing the different initiatives of citizen participation is not an easy task, given the multitude of existing versions and terms, both in the regulatory and academic fields. If we focus more broadly on the mechanisms of direct democracy, these constitute a set of procedures that allow citizens to make direct political decisions through voting, far beyond regular elections. This voting can be determined by law, being made compulsory, it can be promoted by public authorities (known as a top-down process) or it can depend on the collection of signatures (bottom-up) (Ruth et al., 2017). In this work we focus on the latter method, where the citizen is the actor who initiates the process, and we include both the mechanisms that lead to voting and those that allow the presentation of collective proposals upon which parliament or deliberative councils decide.

Therefore, our object of study includes all the mechanisms which allow citizens to initiate a process of collecting signatures in order to influence, either in a binding way or as proposals, the decision-making or public representation processes, paying special attention to local level. This collection of signatures may have various objectives:

1. To push forward a regulatory proposal (bylaw, constitutional change or law) that fulfils the procedural requirements and leads to a referendum being held over the issue (**legislative initiative**).
2. To push forward a public policy proposal to be considered by the corresponding representative bodies, who have the power to decide whether to apply it, put it to a vote, or reject it (**agenda initiative**).
3. To push forward a referendum proposal regarding a matter of public interest, where the corresponding authority can decide to carry it out or not (**referendum initiative**).
4. To respond to a policy or specific legislative proposal from the public authorities, promoting a referendum for its approval or rejection (**abrogative referendum**).
5. To push forward a referendum in order to decide if an authority (executive, legislative) or a government body (the council or parliament as a whole) will continue in charge or will be removed before the end of their term (**recall initiative**).

In some countries, a different type of citizens' initiative can be found: The **constitutional or statutory initiative**. This focuses on the promotion of a referendum or debate within the representative bodies, regarding changes to the constitution (at local level, in the development of proposals for constitutional reform, or the organisational statute of local government). With this option, the initiative tends to incorporate a need for higher numbers of signatures compared to legislative and agenda initiatives, with which they overlap.

The outcomes of the initiative can be advisory (in general, this defines the agenda initiative, which are proposals) or binding (comparative legislation shows variability amongst the remaining initiatives). The initiatives are a set of diverse tools, with very dissimilar objectives and degrees of connection in decision-making. When we want to refer jointly to the tools which begin as a collection of signatures, we use the term **citizens' initiatives** or simply **initiatives**.

As table 1 shows, we can differentiate these tools according to the mechanisms put in place once the required support has been achieved and validated. Agenda and referendum initiatives leave the corresponding representative body in charge of the final decision, while the remaining initiatives almost always necessarily lead to a popular referendum (whether binding or non-binding). The table also differentiates initiatives according to their goals, with the agenda initiative promoting debate between legislative representatives and the others which look to hold a referendum. In cases like the Swiss legislative initiative, negotiations with the parliament can commence, with the possibility of the proposal being withdrawn without a vote if an agreement is reached with the legislative. A final decision to withdraw is left to the promoter committee and not to the authorities.

On the other hand, those tools which necessarily result in a referendum being called (legislative, abrogative and recall initiatives) can be distinguished according to their objectives. Legislative initiative is proactive, it addresses an issue which is not present in the government agenda (a non-decision; Kersting, 2009), whereas abrogative and recall initiatives are reactive; they promote the rejection of existing political decisions or public service positions.

Table 1. Types of initiatives according to their goal and mandatory nature in the mobilisation of the referendum

		Compulsory action	Optional action
Goal	Referendum	Legislative initiative Abrogative initiative Recall initiative	Referendum initiative
	Debate between representatives		Agenda initiative

Source: Own elaboration

These citizen-initiated tools differ from those where the referendum is called by a constitutional mandate or through the efforts of the authorities, either under a united or divided government, where one power can initiate a process against the decision of another (for example, executive authorities against legislatives or vice versa) (Welp and Ruth, 2017). Podolnjak (2015) distinguishes between decision-controlling and decision-promoting referendums. Decision-controlling referendums take place when they are promoted by a political actor who is not the author of the proposal. This would be an abrogative initiative, being reactive in nature, where citizens request a vote regarding a governmental decision. In contrast, with decision-promoting referendums, the promoter is the one who also develops the proposal, as in the case of legislative or referendum initiatives, thus facilitating a proactive approach.

A complex reality

The types of initiative described represent an operational simplification. Nevertheless, the reality is far more complex, and the categories cannot always be fully defined. To begin with, there is no consensus regarding the terminology used to refer to these citizens' initiatives, nor is there any universal referendum terminology (Suksi, 1993). Agenda initiative is also called indirect initiative, popular legislative initiative, citizens' proposal, citizens' motion, right of proposal, popular demand, indirect popular initiative, citizens' petition, law initiative or inhabitants' initiative. It is also called normative initiative when the aim is to present regional or local ordinance projects which are to be submitted for debate by the relevant body.

Referendum initiative does not have any established terminology (Schiller, 2011a). It is also referred to as motion for a referendum, or proposal of advisory popular voting (in this case, the possible referendum would be non-binding). By the same token, abrogative initiative is also called the initiative of popular referendum, citizen-initiated referendum, rejection initiative or popular veto. A notable characteristic of abrogative initiative is that it distinguishes between being directed towards existing legislation, as occurs in Italian legislation, or towards approved but not yet current legislation, as in Swiss regulation (Breuer, 2008a).

One characteristic of recall initiative is that it is promoted by citizens, unlike recall referendum which is promoted by the authorities in order to ratify a decision already taken. The latter resembles other processes for removing public servants from their positions, where the promotion and decision came from the authorities, such as in the case of impeachment. However, these do not involve citizens, whereas the recall referendum does. In this study we only consider the recall initiative promoted through the collection of signatures.

For its part, references to legislative initiative as initiative and referendum, popular or citizens' referendum initiative, popular citizens' initiative, right of initiative, initiative process, city initiative, direct initiative or citizens' political initiative have also been found. In some countries, like Switzerland, Italy, Germany or France, when initiatives at the local level are referred to, the term is accompanied by the adjective "communal".

In some cases, once a legislative or referendum initiative is presented, authorities have the option to propose an alternative. In Switzerland, a negotiation process can be opened which isn't part of the regulation, but an alternative which has already been put into practice. It allows for the approval of the proposal through other means, without the need to consult citizens (if, when faced with an assembly proposal the promoter committee decides to withdraw the initiative) or even lead to citizens being allowed to vote on a choice of four eventualities: the original initiative, a negotiated initiative between the parliament and the promoter committee, the parliament's counter-proposal, or maintaining the status quo (i.e.: rejection of all the former).

A central element in all these initiatives is their role within the democratic system. This can range from a logic of control or counterbalance of the processes of political representation, or, in the other extreme, generating a more propositional dynamic within politics. The initiative may also take on the role of mobilising support on behalf of the political authorities, when triggered by parties with representation (through the collection of signatures), along with the support of other associations. The legislative initiative, by permitting citizens to develop a legislative role through the introduction of issues in the political agenda

(Breuer, 2008a), allows citizens and the associative network to intervene directly in the decision-making process. Nevertheless, it must be kept in mind that this intervention is mediated by numerous technical, legal, political and social restrictions. As case studies will show (see section 5), it is not easy to gather thousands of signatures and then to formulate a proposal.

The agenda initiative relates to the right to place an issue within the political agenda (Kaufmann and Waters, 2004). It is often considered an incomplete initiative (Schiller, 2011a), given that the administration has the power to make the final decision on the proposed issue. This tool, by opening up the public agenda to innovative points of view coming from civil society, can potentially counteract dynamics of exclusion by paving the way for proposals that would otherwise never be heard. (Christensen et al., 2017). Given that the agenda initiative represents a tool halfway between the right to petition and other binding tools, there exists a possibility that they may be complemented in a specific process. For example, if the agenda initiative includes a referendum being held over a certain issue –Peruvian and Ecuadorian legislations establish this when the initiative is not dealt with– then it becomes a referendum initiative. Furthermore, if a successful collection of signatures takes place outside the official channels, its impact can be similar to an agenda initiative (as in the examples of Cordoba (see [sheet 9](#)) and Krakow (see [sheet 20](#)) where associative and political actors initiated signature collection campaigns to voice proposals for maintaining the names of certain streets, or against the winter Olympics).

Other types of initiatives operate as reactive instruments or tools of vertical control. The abrogative initiative, when permitted to deal with legislation which is not yet current, (like in Switzerland), constitutes a potential barrier for measures that have a majority opposition of voters or powerful social actors that decide to mobilise in order to block their approval. When it enables the right to decide on retrospective measures (like in Italy), it acts as a corrective in decision-making by public representatives; it allows the measures which don't coincide with the views of the citizens to be repealed. For its part, the recall initiative represents a retrospective accountability mechanism that allows citizens to sanction irresponsible behaviour beyond the electoral processes. In saying that, it also enables powerful socio-political actors to boycott government action when they are unable to control the electoral process.

2.2. What are its uses?

The promotion and development of citizen participation initiatives has been subjected to an intense debate. In this, the opportunities and risks associated with it have stood out both from a theoretical perspective, as well as from empirical analysis focusing on effects, strengths and weaknesses. For example, the case study carried out in Australia (Canberra and the Australian Capital Territory) demonstrates the political and economic debate surrounding the introduction of the local initiative. Ultimately, this depends upon the actors and the arguments through which it is presented, the model proposed, as well as the pre-existing participatory tools available in the area (see [sheet 13](#)).

In this section we address some of these debates. We focus on different areas of analysis, such as, the possible solution that these tools pose in the face of problems of legitimacy and trust suffered by representative institutions; problems relating to the resources needed to participate and the consequent danger of the co-option of these tools by interest groups and the logic of democratic deepening, both in proactive terms, such as those relating to control, or its impact on the quality of democracy and decision-making processes.

2.2.1. Political trust

Recent decades have witnessed a global trend of declining confidence in the institutions of representative democracy (especially political parties and Parliaments), which has often been described as a political crisis. Traditionally, criticisms arising from the general citizenry had focused on policies or governments, whilst recent social movements such as the 15M in Spain express a more encompassing rejection of the political and economic system, through slogans such as “No Nos Representan” (They do not represent us) (Gonzalo, 2017). Along the same lines, the slogan “Que se vayan todos” (Throw them all out) that emerged in the Argentinean crisis of 2001, also showed a general rejection, whilst the “We are the 99%” of the Occupy Wall Street Movement synthesized, in a very graphic way, the perceived breach between the citizenry and political and economic elites. This also occurred in Mexico with the “#YoSoy132” (#IAm132) slogan, as well as in Chile’s student movement.

Since the 1970’s, mechanisms for civic participation have been conceived as a potential antidote in the face of growing political disaffection, particularly in Western countries (Pateman, 1970). Recent studies regarding support for participatory processes in countries such as the USA, Spain, Finland or the UK, find that public opinion is generally in favour of direct democratic tools such as referenda. This preference is concentrated amongst particular social groups, such as the young and those who position themselves on the left of the ideological spectrum (Font et al., 2012) ²This increases pressures for making institutional changes, that can open up the democratic process via mechanisms that permit an avoidance of political parties, such as the initiative (Dalton and Welton, 2005). It is no coincidence that in countries such as Spain, where levels of political trust are hitting all-time lows, participatory rhetoric has climbed in position (Ganuza and Font, 2018).

Could the introduction of new direct democratic tools such as the initiative contribute to increase levels of trust in the institutions which they are hosted by, and even lead to a greater level of interest in politics? When participatory institutions are introduced, they lead to contextual changes not only in terms of public policy, but also in terms of political culture. More specifically, the citizens’ initiative can be conceived as a solution to diverse problems, such as falling levels of participation, the abuse of power or unresponsive governments (House of Lords, 2010). However, what initially seems a solution to a problem can also generate adverse effects. If initiatives intended to promote participation are not well designed, or are perceived to be of low practical use, they could generate frustration and increase dissatisfaction.

2.2.2. Electoral and non-electoral mobilisation

Electoral mobilisation is essential to the strengthening of the legitimacy of democratic political institutions. This is a central pillar of representation (the more people vote, the more legitimate the result, although other equally important conditions must also exist, such as, free and fair competition between electoral options). The question in this respect is whether participatory processes, such as, the citizens’ initiative serve to strengthen or to weaken representative institutions. Research points in both directions, but no studies are focused specifically on the initiative at a local level.

In California (USA), participation in popular initiatives is slightly lower than that in representative elections, and use is falling since the initiative was instigated. As such, the

potential to increase electoral mobilisation has not materialised (Collins and Oesterle, 1995). This case points to the risk that citizens might be made weary by the proliferation of electoral events, thereby decreasing levels of participation. Switzerland is the paradigmatic case of this possible tendency: the country which offers the most opportunities for direct participation, is also a country with relatively low levels of electoral turnout. Although other explanatory factors exist for this relationship, it also seems clear that the existence of multiple channels for participation could facilitate a more strategic and selective use of these. Recent studies also suggest that the active electorate is much larger than that which voting averages suggest, since people participate in relation to specific issues. With the existence of dozens of voting opportunities per year (referendums at federal, regional and local level) there is considerable space for voters to drop in and out of their use.

Some studies find greater electoral participation in those places where referendums and initiatives are more frequent (Smith and Tolbert, 2004). In the USA, those states that make a more regular use of the citizens' initiatives return higher levels of electoral participation (Donovan et al., 2009). In these cases, the citizens' initiative generates a positive dynamic of electoral participation that spills over into elections for public office. It has been argued that the existence of well-designed direct democratic mechanisms can increase motivation for participation in general. A greater interest in public matters, as well as, a more positive perception of political institutions, both feature amongst the motives underpinning this positive synergy. As such, participatory processes can have an educational effect upon citizenry, as citizens learn to be more participatory and trust that their involvement is meaningful (Smith and Tolbert, 2004). Direct democratic mechanisms like referenda can have indirect effects upon political behaviour and attitudes, such as increased political efficacy, commitment and interest (Donovan et al., 2009).

A study focusing on agenda initiatives in Finland (Christensen et al., 2017) makes four interesting conclusions. 1) These tools instigate the participation of more excluded groups, as is clearly the case in terms of youth, while the positive effect of socialising them as active citizens at a young age, increases the possibility that they will maintain their involvement in the future. 2) Agenda initiatives fail to mobilise people with low levels of political interest or efficacy. 3) Political parties are important when mobilising people to support initiatives, whilst forming part of other groups can seem to be irrelevant and 4) Internet usage predicts support for these mechanisms, which demonstrates that agenda initiatives are a relatively accessible form of participation. Whilst our results are optimistic, we should caveat that the initiative is new and has generated large expectations, as well as, having been highly publicised. Whether interest will endure will depend, amongst other things, upon its effectiveness in channeling citizen demands.

One of the classical arguments in favour of promoting participation argues that it can be a "democratic school". This is because participation in these processes generates educational effects upon direct participants. Moreover, if the process is sufficiently visible and influential, these effects can extend to broader social groups who develop a will to be involved and listened to, in the decision-making process (Font et al., 2001). The success of participatory processes such as the citizens' initiative must, therefore, be understood as a process that includes learning on behalf of citizens. As long as they are well designed and deployed, different participatory tools will contribute to generating a participatory culture and practice amongst the population. The counter-side of consultations is that they can lead to division and polarisation (as we will discuss below).

Another argument, that frequently appears in the direct democracy literature, points to an approximation between political institutions and society. Since the electoral relationship between citizens and public administration is not limited to the periodic election of representatives, the perceived distance between represented and representatives is reduced and citizens look more favourably upon public debates. In the case of the USA, an increase and broadening of discussion on public matters is observed, whilst at the same time campaigns on controversial matters attract media attention (Collins and Oesterle, 1995). By increasing the visibility of and interest in certain public issues, electoral participation is also increased.

As such, in the face of increased doubts and concerns regarding democratic institutions, these direct democratic instruments can contribute to offloading some of the pressure upon representative organisations and contribute to the integration of groups that feel excluded (Cuesta López and Presno Linera, 2017). For example, in the case of the establishment of a minimum salary in Los Angeles (see [sheet 10](#)) or in that of San Antonio in Texas (see [sheet 17](#)), we see that the initiative served to place a topic that affected workers on low salaries, who make up a substantial part of the population, at the centre of public debate.

The willingness to incorporate more parts of the population into participatory processes is reflected in the attempts made by public administrations to open channels aimed at individuals, who are not represented in parties or associations. Since the end of the 1980's the limitations of participatory processes, based on associational participation, have become evident. This is due to the often questionable degree of the representativeness of the groups involved, in relation to the broader associational fabric, the individuals involved in relation to their organisations, as well as of the participating organisations vis-a-vis the broad spectrum of interests in society (Font et al., 2010). However, whilst citizen participation initiatives open up such channels for the involvement of individuals, research shows that the activation of direct democratic mechanisms depends to a greater extent on associations and (quite often) political parties, with individuals activating processes on very specific occasions.

2.2.3. Resources and costs

A classical dilemma regarding the initiation of participatory processes is that the majority of citizens lack the necessary resources in terms of time, means, knowledge and abilities to start them (Każmierczak, 2011). However, more developed societies demonstrate a higher potential for participation because large sections of society are increasingly informed and ready to participate (Inglehart, 1991).

As the cultural and educational level of societies increases, new technologies contribute to reducing the costs of participation, meaning it takes up less time, dedication, physical presence and even contact with other actors. It is plausible to propose that the population would, therefore, be better prepared to take part in the decision-making process. However, despite some exceptions, such as, the Finnish initiative model (see [sheet 19](#)), it is not very common for the collection of signatures to be allowed via online platforms. Thus, at the moment, in most cases the possibilities afforded by new technologies are limited to campaigns and dissemination, but not in their formal initiation.

In any case, this does not mean that the challenges presented by the costs involved in ensuring effective and responsible participation will disappear. In terms of the final referendum vote in citizens' initiatives, the lack of information amongst citizens is aggravated in two

ways (Cronin, 1989). On one hand, when public debate during the campaign is developed by interest groups rather than political parties, their motivations and interests are less known than the ideologies of parties and, therefore, increasing their capacity to decisively influence public debate. On the other hand, when political proposals that are subject of debate and have complex, technical or long-term implications, whether we consider the majority of local cases analysed in this report, or if we refer to some of the most famous national consultations of the past few years (for example, the peace referendum in Colombia, involving a 297-page long agreement for which there lacked the time, or the intention, to analyse and debate). In many cases, citizens can also chose to follow the informational shortcut represented by the positioning of political parties on the issue in question, without having to be acquainted with the proposal in detail, generating much debate regarding the benefits and problems involved in this process (Gómez Fortes and Font, 2014; Linares Lejarraga, 2017). More systematic studies regarding the formation of preferences demonstrate that, political parties generally play a role in influencing the formation of preferences, including in those cases when citizens themselves initiate referendums (Le Duc, 2002).

In short, information and mobilisation involve a commitment of time and resources that aims at certain benefits (in the case of the initiative influencing the process of decision-making). Since time is a limited and, as such, highly valued, resource, participation must involve demonstrative or instrumental benefits (Font et al., 2001). This is especially so in terms of the costs incurred in the initial stages of an initiative. Realising a political proposal, collecting the necessary signatures and, if and when this results in a vote, carrying out a campaign is, without a doubt, much more costly than taking part in a more discrete way, by signing a petition and / or voting in a referendum. For this reason, the cost-benefit analysis that can motivate a group of citizens to propose an initiative, will be associated with its design (and costs) as well as the potential for influence and success offered by the prospect. For example, in the case of Geneva (see [sheet 15](#)) and in the Swiss scene in general, research about the resource barrier and its influence upon citizens' initiatives suggests that reaching the signature quorum involves considerably high economic costs (Ruppen, 2004).

2.2.4. Interest groups

Our review of literature and cases reveals many grey areas. One of the negative aspects that stands out the most, refers to the actions of interest groups. Since initiatives require a high degree of mobilising capacity, as well as, human and economic resources, there is a clear danger that they can be used by interest groups with more capacity to influence the result (Lissidini, 2008). For example, Garrett (2004) analyses the important and sometimes problematic role that economic actors and political parties play in the Californian recall initiative. In the case of Richmond (see [sheet 16](#)), in the initiative regarding the rent cap, business lobbies carried out a powerful campaign that enjoyed greater resources than those of its opponents. Despite this, however, they were unable to sway public opinion or the result of the final vote at the referendum. In similar fashion, political parties in many countries have played a key role in the use of initiatives to promote their policies and mobilise voters (Serdült and Welp, 2012; Seo, 2017).

One the concerns, in this respect, is that powerful economic interests are able to “buy” legislation by promoting proposals and campaigning for their approval, or for the rejection of other proposals. A wide range of studies suggest that investment in campaigns is a very effective way to reject an initiative, but has a very limited influence when it is in

support of a proposal (Lupia and Matsusaka, 2004). As such, economically powerful groups are more influential when promoting a rejection of citizens' initiatives, than they are in promoting their own. This is especially so, given the tendency for the fear of change to impose itself in referendums, in favour of maintaining the status quo.

Another risk of opening up decision-making to citizens' initiatives refers to the co-opting of the political process. For example, if a government is ignorant of majority preferences on an issue, it could make concessions to organised interests to avoid the risks of an initiative (Lupia and Matsusaka, 2004). This criticism should be contrasted with in-depth studies, because lobbies also operate in the absence of these mechanisms, using other channels. Even considering this risk, referendums create a level of uncertainty that has potential to disrupt the power of dominant interests, as long as democratic rules are respected and spaces for public debate are improved (two key features).

Political parties are more prepared to develop and promote recall initiatives, because their activation requires organisational capacity and resources and they have more incentives to do so (Welp, 2018). As such, processes that have been put in place with the aim of opening up channels for participation for citizens to control and take advantage of, can end up being co-opted by organised interests or political parties that, at the very least, have strong abilities to influence their development. This is a fact that should be kept in mind, but that is difficult to tackle.

2.2.5. Direct and representative democratic processes

Do direct democratic processes complement or challenge representative institutions? Do they improve channels for participation? Citizens' initiatives can be conceived as tools for collaboration between citizens and public administration or, as processes that interfere with and disrupt government plans (Morales and Arroyo, 2017). Californian critics of the recall referendum deem it undemocratic on the grounds that it undermines representative democracy and the accountability mechanisms associated with periodic elections. In this sense, on the basis of one contested measure, the recall can lead to ending a representative government before the end of mandate (Garrett, 2004).

According to Breuer (2008a), the different kinds of citizens' initiative relate to representative democracy in different ways. In the case of reactive tools (when they provide opportunities for citizens to veto the proposals or decisions of public authorities), they could be described as complementary to representative democracy. On the other hand, when they are proactive (when citizens can develop proposals to place on the political agenda and therefore influence the legal status quo) they can be described as a substitute for representative democracy, since the citizenry takes on the role of legislator. Taking into account that they operate on specific occasions and there are no cases where a high level of legislation is developed through these mechanisms (including in Switzerland and California) it seems more accurate to say that they act as a corrective, rather than a substitute.

In general terms, where citizens' initiatives have been used they have not replaced, but rather have complemented, representative democracy³ (Kaufmann and Waters, 2004). For example, in Finland, where around one third of the population has signed at least one citizens' initiative proposal, 83% agree that this tool has had a positive impact on democracy (Christensen et al., 2017). In this vein, citizen participation has also been considered a way

to “democratise democracy” (Sidor, 2012). As such, the initiative allows for the opening of complementary channels for participation in decision-making, above and beyond the election of candidates or parties, encouraging the bottom-up development of ideas and support (Beramendi et al., 2008).

In place of a governmental monopoly over the right to make decisions, a well-designed modern direct democracy would mean that representatives, as well as citizens themselves (acting as “occasional politicians”) can gain decision-making power (Büchi, 2011). For its part, the agenda initiative can serve as a mechanism for translating citizen demands and increasing the legislative agenda, bringing public administration closer to citizens (Welp and Suárez, 2017).

2.2.6. Political debate and deliberation

If we focus on process rather than objectives, attempts to deepen democracy point towards the deliberative dimension: the development of a high quality debate, where different points of view are heard and respected. One desirable objective of direct democratic process is to increase decision-making transparency, by implying greater access to information and public debate about political issues, as well as the values and interests associated with them. In this way, the deliberative qualities of public debates and campaigns developed during initiatives and referendums can be enhanced (Schiller, 2011a). A campaign relating to a referendum can be conceived of an exchange of arguments that is conducive to greater rationality in making collective decisions, going above and beyond parliamentary debate (Kersting, 2009). In this vein the Citizens’ Initiative Review in Oregon incorporates a deliberative process within the citizens’ initiative, in order to deepen and systematise different positions, with a view to the generation of a more informed vote (see [sheet 21](#)).

However, this rational exchange of arguments is usually conditioned by the importance of the intervening actors, as well as their ability to influence debate. Moreover, one of the fundamental criticisms is that referendums divide and, in practice, tend to polarize political positioning. In fact, the adversarial and majoritarian logic means that it is impossible to achieve a deliberated and consensual solution amongst the different parties involved. Analysis of the anti-mosque mobilisations in Helsinki (see [sheet 19](#)) or against beggars in Ciudad Quezón (see [sheet 14](#)) illustrate how initiatives can also polarise and create confrontation along social and ideological lines. In the case of Switzerland, however, the referendums (which are by definition majoritarian) have worked well to strengthen channels for negotiation. If we accept that conflicts will always exist in any given society, the referendum can be an ideal mechanism to resolve these, based on a series of agreed rules and procedures. Its ability to deepen or resolve conflicts is, therefore, associated with the context in which it is activated.

In contrast to the legislative and referendum initiatives, where the initiators must explain and justify their proposal to the electorate, in the case of agenda initiatives a demand is taken to the political authorities, who then take a final decision. Therefore, in this case initiators activate a public debate, which is initiated a-posteriori (Büchi, 2011). Although it is of lesser reach, the agenda initiative promotes a public discussion and deliberation on issues that representatives may not have prioritised, thereby contributing to the integration of interests within representative bodies (García Majado, 2017). However, in practice this effect does not seem to materialise. Many agenda initiatives remain unresolved, or do not appear

on the parliamentary agenda, and therefore these discussions do not occur. In the Spanish case, where the initiative requires debate and approval by the municipal chamber, this often occurs (Suárez Antón, 2017). In many cases, whether or not the agenda initiative promotes debate depends upon the support it enjoys amongst established political actors.

2.2.7. Control and accountability

Another argument related to democratic deepening refers to supervision of representative institutions. It is hoped that direct democratic mechanisms offer tools for political control and, therefore, strengthen accountability and responsiveness of elites to citizen demands (Setälä and Schiller, 2009).

If public officials act on behalf of voters, the latter should have the right to annul political decisions through the legislative and abrogative initiative (Matsusaka, 2004). This control can be exercised over legislation and legislators. On one hand, abrogative initiatives function as an instrument for political control, in order to guarantee that the actions of governments might be challenged by a majority of the population, whilst minorities have the opportunity to win support in a referendum. This primarily takes place when controversial legislation incites ideological controversies, media visibility and protests in favour of or against proposals. In these cases, the citizens' initiatives can serve to clarify the existing power balances – that is to say, what support a given proposal or counter-proposal has. For example, in the referendum initiative relating to the Great Mosque of Helsinki (see [sheet 19](#)), the proposal was used by right wing actors to instigate debate, increase the visibility of their arguments and to mobilise, before the representative chamber made its decision regarding the construction of the mosque.

It has also been argued that the mere possibility of starting an initiative improves representation, because it keeps representatives alert. According to some studies, in Switzerland the threat of an abrogative initiative is more influential than a legislative initiative, since those who lose a vote in representative bodies often drive these kinds of initiatives (Collins and Oesterle, 1995). In any case, the existence of this mixture of mechanisms and their capacity to control governmental action, mean that they become an important incentive for representatives to negotiate their proposals before approving them, given the risk that these could be paralysed after being approved.

In terms of control over legislators, the abrogative referendum rests on the idea that public authorities should be responsive to the citizens that elected them, enabling an early termination of their mandate, if they do not meet expectations. It, therefore, creates effective vertical accountability mechanisms. As such, one of the motivations to implement this tool in various states of the USA, such as Oregon, was to counter the perception that elected offices were too connected to powerful economic interests, forcing them to be more receptive to other citizen demands (Beramendi et al., 2008).

Cronin (1989) summarises the arguments for and against the abrogative initiative. Amongst its virtues, the initiative allows for constant accountability, facilitating citizens to remove incompetent, dishonest or irresponsible public officials. It also contributes to controlling an excessive influence of single interests over government and promotes citizen interest in political affairs in between elections. Amongst its disadvantages, the abrogative initiative conflicts with the idea of the free representative mandate and decreases the at-

traction of public office for the more capable individuals. The vote in abrogative initiatives can be divisive, polarising, confusing, often unjust, costly and are tied to a myriad of abuses and unintended consequences. Therefore, as we shall see below, the positive aspects that facilitate popular control can also have a negative influence on governability.

2.2.8. Governability

The relationship between public administration and citizens rests, amongst other factors, on the perception of political actors as being more or less active. Thus, Agger and Lund (2017) analyse the role that different models of democracy envisage for the citizenry in public administration (as clients, consumers or co producers). In the classic liberal conception of democracy, the citizen is viewed as a client, who expresses her preferences as a voter at electoral events, or as an individual belonging to political parties or pressure groups. The risk here is that, the policies that are developed in between elections, fail to satisfy the needs of citizens. As a reaction to this passive role for the citizen, the perspective of New Public Management conceived of the citizen as a consumer, who could influence public policies via her capacity to select service providers that meet her preferences. This model also fails to incorporate citizen knowledge in the development of public policy, beyond the possibility for election. From a New Public Governance perspective, the role of the citizen becomes more active, conceived of as a potential partner in contributing to the improvement of services and public policies. This co-production or co-creation role, based on the mobilisation of resources and knowledge to develop policies and services, is hampered by the lack of time and resources, results in participatory processes that are dominated by a specific part of the population.

Given the limitations of these models, Agger and Lund (2017) propose that the citizens' role should be that of co-innovator, that can activate the citizen and her knowledge, meeting her needs, whilst also appealing to her creative capacity Citizens' initiatives are coherent with this kind of conception, especially those that allow the citizen to innovate in a more proactive fashion, developing proposals for public policies. The establishment of guarantees and facilitation mechanisms such as financial or technical support for the development of proposals would give groups with lesser resources opportunities to make proposals.

For example, in the US cases we have studied (see [sheets 10, 16, 17 y 18](#)), electoral offices offer support for drafting initiative projects. Notwithstanding, as demonstrated by the case of Buenos Aires (see [sheet 5](#)), when promoters are neighbourhood, worker or consumer groups with less resources, they tend to rely on other more specialised groups (such as environmentalists, socially minded architects, trade unions) for the drafting and development of their proposals, in order to ensure that all legal and technical viability requirements are met.

Direct democratic mechanisms do not always promote political inclusion. As we have seen, one recurrent criticism points towards the use of these tools by groups with high mobilising capacity, at the risk that these can negatively affect governability. In this respect, the abrogative initiative is considered a highly polarising and divisive mechanism. It can lead to severe confrontations which interrupt mandates and create incentives for opposition groups to replace elected officials. Different studies demonstrate that opposition political parties often use referendums, when they are not able to win elections (Kersting, 2009). For example, in Peru, where 5,303 abrogative referendums were initiated in 747 municipalities between 1997 and 2013, the party-political use of this initiative has led to a permanent state of political campaigning, eroding governability and democratic legitimacy (Welp, 2016).

On the other hand, it should also be expected that if it is citizens that promote referendums, the process could solve conflicts via a majoritarian vote, such as through an abrogative initiative applied to controversial legislation.

2.2.9. Quality of decisions

Finally, the public policy making processes also require attention. Political inclusion does not solely imply the involvement of actors that are traditionally excluded from the policy process, but also the generation of opportunities for realising quality proposals, with information, sufficient means and responsibility over the consequences of these actions. Some argue that due to the low level of resources amongst citizens, decisions made via direct democratic processes can be ineffective, given limitations of technical and expert knowledge (Kaźmierczak, 2011). Moreover, direct democracy could lead to irrational decisions about complex matters, given the opportunities for manipulation by certain actors (Rourke et al., 1992).

One of the objections to “bottom-up” direct democracy refers to the possibility that decisions about interrelated matters can be taken in isolation, creating opportunities for collective irrationalities (Petit, 2012). Such a case might be, for example, if citizens voted in favour of two initiatives, in favour of increasing spending on urban planning and education and another, calling for a reduction in municipal taxes. In this respect, Linares Lejarra (2017) argues that when voting on related issues it should be possible to generate more complex alternatives, where all the possible combinations could be hierarchically ordered, or to carry out sequential votes in a short period of time to emphasize their connectedness.

On the other hand, some contributions point out that initiatives approximate public policies towards the preferences of the average voter (Gerber, 1996; Arnold and Freier, 2015). One US study demonstrates that States with legislative initiatives develop public policies that are closer to the preferences of the average voter than other States, where this tool does not exist (Matsusaka, 2010).

What kinds of policies result from these initiatives? The evidence points in multiple directions. For example, if we focus on their effect on public spending, a US-based study focusing on the 1970-2000 period (Matsusaka, 2008) demonstrates that States where a legislative initiative exists spend less, decentralise more spending from the state level to the municipal level and raise less funds through direct, general taxation and more through indirect taxes such as fares and charges for services. Nevertheless, this same study finds that according to municipal data, local initiatives were associated with higher public spending in the 1980's and 1990's. Another US piece of research focussing on 350 Californian cities in 2000 demonstrates that the legislative initiative leads to increased public spending, when acceptance requirements are not too high (Gordon, 2004). Likewise, a study of 2,056 municipalities in Bavaria (Germany) between 1983 and 2011 shows that the local initiative is associated with higher public spending (Asatryan et al., 2016).

In relation to other topics, some studies focussing on the US and Switzerland link the presence of direct democratic processes with effects such as cleaner environment, as well as educational and mental health improvements (for a review see Matsusaka, 2008). There is a need for more empirical evidence, especially in areas where less research has taken place, if we are to be able to determine whether these effects are generalised, or rather are linked to specific contexts or conjectural dynamics.

In short, we have found that there is no consensus in the debate about direct democracy in general and citizens' initiatives in particular. Undoubtedly, many of the virtues and defects associated with these tools will have greater or lesser relevance, depending on their specific design, the role of broader institutions (for example, the electoral bodies in charge of supervising these processes) the political responsibility of the authorities (accepting the rules of the democratic game) and civic culture (capacity of the citizenship and other actors to activate these tools). In the following sections we will carry out a detailed analysis of the central elements of the design of these tools, such as their authorization requirements, the objectives for which they have been developed or the extent to which they are binding in nature.

3. Origins and expansion

In this section we briefly summarize the origins of the initiatives, as well as their recent worldwide diffusion. We begin by presenting a global overview of citizens' initiatives at national, regional and local levels.

The citizens' initiative is often considered a Swiss innovation. More specifically, many Swiss cantons adopted the constitutional initiative during the 1830s, as well as the legislative initiative during the 1860s (Collins and Oesterle, 1995). At the national level, the initiative was implemented in Switzerland in 1891 and in Liechtenstein in 1921 (Seo, 2017). However, the conception of direct democracy, in which the initiative is framed, is very old. Even in ancient Greece there was a very similar instrument, while citizens' initiative already appeared in the constitution that emerged from the French Revolution of 1793 (Kaufmann and Waters, 2004). Moreover, tools such as the petition (precursor of the agenda initiative) spread throughout Europe during the VI-VII centuries.

Tracing the precedents of the agenda initiative, Suárez Antón (2017) places its origins in France from Capeto (987-996) and, more assuredly, with Louis IX (1226-1270). In Spain, the practice of addressing the King in demands for justice, grace or help, exists from the 11th century. A more sophisticated version is found in the articles of the House of Commons approved by Henry IV (1399-1413) who introduced the practice of presenting petitions written in the form of a Bill, that the King would be limited to accepting or rejecting, without modification. These antecedents cohere with Whitehead's critique of the notion of a sharp division between representative and direct democracy, by hiding the presence of elements of participation and attempts to expand them throughout the history of states (Whitehead, 2017).

The Swiss cantons regulated these mechanisms before the first constitution of the Confederation was approved in 1848 (as an example, see the expansion of the recall initiative in Serdült 2015). In the USA, 19 states were directly inspired by Switzerland (including visits to the country) to authorize legislative initiatives between 1898 and 1918, during the Progressive Era, beginning with South Dakota (Collins and Oesterle, 1995). In Japan, the decentralization and incorporation of citizen participation mechanisms occurred during the North American occupation, after the Second World War. In other countries, these instruments were adopted after periods of dictatorial rule, such as, in Italy or Germany (at the regional level) since 1945, and later in Latin America (Ruth et al., 2017). Similarly, in Eastern Europe, initiatives were introduced in the 1990s during the Post-Communist period.

The agenda initiative appeared for the first time in the Austrian Constitution in 1920, although the first formal experience took place in Italy in 1954 (Welp and Suárez, 2017). Other initial developments took place within the constitutions of some European countries such as Latvia or Spain after the First World War. Since 1989, the agenda initiative has been established in various geographical areas such as Southeast Asia (Philippines and Thailand) West Africa (Ghana and Niger) and Eastern Europe (Hungary, Poland and Slovenia) (Beramendi et al., 2008). More recently, the agenda initiative has been reinforced by the third wave of constitutional reforms in Latin America and the failed draft Constitutional Treaty of the European Union (Welp and Suárez, 2017).

The abrogative initiative was added to the Swiss constitution in 1874 (Kaufmann and Waters, 2004). For this reason its origin is usually recognised in Switzerland at the end of the XIX century, both at the local and state level, followed again by the USA at the end of the XIX and beginning of the XX centuries (Beramendi et al., 2008). During this period, we also find that in one year (1918-1919) the right to popular referendums existed locally in Finland. It was just used once and was abolished with the end of the Civil War (Büchi, 2011). However, the recall appears much earlier within the laws of the General Court of Massachusetts Bay Colony in 1631 (Welp, 2018).

A global study, focusing on the national level and on mechanisms that are activated by a collection of signatures, which culminate in voting, shows that Switzerland was the only country with this kind of regulation up until 1920. In the following period, 1921-1950, Latvia, Liechtenstein and Estonia joined the Alpine country. Between 1951 and 1988 Latvia and Estonia eliminated these mechanisms; whilst they were adopted by Uruguay, San Marino and Italy (thus there was an increase from four to five countries that regulated this mechanism at national level). After the fall of the Berlin Wall and the restoration of democracy in the countries of Latin America, the map begins to change more markedly. The study shows that between 1989 and 2009 both the number of countries adopting the regulation, as well as, the practical instances of its use, increased. The cases of Switzerland, Liechtenstein, San Marino and Uruguay, show the highest frequency of initiations. Other countries in which they exist include the Ukraine, Taiwan, Palau, Hungary, Slovakia, Bolivia, Venezuela and Colombia (Serdült and Welp, 2012). This group has continued to expand following the publication of the study, as further countries have introduced these mechanisms.

In general terms, initiatives have mainly evolved since the 1990s. In this period, there is no general tendency to liberalise procedures, rather, in some countries steps have been taken towards adopting regulations that are more open to citizens (such as in Bulgaria in 2009, and some German states or Sweden in 2011), while in other countries more restrictive regulations have been adopted (such as in Slovakia in 2001 or in the Czech Republic in 2004) (Schiller, 2011a). Continuing with the Swiss example, we see that the development of these instruments does not correspond to a specific moment. In this country, the establishment of strong initiative tools has been a gradual process, advanced through pressures from powerful citizen movements (Kaufmann and Waters, 2004).

3.1. Where: mapping the initiatives

Beyond looking at how different types of initiative came about, it is more interesting to understand what is happening currently. With this in mind, we now analyse at a broad scale the places where these citizen participation initiatives are present. The instances recorded here do not imply an exhaustive census of these tools, but they serve to give an idea of the regions and countries in which they are institutionalised and / or used with more or less frequency.

Table 2 shows those cases in which we have found evidence of practices or legislation at the local, regional or national level. In some cases, the introduction of a mechanism in the constitution has not been accompanied by effective implementation, or the mechanism has never been taken up. Similarly, the presence of one type of initiative at the local or regional level within a country could mean that it is used extensively, or that only a single municipality uses it. The overview presented here does not constitute an exhaustive review, but rather a

synthesis of the information that we have found through consulting the bibliography of this study and from a review of the Center for Research on Direct Democracy (c2d) database, as well as websites documenting participative like The Navigator to Direct Democracy, The ACE Electoral Knowledge Network and Participedia.

There are even more reasons to treat the information shown in the table with caution. On the one hand, there are certainly some existing practices or regulations not reflected in the data. On the other hand, in many cases the information available is incomplete or confusing. Therefore, added to the enormous diversity of terminology in use, it becomes difficult to differentiate between different types of initiatives.

As a general overview, it can be seen that these initiatives are far more present in Europe and the Americas. In Africa, Asia and the Pacific Islands we find less countries where these initiatives are in evidence.

Table 2. Presence of legislation and/or experiences of different types of initiative at the local, regional and national level

		Legislative in.			Agenda in.			Referendum in.			Abrogative in.			Recall in.			
		Local	Reg.	Nat.	Local	Reg.	Nat.	Local	Reg.	Nat.	Local	Reg.	Nat.	Local	Reg.	Nat.	
Africa	Benin						•									•	
	Botswana						•										
	Burkina Faso			•			•										
	Cape Verde			•			•					•					
	Congo						•										
	Ethiopia			•													
	Ivory Coast													•	•	•	
	Kenya			•			•										
	Liberia			•			•										•
	Niger						•										
	Togo			•			•										•
	Uganda			•			•										•

		Legislative in.			Agenda in.			Referendum in.			Abrogative in.			Recall in.		
		Local	Reg.	Nat.	Local	Reg.	Nat.	Local	Reg.	Nat.	Local	Reg.	Nat.	Local	Reg.	Nat.
Americas	Argentina	•	•		•	•	•	•	•			•		•	•	
	Bolivia	•		•			•						•	•	•	•
	Brazil				•	•	•									
	Canada	•	•			•		•	•							•
	Colombia	•	•	•	•	•	•				•	•	•	•	•	
	Costa Rica			•			•									
	Cuba						•							•		
	Ecuador	•	•	•			•						•	•	•	•
	Guatemala	•	•					•	•		•	•		•	•	
	Honduras						•									•
	Mexico						•			•						
	Nicaragua	•	•	•	•	•	•		•	•		•	•		•	•
	Panama			•			•									
	Paraguay															•
	Peru						•									
	United States	•	•	•			•						•	•	•	
Uruguay			•									•				
Venezuela			•										•	•	•	
Asia	Georgia	•		•			•				•	•	•			
	Japan			•	•	•	•									
	Kyrgyzstan	•												•	•	
	Philippines						•									•
	Taiwan						•									
	Thailand	•		•										•	•	•
	Turkmenistan				•	•	•	•		•						

		Legislative in.			Agenda in.			Referendum in.			Abrogative in.			Recall in.		
		Local	Reg.	Nat.	Local	Reg.	Nat.	Local	Reg.	Nat.	Local	Reg.	Nat.	Local	Reg.	Nat.
Europe	Albania			•			•			•			•			•
	Andorra	•	•		•	•		•	•		•			•	•	
	Austria			•			•									
	Belarus				•		•									
	Bulgaria			•			•									•
	Croatia	•		•	•		•			•						
	Czech Rep.	•		•										•		
	Denmark						•									
	Estonia				•	•	•	•	•	•						
	Finland	•		•			•							•	•	
	France	•					•					•		•		
	Germany			•												
	Netherlands				•	•	•	•	•							
	Hungry	•														
	Italy						•							•		
	Liechtenstein	•		•			•							•		
	Latvia	•	•		•	•	•	•				•		•		
	Lithuania			•			•							•		•
	Macedonia			•			•									
	Malta			•			•									
	Moldavia	•					•							•		
	Montenegro													•		
	Norway			•			•							•	•	•
	Poland						•				•					
	Portugal				•	•	•									
	Romania	•					•							•	•	
	Russia						•				•					
	San Marino	•														
	Serbia			•			•									
	Slovakia			•												•
Slovenia			•			•							•			
Spain			•	•	•											
Sweden				•	•	•	•	•								
Switzerland	•	•	•								•	•	•	•	•	
Ukraine			•													
Pacific Islands	Australia	•	•													
	Marshal Islands															•
	Kiribati															•
	Federated States of Micronesia			•												•
	New Zealand									•						
	Palau			•									•			•

Source: Own elaboration based on data from the [Center for Research on Direct Democracy](#)⁴ (c2d), [The Navigator to Direct Democracy](#)⁵, [The ACE Electoral Knowledge Network](#)⁶, [Participedia](#)⁷ and sources cited in the bibliography.

Below we present a general overview of the initiatives found in the different regions, before moving on to focus on examples of each type of initiative and their frequency.

3.1.1. General overview

The data shows that the institutions which facilitate the citizens' initiative are present in fewer countries than the obligatory or optional referendums promoted by public authorities. In Europe, the proportion was less than a third years ago, while in other places, such as, Africa and Asia the difference was much greater (Kaufmann and Waters, 2004; Beramendi et al., 2008).

In Africa we have not found experiences or initiative regulations at the local or regional level. In fact, neither do most African countries offer the possibility of carrying out referendums at a local level, mainly due to the low level of decentralisation and municipal autonomy in the continent (Kersting, 2009). Moreover, only Namibia, Uganda and Ethiopia have referendums at the subnational level. Citizens' initiatives had never been carried out in South East Africa until 2009 (Kersting, 2009).

A study analysing 30 Asian countries (Qvortrup et al., 2018) finds that legislation on holding referendums exists in just 11, and initiatives are only regulated in Taiwan and the Philippines. The four national referendums promoted in Taiwan through this tool did not meet the 50% electoral assistance requirements.

Switzerland continues to be the main instigator of initiatives at the national level, although more and more countries are activating them and regulating them throughout the world. At the subnational level the most frequent initiators of legislative and referendum initiatives are Switzerland, Germany and the USA. In the USA, around 70% of the population live in municipalities with some type of local initiative, while 40% live in a state that recognizes some type of initiative. Use is more frequent in large cities, than it is in small cities, as well as, in cities within states that have initiative, than it is in those that do not (Matsusaka, 2003).

Due to their federal make up, the USA and Germany, two of the countries that are most experienced in terms of subnational initiatives, have no experience of direct democracy at the national level (Podolnjak, 2015). This also applies to Peru, which is the heaviest user of the local recall initiative in the world, with more than 6,000 authorities being subjected to a recall referendum between 1997 and 2017 (Holland and Inicio, 2018). The recall initiative has also frequently been initiated in other Andean countries such as Bolivia, Ecuador and Colombia, although few attempts have culminated with a vote in these cases (Welp, 2016).

Amongst the Pacific Islands, a national consultative referendum initiative exists in New Zealand. Amongst its microstates, the legislative, recall and constitutional initiatives exist at state level in Palau and Micronesia (Serdült and Welp, 2012). In Micronesia the possibility exists for 10% of registered voters, spanning at least three quarters of states, to propose amendments to the constitution, which must be supported by three quarters of voters in three of the four states (Qvortrup et al., 2018). Only in Australia have we found local or regional experiences, of the legislative initiative in this case.

3.1.2. Legislative initiatives

Few countries make provision at the national level for initiatives which allow citizens to take part to intervene in the development of laws. Switzerland or Uruguay are notable exceptions, where citizens' initiatives are able to bring about constitutional changes. In the former particularly, this has led to the initiative being used to resolve public policy issues through amendments to the constitution. For example, an initiative approved on 23rd September 2018 introduced a constitutional obligation on the part of government to protect and promote bicycle paths. In addition to being able to differentiate on the basis of whether a country allows initiatives to propose laws or constitutional amendments, we can also recognise distinctions in the procedure by which such changes are effected. In some cases citizens' initiatives are able to activate legislative changes directly (Switzerland, Uruguay), whereas in others the approval of the Parliament is required (Portugal, Colombia).

At the subnational level, the picture is more diverse and complex. In Latin America, the legislative initiatives of the Mexican state of Jalisco (Alacio García, 2017) or the Autonomous City of Buenos Aires (see [sheet 5](#)). stand out in particular. In Italy, some cities such as Rome, Turin, Florence or Genoa allow for a consultative referendum to be held in cases where a threshold of signatures is exceeded. However, this mechanism is not used frequently (Erne, 2004).

In Germany, all the länder (federal states) introduced rights facilitating legislative initiatives during the 1990s (before this such provisions only existed in Baden-Wuerttemberg, where they were introduced in 1956). Since then, almost 40% of all German initiatives have been developed in the state of Bavaria (Arnold and Freier, 2015). Between 1995 (when they were introduced) and 2011, 2,500 legislative initiatives were developed - although obviously not all of these resulted in a vote (Asatryan et al., 2016). Until 2005, 538 referendums were called in Bavaria as a result of legislative initiatives, with 305 of these resulting in successful outcomes (Beramendi et al., 2008).

A study by Schiller (2011b) shows that throughout Germany, legislative initiatives are the predominant instrument of local direct democracy. Before 2009 there were 4,829 local legislative initiatives, resulting in 2,055 ballots. These initiatives are predominantly used to hold authorities to account, with between 70% and 75% challenging a local administration's decision - often putting forward alternative ideas. The frequency of these initiatives is significantly higher in cities with more than 100,000 inhabitants.

In Switzerland, one of the most paradigmatic cases and a reference for direct democracy, hundreds of thousands of referendums have been called at the local level since 1848, when the country's first Constitution was approved (Ruppen, 2004). Since the second half of the 19th century, three out of four referendums in Switzerland have been brought about through legislative initiatives. However, the success rate of these initiatives (10%) is much lower than that of government proposals and counterproposals (65%). In other countries we find the same pattern: relatively few contested votes, predominance of sectors with greater resources and often low participation ratios (House of Lords, 2010).

In the US, legislative initiatives are authorised in 24 states, and are more widely used in the western states (Beramendi et al., 2008). Many local governments have also embraced these instruments, even where there is no provision in state law (Collins and Oesterle, 1995).

In Oregon, for example, since 1902 it has been possible to submit a legislative proposal (both to amend the constitution and to adopt a new law) with 1,000 valid signatures. 340 such initiatives have been voted on since this time, of which 118 (35%) have been approved (McGuire, 2008). Such initiatives are also used frequently in California, where 363 initiatives have been voted between 1912 and 2015 (López Rubio, 2017).

Table 3 shows some examples of local legislative initiatives, noting for each of these the population eligible to participate, the issues the initiative can address, the procedural requirements for it to be enacted, as well as the potential outcomes or consequences.

Table 3. Examples of legislative initiatives at the local level

Region	Country	Administrative Scale	Promoters	Scope / purpose	Procedure	Consequences
Americas	United States	Los Angeles (sheet 10)	Registered voters	Submit a rationale	15% of the total votes in local elections, 120 days	If not adopted, referendum called within 110-140 days or in the next elections
		Richmond (sheet 16)		Proposed motion, explanation or reasons, refundable fee (max. \$200)	10% electorate, 180 days	Public hearing with promoters. The chamber requests reports (economic impact, legal impact...). If not adopted, a binding referendum is called. If approved, it can only be revoked by referendum
		San Antonio (sheet 17)		Excluded: private appropriation of money, fees and taxes, suffrage, public rates, zoning (urban planning)	10% electorate, online or in person	Public hearing with promoters. Approved or a binding referendum is called. If approved, it cannot be modified or revoked for 6 months
		Portland (sheet 18)	Voters	Specific regulatory measures or modification of municipal statutes; proposed referendum date (in representative elections)	9% of the electorate; before 4 months for the scheduled elections; fines for non-compliance with data collection protocol	Approved or submitted to a binding referendum. The chamber can include a counterproposal in the vote.
	Colombia	Bogotá (sheet 12)	Voters	Draft agreements or ordinances, policy proposals. Excluded: exclusive initiative of the mayor, budget, fiscal or tributary, international relations, amnesties, public order issues	10% voters, 6 months	Local administration decides whether to call a referendum - mandatory if signatures reach 20%. Representative of the proposal heard throughout the process
Asia	Philippines	National legislation	Registered voters	Can be used to reject or propose local laws. No more than one initiative a year	1,000 in cities, 100 in municipalities, 50 in Barangays	Referendum triggered
		Quezon City (sheet 14)		One proposal a year. Debate, approve, reject, modify or repeal of laws, ordinances or resolutions	1st stage: 1,000 in metropolitan area, 100 in a city, 50 in a neighbourhood; 2nd stage: 10% of the electors in the metropolitan area. (90 days) city (60 days) or neighbourhood (30 days)	Following 1st stage, the chamber can approve. If not approved, after the 2nd phase a vote is called. won by simple majority, the government cannot adopt contrary policies in 6 months and it can only be modified by a majority rule of ¾

Region	Country	Administrative Scale	Promoters	Scope / purpose	Procedure	Consequences
Europe	Germany	State of Bavaria	Municipal residents	Excluded: internal municipal organisation, legal matters pertaining to elected representatives, the mayor and municipal workers, budgetary regulations	No time limit. Dependent on size (10% for up to 10,000; 9% for up to 20,000; 8% for up to 30,000; 7% for up to 50,000; 6% for up to 100,000; 5% for up to 500,000; 3% if more than 500,000)	Binding referendum triggered; favourable votes required: 20% of registered voters for up to 50,000 habitants; 15% for up to 100,000; 10% for more than 100,000
		Berlin (sheet 11)	Voters	Can be used to modify, repeal or introduce regulations – at the district level too. Excluded: budgetary provisions, staff, public salaries and pensions and taxes	20,000 signatures from residents over 16, 6 months	If the proposal with signatures of 7% electors is rejected by the chamber, a referendum is triggered. The chamber may present counter proposals for voting, 25% voter turnout
	Bulgaria	National legislation		10% of registered voters		Mandatory referendum if 50% of registered voters are exceeded, optional otherwise. Turnout required: equal to that of the last municipal elections
	Slovakia	National legislation	Voters		30% electorate	50% turnout required
	Slovenia	National legislation		Excluded issues: budget, taxes, issues that contravene constitutional norms	5% electorate	Referendum triggered, simple majority
	Italy	Where permitted by regional or municipal statutes. For example, Rome, Turin, Florence, Genoa, Milan		Can be used to propose or repeal laws	Varies from one city to another. In Milan 15%	Non-binding referendum
	Czech Republic	National legislation	Municipal residents	Referendum proposal registered, stating official question, justification, date, financing, etc. Excluded: municipal budget and taxes, issues that are not within the municipality's jurisdiction	30% for less than 3,000 residents, 20% for up to 20,000, 10% for up to 200,000 and 6% in cities of more than 200,000	Decision on whether a referendum is called falls to the local administration. Turnout of 50% required for the vote to be valid.
Switzerland	Geneva (sheet 15)		Legislative proposals or concrete measures, repeal of standards. Eligible issues: communal goods, public roads, foundations and public utility works, planning, leisure, culture, social issues and sports. 40 days after public deliberation	4% of electors (minimum of 2,400 and maximum of 3,200), 40 days	Referendum triggered, approved if absolute majority obtained	
Pacific Islands	Australia	Canberra (sheet 13) (legislation not approved)	Voters		Petition with 1,000 signatures, initiative with 5% of the number of votes in the last elections, 6 months	Spokesperson presents proposal in the assembly. If rejected it is negotiated with the promoters or submitted to a referendum (simple majority), before returning to the assembly which can approve or reject.

Source: Own elaboration based on cited sources

3.1.3. The agenda initiative

The sustained historical growth of the implementation of initiatives observed in this report also applies to the agenda initiative. Suárez Antón's (2017) study points out that the first country to introduce the mechanism was Austria (1920), followed by Latvia (1922), Italy (1947), Portugal (1976), Spain (1978) and Brazil (1988). Since the 1990's almost every country in Europe and Latin America has included the agenda initiative, bar a few exceptions such as Uruguay, Switzerland or Venezuela, where mechanisms that culminate in voting exist. In Africa, Asia and the Pacific Islands the mechanism is less widespread (Beramendi et al., 2008). Despite the increasing implementation, most initiatives are rarely used or are not successful (Suárez Antón, 2017), with the few exceptions in which they are promoted by social organizations, or arise in the context of popular mobilizations, as in Argentina in 2002, a case which exceeded one million signatures and ended up generating legislation (Soto Barrientos, 2017).

In Brazil, 5 out of 9 accepted initiatives have generated legislation (the rest are being processed), whereas, in countries such as Bolivia and Honduras none have been registered (Welp and Suárez, 2017). In Mexico, the agenda initiative is included in the constitution as well as incorporated into subnational legislation in all States except the State of Mexico, with differences in the percentage of signatures required and issues that are excluded (Alacio García, 2017). They have been initiated in almost half of the States. In its first five years since its implementation, 18 local level initiatives were presented in Buenos Aires, but only two managed to overcome all the procedures and verifications and were finally approved by the usual legislative means (Paonessa, 2007).

In Peru there is a combination of an agenda and legislative initiative, where 0.3% of voters can present a proposal. Should Congress reject it, 10% of voters can propose a referendum, in which the proposal would be approved if it exceeds 50% of support (Welp, 2008).

In Cuba, the citizens' initiative was included in the 1940 constitution, where was widely recognised. It also appeared in two subsequent constitutional laws focused on the municipal sphere. The Constitution that will come to force next year restricts these tools to the agenda initiative (Guzmán Hernández, 2017)

The agenda initiative has been used more frequently in some European countries. In Italy, there were 320 attempts to initiate an agenda between 1978 and 2002, of which over a third exceeded the requirement of 50,000 signatures. In 1988, a proposal to request that the European Parliament should initiate a constitutional process gathered more than 110,000 signatures and even ended up being approved in a consultative referendum that decided to promote the Parliament and had an electoral participation of 86% (Beramendi et al., 2008). The agenda initiative has also been used on many occasions in countries such as Hungary (with more than 150 attempts at the national level) or Poland.

The national agenda initiative was introduced in Finland in 2012, with a signature threshold of 50,000 citizens (corresponding to 0.9% of the population and 1.2% of the electorate). This case includes the innovation of allowing online signatures. Up to 2015 more than 370 processes were initiated, 6 of which led to parliamentary deliberation. One initiative on homosexual marriage (which exceeded the threshold of signatures in a few hours) ended up generating legislation (Seo, 2017). Since 2015, several initiatives have passed the signature quorum, including a counter-initiative to abolish legislation allowing for homosexual marriage.

However, it is failed attempts that predominate: a large majority (around 93%) collected less than 10,000 signatures, almost 50% only achieved less than 100 supporting votes and only around 3% exceeded the threshold (Christensen et al., 2017). Nevertheless, the current trend is the presentation of fewer proposals that get more support on average, showing a certain learning in the use of the tool.

Spain is one of the European countries with the most restrictive legislation in relation to the agenda initiative: the threshold of signatures is very high and the procedure for considering proposals is the most critical stage (unlike other countries where a successful agenda initiative is handled directly as a parliamentary initiative) (Quintero Ortega, 2014). Of the 104 agenda initiatives submitted since 1982, 48 were rejected due to inadmissibility or failure to pass the consideration procedure, while 38 expired due to failure to meet deadlines or due to parliamentary inaction. Of the rest, only one was approved without question and 2 were subsumed in new texts (Morales Arroyo, 2017; see [sheets 6, 7, 8 y 9](#)).

The European Citizen Initiative launched in 2012 is the only example of a supranational citizen participation initiative. For the first time in history, a mechanism was set up for citizens to be involved in the establishment of the political agenda at the transnational level (Berg et al., 2008). As described by Sánchez (2013), although in the case of national agenda initiatives parliament acts as intermediary, in the European case this dialogue is with the European Commission, rather than the European Parliament. A million signatures are required in at least a quarter of the Member States (i.e., 7 states). The signatures can be collected on paper, or electronically, (given its transnational character) within a year. Once obtained and reviewed, the Commission issues a public communication with its final conclusions.

So far, most of the presented initiatives have been annulled by the Commission on the grounds that they fall outside the scope of their competences (the European court has annulled some of the decisions to refuse registration, such as “Stop TTIP” or “ One million signatures in favour of diversity” in 2017⁸), while accepted proposals face the problem of exceeding the established requirements, without assistance from public finances. Since its operation, only three initiatives have managed to reach the signature quorum, one of which has had a legislative impact (Madariaga Méndez, 2018). This initiative, Right2Water, focused on the promotion of the public nature of the right to water and sanitation, proposing various measures. In its response, the European Commission undertook to implement several concrete actions, but not the most important element of the initiative: that water and sanitation should not be subject to liberalization (Godoy Vázquez, 2017). Given the difficulties imposed by the requirements and the high level of resources necessary for its success, there is a risk that the European initiative will end up becoming an instrument that serves the most organized interest groups (Godoy Vázquez, 2017).

Table 4 displays some examples of local agenda initiatives, according to who can promote them, what topics can be discussed, the procedures required and the objectives that can be achieved.

Table 4. Examples of agenda initiatives at the local level

Region	Country	Administrative Scale	Promoters	Scope / purpose	Procedure	Consequences	
America	Argentina	Buenos Aires (sheet 5)	Electors, choose spokesperson	Exception: constitutional reform, international treaties, taxes and local budget	1'5% of the electoral roll, 12 months. If you get 4,000 signatures you must advertise publicly	Municipal assembly debate and acceptance / rejection vote (term: 12 months, if it is delayed and there are 15% signatures a binding referendum is called). The promoters have the right to a hearing in the commission	
Asia	Japan	Nago (sheet 4)	Voters	Measures, modification or elimination of municipal regulations	2% electorate	If representatives reject the measure, a referendum cannot be requested later.	
Europe	Finland	Helsinki (sheet 19)	Residents with the right to vote	Municipal competencies	2% residents with a right to vote, in person or online	The proposal becomes a "matter of interest" for the local chamber, 6 months to discuss it and inform promoters of the decision (also online publication)	
	Italy	Bologna	300 residents	Justify that it serves a public interest and not a private one	2.000, 3 months	A plenary session to deliberate about the proposal	
	Norway	National legislation	Adults from the district	Proposal under local authority, proposals with the same measure excluded in same electoral term, or before 4 years have elapsed	300 residents from the district	The local administration must make a decision on the proposal in 6 months and inform the promoters	
	Spain	Andalusia (Regional legislation) (sheet 7)	People or associations	Proposed draft municipal regulations	For development by municipalities, maximum ceiling of 20,000 signatures, in person and online		
		Barcelona (sheet 8)	Residents that are over 16 years of age	Exception: Human Rights non-compliance, organic regulation, public service fees, taxes or changes to municipal budget. Also supralocal	3,750 signatures (debate proposal). 15,000 (consultation); excl. district initiatives; face-to-face and online	Proposal for debate: inclusion of the topic in the municipal plenary; proposal for consultation: full approval / rejection non-binding consultation; financial compensation (€1 per signature)	
		Cordoba (sheet 9)	Voters or associations	Proposals for municipal regulation, exception: taxes and public service fees.	3% of signatures (or also 5% of associations)	Inclusion in order of the day of the plenary session, 15 days deadline	
		Madrid (sheet 6)	Registered citizens over 16 years of age	Exception: Non-compliance with Human Rights or dignity of people	1% face-to-face or online support	Plenary debate and approval / rejection, non-binding consultation	
	Switzerland	Geneva (sheet 15)		Prop's for legis. or for spec. measures, repeal of standards; issues: communal goods, public roads, foundations and public works, planning, leisure, culture, social and sports	4% of voters (minimum of 2,400 and maximum of 3,200), 4 months	The council must make a decision in 1 year, if it does not approve it, it must present a counter-initiative	

Source: Own elaboration based on cited sources

3.1.4. The abrogative initiative

Our classification is an analytical one that is not always clearly identifiable in real regulation. This is especially so with the abrogative initiative, which in many cases is a required feature of legislative initiatives and the tools, therefore, overlap. For example, in Germany, legislative initiatives (“Antrag auf Bürgerbegehren”) can be aimed at “correcting” a decision of the local Council, putting a topic on the agenda or proposing new regulation.

The abrogative initiative is frequently used at the national level in Italy (it is the only mechanism that citizens can activate to request a national vote). In this country there have been 62 votes from 1974 to 2009, on a variety of topics, but since 1995 no law has been rejected by this mechanism. Part of the explanation points to the requirement of more than 50% electoral participation (Serdült and Welp, 2012).

Holland has featured a national abrogative initiative since 2015. To set it in motion, 10,000 signatures of electorally registered citizens are required, to be collected within four weeks of the parliamentary approval of the law or the ratification of the international treaty. The result is validated if 30% of the electoral census participates, but its consultative nature leaves the final decision in the hands of representatives (Cuesta López, 2017). In April 2016, a referendum was effectively promoted by a Eurosceptic citizen platform requesting the rejection of the EU’s International Treaty of Association with the Ukraine.

In Slovenia there are no statistics on the use of this tool at the local level. Following 20 years without use of local referenda, a 2004 initiative in the capital, Ljubljana, gathered more than 10% of signatures to convene a derogatory referendum against the granting of municipal land for the construction of a Muslim centre. However, the mayor blocked the referendum and the Constitutional Court rendered it unconstitutional (Nežmah, 2011). In Bled, an environmentalist initiative managed to promote a referendum in 2022, that put a stop to an energy company’s plans to expand a reservoir. Another initiative in Ajdovscina in 1999 prevented the municipality from changing its name.

A variety of US states feature the abrogative initiative. Since its launch in 1902, 62 abrogative referendums have been promoted in Oregon (exceeding the signature quorum of 4% of the total votes cast in the previous local elections). Of these 21 (33%) have successfully rejected the law in question (McGuire, 2008). In California, between 1912 and 2015, 50 referendums have been held for the ratification of legal texts and constitutional amendments (López Rubio, 2017).

3.1.5. The recall initiative

During the early twentieth century, the recall initiative was regulated for a few countries. Moreover, with the exception of Liechtenstein (1921) these were limited to the sub-national level (for example in some Swiss cantons, US states and Argentine provinces) and frequent use of it was limited to some US municipalities. It began to spread after the Second World War and especially during the third democratic wave, following the fall of the Berlin Wall. During the 1990s its extension reached areas such as Poland, Colombia, Peru, Canada, Venezuela and several German länder (Welp, 2018).

Most of the recall processes that are initiated do not end in referendum. In Japan, out of 1,250 attempts (prior to 1999) 397 votes have been held. In other countries its frequency and completion rate is lower: 78 in Ecuador (with 786 attempts prior to 2013), 54 in Colombia (with 169 attempts prior to 2013), 17 in Germany (prior to 2008), 10 in Venezuela (from 167 attempts prior to 2013), 4 in Switzerland (where there were only 12 attempts until 2015) and 2 in Argentina (with only 10 attempts until 2014). In Canada, no recall referendum has been held, in the 26 attempts, until 2015.

Since its launch in 1993, with the signature of 25% of voters in Peru, use of the recall initiative has been intense. It is estimated that about 20,000 recall processes were initiated up to 2013, with 5,303 being fulfilled. For example, in 1997, 63 districts featured requests for recall initiatives, focused mainly at the municipal level. The most common justification was alleged commitment of crimes. Participation rates surrounded the 70% mark. The success rate is very low (6% in 2001 or 16% in 2004). The majority took place in towns with less than 2,000 voters, where it is easier to get 25% of the signatures (Welp, 2018).

In Colombia, all of the 54 recall referendums held between 1994 and 2013 were invalidated due to the low level of electoral participation, which did not exceed the 40% required. The issue is that in these processes signatures of 40% of the electorate were obtained but the usual strategy adopted by Mayors is to take little notice of the recall and hope for a low turnout (Welp, 2018).

In Venezuela, the recall is the direct democratic mechanism most frequently attempted (Schneider and Welp, 2011). In Miranda, a recall initiative was voted on against the Mayor, although his position was ratified by the vote.

In the USA, the recall initiative is more frequent at the local level than at the state level, although it is relatively under-used when compared to others forms of initiative. In fact, about three-quarters of the recalls take place locally. The city of Los Angeles was the first in the US to adopt the recall initiative in 1903, followed by Oregon in 1908. Following the general trend, the recall initiative has rarely been used at the state level in Oregon, but it is active more regularly in small municipalities, where it is easier to collect the necessary signatures. According to the information available, recall initiatives have been successful in this state in less than half of the cases (McGuire, 2008). In general, in the US and until 1989, about 4,000 recalls out of about 6,000 attempts have taken place.

In Uganda we find a special case of a recall initiative, in that it is implemented at the national level. A member of Parliament or District President may be recalled for malpractice, desertion, mental or physical disability by a petition signed by at least two-thirds of the registered electorate in his or her constituency (Angeyo et al., 2008).

In Poland, local recall initiatives represent around 85% of all the referendums held there. Up to 2014, 656 referendums had taken place. However, the vast majority have not exceeded the required electoral participation threshold. In many cases, fewer people participated than people signed the original petition and very few Mayors have lost their mandates (Piasecki, 2011).

Table 5 shows some examples of local recall initiatives, showing their promoters, which actors can be subjected to the process, the processes required and their consequences.

Table 5. Examples of local recall initiatives

Region	Country	Admin. Scale	Promoters	Scope / purpose	Procedure	Consequences
America	Ecuador	National legislation		Mayors	10% of district electorate	
	USA	Steve-level: California		Can be initiated at any moment	12% of voters in the last election, 160 days	New authority chosen simultaneously (the replacement candidate with the most votes)
		Steve-level: Minnesota		Can be initiated at any moment. Reasons: illicit activity, breach, serious crime	25% of voters in the last election, 90 days	New elections
		State-level: North Dakota		Can be initiated at any moment	25% of electorate	New elections
		Los Angeles		All public positions, appointed or elected (but not 3 months prior election, or 6 months following recall election). Rationale must be published with request. Includes the response of the affected official	For designated positions, 20% of the votes of the last elections, for elected officials and members of the school committee, 15%; 120 days	Call for a recall referendum plus a candidate to replace it (who must obtain a majority vote to be appointed, or elections are held between the first two candidates)
Venezuela	National Legislation		All elected officials, from mid-term and before the last year of mandate	20% of the electorate, 3 days	Recall referendum and, depending on when it takes place, new elections or the substitute takes the position	
Asia	Thailand	National Legislation	Registered voters	All members of the Punong Barangay and Sangguniang Barangay of the city, only once per mandate, after first after the elections or takeover	25%	Recall elections in 30 days, most voted candidates occupy the position/s
	Japan	Local Autonomy Law (national) (sheet 2)		Termination of local assembly, individual members, mayors or governors, public offices (such as deputy mayors or members of school committees); 1 year following the government mandate max. 1 time per mandate	One month in small cities and two in large cities (more than 500,000 inhabitants), % varies according to size	Binding recall referendum

Region	Country	Admin. Scale	Promoters	Scope / purpose	Procedure	Consequences
Europa	Germany	Berlin (sheet 11)	Voters	End of legislature	50.000 signatures	With signatures 20% voters, call for referendum, binding with 50% participation
	Slovakia	National Legislation	Voters	Mayors	30% voters, independently of the number of inhabitants of the municipality	50% participation, simple majority
	Poland	National Legislation (sheet 3)	Voters with residence, local party or association unit with activity in territory	Mayors, not before 12 months last election or the last recall, nor less than 6 months before new elections, withdrawal of request is forbidden	Inform provincial electoral commission and mayor, explain reasons, signatures of 10% voters, 60 days, without funding for information campaign	Call for a referendum, binding if it is attended by % of voters from previous elections and more than 30% of the voters supports the proposal; in case of recall, dissolution of local government and resignation mayor, Prime Minister appoints administrator until new government election

Source: Own elaboration based on cited sources

4. Analysis of the initiatives

In this section we conduct an in-depth comparative analysis of the initiatives defined in the first chapter and described in chapter 3. To that end, we examine various elements, paying close attention to local experiences.

The central aspects of the institutional design we analyse refer to:

- a) Regulation: Which regulations frame the functioning of the initiatives?
- b) The subject: Who can trigger an initiative? Must an individual or a committee register before gathering signatures?
- c) The object: Is any material excluded? Are there determined timeframes within which to repeal a law or recall an authority?
- d) The formulation: For a proposed law, is it necessary to formulate it as such, or is the main idea sufficient? If the aim is to recall a mandate, are evidence and arguments required or can it be exercised as a political right?
- e) The process: How many signatures are required? What time period is permitted to collect them? By whom and how are they validated? Is there any prior oversight regarding constitutionality?
- f) Consequences of the initiation: Who, and using which criteria, legitimates the call for a referendum and/or discusses the proposal in the legislature? Are the decisions taken binding or consultative? Who is responsible for overseeing their implementation?

4.1. Based on what: regulation

The range of participatory mechanisms aimed at broadening the political agenda (pro-active) and/or controlling public actions (reactive) in the hands of the citizens is as broad as its regulation is varied. With regards to regulations, one element with which to distinguish them is the territorial ground on which they are conducted. A second element we wish to highlight is related to institutional design and, in particular, the triggering process along with its objectives and results. These are analysed below.

The source of the regulation

Unlike mechanisms such as participatory budgeting or citizens' assemblies, whose implementation does not require any prior regulatory framework, the mechanisms of direct democracy do require specific regulations contained in constitutions and/or laws and ordinances.

In some countries, national constitutions define the limits and scope of citizens' initiatives (and of any other form of popular consultation or referenda). In others wide-ranging regulatory remits are granted to the provinces, states, or districts (including the power to contradict the content of the central authority's regulatory framework). An example of the first group is Spain, where even though autonomous communities dictate their own statutes and municipalities create their own specific laws, the 1978 constitution imposes considerable

limits on the mechanisms of direct democracy, starting with the prohibition of conducting binding consultations and the need to obtain permission to conduct consultative referenda. In fact, between 1985 and 2009, of the 111 municipal referenda proposed, only 26 were authorised. These restrictions also extend to the issues which are permitted to be the object of these initiatives (García Majado, 2017).

In Venezuela the 1999 constitution introduced mechanisms of direct democracy for all governmental bodies. This is not a minor issue because if the mechanisms are not promulgated at a sub-national level, the citizenry could bring a complaint before the judicial authorities. This occurred during the first local recalls of local mandates, triggered in 2007 after the intervention of the judicial authorities ordering that a constitutionally enshrined right be exercised (Welp and Serdült, 2011). The Venezuelan example also highlights the indispensable need for the regulatory framework to function adequately –that rules are respected and function effectively– in order for citizens’ initiatives to come to fruition. Unless they can be exercised, potentially powerful mechanisms of control hold little value. This is what occurred in Venezuela in 2016, when in spite of the fact that the recall initiative against president Nicolás Maduro had fulfilled the requirements stipulated by law, an electoral organisation co-opted by the government (the National Electoral Council) delayed it until eventually a state of emergency suspended subnational elections and, along with them, the recall referendum (Welp and Serdült, 2011).

In the second group, in which the subnational bodies have greater powers, we find federal countries such as Germany, Argentina, the United States, Switzerland, and Mexico, among others. For these, even if the national constitutions do not regulate participatory mechanisms, or regulate them in a very restricted way (such as Germany, Argentina, Brasil and the USA; Mexico recently broadened its legislation), the states, provinces, or districts can create their own legislation to include them.

In Germany, although the federal constitution does not permit the triggering of legislative initiatives, most länder (states) and their municipalities have regulated them (Geissel, 2017). In Argentina a similar model is followed. There the municipal regulation even allows local government to modify their governing model (to change to a collegial government for example) if that were decided by referendum. A proposal of this type was first discussed in September 2018 in the municipality of Villa General Belgrano⁹. In some cases there is regulation for initiatives about specific issues. The Norwegian constitution does not establish formal provisions for initiatives and referenda of a consultative character. Neither does the national legislation at the municipal level specify when referenda should be held. However, the Education Act establishes that if a quarter of the electorate requests one, a local consultative referendum must be held regarding the main language of an educational institution (from 1915 until it was reformed the result was binding) (Adamiak, 2011). Prior to 1989 the legislation concerning licences to sell alcohol also enabled initiatives on this question. Finally, in 2003 regulation was introduced for agenda initiatives at a local and regional level.

4.2. Who: the initiating subject

In order to answer the question of who carries forward an initiative, we will focus on the subject empowered to do so, which can range from an inhabitant of a district or the citizen with voting rights, to associative bodies (Schneider and Welp, 2011).

In the case of initiatives culminating in a referendum, the subject with the power to trigger them is usually defined as the electorate registered in the territory voting would take place in. There are no significant disputes on this matter, although recently the importance of broadening participation to include other groups has been discussed, particularly 16-18 year olds and, for district level initiatives, people who do not reside in a determined territory but who work, study or have other specific interests there.

In Norway there have been several changes in relation to who can vote in referenda (including those triggered by legislative initiatives) concerning the issues of school districts and language: the question was raised as to whether only the parents of school age children could participate, or all adults living in a district. Finally the last option was established (Adamiak, 2011).

A large portion of juridical doctrine considers that an agenda initiative which does not lead to a vote but to the presentation of a proposal in the parliament or deliberating council should be more inclusive. In this vein, Aranda Álvarez asserts that “we have an instrument of political participation, but we do not have the right to vote, therefore the conditions established to exercise one or the other right need not necessarily be identical” (2006: 200). In spite of this argument, by analysing Latin American regulation it can be observed that in most countries which regulate for this process, residents are not entitled to sign an initiative (only those with citizenship may do so), while it is only in Brasil that the age limit has been lowered to include anyone over the age of 16 (Suárez Antón, 2017).

Colombia also permits the presentation of agenda initiatives to civic organisations, labour unions, indigenous or communal groups at a national, state, municipal, or local level, as well as to political parties and movements (Soto Barrientos, 2017).

In Spain, legislation limits participation to Spanish citizens of a legal age who are registered on the census, thus excluding persons under 18 years of age and legally resident non-nationals (García Majado, 2017). In contrast, according to the legislation of some autonomous communities, the participation of 16-18 year olds (Catalonia), non-nationals legally residing in Spain (Basque Country), or residents from the EU, Island, Lichtenstein, Norway, or Switzerland (Catalonia), is permitted (Pérez Alberdi, 2017).

As a pioneering case, in Norway a project “E-Initiative” was launched, starting in 2005, to facilitate an online agenda initiative in eleven municipalities in which there were no restrictions for participation for those under 18 years of age (Adamiak, 2011). In general, the triggering of initiatives requires prior actions such as the registration of a sponsoring committee. This is the case for recall initiatives in Colombia, while in Peru the registration is carried out by the purchase of a kit (sold by the electoral commission) containing the signature gathering forms.

4.3. What: the object of the initiative

Can an initiative propose anything? In order to organise an answer to this question, we will differentiate between the initiatives that put forward proposals and those which are aimed at responding to governmental measures or elected posts, given that their objectives are clearly distinct.

Proactive initiatives

At a national level, the restrictions on issues which can be addressed by initiatives can be grouped into three reasonably common categories: 1) issues which affect the constitution; 2) issues related to the integrity of the state, questions of war and peace, of a supranational or international jurisdiction, international treaties; and 3) several limitations related to ordinary legislation and other political decisions. Regarding the first category, in those cases in which a constitutional initiative is permitted, some issues may be excluded such as in the case of Slovakia where basic rights and liberties cannot be addressed.

In relation to the issues which can be the object of a legislative initiative, the basic requirement is that they be included within the permitted issues a territory or governmental body is entitled to address. Beyond this, with the exception of Switzerland and some states and municipalities of the USA, it is common to find numerous restrictions. In Africa for example, many countries exclude from the instruments of direct democracy certain issues such as the Charter of Rights, fiscal, financial and budgetary policies, as well as decisions concerning the workforce and sensitive subjects such as the death penalty in South Africa (Kersting, 2009).

Initiatives which culminate in a vote with binding results often exclude many issues, but something similar can be observed with agenda initiatives which lead to parliamentary debate. While there is an open discussion about the scope of initiatives seeking a referendum, the limited scope of agenda initiatives is increasingly called into question. The most widespread argument is that said limitations make the mechanism irrelevant and incapable of channelling problems which sectors of the population are concerned about (if it can only be triggered to deal with issues of minor importance). Hevia de la Jara states that “the inclusion and exclusion of subject matter may be the key point which differentiates an applicable law from one which is merely a dead letter” (2010: 162).

The Autonomous City of Buenos Aires (CABA, see [sheet 5](#)) regulates agenda initiatives by establishing that they cannot aim to reform the city constitution, international treaties, taxes, and budgets. It is common to find “budget” as an excluded subject, leaving wide interpretive margins which allow initiatives resisted by the authorities to be blocked, given that few significant initiatives do not involve the need for access to a budget.

In Switzerland there are no restrictions on the issues which can be submitted to a referendum, which can cause subsequent problems if eventually the decisions taken are unenforceable or undermine fundamental rights. At the federation level some of the recent consultations generated this problem but the perception that the judiciary has no direct legitimacy (for not being elected) and therefore should not impede the consultation, continues to prevail.

We can observe certain variability in the legislation of Swiss districts (Micotti and Bützer, 2003): in general terms the initiatives can range from petitioning for some type of measure for the municipality to the adoption, modification, or repeal of articles from the local charter. Some cities, such as Geneva, exclude areas such as construction, demolition, or acquisition of community assets from the initiative.

We therefore find some countries with few restrictions on subjects which can be addressed, and others in which the list is very extensive or where arbitrariness reigns. From the cases which are less stringent, in New Zealand at a national level some 10% of voters can trigger a call for a consultative referendum about almost any subject except the result of some elections or related to questions which have already been put to a referendum (Qvortrup et al., 2018). In Slovakia a legislative initiative can even request the dissolution of a municipality (Láštic, 2011).

In order to illustrate stringency and ambiguity, in Bulgaria local referenda (including those sponsored by legislative initiative) must address matters of local importance in which the government has jurisdiction, excluding matters related to the municipal budget, local taxation, or local questions for which the law has established a special procedure. These extensive restrictions help explain the scarce implementation of this instrument and the relative lack of citizens' interest in it (Taralezhkova, 2011).

Another example of this type is the Czech Republic, where the 1992 legislation prohibits referenda about municipal budgets and taxes, as well as subjects which are not under the remit of the local government (which includes the administration of social benefits), while legislation introduced in 2004 stipulates that referenda cannot change or annul municipal ordinances (Smith, 2011). The problem with excluding issues that affect municipal budgets lies in the fact that almost any proposal will imply the need for a budgetary allocation.

In Germany there are controls to ensure that a legislative initiative addresses a subject which can be submitted to a referendum. In an analysis of 16 German *länder* (Schiller, 2011b), it was observed that budget and taxes are excluded from legislative initiatives with the exception of Bavaria. In these cases, the initiative proposal must include a financial statement estimating costs and providing recommendations as to how to finance them. Also excluded are very important elements of municipal policy such as zoning, urban planning, and similar issues, which are permitted only in Bavaria, Berlin, Bremen, Hamburg, Hesse and Saxony. Other excluded subjects relate to municipal administrative organisation, the legal status of mayors and staff, tariffs, budgets for local businesses etc. The most frequent subjects of initiatives and local referenda are the infrastructure of education and social provision (17%), transport projects (17%), fusion of municipalities (14%), public service infrastructure (14%), business projects (14%), and projects related to waste and sewage (5%). Many states require that a legislative initiative include plans to cover the costs of implementing the proposal (Geissel, 2017).

In order to avoid being inundated with similar proposals, in some cases it is prohibited to process initiatives whose content is substantially similar to another presented during the same legislative period, such as in the case of initiative agendas in Spain. Although this avoids undesirable duplication, there is a risk that it can be used perniciously, by registering an initiative to address a particular question and failing to gather the requisite signatures, in order to stall a subsequent presentation (García Majado, 2017).

With regard to the issues which can be addressed by initiatives, most agenda initiatives triggered in Norway focus on very specific and localised questions, such as roads, tunnels, buildings, and green spaces (Adamiak, 2011).

Reactive initiatives

Reactive mechanisms also display great diversity in their institutional design. For example, in Switzerland at a national level it is possible to trigger an abrogative initiative in relation to a law which has just been passed. A time frame of 18 months is granted to collect signatures and promote the repeal. In Italy, by contrast, any existing law can be the object of an abrogative referendum.

The diversity mentioned above is reproduced in the analysis of mandate recall initiatives. In Bolivia, for example, all the popularly elected authorities – legislative, executive, and judicial, at all levels of government – may be submitted to recall once two years have elapsed since the beginning of their mandate, and up to a year before its conclusion. In Colombia only subnational executive authorities can be submitted to recall (mayors and governors) once the first year of their term is completed, and before the last. In California recall initiatives can be triggered from the first day of government (Welp, 2018). In Minnesota and North Dakota the recall initiative can be triggered at any time. The six Swiss cantons which regulate recall initiatives permit the removal of the government as a whole, and just one – Ticino – allows individual recall (Serdült, 2015).

In some cases the figures liable to be the object of recall are wider. Hence in the city of Los Angeles all public positions are included, whether they were elected or assigned (which includes commissaries, director generals, and executive directors of various departments) (Sonenshein, 2006).

The limits and interrelationships between territorial authorities are on occasion not entirely clear. Two examples from Slovenia illustrate this ambiguity. In Radovljica in 2004 an initiative was undertaken to call an abrogative referendum against a planned motorway, which was blocked by the mayor. The initiators appealed to the courts which ruled in favour of the mayor's decision, given that the route of the motorway had been decided by the state government. On the other hand, in the city of Postojna in 2000, an initiative triggered a consultative referendum which requested that the state government shut down a military base. 70% voted in favour of the proposal, with higher than 70% turnout. Although the base was not shut down, the Ministry for Defence began paying compensation to the local population for the inconvenience and limitations were put on certain activities at the base (Nežmah, 2011). This second case shows the potential that initiatives can have in terms of pressure and negotiation.

These different territorial levels can also act to override citizen's demands. For example, in Novi Khan, a small town in Bulgaria, a referendum triggered by gathering citizens' signatures was held, and with a 65% turnout the citizenry voted in favour of closing a radioactive waste disposal site owned by the state. The state government took no action, in the knowledge that a national issue could not be resolved by means of a local referendum (Taralezhkova, 2011).

4.4. How it is presented: formulation

With regards to the formulation, the proactive mechanisms can generate the elaboration of a proposal, while the reactive may require justification (and evidence) in order to defend the rejection of the policy or office.

With the hope that the mechanism would be accessible, arguing in favour of the agenda initiative, Kelsen (1920) stated that a general idea should be sufficient, without the need for the proposal to be elaborated in the form of a law. However, the negative aspect of very generic proposals is that they can lead to the idea which is eventually discussed being very different from the original one put forward by its sponsors. There is also the possibility of offering two options that the sponsors can choose between: agenda initiatives in Finland can be written in the format of a law or they can include a proposal that the government initiates a legislative process (Christensen et al., 2017).

The initiatives which lead to a vote must be supported by draft legislation. This adds significant difficulties to triggering the process, as technical and legal knowledge are required to prepare it. In this sense key to the success of an initiative of this type (success meaning reaching the voting or discussion stage, regardless of the results) is that the sponsoring committee has technical support, or at least is given sufficient time to review and amend procedural questions after the initial presentation of the proposal. Otherwise, the mechanism could become inapplicable or eventually a resource only available to those with sufficient knowledge and/or the economic resources to secure advisors.

The recall initiatives can be differentiated, in relation to their formulation, between those regulated as a political right (“the public gives, the public takes away”), and those conceived of as penalisation for failing to fulfil a program (known as “programmatic vote”) or for corruption, which requires arguments and even the presentation of evidence. In Venezuela, where national legislation also regulates recall initiatives for sublevels of government, failure to fulfil a program can be invoked, as well as dissatisfaction or popular discontent (Schneider and Welp, 2011).

The ease with which an initiative can be triggered varies considerably if substantiation is required (as a formal requisite) or evidence (whose validity is assessed by an electoral body). A programmatic vote means that during a campaign the candidates must present a work plan laying the foundations so that subsequently it is possible to judge whether the commitments made are being fulfilled or not and whether a recall petition is justified, if it can be registered.

The Ecuadorian case eloquently illustrates the impact of institutional design on both the amount and the quality and type of initiatives triggered: recall initiatives were introduced into the 1998 constitution, with the trigger motives being failure to fulfil a mandate and a guilty verdict of corruption. The former was evaluated by the electoral authority, while the latter was redundant since an authority with a guilty verdict of corruption is automatically removed from their post. In 2008 the new constitution relaxed the requirements for activation (number of signatures) and established that it was a political right (no need to produce evidence). The number of recall initiatives rose considerably within a brief period until the legislation was once again reformed (after vigorous litigation by the Association of Municipalities) and currently adequate motives are very precisely defined, they must be presented with detailed evidence, and they are evaluated by the corresponding authorities (Welp, 2018).

As we shall see, in some cases citizens initiate a proposal, including the drafting of the text to gather signatures or the question to be put to the vote, while in other cases it is the administration itself or a public figure who writes the text. For example in Los Angeles, it is the district attorney who, drawing on the draft proposal, provides the title and summary

of provisions which will circulate to gather signatures (Sonenshein, 2006). In that city, in the case of a recall initiative, the petition includes a statement of the initiators' motives and a reply from the authority affected.

In Poland, when a recall initiative is triggered at a local level its initiators must inform residents of their intention to recall the local government, explaining their reasons. However, the provincial electoral commissioner is not authorised to evaluate the justification for the recall initiative, and is limited to checking the legal and formal aspects of the petition.

As described in section 2.2, a central criticism of direct democracy relates to the knowledge level of citizens with respect to the decisions that are taken. In some cases the initiative processes are assisted by a figure (who could be from the government itself or an independent electoral body) responsible for providing detailed information about the issue under discussion, instead of that remaining in the hands of its sponsors and interested sectors. These figures are especially important when the proposals are particularly complex, include many aspects or when several different issues are put to the vote simultaneously (for example in Arizona in 2006 when 19 different proposals about highly diverse subjects were voted on). In California a legislative analyst provides a neutral summary explaining the proposals submitted to the vote (Beramendi et al., 2008). In a pioneering example of the Citizens' Initiative Review in Oregon, information is provided about the proposal by means of a deliberative process similar to citizens' juries (see [sheet 21](#)).

4.5. How initiatives are processed: procedure and signatures

The triggering procedure includes questions such as the number of signatures required and the time granted to collect them, the existence of specific forms and/or authorised collecting centres, as well as signature validation processes.

Signature thresholds

The question of the number of signatures is the most discussed one although, depending on the object of the mechanism, the tendency is to request a reduction (agenda initiative) or increase (recall initiatives). For agenda initiatives there is relative consensus that the number of signatures should be comparatively low (around 1%), since their impact is minor or indirect. However there are many cases where the threshold is set higher (in Colombia for example). In general, a recall initiative requires more signatures than proposal initiatives. For example, if in the case of Berlin (see [sheet 11](#)) 20,000 signatures are required to carry forward a proposal, 50,000 are required to solicit the recall of a public authority.

There are also proposals along the lines of suggesting that national legislation sets a cap but not a floor, so that a maximum threshold of signatures would be established but municipalities and regions would have the option to lower it (Hevia de la Jara, 2007). At a regional level in Andalusia (see [sheet 7](#)) the autonomous law establishes a maximum for the municipalities that regulate initiatives: the signatures required cannot exceed 10% of the residents to be consulted (or 20,000 signatures).

The signature thresholds can be expressed as a percentage of the electorate in relation to the total number of votes cast in the previous elections, or as a fixed number. In some cases a certain geographical distribution of signatures is required. In Switzerland the

required number of signatures for a legislative initiative corresponds to three different situations (Micotti and Bützer, 2003): eight cantons determine the threshold as a percentage of the population ranging from 10% to 30%, five cantons do not have a regulation and leave the decision up to the districts, while in another seven cantons a minimum number of signatures is indicated as a non-obligatory guideline for the districts, which ranges from 10% to 25% of the population. In general, the urban districts with a greater population density tend to set a number of signatures (representing a low percentage of the population), while the small districts establish higher percentages. In Germany the signatures required for a legislative initiative to be submitted to a vote are a percentage of the electorate and vary considerably between municipalities. In Hamburg it is 2-3%, in Berlin (see [sheet 11](#)) 7%, and in Brandenburg 10%.

At a regional level the Spanish autonomous communities tend to lean towards substantially reducing the threshold of signatures required for agenda initiatives in comparison with previous regulations (for example, thresholds reduced from 75,000 to 40,000 in Andalusia, 65,000 to 50,000 in Catalonia, and 30,000 to 10,000 in the Basque Country, among others) (Pérez Alberdi, 2017).

Time frame for signature gathering

The time frames for the collection of signatures also have an impact on the feasibility of triggering an initiative and should strike a balance between the ability to channel demands (facilitating their expression) and the need to avoid undermining them (preventing them from multiplying in such a way that distorts legislative proceedings). Until 2013 in Peru there were no time limits imposed (beyond the duration of the mandate in question) on signature collection to trigger a recall initiative. This enabled the sponsors of the recall initiative targeted at the mayor Susana Villarán to take advantage of events that occurred during that period (for example floods) in order to reach the required number of signatures. Many cities in the USA impose no time limits on any type of initiative either.

In the Autonomous City of Buenos Aires (see [sheet 5](#)) the sponsors are granted 12 months from the date that the project is presented to obtain the required signatures. The Directorate General for Management and Citizen Participation is responsible for providing assistance to citizens, receiving proposals and checking that they do not address constitutionally prohibited subjects. When projects achieve the endorsement of 4,000 signatures the initiative must be advertised by the city government on its radio channel as well as other print media and televisual broadcasts available to it.

In some cases the regulation leaves space for the authorities to exercise a boycott of sorts on the time frame set for the collection of signatures. In the case of abrogative initiatives in Oregon (USA), the period is 90 days from the end of the session which passed the law. However, the governor has 30 days in which to sign or veto the law, meaning that in the eventuality of clear attempts to organise an abrogative referendum, they can choose to delay for those 30 days, thus consuming a third of the time available for the collection of signatures (McGuire, 2008). Whether or not these manoeuvres are employed, it is recommendable that the regulation does not facilitate them.

Who, where, and how

Other important distinctions concern whether any voter can sign (as is usually the case), or only those who voted in the last elections, as well as whether the signatures can be gathered anywhere or only in specific locations (in Germany for example in certain municipalities signatures for a legislative initiative can be gathered anywhere, or only in the town hall). The latter option undoubtedly hinders the process as it entails added costs of transportation to the permitted locations. On the other extreme is the much more accessible option of electronic voting.

The potential for signatures to be collected electronically could considerably streamline the process. European and Finnish agenda initiatives provide this option. A study into electronic signature gathering (Serdült et al., 2016) analyses e-participation experiments that show the potential of these new technologies. In Sigtuna in 2007 ten online referenda with binding results were conducted with a participation of between 30% and 60% of citizens at some point in the process, incorporating sectors with diverse socioeconomic characteristics. In Mälmo, in a much less stringent experience, all citizens are able to launch and sign proposals (the only restriction is that they should not be offensive or abusive) on an online platform which only requires a user to register and start a session. With no time limit, when 100 signatures are collected a local administrative committee offers a formal public response. In the first 16 months 210 initiatives have been launched and 55,000 signatures have been gathered.

For initiatives at a national level, in Europe only Latvia and Finland facilitate the collection of signatures online, in the latter case through the [government website](#)¹⁰ or platforms developed independently by the sponsors of an initiative (Christensen et al., 2017). Therefore, the difficulties associated with an initiative process depend on a variety of factors such as the number of signatures, the time frame allotted to collect them, the establishment of specific locations or not, or the possibility of electronic signatures. The combination of these elements is a measure of the level of stringency associated with a process.

Thus, for example in Los Angeles, a legislative initiative must gather at least as many signatures as represent 15% of the total votes at the last local elections, within 120 days. In the case of an abrogative initiative it is 10%, but with a time limit of merely 30 days it is difficult to achieve (Sonenshein, 2006). In this way, after the 2005 elections for example, the threshold of signatures required for a legislative initiative was 0.05% with regards to the total number of registered voters. By contrast, in Minnesota the signatures of 25% of the voters in the previous elections are required.

At a national level for legislative initiatives in Switzerland, 100,000 signatures are required (2% of the electorate) within 18 months, while in Lithuania the number is 300,000 (11.4%), also within 18 months. As for agenda initiatives, in Slovakia 100,000 signatures are required (2.3%) without time limit, while in Italy the number is 50,000 (0.1%) within 6 months (Seo, 2017).

There are also cases for which the thresholds are divided into stages. In a national agenda initiative in Austria, the first step requires 8,000 signatures to launch an initiative and then 100,000 gathered in just 8 days in order for it to qualify to be discussed in parliament. Most of the 38 initiatives launched from 1964 to 2016 met this objective: 34 were discussed

and 4 were rejected for matters related to form (Suárez Antón, 2017). Therefore, it seems that this demanding procedure (due to time pressure) translates into few initiatives triggered, but with enough momentum to exceed the threshold.

In the case of a recall initiative at a regional level, in the states of the USA there is diversity in the signature requirements (Bowler, 2004). In some states it is tied to percentage of the total number of votes cast in the last elections, ranging from 15% (in Oregon and Rhode Island) to 40% (Kansas). In California the percentage is 12% but with an added requirement of 1% from each of the 5 counties. In other states a percentage of the electorate is stipulated, with varying formulas: 20% of the electorate in Idaho, 25% in New Jersey, 15% and a fifth of each district in Georgia, 33% for more than 1000 voters and 40% for less in Louisiana, 10% for state offices and 15% for district offices in Montana.

Nigeria represents a very stringent case, where for a recall initiative aimed at members of the senate or the house of representatives, more than 50% of the constituents of the corresponding district must sign (Beramendi et al., 2008). In Colombia 40% is required (Welp, 2018). In Slovakia the threshold of required signatures to trigger a recall initiative for the mayoral office is 30% and the voting turnout required is 50% regardless of the number of residents in the municipality. This translates into an obstacle in large municipalities, especially those with over 100,000 inhabitants (Láštic, 2011).

Requirements as (dis)incentives

These varied combinations with which to trigger an initiative generate particular incentives to launch proposals. Okamoto and Serdült (2016) assert that in Japan recall initiatives are triggered more often than legislative initiatives, even when the central objective is related to a public policy and not to rejecting an authority, because the former require a lower number of signatures and are binding, while legislative initiatives are more difficult to trigger, require the approval of the council and their results are non-binding.

Quite intuitively, a study based on data from legislative initiatives in Bavaria shows that the likelihood of triggering processes in a municipality increases considerably and in a significant way when the threshold requirement for signatures is lowered (Arnold and Freier, 2015).

Although all these requirements for triggering an initiative are crucial to explain their use, they are not the only elements we need to take into account. For example, in Slovenia where the procedures are relatively simple, few local referenda take place. Among some of the reasons for this are the idiosyncrasies of local communities led by more pragmatic, less ideological programs, as well as the economic costs that referenda entail. Parties perceive them as a political defeat, both from the side of the government and from the opposition launching them, due to fear of losing and being accused of generating unnecessary costs (Nežmah, 2011).

Validation

On the other hand, the validation of signatures is a less studied aspect which often generates numerous problems for those sponsoring initiatives and those rejecting them. This occurs in very specific situations, demonstrating that in part this is due to a lack of experience (there are no debates of this kind in Switzerland). The dilemma emerged in the Lima

case mentioned above, and also in the attempt to recall the mayor of Bogota, Gustavo Petro in 2014 (Welp and Rey, 2014).

The validation system can range from checking a sample to verifying all the signatures (Lissidini et al., 2014). In Uruguay, at a national level, faced with the impossibility of developing effective mechanisms of signature validation (the validation of a sample by calligraphy experts is not accepted, as it is in Colombia), a pre-referendum has been created, which is called on the basis of a number of signatures validated simply by checking that the name and identity document number match and that the person is alive (their actual consent is not confirmed). The inquiry carried out in the pre-referendum is therefore aimed at deciding whether or not a consultation should be held. The mechanism is useful for widening the debate and providing the process with guarantees, although it is very expensive.

Financing

Another important element related to the process of meeting the requirements concerns the financing of the initiative. On many occasions the costs fall to the sponsors, while in others there is public funding either for the process of signature collection or for the campaign in the eventuality of a referendum being called. In the case of supramunicipal legislative initiatives in Latin America, in most cases state support for the communication of proposals is included, while in some cases an economic contribution is provided which reimburses the costs: in Peru if the signature threshold is met, and in Paraguay if the initiative is eventually approved (Hevia de la Jara, 2007).

In Switzerland the estimated cost per signature is two Swiss francs, taking into account printing costs, administration, publicity etc, not including paid signature collectors. Therefore, triggering a referendum would cost at least 100,000 Swiss francs just for the collection of signatures, to which must be added the campaign costs for the referendum itself which normally the sponsors, whether they be organisations or parties, assume (Ruppen, 2004). In some states in Germany reimbursements are provided to the sponsoring committee for the verified signatures. In Saxony that is approximately 0.05 euros per signature regardless of the success or failure of the signature gathering process. In other states the reimbursements depend on the voter turnout in the referendum, such as in Schleswig-Holstein where each positive vote translates into 0.28 euros (Beramendi et al., 2008). In Barcelona (see [sheet 8](#)) the compensation is one euro per signature, once the threshold has been met.

The experience in Oregon is an interesting one in relation to financial assistance. A legislative initiative in 2002 had the objective of prohibiting economic compensation on the basis of the number of signatures collected, and 75% voted in favour. This initiative took place after many reports of fraud and abuse of the signature gathering process (McGuire, 2008).

As regards the campaign if a referendum should be called, in order to prevent inequality between sectors in favour and against, some elements could be considered such as limiting expenses or regulation of access to the media (in some cases privately owned media are required to offer equal time to both sides of the debate, in others public funds are provided to subsidise access to the media) (Beramendi et al., 2008).

In California, an exceptional case, private companies are authorised to collect signatures. Occasionally the money invested can have an enormous influence on the success of the process, as occurred when Gray Davies was recalled in 2003 (Garret, 2004).

The vote

Lastly, with regards to the voting, in the case of Oregon a general election day is set every two years (in November on even numbered years) on which all legislative initiatives are voted on. Signatures can be presented up until 120 days prior to this (McGuire, 2008). This type of model may prevent an excessive number of voting days, concentrating as it does various calls for votes (which can come from various different types of initiatives and other top-down mechanisms) on the same day.

4.6. Why: consequences

With regards to consequences, it is helpful to differentiate between the possible outcomes of the process, in other words whether the proposal is debated by the authorities or if there is a referendum. And when there is a possibility of triggering a consultation, if it depends on whether the formalities are fulfilled, or on a subsequent decision by the authorities. Another crucial aspect is whether the results are binding or consultative and, when the analysis focuses on a local level, it is also worth observing who organises the electoral process. In any case, we will analyse all these questions categorised by the type of call, culminating in a specific consultation (legislative or abrogative) or in an agenda or recall initiative.

Consultative initiatives

In German cities, in general, the council decides if a proposal to register an initiative is accepted, but studies suggest that if the formalities are complied with, the proposals are accepted (Geissel, 2017). When a legislative initiative exceeds the signature collection requirements the next step consists of ensuring that the results of the referendum are valid. For example, in the Czech Republic in 2004 the turnout threshold was raised from 25% of the electorate to 50%, while in Bulgaria in 2009 it went from being 50% to having to equal the turnout at the last local elections (Schiller, 2011a).

As Schiller (2011) points out, although the result of a referendum may be valid, its mandate may be consultative or binding. In Italy the municipal statutes only facilitate consultative referenda triggered by citizens. In other countries the binding character depends on turnout, such as in Bulgaria or Poland (60% of the turnout of the last corresponding election). In Germany local referenda are binding if they reach the required quorum of participation which can vary considerably between municipalities.

When an initiative leads to a binding referendum only in some cases is a simple majority accepted; it is often the case that additional requirements are incorporated such as a determined electoral turnout, double majorities or a minimum percentage of positive votes. To provide a few examples, there are minimal requirements to validate the referendum results of a constitutional initiative in Switzerland (a simple majority and majority in 26 cantons), while they are high for an abrogative referendum in Italy (50% turnout) or a legislative initiative in Lithuania (50% turnout and 33% approval of the proposal as a proportion of total votes) (Beramendi et al., 2008).

In New Zealand, where two out of the three questions submitted to vote via a referendum initiative at a national level until 2008 received enormous public support but had no parliamentary impact, their non-binding character has been heavily criticised. In fact, one

of the initiatives addressed precisely this question (Beramendi et al., 2008). The non-binding character, added to the stringent requirements (12 months within which to collect the signatures of 10% of the electorate), have generated little enthusiasm for this mechanism, which has meant few proposals being put forward.

Which are more successful: the consultations driven from above, or those from below? Regarding the German case during the period 1956–2009, Schiller (2011b) compares the results of referenda triggered by a legislative initiative (2,055 cases) with those spearheaded by a local administration (410). Among the referenda called “from above”, 67% received a favourable valid vote, 23% a negative vote, and 5% obtained a favourable vote but did not surpass the required turnout percentage in order to be valid (in the remaining cases the result was uncertain). By contrast, among the referenda driven “from below” by legislative initiative, 48% received a valid favourable vote, 35% a negative vote, and 15% received a favourable vote but the voter turnout was insufficient to achieve validity. On the one hand we can observe that the favourable valid votes are considerably higher for referenda called by an administration (67%) than those triggered by citizens (48%). On the other hand we can see that legislative initiatives encounter more of a struggle to exceed the turnout requirement threshold (15% of cases as opposed to 5% of the referenda called by public administrations). If we put to one side the turnout requirement threshold, the referenda with a favourable vote would represent 72% of those called by an administration, and 63% of those triggered by initiatives: a less emphatic gap. Legislative initiatives can also be conceived of as a mechanism of lobbying and negotiation. Considered thus, their design could include the possibility of being withdrawn by their sponsors in the eventuality of the proposal being accepted by other means (Büchi, 2011). In some experiences in Germany the authorities anticipated and decided to reconsider certain disputed projects before the signature collecting process was completed (Schiller, 2011b).

When, faced with a legislative initiative surpassing the signature threshold, the authorities can offer an alternative proposal to be voted on (as happens in several places), the political process can be enriched with a more complex deliberation and greater public involvement in the choice of issues to debate. There is a risk that widening the alternatives can complicate the actual vote, but as we have seen in section 4.4, mechanisms to facilitate providing information to the voting public can be established.

In Uruguay we find an atypical regulation concerning voting in a referendum called by a legislative initiative to amend the constitution. The citizenry may only vote “yes”, while those in opposition must abstain. To succeed, a turnout of 35% of the electorate is required. This model benefits the status quo given that any abstention is assumed to be a negative vote (Linares Lejarra, 2017).

On the other hand, legislative initiatives can serve as a democratic mechanism with which to resolve social conflicts. The examples studied by Hincapié (2017) of the movements in various Latin American countries against the practice of extractivism for the appropriation of natural resources are useful to illustrate this idea. The local communities affected used unconventional forms of direct democracy such as prior consultation (based on the rights of indigenous communities), and local popular consultations (general called “from above”). In Peru, for example, the social mobilization in Tambogrande (Piura) against a mining project led to a call for a Neighbourhood Consultation with backing from the mayor in 2002, had a 73% turnout and returned a 98% rejection of the project. Although the central government

underestimated the consultation, the Canadian mining company's license was eventually withdrawn. This precedent was repeated with similar results in other places such as Ayabaca and Huancabamba, with process bringing together local governments, indigenous and peasant communities, environmentalists and human rights activists. In a similar way, by means of agreements with local government, neighbourhood assemblies, social and rural workers' organisations launched consultations in Argentina (2003 and 2012), Guatemala (2005 y 2012), Colombia (2013 y 2017) and Ecuador (2011).

These cases show that having recourse to initiatives can be a useful conflict resolution mechanism, to open channels of expression for citizen movements in contexts of intense social conflict. In fact, if the requirements for the initiatives are very stringent or not widely known, demands can be channelled towards taking more informal paths, including signature gathering. For example, in Córdoba (see [sheet 9](#)) and Krakow (see [sheet 20](#)) we can see how political actors and associations initiated signature collecting campaigns to disseminate their political proposals (protecting street names or stopping the hosting of the Winter Olympic Games). In both cases these actors could have used a proposal initiative to take their demands to the city hall, even though they opted to follow more informal channels.

Agenda initiatives

The comparative study of agenda initiatives suggests that various aspects are important to prevent them from becoming "worthless scraps of paper". Suárez Antón (2017) has observed that at a national level in most countries in Europe and Latin America which register initiatives, they are not utilised or are included as a mere parliamentary formality without generating debate. In Italy, for example, the procedure concerning agenda initiatives is not regulated, so the parliament is under no obligation to discuss them (Seo, 2017).

When the criteria is established that a representative should endorse the initiative (as in the case of Brasil) or opportunities are created for the sponsors to attend a session and defend their proposals in parliament, the chances that such proposals have an impact on the debate increase (Suárez Antón, 2017). In Finland, some months prior to introducing agenda initiatives at a national level, parliamentary proceedings were modified so that they would be dealt with like any other law proposal and their sponsors would have the right to be heard in the relevant committees (Christensen et al., 2017).

While in some countries the initiatives have had a lesser impact (such as Eastern European countries), in Switzerland the initiatives have had a significant influence on the political agenda and the political system as a whole. Recently the extreme right populist movement has been able to mobilise popular support through initiatives addressing controversial issues such as banning immigration, which has sparked a debate about parliamentary oversight of the content of initiatives (Seo, 2017).

The example of Hämeenkyrö (Finland) demonstrates the problem of subordinating initiatives to a representative logic. In this municipality in 2006 an agenda initiative was triggered against the construction of an incinerator, signed by 800 people (10% of the electorate) and requesting that a consultation be held and that the result be respected. The local government decided to hold a consultation, in which 46.3% voted in favour of the incinerator and 49.3% voted against with a 55.1% turnout, despite which the local administration decided to approve the construction of the plant (Büchi, 2011). While advancing an initiative requires

much time and effort, taking or overturning a decision in a municipal plenum can be very quick. This type of experience can have very negative repercussions on public opinion.

However, there is also the possibility of combining agenda initiatives with another mechanism such as a legislative initiative or a referendum initiative. This is the case in Peru at a national level, where if an agenda or constitutional initiative that exceeds the signature threshold is rejected or substantially modified, a call for a referendum can be solicited by collecting signatures equivalent to between 0.3% and 10% of the population (Welp and Suárez, 2017).

Recall initiatives

In the case of a recall initiative, the expected outcome can incentivise strategies which were not originally desired. Thus, some cases establish that if the recall is passed, the authority will be replaced by substitutes, while in other elections are triggered. In Peru it has been observed that this generates pernicious incentives in the system, encouraging politicians (in a highly fragmented and weakly institutionalised party system) to be the main sponsors using the mechanism as an extension of the electoral battle (the losers unite against the electoral victor). The law was modified in 2013, and in the following term there was a marked decrease of the number of initiatives. California stands out again as one of the few cases in which voting for a recall becomes an election, in which while voting to recall an authority it is also possible to vote for their replacement. This was the process by which Arnold Schwarzenegger became governor, after successfully recalling Gray Davies in 2003.

In the case of replacing an elected official through a recall initiative, we encounter different options, as the state of California and the city of Los Angeles illustrate. In the former, the replacement would be the candidate with most votes in the recall referendum, while in Los Angeles it is necessary to achieve a majority vote or otherwise new elections are called between the top two candidates. In the Californian model, in a recall with many strong candidates, it is possible that the candidate eventually elected could obtain less votes than those who opposed the recall (Sonenshein, 2006).

The recall referenda also have varied criteria in order to be considered valid, as some national examples show (Beramendi et al., 2008). In Kiribati a majority of registered voters must vote. In Belarus more than half of voters must support the referendum. In Nigeria and the Republic of Palau a simple majority is sufficient. In Micronesia a simple majority of votes is sufficient in Chuuk, Kosrae and Yap, while in Pohnpei an affirmative vote of 60% of registered voters is required for the government, or 51% for the legislature. In Venezuela a number of voters equal to the vote that the official garnered in their election is required, as well as it being necessary that 25% of the total number of registered voters cast a favourable vote. In Poland, a 2005 reform established that the turnout threshold required (which has been 30% at a municipal level) was changed to 60% of the number of votes cast in the elections which selected the affected body (Piasecki, 2011).

Lastly, we also find mixed recall processes in which the citizenry is called to vote in a referendum but the initiative falls to an accredited body (in other words, with a “top down” dynamic, as in Austria, Iceland, Palau, and Romania), or in which citizens launch a recall petition that can be processed and approved (or not) by an accredited body (which can be categorised as a non-binding recall initiative). Some countries, such as Palau, have mixed recalls for representatives at the highest executive levels and complete recall initiatives for the members of legislative bodies (Beramendi et al., 2008).

5. Reference sheets: Examples of initiatives

On the following pages we provide the details of initiative experiences in different parts of the world. It does not constitute an exhaustive list of local initiative practices; however, we have tried to cover a broad variety of cases. The selection of experiences responds to several criteria that we consider relevant.

Firstly, almost all the initiatives are from local or municipal level. There are two exceptions: sheet 7, which features a Spanish region, is included because of the diversity of initiatives encompassed; and, secondly, sheet 21, which refers to a US state, is included due to the innovative way in which it combines the initiative with a process of deliberation.

Our definition of “local” is generous in its scope: we include cases of initiatives developed in a municipality, but also experiences implemented in a capital territory, federal district or large metropolitan area. We have tried to present the majority of the initiatives from large cities with more than 100,000 inhabitants.

Secondly, and despite being a large case study, we have selected the different sorts of initiatives covered in this report: legislative, agenda, referendum, abrogative (of regulations or public decisions) and recall initiatives. In some cases, experiences resembling these typologies have been incorporated, even when formally they have not been given this name by their promoters or the authorities.

Thirdly, they represent a wide variety of initiatives from the point of view of successes and failures. We understand that they can be judged from different perspectives (see section 2 of this report): an initiative can be unsuccessful from an institutional point of view (being rejected by the representative chamber), but it can, for example, be successful in terms of boosting and mobilising the associative network. Therefore we include initiatives associated with different outcomes and political achievements.

Lastly, we have tried to cover a broad territorial map, although it was not an easy task, given that some territories are better documented online or in academic literature. The initiatives in our list are located in Europe, North America, South America, Asia and Oceania. We have not found local cases in Africa. This is, undoubtably, a task that future studies must address.

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Sheet 1. Duisburg (Germany): recall initiative after a catastrophe

Summary

The German Federal Republic is one of the few democratic countries that do not regulate direct democracy mechanisms nationwide. At a state (länder) level, in 1990 a wave of legal modifications was promoted to introduce a variety of mechanisms: activated by the authorities, compulsory and by signature collection. At present, all states and local councils regulate them. The mandate revocation is present in 11 out of the 16 German states, although only in four can be started by signature collection: Brandenburg, Saxony, Schleswig-Holstein and North-Rhine-Westphalia. Even if the activation requirements are considered high, its practice is not rare. Still, it is more frequently registered in local councils with less than 20,000 inhabitants and specially if they are activated by council towns themselves (indirect recall). But now it has begun to expand to bigger cities like Potsdam (in 19998, 160,000 inhabitants), Cottbus (2006, 100,000 inhabitants) and the case analysed below, Duisburg (in 2012, 500,000 inhabitants).

Regulation

All the German states include direct democracy mechanisms, which are also regulated at a council level. The regulation varies depending on the state, while procedures are also different. The table below shows the states in which the recall initiative is regulated (also known as direct or bottom up, started by signature collection, contrary to the indirect or top down one, activated by the council or parliament), the year of introduction and modification of the law (when it applies), the number of signatures required and the number of registered referendums for each regulatory framework.

Cases	Introduction year	% Signatures required	Nº recall referendums
Brandenburg	1993-1998	10	25
	1999	15-25	19
North-Rhine-Westphalia	1999-2011	15-20	3
	2012		4
Saxony	1994	33'33	11
Schleswig-Holstein	1997	20	5

Source: Own elaboration based on data from Geissel and Jung (2018)

Formal characteristics

The city of Duisburg is located in the state of North-Rhine-Westphalia. The recall initiative was introduced there in 1999 as an indirect mechanism (activated by the City Council). The law was modified in 2011 to introduce the recall initiative with a relatively low percentage of signatures, which has boosted activations. The legislative change pursued offering an answer to the citizen's demand following outrage when the people tried to revoke the mayor but the council (where a majority backed the mayor) blocked it.

Prevalence

The mandate recall becomes effective if a majority votes in favour and turnout reaches 25% of the electorate.

Practical development

In 2010, a Love Parade, a techno music party organised in the city of Duisburg, ended in a tragedy where 21 people died and 500 were injured in a stampede. The party had first taken part in Dublin in 1989 and since then had been attended by a growing number of people. In 2010 it was decided to relocate the party to Duisburg in an area surrounded by rail tracks accessible only through tunnels. When thousands of participants crowded together tried to leave unsuccessfully, panic spread and catastrophe broke. The authorities and the police blamed each other while the population put together claiming for Christian Democratic Union of Germany (CDU) mayor Adolf Sauerland's recall for having permitted the festival to take place in an unsuitable area, hardly accessible and with too many participants. However, in the state of North-Rhine-Westphalia the recall had been introduced in 1999 as an indirect mechanism. Once the proposal was presented, a majority in the Council voted against activating the referendum. Shortly after, the state Parliament changed the law to allow the recall initiative by signature collection. Once a legal basis was established, a committee called "New Start for Duisburg" started to collect signatures to hold a recall referendum. They needed signatures from 15% of the electorate, approximately 55,000 people, which were quickly collected (more than 67,000 were validated). On February 12, 2012, 85,5% of the electors backed mayor Sauerland's recall, with a 41,6% turnout (above the 25% requirement).

Strengths

Some studies show the support of the Germans for the introduction of direct democracy mechanisms. Thus, in a 2012 poll, it was observed that 87% of the population would back the introduction nationwide referendums (Emnid, 2013). Other polls on a local level show that Germans want to be more involved in the decision-making (Stiftung and Baden-Württemberg, 2014).

After the Duisburg tragic events, the mechanism would have allowed to restore the trust in the capacity to renew the system (change the law to allow the referendum) and improve accountability.

Weaknesses

Recall initiatives tend to be specially polarized. In the above case, there is neither any study that shows it nor other associated weaknesses.

Documentation

Stiftung, 2011 / Stiftung and Baden-Württemberg, 2014 / Emnid, 2013 / Geissel and Jung, 2018 / Serdült and Welp, 2017 / Schwarz, 2012

Sheet 2. Nagoya (Japan):

The mayor promoting a recall initiative

Summary

After World War Two and during Japan's American occupation, the political reform of the country was discussed, with a special emphasis on decentralization. As part of the reforms to be implemented, direct democracy mechanisms were introduced. Recall initiatives are regulated since then (1947), including the formats: the recall of the local assembly as a whole, the recall of individual members of the assembly and the recall of mayors if one third or more of the electorate requests it. Between 1947 and 2014, around 1,500 processes by signature collection were registered, of which hundreds resulted in binding votes. Here we analyse the experience of Nagoya in 2011, when the same mayor decided to promote the recall of the council (contrary to his policies) in order to force a new election where he triumphed increasing his majority in the deliberative body.

Regulation

In Japan the law allows to collect signatures in order to vote on the dissolution of the local assembly (art. 76.3 Local Autonomy Law, LAL), the recall of individual members of the assembly (art. 80.3 LAL) and the recall of mayors and governors (art. 81.2 LAL).

Other mechanisms of direct intervention regulated by the Local Autonomy Law are the request to remove public office like vice governors, vice mayors or members of school committees. Finally, they also include requirements on public policies.

Formal characteristics

The percentage of signatures required is the same for the three recall procedures regulated in Japan and varies depending on the amount of population. The time given to collect the signatures is one month in small cities and two months in big cities (more than 500,000 inhabitants). The current regulation was passed in 2002. An authority who has been removed can run again in the next election, the activation can only take place one year after the government has started and the same procedure cannot be activated twice during a term.

With the signatures of one fifth of the electorate an evaluation of the public services management can also be requested. Finally, a specific ordinance (art. 74 of the Local Autonomy Law) needs to be created in the first place in order to hold a referendum on policies. 1,5% of the signatures are required to initiate the request, but the decision remains in the hands of the local assembly. If the assembly rejects it, the referendum cannot be called. Surprisingly, contrary to the recall, which is regulated for all Japanese municipalities, referendums on policies are only permitted in 56 municipalities. Still, the results are not binding.

Prevalence

Term recalls have been pretty frequently in Japan. Between 1947 and 2014, Okamoto and Serdült (2016) registered around 1,500, which would place the country in third position after Peru (with more than 5,000 authorities subjected to referendum between 1997 and 2013) and the United States (where Cronin, 1989, identifies around 4,000 during most of the 20th century).

The attempt to dismiss executive authorities by a vote of confidence is the most frequent, with 709 cases, followed by 158 attempts to recall the entire local assembly, the rest pointing out at assembly members. The recall success rate is 72% for assemblies, 88% for assembly members and 26% for governors and mayors (Okamoto and Serdült, 2016).

However, records show that the majority of proposals or referendums initiatives are rejected, a relatively steady pattern over time. Some of the denied cases (which are not discussed) had been backed by a high number of signatures. For instance, more than 600,000 residents from Nagasaki prefecture backed the petition of keeping a hospital, whereas more than a million residents from Hokkaido asked for the creation of a local referendum ordinance that would allow holding a referendum on a nuclear power plant, with none of these signatures having had any reply.

These examples have brought Okamoto and Serdült to question whether the use of a recall initiative is an example of “institutional imbalance”. According to this argument, many recalls would have been avoided had other mechanisms aimed at intervening over public issues been available. If a great deal of activations follow this pattern, it would be an expensive and inefficient mechanism when it comes to promote accountability.

Practical development

The term recall experience in Nagoya (a city of 1.8 million inhabitants) is peculiar insofar it is activated with the purpose of solving a conflict within the institution. The newly appointed mayor Takashi Kawamura wanted to implement his campaign promise to lower taxes, but he had to face the local council objection, with an adverse majority. Then the mayor threatened to promote a recall to dismiss the council. In order to do so, 366,000 signatures were collected in a month. The number of signatures required was not achieved in the first instance, because they were not enough and many of them were invalidated. But the mayor insisted and he gathered them in a second attempt. The voting took place on February 6, 2011. The council was dissolved and a new election was called where the mayor obtained a majority favourable to his reform agenda.

Strengths

The mechanism could be useful to channel the disenchantment and in specific situations it would allow the authorities to overcome institutional blockages, like the Nagoya case in 2011.

Weaknesses

However, if the frequent use of recalls is motivated by the rejection of specific policies, it could turn out to be an expensive and not very efficient resource to solve the matter. The studies of Okamoto and Serdült (2014 and 2016) and of Takanobu (2000) encourage to see participation mechanisms as a framework of related resources. In this case, designing better mechanisms to manage policies could be more efficient.

Documentation

Igarashi, 2006 / Jain, 1991 / Okamoto et al., 2014 / Okamoto and Serdült, 2016 / Serdült and Welp, 2017 / Takanobu, 2000

Sheet 3. Warsaw (Poland):

A reinforced mayor after overcoming a recall initiative

Summary

In Poland recall initiatives were introduced through a national law in 1991, although they can only be activated at a subnational level. Since then, the mechanism has been frequently used, while the regulation has also been replaced twice (2000 and 2005) and other minor reforms have been made, usually towards making it more precise and increasing the requirements to activate it. The Polish experience with recall initiatives follows a pattern similar to that of some Latin-American countries such as Peru, where after many activations in small towns (less than 20,000 inhabitants) the mechanism was applied in big cities, promoted basically by political parties. In Warsaw, the recall initiative on October 13, 2013 was focused against the first woman ever to become mayor of the town, Hanna Gronkiewicz-Waltz, leader of the new political organisation Plataforma Cívica (Civic Platform), who had come to power in 2006 and been re-elected in 2010. The referendum request was started by a small district party that rejected the increase of the public transport fares, the high cost of garbage collection and the delays in the expansion of an underground line. When the main opposition party, Ley y Justicia (Law and Justice), joined the initiative, the signatures needed for launching the referendum were quickly reached (134,000).

Regulation

The term recall was introduced for the first time with a 1991 law (the recall was focused on the whole government and not on individual authorities), replaced in 2000 (since then it is possible to recall only the mayor) and in 2005 and reformed in other occasions. It has been noted that a high number of recalls were practically ignored outside the country because they took place mainly in small cities (Piasecki, 2011). In 2013, the referendum took both locals and foreigners by surprise, as the former were not expecting to reach the signing threshold while the latter ignored the significance the mechanism had gained over the country.

The Referendum Law from 1991 did not specify the rules for carrying out campaigns or impose any restrictions on the number of recalls that could be activated on each period. The promoters had 60 days to collect at least 10% of support signatures from electors in a process that was started by registering the request before the provincial election commissioner. In order to proceed, a majority of at least 30% of the total amount of electors had to back the motion. Was the recall approved, a new election should be called to replace the recalled authorities. The local referendum laws from 1996 and 1998 established additional requirements, like the obligation that it could only take place after at least one year from the start of the authority term and not less than six months before its completion.

In 2000, territorial reforms were passed, which led to revise the Local Referendum Law. New requirements were introduced to create the recall promoting committees, which should be composed of at least five citizens at a town level and 16 for the district or province. In addition, political parties and organisations were authorised to begin the collection. The thresholds of 10% of signatures amongst eligible voters (5% at a district level) and the 30% turnout requirement did not change. The campaign, the finances, the promoters and the results proclaim were specifically regulated (Piasecki, 2011: 129).

As activations proliferated, pressure from local councils led to modify the law in order to raise the activation requirements and the success of the recalls. Thus, in 2005, a 60% turnout threshold of the electors who voted when the authority was elected was introduced so the referendum could be binding. Therefore, the law turnout recorded in many recalls would make success rate more difficult. In 2013, a new threshold requesting a turnout of at least the same amount of voters as when the authority was elected was introduced so the referendum could be valid.

Formal characteristics

Registration of a promoter committee. Signature collection. Majority of over 30% of the electoral register and over 60% of turnout (100% since 2013) of those who voted for the authority so the consultation is valid.

Prevalence

The result is binding if the threshold turnout is reached. The authority is recalled if this option obtains a majority. Studies and reports show more than 100 recall initiatives per term, with a peak of 195 in the period 1998-2002 (Piasecki, 2011). After 2002, mayors became the main focus of recall initiatives (Bednarz, 2013; Jasiewicz and Jasiewicz-Betkiewicz, 2014).

Practical development

The Law and Justice Party had promoted recall initiatives against mayors of the Civic Platform in small cities before trying it in Warsaw (Jasiewicz and Jasiewicz-Betkiewicz, 2014). This aspect of the fight between political parties might have defined the initiative against the mayor in Warsaw, according to Czesnik (2005). Hanna Gronkiewicz-Waltz was the first woman reaching the executive in the city. The idea of launching a referendum was first announced by a small left-leaning party against the rise of public transport fares, but other forces and arguments joined quickly. The recall initiative was announced mainly due to the following:

- a) the rise of transport public fares in the city;
- b) cuts in education, including making many full-time school workers redundant and cutting janitors' wages;
- c) high garbage collection taxes;
- d) dissatisfaction with the rise of public administration jobs concerning 1,000 people;
- e) inadequate control of investments: failure to complete the extension of the second underground line, the costs of the construction of the National Stadium and others.

Despite a strong campaign against her, the mayor avoided the recall and she could even manage to be re-elected in the following election. Turnout reached 25.7% and a majority backed the recall, but the recall did not make any further progress because it was invalidated due to the low turnout.

Strengths

Democratic potential of different recall forms.

It does not always have to have a contrary effect against rulers. In Warsaw, the recall seems to have strengthened the mayor, although this has been a specific consequence within a particular case.

Weaknesses

Ideally, the recall initiative should lead to solving extreme conflicts via institutional channels. However, in some cases it seems to have become an instrument in the hands of the parties. In the case of Poland, the high turnout threshold encourages the authorities submitted to recall to promote abstention in order to invalidate the voting.

Few previous experiences would have caused results that would strengthen the local government (Dianne Fein in the United States). The main risk of the mechanism has its origins in the incentive it offers to political supporters and opponents, specially within a context of populism rise and spread of fake news. The Warsaw case displays several similarities with that of the mayor of Lima, Susana Villarán, who also avoided the recall but ended up with an extremely weak government that distanced the party from growth in further elections (Welp and Rey, 2014).

Documentation

Bednarz, 2013 / Jasiewicz and Jasiewicz-Betkiewicz, 2014 / Piasecki, 2011 / Serdült and Welp, 2017 / Welp and Julieta, 2014

Sheet 4. Nago (Japan):

An abrogative initiative against government measures

Summary

The local initiative in Japan dates back more than half a century. Its use has considerably increased since the 1980s. However, experts reveal that the initiative has important limitations: it depends on the local assembly's final decision and popular initiative referendums are not binding. The local initiative has had some political relevance as a tool of the associative groups in front of government decisions in "NIMBY"¹¹ conflicts like the building of military bases, nuclear power plants or waste processing facilities.

Regulation

Local Autonomy Law from 1947 (article 74).

Formal characteristics

The Local Autonomy Law from 1947 included the possibility of recalling local governments, requesting audits on the local government and requesting measures, changes or suppression of regulations at a local level. Therefore, the legal framework has allowed the agenda initiative for decades, as well as the recall and the referendum ones, which are two variations of the same procedure. In order for a petition to reach the local council, the signatures of 2% of voters are required. In the chamber, the representatives will make a decision on this measure (accepting it or rejecting it) by simple majority. If the measure is rejected, a further referendum cannot be requested.

When it comes to request a referendum, the procedure is similar: a petition including the measure and the referendum request must be issued. After that, 2% of signatures from voters backing the proposal should be collected. Finally, the local representative chamber makes a decision on whether the referendum should take place or not. That is, it decides

if the initiative request proceeds and culminates or goes no further. In addition, in case the referendum does take place, it will not be binding: it has only an advisory capacity.

The issues on which a petition or referendum can be held are not determined, but some exceptions are pointed: on the local taxes and fees that cannot be modified by means of a popular initiative (art. 74).

Prevalence

According to Numata (2006), this kind of initiatives has a limited use in Japan, although it significantly increased between the 1980s and the 2000s. From 1947 to 2012, 1,742 municipal requests were counted in the country (Okamoto et al., 2014). The growing demand for initiatives has brought several towns (42 in 2010) to pass their own initiative ordinances following Takahama City's (Aichi) model from 2000 (Numata, 2006; Okamoto et al., 2014). Sometimes, these ordinances improve the state legislation empowering citizens: for instance, in the previous case, if the promoters of the initiative collect the signatures of a third of the local electors, the referendum on the measure will be held without any interference from the authorities.

It has also been highlighted that local agenda and referendum initiatives have a special impact on the rejection of measures from the central government (abrogative ones). For instance, the referendum initiative has been frequently used as a tool in a "NIMBY"-type conflict to reject government decisions to build nuclear power plants, rubbish dumps, polluting factories or military bases in certain towns. In this kind of situations, neighbours teamed up to react to the central government's decisions using, among others, the initiative resources available at a local level.

Practical development

In 1996, the central government reaches a series of agreements to expand a military base in Nago City (Okinawa). More specifically, a heliport for the American air force was to be installed. This raised a wave of protests including the activation of the initiative.

On the one hand, the Japanese government backed the construction of the heliport and the land transfer appealing to the "compensation policies" argument: it would entail a new program of economic development for the region. The main supporters were the local chamber of commerce and the industrialists. However, in 1996, opponents to the expansion of the base increased in numbers and organised an opposition platform formed by antimilitarists and unions (Yasuhiro, 2007). A referendum initiative petition was organised under the motto "Important decisions must be made by the community".

The signature collection took hold and the local government agrees to hold a referendum with the following question: "Do you agree with the construction of the heliport because it can benefit the community with the promise of economic development and pollution decrease?" In February 1998 the referendum was held and the option backing the construction of the heliport lost. 82% of voters participated and 51% of them rejected the military base.

Shortly after, a new conservative candidate wins the mayor's office in Nago despite having backed the construction of the heliport. Thus, the possibilities for the neighbours' protests to have a decisive impact could not move forward. Since the referendum was not binding, its only effect was revealing the unfavourable public opinion of part of the population. But neither the local government nor the state government cancelled the heliport construction

project. Afterwards, in 2000, community groups sued the City Council claiming the referendum result had not been considered, but the regional court dismissed the claim because the referendum results were advisory and not binding.

Strengths

The initiative, in this case, sets a moderate percentage of signatures that makes its use viable at a local level.

Although the local government is not obliged to call the referendum, sometimes the strength of the signatures leads to the call, despite the preferences of the local authorities.

Weaknesses

On the other hand, as in other cases, the initiative is not binding, that is, it depends on the final decision of the local representative chamber. It would then be subjected to the decision of the public representatives, concerning not only the proposals' passing but also the effective holding of the referendum.

In light of this fact, in a troubled context, associative groups may prefer alternatives of collective action or reaction against the government's decisions, which may result less costly and more efficient. For instance, sometimes judicial action may be a less expensive alternative than the proposal or referendum initiatives.

Documentation

Local Autonomy Law (1947)¹² / Numata, 2006 / Okamoto et al., 2014 / Yasuhiro, 2007 / Eldridge, 1997 / Mulgan, 2000

Sheet 5. Buenos Aires (Argentina):

An agenda initiative influential in urban development

Summary

The agenda initiative was regulated in the City of Buenos Aires in 1998. In the following decade, nearly 20 initiatives were presented with his promoters being pretty unsuccessful. In this case we analyse the experience of a neighbourhood group from the district of La Boca that used the initiative to obtain a wide green area in their district. Although they did fail to collect all the necessary signatures, the more than 17,000 they obtained forced the local political representatives to reconsider their position.

Regulation

In the City of Buenos Aires, direct democracy mechanisms are considered in articles 64 (popular initiative), 65 (referendum), 66 (popular consultation) and 67 (term recall) of its Constitution. They are also included in the popular initiative procedure law, June 25, 1998.

Formal characteristics

The majority of Argentinian provinces have direct democracy tools or measures since the 1980s. They also have an enormous significance at a municipal level. Buenos Aires is an

autonomous city with its own by-law (constitution) including a variety of direct democracy measures (Arques, 2017). Its constitution includes the possibility of holding binding and non-binding referendums, as well as legislative initiatives (called “right to petition” and “popular initiative”).

The main characteristics of the legislative initiative in the City of Buenos Aires are the following: the electors are the “promoters” of the initiative, and they must elect a spokesperson who represents them. The political representatives cannot be promoters. The local law-making assembly sets a managing body. This body assists the promoters in the presentation, verifying that the initiative deals with a power concerning the city and ensuring it abides by all the legal requirements.

We can point out a series of steps in the initiative. Firstly, the promoters present the initiative to the managing body. Once the application is validated by this body –following the established legal requirements– they can start collecting signatures. They have a 12-month deadline and must collect signatures from 1.5% of the electoral register in order for the initiative to reach the council assembly and be voted by the representatives (accepting or rejecting the project) (art. 64 Constitution of Buenos Aires).

Secondly, the initiative that collects at least 4,000 signatures gets “promoted”. This means it can be publicly announced on the local radio station, on public posters, in newspapers, and so on, in order to amplify the signature collection campaign.

Thirdly, all the signatures collected are taken to the managing body. After three business days, they are sent to the local electoral court. The electoral court will check the signatures are correct and valid following the sampling technique (at least 3% of the signatures will be validated). It has 30 days to check the signatures. If more than 10% have any defects, the initiative is rejected.

Fourthly, the court delivers the validated initiative to the President of the municipal assembly and to his board to be discussed by the public representatives.

Finally, once in the assembly, the promoters have the right to be heard in the commission where the popular initiative will be discussed. The term has 12 months to either sanction or dismiss the project. If the initiative contains the signature of more than 15% of the electoral register, and the 12-month deadline passes without the assembly having discussed the project, the mayor must call a binding referendum.

Which issues can be discussed on an initiative? The competencies of the Buenos Aires legal assembly, as an autonomous city, with the exception of projects referred to the Constitution reform, international treaties, taxes and city budget.

Prevalence

It consists of a process with clear effects, reinforced by the steps set for its processing in the city assembly. If the assembly exceeds the 12-month deadline to process it and the initiative exceeds 15% of signatures from the electorate, a referendum is called automatically.

Practical development

In the first 10 years since the regulation, few initiatives were passed (Paonessa, 2007). For instance, Paonessa counted 18 initiatives in 5 years of which only two managed to pass all the procedures and verifications, being finally passed by the usual legislative route (public

representatives approved them). One was “A public park of native species” to create a green area in the old Roca station, in the La Boca neighbourhood of Buenos Aires.

Prior to this initiative, in 1999 the Comisión de Vecinos de la Calle Iralia (Neighbourhood Commission of Iralia Street) (and surroundings) was created. The new railway legislation changed the usage of the Roca station, remaining as a huge disused space, in front of which the neighbours consider using the waste ground as a green area connecting it with other close neighbourhoods (previously separated by rail tracks). The initiative was brought up by the neighbourhood’s committee with the support of several groups of architects. Initially, in 2000, the Iralia residents sent the town council a project to convert the old station into a green area, including 200 signatures. However, the neighbourhood group is informed about various construction groups interested in the land and so the members begin to worry. Thus, a community group was activated to carry out other potentially effective participation strategies like the agenda initiative.

The neighbours’ association contacted other groups to defend its project. For instance, the Asamblea permanente por los espacios verdes urbanos (Apevu, Permanent assembly for urban green spaces) and other 50 associations. They set a “Encuentro Vecinal en Defensa de las Tierras Públicas” (Neighbourhood Meeting for Public Land) and the initiative project was developed with the support of the Ombudsman. After registering the initiative, they collected 14,271 signatures, which were not enough to process it as an agenda initiative. The key of the proposal was that, despite it did not reach the necessary amount of signatures, it was widely spread and attracted the attention of the political representatives. Some of them even decided to echo the proposal and took it to the municipal assembly.

In the representatives’ assembly, the project finally obtained 28 votes in favour (it needed to obtain to reach a simple majority) and was rejected in 2003. Due to the neighbours’ persistence, new negotiations were again established and an agreement with the authorities was reached. In 2004, the project was negotiated again with the local government and was unanimously approved by the assembly in April. In 2005, the Native Species Park was practically completed.

Strengths

The agenda initiative is perceived as a useful way to channel a demand when other less institutionalised methods do not work. It is an influential tool in local politics when all the requirements have not been completed (for instance, the complete number of signatures).

The initiative sets a reduced number of signatures to enter the “public promotion” phase, where authorities are obliged to promote the collection of signatures in the local media.

The obligation to call a binding referendum if no answer is provided within 12 months (as long as signatures from 15% of the electorate were achieved) makes it impossible for the authorities to ignore initiatives with a great support.

Finally, the initiative can be a successful strategy to influence both institutional representatives (“institutional agenda”) and the public opinion (“social agenda”) as well as to create a social fabric and interconnectivity between associative organisations (social capital).

Weaknesses

The collection of signatures seems an expensive process for small associative organisations. Back then district initiatives did not exist.

The initiative forces the local assembly to provide an answer. But only if the initiative reaches 15% of the signatures from the electoral census (and has been submitted a year ago) a referendum is automatically called (the ones that do not reach this threshold may be ignored).

Documentation

Arques, 2017 / Hevia de la Jara, 2010 / Paonessa, 2007 / Schneider and Welp, 2015 / [Parque de la Flora Nativa Casa Amarilla](#)¹³ / [Popular Initiative Regulation](#)¹⁴ / [Parque Público en La Boca Project](#)¹⁵ / [Popular Initiative Bill](#)¹⁶ / [La Boca: avanza un proyecto de iniciativa popular](#)¹⁷

Sheet 6. Madrid (Spain):

A new kind of online initiative to submit proposals

Summary

Since late 2015, Madrid City Council has an online platform to register and discuss citizens' proposals. When they reach a certain support threshold, the proposals are submitted to popular consultation. However it does not exactly consist of a legislative initiative procedure, as it is stated on the Spanish regulation. We could define it as an agenda initiative.

Regulation

Agreement of September 15, 2016, of the Government Body of the City of Madrid by which the guidelines for the application of the right of proposal are modified (BOAM nº 7746).

Agreement of the Government Body of September 14, 2015, passing the application of the regulatory guidelines for the exercise of the right of proposal through the Open Government website.

Formal characteristics

In September 2015, the local government expanded the right of proposal regulation that was already included in the citizen participatory regulation from 2004. As this right is developed, the local government broadens the proposal capacity, provides it with mechanisms to carry it out and sets a series of guidelines to make it online. Subsequently, in 2016, the guidelines are modified to improve the functioning of the proposal channel. Thus, although it is not called "citizens' initiative", we can state it is an original means for online initiatives.

The main steps of the tool are the following. The first step covers individual proposal and collecting online supports. Any citizen may submit proposals in person or online. These are subjected to an open process looking for backing (online or in-person votes) amongst natural persons aged over 16 registered in the city. There are a range of filters, in the sense that the General Management of Citizen Participation excludes the proposals that oppose human rights or human dignity (see guideline 2.3.). Each month, the General Management publishes an online report about the five most backed proposals.

The second phase would be the debate. The proposals are discussed during a period ranging from 90 to 150 calendar days on the online forum [Decide Madrid](#)¹⁸ (Madrid Decides). The proposals reaching a support equivalent to 1% (of registered voters over 16 years old) will automatically turn into a public consultation. In the case of Madrid, that means 27,662 supports (in June 2018). Alternatively, the government area may decide straightaway to sub-

mit the proposal to consultation, even if it has not reached the threshold. The third phase consists of a technical assessment. The proposals are discussed by the City Council, which will produce, within the following 30 days, a report on its legality, viability, jurisdiction and economic cost. Any proposals discussing issues on which the city has no jurisdiction, contrary to the applicable legislation, technically impracticable or too expensive would produce a negative report, although alternative proposals might be considered.

The fourth phase is a public consultation (see article 6 of the guidelines for the application of the right of proposal). Here the mayor brings the consultation to the plenary session and follows the procedure set by the Local Regime Bases Law (7/1985). The consultation must be passed by an absolute majority of the plenary. This kind of non-binding consultation requires the authorisation of the Spanish government. However, Madrid City Council takes on the commitment to implement the resulting measures.

If the proposal is passed, the DGPC will send it alongside the favourable technical assessment to the corresponding executive body (body, district or local organisation). Within 30 days this body has to communicate which specific measures it will adopt to abide by the proposal. The interventions that cannot be carried out will be published online with the corresponding explanation.

Prevalence

The connection with the public decision-making takes place when a proposal reaches 1% of the supports and is submitted to a popular consultation after being passed in the council plenary.

The new procedure has had an impact on both the media and international organisations. The online platform won a UN award¹⁹

Practical development

More than 17,000 proposals have been made so far, although only 38 of them have reached 5,000 supports. Two of them have reached the 1% threshold (more than 27,000 supports) in order to be submitted to public consultation, and so they were in February 2017 in the so called “participation week”.

The first proposal was the “single ticket for the public transport”, which was registered in September 2015 with the following explanation: “it is essential that intermodal transport is promoted, that is, changing means of public transport without extra cost within a wide period of at least 90 minutes”. In November 2015, the Ahora Madrid government team submitted a similar measure to the Transport Committee, the regional department where the decision is made. After collecting more than 200,000 favourable votes in the consultation, the City Council, in his September 2017 plenary session, approved by a majority (with the only opposition of just one party) the creation of this ticket and urged the Comunidad de Madrid (as part of the Committee) to rethink their approach.

The proposal “Madrid 100% sustainable” is very different, it is not as specific as the first one, which offers an interesting comparison. It was boosted by *Alianza por el Clima* (Alliance for Climate), a platform with more than 400 organisations. It included a list of 14 actions (such as raising awareness campaigns and hire a 100% renewable municipal electric power). As pointed out by the Informe de Competencia²⁰ (Competition Report) many measures could be tackled by the local administration while others were not. The Informe Técnico²¹ (Technical

Report) details the actions the City Council has committed to develop within its jurisdiction. One of the most interesting points of this proposal is its broad political character and its translation into specific political measures within some City Council areas.

Strengths

This kind of online initiative is easily accessible through the platform, which receives hundreds of proposals every year. Apart from welcoming the proposal, there is also an online debate and discussion area where comments can be posted and displayed in a chain (for instance, the transport ticket produced more than 800 comments). The barriers to access the right of proposal and the right to information decrease significantly.

Another strength is the transparent monitoring of the several phases that the proposal is submitted to, which can be made online, where the jurisdiction and technical reports are uploaded.

Weaknesses

The procedure might be slow and complex.

The administrative development and the consultation expenses can be perceived as excessive by society.

The Spanish legislation has some barriers that prevent this kind of tool from being agile: the call for the municipal consultation requires the acceptance of both the local and state governments, apart from the fact that the consultations are not binding. Although the Madrid government announced it would comply with the consultation results, this is not guaranteed and is dependent on the political will of the government team and on its majority in the plenary. Moreover, the proposals beyond strictly local jurisdiction might remain unsolved should other government departments oppose.

Documentation

[Guidelines for exercising the right to propose²²/ Acuerdo de 15 de septiembre de 2016 de la Junta de Gobierno de la Ciudad de Madrid por el que se modifican las directrices para el ejercicio del derecho de propuesta²³/ Citizen participatory processes developed in the city of Madrid. June 2015-July 2017²⁴/ Ninguna iniciativa ciudadana registrada en los últimos 20 meses moviliza al 1% del censo²⁵/ El billete único intermodal: una reivindicación ciudadana²⁶/ El Pleno de Madrid aprueba la propuesta ciudadana de poner en marcha el billete único²⁷](#)

Sheet 7. Andalusia (Spain):

The multipurpose character of the initiative

Summary

The new participation law in Andalusia (Spain) passed in 2017 sets the basic criteria to impulse citizens' initiatives to promote not only deliberative processes but also popular consultations and participatory processes concerning the proposal and development of public policies. It consists of a general legal framework that each municipality should specify in its municipal regulations.

Regulation

Law 7/2017 on Andalusia Citizen Participation, from December 27.

Previously, there was the agenda initiative at a regional level (operated by the Law 5/1988 on Popular and City Councils Legislative Initiative, from October 17). Local popular consultations, including the referendum initiative, also existed in Andalusia.

Formal characteristics

In the new Law on Andalusia Citizen Participation (2017) the local citizens' initiative reaches an exceptional significance, going beyond the regional level. Thus, the initiative is connected to a wide range of participatory processes at a local level. The law has been recently passed and still requires its further regulation and development.

Firstly, in the purpose section, the initiative is set as a core aspect: "Facilitating the exercise of the initiative by the people and citizen participatory entities". It is also included in the explanation of the right to participation: "The initiative to promote the implementation of citizen participatory processes under the assumptions and the terms stated by this law" (article 8). The processes that can be promoted via initiatives are the following:

Processes of participatory deliberation (article 20) that promote a discussion of arguments in a public debate. At a regional level, a minimum of 20,000 valid signatures will be required. At a local level, the exercise of the initiative will require the number of valid signatures set by the corresponding municipality regulations for citizen participation. The initiative can be started by either people or organisations. The application will include a basic description of the issue and it will be processed by the administration within 3 months. The appropriate administration will reach a "basic agreement" with the characteristics of the deliberation process and it will make it public. The deliberation process will last a maximum of 4 months. After the process, the administration will release a public report.

Initiation of popular and participatory consultations: a group of neighbours may request to hold a "participatory consultation" (art. 48). Its purpose includes issues concerning Andalusian local organisations and it has an advisory character. Generally, people with the right to vote in this local or regional participatory consultations will be those aged over 16 who belong to the sector or group of population concerned by the issue that is being discussed and that qualify according to article 6.1. This age limit may be omitted in issues directly concerning children. Tranches of signatures are set depending on the population (art. 48.3):

Number of inhabitants of the municipality	Number of valid signatures required
5,000 or less registered inhabitants	10%
5,001 to 50,000 registered inhabitants	500 + 7% (exceeding 5,000 inhabitants)
50,001 to 100,000 registered inhabitants	3,650 + 5% (exceeding 50,00 inhabitants)
>100,000 registered inhabitants	6,150 + 3 % (exceeding 100,000 inhabitants, with a limit of 30,000 signatures)

The law also allows the consultation to be held in a delimited territorial area (for instance, a district), in which the initiative and the number of valid signatures would be set by the municipal participatory regulation, although the number of necessary signatures could not be more than 10% of the neighbours being consulted.

Once the mayor has validated the initiative, it moves on to the council plenary, which must reach an agreement by an absolute majority in order to pass or reject it (article 9, 2011 Law, and article 49.1, 2017 Law). Once it is passed, there is one formal requirement left: the consultation must be authorised by the state government (article 10 “Processing the authorisation”), which has rejected the great majority of requests to hold local popular consultations that had been submitted.

Processes of citizen participation in the proposal and development of public policies. The initiative is similar to the initiation of deliberation processes: “The citizens’ initiative to propose a public policy at a regional level will require the support of at least 20,000 signatures (...). At a local level, the exercise of citizens’ initiative will require the number of valid signatures set by the corresponding citizen participation regulations, not exceeding 20,000 signatures. The requirements and characteristics will be regulated by further local regulations. In addition, other proposals can be issued to make ordinance drafts at a local level (art. 30). Thus, the competent body within the local administration decides which initiatives are moved forward. That is to say, as in previous processes the law remains open on its details (it is developed in the local regulations) and the development of the initiative is subjected to the mayor’s or plenary’s decision.

In all cases, the Law establishes that the suitable telematic means to carry out the initiative will be offered. However, these resources remain unknown because the law still needs regulatory development.

Prevalence

The Participation Law 2017 has been recently passed, so we still do not know its practical functioning and lack elements to judge its development. The work is being done at the General Management of Citizen Participation of the Andalusian Government to introduce the Andalusian councils the challenges the future Framework Regulation for Citizen Participation in Andalusia will have to face.

Concerning the initiative for popular consultations, there is no aggregated data about its use, but this participation tool has been scarcely used so far, maybe due to its complexity and the procedure requirements (collection of signatures, plenary approval, government authorisation). Some anecdotal initiatives take place every year in Andalusia. For instance,

in 2018, Porcuna City Council (Jaén), following a citizens' initiative signed by more than 1,000 residents, requested authorisation to hold a consultation on the continuity of its municipal government, which will hardly develop because it challenges the legal framework.

Strengths

The initiative acquires a central role and legal coverage to initiate participation processes not only in the development of deliberative forums but also in the making of public policies as well as the promotion of consultations at a municipal level. The initiative acquires, in this sense, a “multipurpose” character.

The regional regulation sets a maximum number of signatures, allowing the municipalities to specify the number while ensuring a certain degree of viability.

Weaknesses

The lack of incentives to use the initiative could be an issue because in all cases it is subjected to the representative logic. Thus, the celebration of participation processes started by citizens are subjected to their approval by the municipal plenary, and might even require an authorisation by the central Government (for popular consultations), so the members of the organisations consider that the initiative is too expensive and offers few guarantee of success.

Further municipality regulations will set the specific details in the assessment of the initiatives. We ignore how the basic agreement will be reached and which criteria the administration will follow to decide. Therefore, this aspect also concedes a relevant voice to the representative and/or administrative logic.

The 2017 Law includes the “participation in the budget” but it does not specify the initiative to promote it.

Documentation

Law 7/2017, December 27th, of Citizen Participation in Andalusia²⁸ / Law 2/2001, May 3rd, Regulating the local popular consultations in Andalusia²⁹ / Foro Andaluz de Gobiernos Locales y Procesos Participativos. Hoja de ruta³⁰ / Local strategy of open government and participatory processes³¹

Sheet 8. Barcelona (Spain):

A multipurpose tool on probationary period.

Summary

In 2017, Barcelona City Council passes a new, widely supported Participation Regulation, including an innovative citizens' initiative formula. Different kinds of initiatives are established in order to promote participatory processes and consultations, to create participation bodies and to propose debates and regulations in the Municipal Plenary. The regulation was first applied in early 2018 with two initiative proposals whose signatures had been collected online (on the [Decidim Barcelona](#)³² website, We Decide Barcelona). Although both initiatives collected enough signatures, they were rejected in April by the Municipal Plenary. That will reopen the debate about the relationship between the citizens' initiative, the consultation to the people and the representative logics in the municipal policy.

Regulation

The initiative is regulated in the Citizen Participation Regulation passed in October 2017.

Formal characteristics

Initiatives about municipal jurisdiction may be submitted as long as they do not violate Human Rights, modify the organic regulation or concern public prices, taxes or changes in approved municipal budget.

All Barcelona residents over 16 years old are welcome to participate, as well as the organisations whose activity takes place within the city (art. 11). The promoters will create a Promoting Commission formed by at least 3 people. A list of attesting officials who will collect the signatures must also be submitted.

The initiative has to be duly submitted to the General Register of the City Council alongside the on-site and online signature collection forms. The corresponding municipal body checks whether the initiative adjusts to the regulation. When it comes to consultation initiatives, the City Council will produce a report on the economic impact of the measure and, if it exceeds the 3% of the municipal budget, it can reject the proposal (see article 15 for details on this limit). The administrative body in charge has to provide an answer within a month to the application submitted by the promoters who will collect the signatures.

In this table we summarise the requirements and their consequences:

Type of initiative	Number of signatures (municipal)	Number of signatures (districts or inferior)	Result
Debate points in the municipal plenary	3,750	400-1,300 *	Agreement proposal on the inclusion of the issue in the agenda
Citizens' Consultation	15,000	2,000-6,500 *	Proposal to plenary, plenary decision (legal system review)
General provision	15,000	2,000-6,500 *	Proposal to plenary (processing) in 3 months
Start of participation process	9,000	1,200-3,900 *	Should start in 3 months

Creation of participation body	9,000	1,200-3,900 *	Proposal to the plenary and decision by it within 30 days
Public audience	7,000	800-2,600 *	Should be called within 30 days
Neighbourhood Council		1%, 25 minimum and 450 maximum**	Call, 30 days maximum (see limits)
Neighbourhood consultation		10%, 250 minimum**	
Participation process or creation of body		2%, 50 minimum and 900 maximum**	

Source: Own elaboration based on the Barcelona Participation Regulation

*Between the biggest and the smallest district, depending on the population.

**Neighbourhood residents over 16.

Following the Andalusia (see sheet 7) and Córdoba (see sheet 9) cases, this is a multipurpose initiative, although it serves even more purposes: a) debate agenda, to incorporate issues in the municipal plenary or in the Districts; b) to promote a participation process; c) to hold a public hearing; d) to create a participation body; e) to pass a general provision; f) to carry out a consultation; d) to call a neighbourhood board.

Once the signatures have been collected, they have to be validated before a notary, a Justice Administration attorney or the City Council chief of staff. The corresponding body validates the forms within a month. The column of the table displaying the “results” shows the various effects the citizens’ initiative might have.

The City Council is obliged to provide technical and financial support to the initiative with one euro per signature (up to the number of signatures required) prior to an expenses accounting. This assistance is aimed at the initiatives that have been developed reaching the necessary number of signatures (art. 7).

The promoters must collect the signatures within two months, either on-site or online.

Prevalence

This tool has been recently implemented so there is still little evidence about its functioning. Anyway, two cases have already risen a particular interest on the tool.

Practical development

Two consultation initiatives met the established requirements. A proposal on the remunicipalisation of water utilities and another one on the renaming of a square. Both had reached the threshold of signatures (15,000) to request a public consultation. We will focus on the development of the first one.

The initiative “Remunicipalise Barcelona” had been promoted by the “Catalan Association of Engineering Without Borders” in December 2017 with regard to the multi-consultation that the City Council had planned to hold in 2018. The proposal had two parts: on the one hand, the backing of a public and municipal water management (“weave a citizens’ network in Barcelona so the water is managed in a public and democratic way with citizen participation”); on the other hand, holding a consultation to encourage the debate within the population. It included the following question: “Do you want water management in Barcelona to be public and with citizen participation?”

Once the signature collection was completed (and with the support of the local government, backing the proposal), the initiative was brought to the Plenary in April 2018, but only BEC and ERC groups voted in favour of the citizens' consultation, which resulted in only 16 votes and losing the voting (25 votes against it, out of 41).

Most groups rejected the proposal, reflecting the political atmosphere in which the local government was increasingly isolated. As a consequence, not only the water utilities consultation was rejected, but also the celebration of the citizens' 2018 multi-consultation was questioned - although for different reasons.

In addition, over the previous months the company in charge of the water management (Agbar) as well as other organisations representing private companies (Chamber of Dealers and Companies Linked to the Public Sector) had sued the City Council over the terms of the hypothetical consultation, even over the criteria established by the Citizen Participation Regulation passed in 2017. In the summer of 2018, the municipal government was still considering alternatives to the citizen multi-consultation.

Strengths

One of the advantages of this initiative tool is its multipurpose character, which allows in an innovative way to promote a wide range of participation and consultation processes, as well as debates of interest to the citizens. In addition, the signature requirements are, in general, lighter than in most initiative regulations. Finally, the collection is facilitated by online means.

Weaknesses

Like in other cases, the state regulation eventually sets that the initiative is subjected to the usual legal procedures, that is, the Municipal Plenary. The Barcelona case shows that, despite the popular backing of an initiative, if a majority of political groups object to it, the initiative can be blocked. The case also shows how the initiative interacts with the current political climate and with the relations between the local parties to the point of strongly depending on party alliances or deadlocks even with the support of the government.

Documentation

[Citizen Participatory Regulations, Barcelona Council \(2017\)³³](#)/ [Public information regarding the initiative³⁴](#)/ [Information regarding the initiative \(Decidim Barcelona\)³⁵](#)/ [Remunicipalicemos Barcelona \(initiative\)³⁶](#)/ [Two initiatives in Barcelona \(article\)³⁷](#)/ [Recta final hacia la remunicipalización del agua en Barcelona³⁸](#)/ [Ni tranvía ni multiconsulta en Barcelona: la oposición tumba dos iniciativas clave de Colau a un año de las elecciones³⁹](#)/ [La CUP y el agua de Barcelona⁴⁰](#)/ [Un día negro para Colau⁴¹](#)

Sheet 9. Cordoba (Spain):

A municipality innovative in its participation, an underused tool

Summary

Participatory regulation in the city of Cordoba includes several types of initiative by the citizens, broadening national regulation on the subject. However, the initiative is a scarcely used participatory tool, with scant presence in the media. We wonder which factors could explain its low influence in a city which stands out for its participatory practices.

Regulation

The national law setting the main guidelines for local government (1985), reformed in 2004. Citizen Participation Regulations of the Cordoba city council (1997).

Formal characteristics

The citizens' initiative is included within the regulations of citizen participation as one of the rights of participation. It can be used for promoting several types of participatory processes. As in the case of the Andalusian Participatory Law (see [sheet 7](#)) and Barcelona (see [sheet 8](#)), the initiative is also multipurpose, but with different characteristics and degrees to which it is binding.

The initiative is supported by national law which sets out the main guidelines for local government (1985), modified in 2004: "Citizens that have the right to vote in local elections can exercise the popular initiative, presenting proposals of agreements or proceedings or regulation projects about matters within the local jurisdiction". These initiatives must be subscribed to by the following percentage of residents: a) Up to 5.000 inhabitants, 20%; b) from 5,001 to 20,000 inhabitants, 15%; c) from 20,001 inhabitants, 10% (Art. 70bis). The initiative that gathers these signatures goes to the Plenary Session, where it is voted on. It can include the request for a popular vote.

Cordoba's regulations for participation echo this type of popular initiative, but they are widened to include other typologies less legally binding. According to Cordoba's participatory regulations, the citizens' initiative has three main areas:

Firstly, the initiative can be used to promote projects for bylaws which cover local jurisdiction, excluding taxes and public prices. It is included in the article 139 of the Local Organic Regulations (ROM) and in article 7 of the Participatory Regulations. The city council provides a popular initiative form that citizens can fill out.

Secondly, there are the proposals for debate in the plenary sessions (agenda initiative). This initiative consists of presenting proposals to include certain debates in the Plenary Session's agenda. For this, the support of at least 5% of the local registered associations is required. A declaration of conformity must be agreed by their executive committees or plenaries. Also, any registered resident can put forward a proposal with the support of 30% of the signatures specified in article 70bis (The law which sets out the main guidelines for local government). The mayor is responsible for accepting the initiative and making way for the Plenary session, within a period of 15 days from the time the validated initiative was registered.

Thirdly, there is the right to request that the city council develops activities of public interest. Any group of citizens can propose this through a document sent to the executive body, clearly stating what is requested. It must include the personal information of those proposing it and only their signature is required. The relevant local body must reply within a period of 30 days. This type of citizens' initiative could be classified as a version of the classical non-binding individual petition.

Practical development

We have not been able to find any citizens' initiative in the city in previous years. Signature collection tends to be a tool for collective action which is promoted by political groups or organisations with the objective of pressurising the government. This is the case of the recent “#Nometoqueslascalles” campaign promoted by the Popular Party in 2018 with the aim of putting pressure on the local government (PSOE-IU) to keep the names of high-ranking Franco era officials in 5 streets, through the call of a popular referendum against the names being changed. Although the initiative was never formalised, it shows how a collection of signatures often acts as a strategy to pressurise and rouse collective action, rather than a participatory institutional channel. The collection of signatures had an impact in the media. On February 7th, the PP had already collected 1,000 signatures amongst the citizens, and 2,766 in Change.org.

In this case, we can observe that a collection of signatures is a quite a common collective action and protest strategy (as opposed to initiative). It allows for an increase in the social diffusion of a project and its visibility in the media without needing to fulfil the formal requirements of the legislative initiative. Signature collection would be proof of “social support” towards a proposal.

In the local context of Cordoba and other Spanish cities, the citizens' initiative is a rarely used tool, probably because other existing collective action strategies cause greater influence, with fewer organisational and economic costs.

Prevalence

Despite the regulatory development of a citizens' initiative as a multipurpose tool of participation, the fact is that in the case of Cordoba, as well as in other Spanish cities, it is not tool which is often used.

In the version included in the law where the main guidelines for local government are established, no recent initiatives have been recorded in the city. Regarding the less binding types, the petition and agenda initiatives, no data is available concerning their use. Neither has the media given much coverage to this kind of initiative in the city, which suggests a scant usage and/or visibility of the proposals.

Thus, we find an underuse of the most powerful type of initiative and certain degree of invisibility over other kinds of agenda or petition initiatives. It could be a sign of a lack of popularity of these initiatives in comparison to other participatory tools which are developed in the city (from Participatory Budgeting to advisory councils). It is possible that signature requirements are too demanding (10% for proposing bylaw initiatives). It is also possible that other participatory tools and informal channels of influence are less costly for the associations and citizens that want to propose policies in the city.

Strengths

The multipurpose initiative, as regulated by the Cordoba Participatory Regulations, offers several modalities, with various degrees of being binding and different costs for promoters. Therefore, one of the strengths is the range of channels of initiative.

Weaknesses

The initiative could turn out to be too costly in its general form (The law which sets the main guidelines for local government, 1985). Compared to other more accessible channels of participation, this tool could be perceived as an unattractive political opportunity for associations and citizens.

Therefore, it is not surprising that informal signature collections rarely culminate in citizens' initiative processes.

Documentation

Citizen Participation Regulation⁴²/ The PP collects signatures requesting a referendum for the removal of Franco era streets in Cordoba⁴³/ The PP of Cordoba promotes a referendum in order to save five Franco era streets⁴⁴/ The PP of Cordoba promotes a campaign against the removal of Franco era names in the Cordoba street map⁴⁵

Sheet 10. Los Angeles (USA):

\$15 per Hour Minimum Wage, a failed initiative, a successful proposal

Summary

The \$15 per Hour Minimum Wage Initiative proposed the enactment of a bylaw regarding the minimum wage in the city of Los Angeles. It was proposed by a coalition of social organisations and did not manage to complete the referendum process. However, the proposal achieved visibility and was approved by the city council.

Regulation

The legislative initiative is included in the Los Angeles City Charter, in other words, within the local constitution. It is also included in the election code, where initiatives and referendums are regulated.

Formal characteristics

The Los Angeles initiative is an agenda and referendum initiative at the same time. It must be proposed by registered voters that will become the promoters. The City Clerk is responsible for revising and validating the initiative and the included signatures. The “spreaders” or distributors are adults over the age of 18 who collect the signatures.

The promoters establish a committee of five voters. They submit their request to the City Clerk, including a motivation letter. They also submit a request to the city attorney to prepare the title, the question and the official summary of the initiative. The secretary gives accreditation that the initiative meets the legal requirements. No initiative can be distributed until it is validated by the secretary (Section 706).

Once it is circulated, the following number of signatures are required: 15% of voters registered in the last local elections. The signatures are collected in 120 days. The secretary will check that all the requirements are fulfilled, they will validate the signatures and the signature collectors’ sworn statements. There is a period of 30 days given for examining the submission. In case of the requirements being fulfilled, the promoters will receive a certificate. In order to validate the signatures, in some cases a random sample may be selected to check that the signatures are correct. Once the initiative is validated, promoters and the city council are informed.

The local government must choose one of these three options within a term of 20 days: a) to adopt the proposal; b) to put it to a special popular referendum between 110 and 140 days; c) to put it to a vote in the next local or state election.

Following a similar procedure, abrogative initiatives can be promoted against a city ordinance. In other words, the petition requests calling a referendum regarding a concrete measure, with the intention of revoking it. It can be requested 30 days from the time the city ordinance was approved.

Prevalence

The initiative, fulfilling the requirements, has a strong capacity to make an impact: it drives the approval of a proposal or the call of a referendum. It has direct effects and it is not merely dependent on the will of local representatives.

In previous years, the following initiatives took place in Los Angeles County:

Year	Approved measures	Rejected measures	Total of initiatives
2010	23	15	38
2011	35	9	44
2012	41	16	57
2013	22	11	33
2014	26	17	43
2015	19	7	26
2016	63	12	75
2017	16	9	25
Total	245	96	341

Source: Own elaboration based on data registered in Ballotpedia

Practical development

As we can see, the use of initiatives for specific policies is a habitual practice in the Los Angeles county, with many tens of proposals each year. One of the cases with a higher media and social repercussion is the Voting on \$15 Minimum Wage initiative in 2014. The initiative did not achieve the 61,486 signatures required for reaching the city council, but it was approved in the end.

The aim of the proposal was to increase the minimum wage in the city to \$15 per hour, except for small companies with up to 10 workers or non-profit companies. For them, the measures would be implemented in 2017 to allow time for adaptation. According to the media, the measure could affect more than 50% of city workers considered to be “low wage workers”, with wages below \$15. The measure had already been approved in other US cities. The initiative was promoted by Los Angeles Workers Assembly, a coalition of unions like Unite Here Local 11, County Federation of Labor, small progressive and communal groups, churches and pro-social justice groups. Local businesses and the State opposed the initiative, warning about a risk of businesses leaving the area.

In September 2014, the City Secretary gave the collection of signatures the green-light to be initiated, but the requested number was not achieved. Despite this, the initiative had huge repercussions. It was part of a broader campaign with protests, rallies, assemblies and a strike. Given the visibility of the collection of signatures, the local government considered the measure. Several months later, in May 2015, a progressive increase in the minimum wage was approved, to \$15 in 2020. Soon afterwards, similar signature collections were initiated in other cities in California and the USA. In other words, the citizens’ initiative, even failing in the signature collection, encouraged social mobilisation and allowed it to spread to other cities. This led to the city council considering the proposal and approving a modified version. Los Angeles thus became the largest US city with the highest minimum wage.

Strengths

The initiative allows local authorities to receive proposals that achieve wide support. It gives visibility to proposals which come from grass-roots organisations. Besides this, it favours measures that may be seen as troubled or controversial (for example, facing the main local economic groups) to receive wide-spread social support and allows them to be considered by the local government.

Even when the initiative does not fulfil all the requirements, it might be useful for activating the associative network around a specific measure.

Weaknesses

Signature collection can be very costly and a failure to gather the required signatures and keep to the deadlines could be a source of frustration for participants. Nevertheless, in this case the frustration probably did not emerge as the proposal was considered without having fulfilled the requirements.

Documentation

[City Charter, Rules, and Codes⁴⁶](#) / [Chapter VII, Initiative, referendum and recall petitions. Los Angeles. Election Code⁴⁷](#) / [City of Los Angeles \\$15 per Hour Minimum Wage Initiative⁴⁸](#) / [Minimum Wage, Initiative Ordinance⁴⁹](#) / [Los Angeles Lifts Its Minimum Wage to \\$15 Per Hour⁵⁰](#) / [\\$15-an-Hour Minimum Wage in California? Plan Has Some Worried⁵¹](#) / [Ballot initiative regarding minimum wage begins collecting signatures⁵²](#) / [Los Angeles Rising⁵³](#) / [The Fight for \\$15.37 an Hour⁵⁴](#)

Sheet 11. Berlin (Germany):

A case returning the management of the electricity grid to the municipality

Summary

This initiative took place in Berlin in 2013 and was promoted by a coalition of progressives and ecologist groups. The aim of the initiative was return the local electricity grid to the municipality, in order to moderate the rates and introduce new environmental sustainability criteria. The initiative prospered, and in a few months the required signatures were gathered. However, the required quorum was not accomplished in the referendum and in the end the measure was not approved.

Regulation

The regulation of the initiative at city-state level was developed in 1995 through the [article 62-63](#) of the Constitution of Berlin (1995). It is known as “Volksbegehren”.

Formal characteristics⁵⁵

The Berliner citizens’ initiative can be used for requesting the end of a term (calling for new elections), for reforming the city constitution or for introducing specific measures in the legislative assembly (art. 62 and 63).

For requesting the end of a term (recall initiative), a collection of 50,000 voter signatures is required. If the signature of one out of every five voters (20%) is achieved, a referendum is called mandatorily. To win the referendum, a simple majority is required, as well as a turnout of at least 50% of voters.

In order to amend the local constitution (constitutional initiative), 50,000 signatures of voters are again required. The referendum becomes mandatory when the signature of one out of every five voters (20%) is achieved within six months. The amendment then wins if there is

the support of a majority of two thirds in the referendum, with at least a 50% turnout.

Agenda and legislative initiatives can amend, repeal or introduce new regulations. Petitions can be made regarding the whole jurisdiction of the city, except for budgetary and personnel provisions, public workers' wages and pensions, and taxes. The initiative must gather at least 20,000 signatures of residents over 16, when the proposal goes to the representative body (agenda initiative). Calling a referendum is mandatory when the signatures of at least 7% of the voters are collected within 6 months.

The corresponding office (Internal Affairs Area) receives the initiative proposal and prepares a report regarding the costs of the measure. This report must be included in the signature collection. Also, official signature forms are provided. Once gathered, the petition must be registered in the administrative office by the organisations and the people signing. This office validates the signatures.

The citizens' initiative also exists at district level (according to the jurisdiction of the district representative assembly). It is called "residents' petition" and the district assembly takes it into account and approves or rejects it in a Plenary session.

Prevalence

The initiative mandatorily leads to the call of a referendum if at least 7% of voters sign the petition. If the signatures do not reach this percentage and gather only 20,000, it would become an agenda initiative. Therefore, the degree of influence depends on the support.

Practical development

One of the most visible cases in the last years was the initiative for the control of energy to be returned to the municipality (2013). The promoters collected enough signatures to call a local referendum, but they did not then manage to produce enough voter turnout.

The "New Energy for Berlin" initiative was promoted in 2013 by a coalition of progressives and ecologist associations. More than 50 associations joined the project. They also obtained the support of The Greens, the Pirate Party, The Left and the Social Democrats. Several renewable energy companies supported the initiative as well. The idea was to create a consumer cooperative endorsed by local institutions in order to improve, cheapen and make the electricity grid more sustainable.

In mid-2013, the organisers spent 4 months gathering signatures. 172,000 signatures (7% of voters) were required but in the end they achieved 228,000 signatures. Thus, they ensured that the initiative would lead to a referendum being called in September 2013, coinciding with the state elections. However, the local government changed the date to November 2013, so the referendum would not be tainted by federal elections.

More than 600,000 Berliners (more than 80%) voted in favour of the initiative, but the turnout only reached the 24.1% of the total voters (when 25% was required).

Although the measure was not approved, its visibility contributed to the adoption of similar measures by the Assembly of Berlin. Also, it contributed to the increase in visibility for debates regarding energy production and distribution at local level (Blanchet, 2014).

Strengths

When the legislative initiative enjoys wide support, it may influence local policies, even when it is not approved in the respective referendum. It also gives visibility to certain policies that provoke intense debate and public support.

Weaknesses

It is highly costly for promoters, in terms of resources, mobilisation and work to gather the signatures, while the approval in the subsequent referendum is also not necessarily guaranteed. The referendum furthermore requires an arduous amount of work for its mobilisation (to reach the required percentage of turnout).

Documentation

Arnold and Freier, 2015 / Blanchet, 2014 / Royo et al., 2011 / Solar, 2016 / The Constitution of Berlin⁵⁶ / The navigator of Direct Democracy (City level)⁵⁷ / The navigator of Direct Democracy (District Citizens' Initiative)⁵⁸

Sheet 12. Bogota (Colombia):

A broad legislation but limited practice

Summary

The 1991 Colombian Constitution and the 1994 Citizen Participatory Law already provides for the legislative initiative at local level. In 2015, the city of Bogota developed regulations in order to promote this type of participatory tool. Nevertheless, according to the authorities themselves, the initiative was scarcely used. Other online participatory tools were therefore introduced in 2017 due to the lack of efficacy of the former. The case of Bogota allows us to consider a participatory tool which is promoted by authorities but scarcely used in practice.

Regulation

1991 Political Constitution, Article 10, Republic of Colombia / 134 Law of 1994 issuing the rules regarding Citizen Participatory Mechanisms / 1757 Statutory Law of 2015, with respect to the promotion and protection of the right to democratic participation / 209 Agreement Project of 2015, which develops article 66 of the agreement 348 of 2008 relating to the presentation of agreement of projects by citizens and social organisations in the council of Bogota, capital district and issuing other provisions.

Formal characteristics

According to the Colombian general legislation, various types of initiatives can be found. For the recall, the support of a number of citizens registered in the census is required; 30% of the votes obtained by the elected person in public office.

The initiative of agreement projects or city ordinances (legislative initiative) has appeared in the Colombian legislation since the 90s. In order to present and validate an initiative, the signatures of at least 10% of the citizens registered in the local electoral census are required. The initiative then goes to the local council. If the proposed policy is not approved, the council can decide to call a referendum or, if 20% of the signatures are gathered, the referendum

must be mandatorily called. The initiative representative must always be convened by the city council and be heard during the whole initiative process (signature validation, council proceedings, conversion to an agreement project, etc.). According to Ramírez (2017), most of these types of initiatives are unsuccessful.

The regulations also include provisions regarding the electoral campaign funding. The National Electoral Council therefore establishes annually the maximum amount of money that can be designated to gathering support, as well as the maximum amount of money that each citizen can provide. This measure tries to avoid economic powers controlling these types of mechanisms.

Agreement projects can be presented regarding issues which are within the jurisdiction of local councils. Nevertheless, some important limits exist:

- a) Those which are the sole initiative of the Mayor
- b) Budgetary, fiscal or tax issues
- c) International relations
- d) Amnesty or reprieve grants
- e) Public order preservation and restoration

Prevalence

In the years 2014-2015, the Council of Bogota received no legislative initiative regarding city ordinances or local agreement projects⁵⁹ (see data in Agreement Project 145 of 2017). Between 1994 and 2012, 18 years after the Participatory Law, a study by the Electoral Observatory Mission recorded only 4 citizens' initiatives of local agreement projects throughout Colombia (and just one of them was approved). Although available data is limited, it seems that the tool was not used widely in the country. One of the reasons explaining the scarce use of the initiative is that the regulation is too demanding for Bogota: 520,400 signatures within 6 months are required. The authorities of Bogota admit that the procedure is too costly. Also, according to Altman (2010) there is a lack of tradition in the use of these types of bottom-up tools.

The long history of war and violence in Colombia has also severely affected political confidence and the participation and functioning of participatory mechanisms which restrict collective action (Breuer, 2008b).

Practical development

In 2017, the city council of Bogota approved an agreement project over the implementation of new technologies in the participation. Its aim was to further the administration-society relationship through ITCs, as an answer to the scarce use of the legislative initiative and the necessity to adopt direct proposal channels on the Internet. Therefore, in 2017 the city council decided to implement a series of online forums where citizens were able to present policy suggestions and proposals directly to the representative bodies, through an online platform ("Be part of the city"). However, these online forums do not have the legal efficacy nor the binding character of the legislative or referendum initiatives. A mandatory evaluation of the suggestions by the authorities has not been considered. Neither is it stated if the proposals can be presented individually or as a group, or if they must have social support. In this same regulation, the city council is exempt from applying this online tool to the local legislative initiative.

Strengths

The Colombian case and, more specifically in the case of Bogota, show the regulatory development regarding the initiative at different levels of the administration. The city has developed a protocol for facilitating the initiative with an apparently simple procedure in terms of phases and organisation.

Weaknesses

The legislative initiative is costly for promoters in terms of signature requirements and the necessary economic resources for fulfilling such tasks. We do not have in-depth studies available, but it would be interesting to analyse the political determinants which explain the underuse of the initiative, while considering the Colombian local context.

Contrary to what was established in the 2015 regulations of Bogota, the city council was not provided with additional administrative resources in order to encourage this type of participatory tool. In other words, the regulations established a protocol but the hiring of administration personnel to encourage, assist or manage this type of tool was specifically rejected.

The initiative procedure is not provided with telematic tools. In fact, as consequence of the lack of efficacy of the initiative, the council of Bogota developed alternative telematic channels, but without formally linking them.

Just like in other cases, the initiative is dependent on representative logic: it must be supported by 20% of the signatures of the local electoral register. If it is supported by 10% of the citizens with the right to vote, it is passed only on to the representative council, where its fate is decided (approved, rejected or holding a referendum).

Documentation

Altman, 2010 / Breuer, 2008b / Breuer, 2007 / Ramírez Nárdiz, 2018/ Referendums that come to nothing⁶⁰/ 134 Law, of May 31st, 1994, regarding citizen participatory mechanisms⁶¹/ 1757 Statutory Law of 2015/ 209 Agreement Project of 2015, Council of Bogotá D.C.⁶²

Sheet 13. Canberra and the Capital Territory (Australia):

An unsuccessful story of the extension of the initiative at local level

Summary

In the Australian Capital Territory (ACT), where the city of Canberra is located, a legislative initiative was submitted for debate in 1995, 1996 and 2002 as a measure aimed at favouring participation at local level. The proposal was not approved by the legislative chamber of the federal district, but it generated an important debate. Local initiative tools have not been extended in Australia, despite there being some isolated cases of this.

Regulation

Community Referendum Act Law Project of 1995 and, latterly, of 2002, presented to the legislative assembly of the Australian Capital Territory.

Formal characteristics

The projects for the Laws of 1995 and 2002 are practically the same. Both develop legislative initiative in the ACT territory, which includes the capital, Canberra, and other small municipalities. It was proposed by the Australian Liberal Party, the country's centre-right conservative party. One of the promoters argued that it was a suitable area for launching the proposal, given that it is one of the richest territories in the country, with the highest number of civil servants and the highest level of education. Therefore, social participation in legislative activity should be encouraged (Macintyre et al., 2003).

The legislative initiative was included in the bills. The following steps were taken: first, promoters had to form a committee and draw up a proposal (a brief one of 100 words). This would be presented to the local Electoral Commission in order to guarantee the fulfilment of all formal requirements. The initiative proposal needs to be previously signed by at least 1,000 voters. Once the signatures are gathered, the Electoral Commission verifies them (through a random selection of 200) and checks that the proposal is correct.

Secondly, once this first barrier has been crossed, the official collection of signatures would begin. The petition must collect the signatures of 5% of voters, (figures from the previous election in the territory), within the 6 months following approval of the initiative. The signatures are validated by the Electoral Commission.

Thirdly, promoters would draw up the bill with the help of the Attorney General, who would finally authorise the proposal as suitable for presenting to the legislative assembly of the territory. A spokesperson is then designated to present the project to the assembly. This presentation must be given within 6 months and the assembly will decide if the measure is approved or rejected. In case of rejection, a popular referendum will be mandatorily called. One remarkable issue appears in this phase. After the debate in the legislative assembly, promoters can modify the original project in order to reach an agreement with the assembly members to approve the regulation without a referendum. There is, therefore, room for negotiation.

Lastly, if the proposal is not approved by the assembly, a call for a referendum would take place. According to the bill, the compulsory nature of voting in Australia would be upheld. The initiative would succeed by a majority of votes. What would happen next? The approved initiative comes back to the legislative assembly where it is approved or rejected as a law. As the referendum result is not binding, the previous phase begins again to some extent.

Prevalence

Many referendums have been called at federal level in Australia, but those procedures have been promoted by the government (Qvortrup et al., 2018: 246-251). Local initiative has not become widespread, except for some isolated cases like in the city of Burnie, where the legislative initiative regulations were successfully approved (Williams and Chin, 2000: 36). Several projects have been presented in different territories but most of them did not prosper (Gregorczyk, 1998).

The aforementioned bills were not approved by the legislative assembly in the Capital Territory and therefore never implemented.

Practical development

Why has local initiative had such limited success in Australia? On one hand, there is some circumstantial evidence which points to Australian local politics and particularly in this case, to partisan relations within the Capital Territory. The legislative initiative proposal was supported by the Liberal Party (centre-right) while the Labour Party and the ACT Greens were reluctant to introduce the measure (Williams and Chin, 2000). The initiative policies did not achieve a unanimous and joint endorsement from any of the big parties and the initiative proposals tended to generate conflict within the parties.

On the other hand, as Williams and Chin (2000) point out, no solid consensus exists over which model of initiative should be implemented at state and local level. In other words, the formulated proposals, not just in the Capital Territory but also in Tasmania or Queensland, included very diverse procedures. It is also possible that in some cases, like in the projects presented in the ACT, the procedures were not simple and convincing: thus, in this case, two rounds of petitions supporting the initiative were incorporated, followed by approval in the territorial assembly, the call for a referendum in case of rejection when, once again, the territorial assembly would make the final decision.

Finally, as in other cases, other community participatory institutions exist in Australia that are useful for putting forward proposals and asking for the opinions of the local population. For example, the advisory councils in some cities are useful for debating projects with members of associations and active and interested members of the communities concerned. The legislative initiative proposals are also advisory, competing, in a certain way, with other simple consultation institutions which have already been extensively tested.

Strengths

The legislative initiative bills demand a low number of signatures in the initial phase (1,000) and a relatively low percentage of signatures for the validation of the initiative (5% of votes in the previous elections).

The expected negotiation procedure between promoters and the assembly could generate an interesting space for negotiation, such as the one which often takes place in practice in the Swiss case.

Weaknesses

The procedures are complex, with several rounds in each phase: two rounds of signature collection, and twice through the representative body. Despite the complexity of the procedure, any initiative approved in a referendum would not be mandatory for the legislators. Therefore, as a last resort, the initiative is advisory (halfway between the legislative and agenda initiatives) and the public representatives would make the final decision. The procedure is too costly with regards to the impact that can be achieved (that is, the territorial assembly ultimately considering a measure).

Documentation

Hill, 2003 / Macintyre et al., 2003 / Gregorczyk, 1998 / Qvortrup et al., 2018 / Williams and Chin, 2000 / Community Referendum Bill 1995⁶³/ Community Referendum Bill 2002⁶⁴

Sheet 14. Quezon City (the Philippines):

A pioneering initiative in the country

Summary

Quezon City (QC), with almost 3 million inhabitants, is the municipality with the largest population in Greater Manila, one of the wealthiest areas of the country. Despite the existence of initiative regulations since 1989, the first measure coming from a popular initiative was approved by a local referendum in 2011.

Regulation

Republic Act N. 6735. An Act Providing for a System of Initiative and Referendum and Appropriating Funds Therefore (1989)

Formal characteristics

The legislative initiative exists at city (metropolitan area), municipal and district (barangay) levels. At local level, only one initiative can be presented per year⁶⁵ and it must address issues that already exist within the corresponding jurisdiction.

There is an initial presentation phase to the legislative body. The promoters need 1,000 signatures at metropolitan area level; 100 at municipal level and just 50 at district level. The initial proposal allows for a debate to be requested in the local legislative chamber, as well as the approval, rejection, amendment or rejection of any law, ordinance or resolution. The municipal secretary can assist with the formulation of the proposal. Once the proposal has been presented by the promoters, the legislative chamber can announce its decision within 30 days. If no favourable response occurs, then a process of signature collection begins in order to request a measure or referendum with guarantees.

In this case, the promoters initiate the signature collection, within 90 days for the metropolitan area, 60 for the municipality and 30 for the districts. They must collect the signatures of 10% of registered voters in the metropolitan area or the municipality (with at least 3% of signatures from each constituency or district, in order to guarantee that all territories are represented) and the signatures of 10% of registered voters in the case of just one district being involved.

The signatures are gathered in agreed locations where authorities are present to guarantee the integrity of the petitions. The stands are placed in public areas like official buildings. Finally, the signatures are delivered to the local electoral commission, which reviews them.

If the established requirements are fulfilled, the local electoral commission must call for a referendum regarding the proposal within 60 days for metropolitan initiatives, 45 days for municipal ones and 30 days for district initiatives. The local electoral commission sets a date for the referendum.

If the initiative is supported by simple majority, the local electoral commission passes it on to the representative chamber in order to formalise the measure. The local government is not allowed to adopt opposing policies within 6 months and the new regulations can only be amended by $\frac{3}{4}$ of the representatives of the local chamber.

Prevalence

State legislation regarding the initiative was introduced in the Philippines in 1989, enabling the initiative in different territorial levels. It was then developed in 1991 through local government legislations. No information has been found regarding the diffusion and frequency of local initiatives in the country, but the media and local authorities have reported a few recent initiatives at municipal or district level. The first case to reach the number of required signatures, leading to the subsequent referendum, took place in 2011 in Milagrosa, a City of Quezon district. It is therefore an indication of how few initiatives successfully overcome all the established procedures.

Practical development

The initiative originated in the Milagrosa district, in the south of the city, with close to 5,000 inhabitants. The ordinance consisted of a set of measures related to a perceived lack of security in the district: squatting and the establishment of illegal housing, drug trafficking, beggars and the homeless. Two initiatives were proposed, to be voted on simultaneously: the implementation of an ordinance to control the proliferation of squatters and beggars, and an initiative regarding the control of drug trafficking and the opening of non-licensed establishments.

The initiative gathered all the required signatures (more than 300 within a month). The referendum was then called in May, where the proposals were approved. Nevertheless, the low turnout in the referendum (only 856 of more than 3,600 registered voters) is a negative sign (a 24.4% turnout). The measure was successful with 465 votes in favour and 384 against.

Strengths

The initiative includes two phases: the first one allows a proposal to be submitted to the authorities, which is achieved using a low number of signatures (50 in the district level and 100 in the city level). The second phase consists of the actual gathering of signatures, promoting an initiative that can be either approved by the local chamber or must be mandatorily put to a vote in a referendum.

Weaknesses

In the second phase, the signature requirements are stricter (10% of the registered voters), especially at local and metropolitan area levels (where other territorial requirements are included like the participation of 3% of voters in each district).

Only one local initiative is accepted per year, limiting its potential.

Another difficulty is found in the signature gathering process, taking place in official locations and with the public emissaries' supervision: this does provide a guarantee for the signature collection process, although it implies higher costs, greater inflexibility and a slow process of gathering. This may help explain the scarce use of this tool.

Documentation

Republic Act No. 6735⁶⁶ / QC barangay holds 1st successful initiative vs. squatters and drugs⁶⁷ / QC barangay holds first successful referendum⁶⁸ / People's initiative vote held in Quezon City⁶⁹ / Taking civic initiative: Where every citizen is a lawmaker⁷⁰

Sheet 15. Geneva (Switzerland):

A traditional and broadly used participatory tool

Summary

The citizens' initiative is a traditional institution in Switzerland at federal, cantonal and municipal levels. In Geneva, the initiative exists in both the cantons (regions) and municipalities. It is a well-known and frequently used participatory tool: each year a popular referendum is carried out in one of the municipalities of the area for measures which have been put forward through citizens' initiatives. The initiative serves to carry out legislative proposals, to abrogate regulations approved by local government or to put specific measures to a vote in a referendum. The initiative in Geneva covers wide areas of local government jurisdiction (including the budget), but it is relatively costly in terms of economic resources and the effort required to mobilise a collection of signatures and the subsequent referendum.

Regulation

Constitution of the canton of Geneva, Chapter II, Communal Referendum, Art. 71-77.

Formal characteristics

In the case of Geneva (this sheet is limited to a local case) there are two types of initiative: the agenda and legislative initiatives. They are known as "Kommunale Volksinitiative" and "Gemeindereferendum".

The popular initiative (agenda initiative) allows measures to be put up for debate in the local council. Before the signature collection process, at least five voters must register their proposal with the Elections and Voting Service. This service verifies the legality of the initiative and ensures the promoters are registered voters. The control is only focused on the "form" of initiative. After this verification, an official notice is published, and the signature collection commences.

According to the 36th article of the cantonal constitution, the potential issues to be addressed are the following: community housing, thoroughfares, public construction works, urban planning, public and private foundations of common interest, leisure, cultural, social or sports activities practised in community facilities.

Promoters must collect all the signatures within 4 months. In the case of Geneva, the signatures of 4% of voters must be gathered and in numerical terms, a minimum of 2,400 and a maximum of 3,200 signatures. In 2018, the requirement is 3,200 signatures.

The local council must take a decision regarding the initiative, within 12 months, drafting a regulation if it is approved. If it is not approved, the council must propose a counter-initiative (art. 73), in other words, it must propose an alternative. The initiative is therefore always constructive: it leads to the council taking measures on the issue.

The legislative initiative permits the proposal of a referendum about a certain issue. The signatures must be gathered within 40 days of the council having debated the issue. The promoter committee then registers a proposal for a referendum and signature collection in the Elections and Voting Service. This service ensures that the “form” is correct. The promoters must also inform the local council of their intention to gather signatures.

As in the agenda initiative, the signatures of 4% of voters must be gathered, up to a maximum of 3,200, which is the required number of signatures in 2018 (from a total of 122,715 voters). Once the signatures are collected, they are submitted to the Elections and Voting Service for their verification. If the required number of signatures is reached, a referendum is called, and the measure will be approved if it has the support of an absolute majority of voters (more than half the total amount of valid ballots).

Prevalence

At state level, the popular initiative was introduced in Switzerland in 1891. The proposal and referendum initiative is a traditional institution that previously existed in some cantons and that reaches hundreds of municipalities (Ruppen, 2004). The legislative and agenda initiatives are frequently used in the municipalities of the canton of Geneva. In almost every federal, cantonal or municipal elections, local measures proposed by citizens' initiative are simultaneously voted on.

According to Serdült and Welp (2012), around 30% of popular referendums in Switzerland are proposed by associations or social collectives. Referendums show a highly variable turnout, but general studies point out that the average level of voter turnout is around 50% and that after several years of growing abstention, it has made a recovery. (Ruppen, 2004). Turnout tends to be higher in referendums at local level (Buetzer, 2011).

The popular initiative is a costly participatory tool. Therefore, it tends to be put forward by pre-existing associations, parties or other groups, thus reflecting the resources and power relationships within society. The economic costs of the signature collection are therefore high: for example, it is estimated that gathering one signature and mobilising one voter for an initiative, costs 2 Swiss francs (1 Swiss franc = 0'88 euros) (Ruppen, 2004).

Practical development

In the case of the city of Geneva, the last referendum put forward by popular initiative serves as an illustration. It took place in June 2016 as a reaction to budgetary cuts that were going to be carried out in the city.

In December 2015, a series of decisions were made regarding the city budget, implicating an adjustment in the goods, services and procurements sectors, as well as in the public subsidies sector. As a result, the new local budget endorsed by the centre-right parties suggested a reduction in public investment: particularly in the cultural and social associations subsidies. As a reaction against this agreement, a legislative initiative was promoted in order to reject the budgetary cuts.

Leftist parties, unions (Syndicat interprofessionnel de travailleuses et travailleurs, SIT) and numerous cultural and social associations positioned themselves against the budgetary cut-backs. According to the members of the government, it was necessary for “putting the local economy back on a sound footing”.

The result of the referendum was a rejection of the cuts in the aforementioned budgetary areas. Thus, the first measure that was put to the vote (against cuts to the goods, services and procurements sectors) received 60% support. The second measure (against cuts in cultural and social subsidies) received the support of more than 61% of voters. In both cases, voter turnout was 43.6%.

The reactionary vote to “reject the deliberation” of the Council (that is how it is formally called) had successfully passed through all its phases. In this case, we may note that the initiative is of a “veto-player” nature (Buetzer, 2011), in other words, a part of the society gets together to veto a decision made by the governing majority (what we can also identify as an abrogative initiative).

Strengths

The tradition in the use of the initiative tools allows visibility, and the ability for it to be understood by the public.

Legislative and agenda initiatives can be proposed for local budgetary issues that are vetoed in many other cases of initiative.

In the agenda initiative, the fact that the proposal rejection leads to the presentation of a counter-proposal by the government promotes a two-way relationship with its citizens.

Weaknesses

The analyses of the Swiss initiative highlight the economic costs involved in the development of the campaign, the required signature collection and, in this case, the mobilisation required for the subsequent referendum.

Documentation

Buetzer, 2011 / Kaufman and Waters, 2004 / Ruppen, 2004 / Serdült and Welp, 2012 / Initiative ou référendum communal⁷¹ / Submission procedure of the initiative⁷² / Submission procedure of the referendum initiative⁷³ / Nombre de signatures pour une initiative populaire ou un référendum pour l'année 2018⁷⁴ / Les coupes dans le budget 2016 mobilisent la gauche⁷⁵ / Le peuple refuse à nouveau les coupes dans le budget de la Ville de Genève⁷⁶

Sheet 16. Richmond (USA):

An affordable housing initiative

Summary

This initiative was proposed by a coalition of progressive representatives and associations with the goal of regulating the rental market in Richmond, California (USA). The initiative was supported by the required number of signatures and afterwards a referendum was successfully held.

Regulation

The citizens' initiative is regulated by the Californian State Constitution, that operates as a general rule. The initiative and referendum are jointly regulated in article II, section 11, and also in the Californian electoral code, which contains provisions for the development of initiatives and local referendums in cities which do not have their own constitution.

Formal characteristics

The legal framework can be summarised as follows:

The legislative initiatives for proposing ordinances must be submitted to the electoral authority of the city. The promoters must inform the electoral authority before the signature collection begins. This communication must include an explanation of the measures and a justification, in a maximum of 500 words. The request must be endorsed by up to three promoters. The promoters must pay a fee of 200 dollars maximum (the prices are settled by the legislator) that will be returned within a year, once the authority verifies the "sufficiency" of the petition. The attorney general prepares the question; an impartial title and a 500-word summary, within 15 days. Any citizen can suggest amendments to the proposal if they can justify that it is misrepresented.

Once the initiative is ready, it must be published in the local or county newspapers and can also be published in public places. The certificate regarding the publication of the signature collection must be submitted to the electoral authority within 10 days and the process commences.

The signature collection lasts 180 days. The minimum number of petitions is at least 10% of the registered voters in the previous local election. In the state of California, in cities with less than 1,000 registered voters, 25% of signatures (or at least 100 petitions) is required.

The electoral authority registers the request with the local representative chamber. The chamber must establish a hearing with promoters and will request different types of reports (economic, legal, financial impact, etc.). These procedures must be carried out in a maximum of 30 days from the day the request was submitted by the electoral authority.

Once the initiative and the petitions are validated by the electoral authority, the legislative chamber can adopt the ordinance, reject it and put it to a vote in a referendum. Any approved ordinance coming from a citizens' initiative or a popular referendum can only be rejected by popular referendum (section 9217). An ordinance regarding the same issue cannot be voted on within 12 months.

A special call for a referendum regarding an ordinance must be announced within 88 days. A similar regulation⁷⁷ also exists for territorial districts where an initiative or referendum can also be proposed.

Prevalence

To fulfil the legal requirements, the initiative must be approved by the local chamber or put to a vote in a referendum. It must be mandatorily considered by the local legislative chamber. Its binding character is reinforced by the prohibition of approving an ordinance of the same issue within 12 months, or by the popular vote clause (an ordinance approved through a popular vote must be rejected or amended through a popular vote). If the referendum of two opposed ordinances coincides on the same day, the one with the highest level of support will be approved.

Practical development

The initiative in the state of California is over 100 years old. In this case, we highlight the recent experience in the city of Richmond because it addresses a critical local policy: rental prices and the housing market. Facing the recent increases in rent, a coalition of several partisan and associative groups in Richmond presented an initiative regarding the public control of rental prices in the city. This initiative was registered on 23 February 2016.

The initiative was signed by Gayle McLaughlin, political representative and a member of the Green Party of California. It was also presented by the Tenants Together association, Right to the City, Alliance of Californians for Community Empowerment (ACCE), Richmond Progressive Alliance, Association of Nurses and other associations, neighbourhood and union groups. The legislative initiative was supported by a large coalition of NGOs, research groups, neighbourhood groups and social justice organisations, who all agreed that housing was one of the main problems. Previously, a similar initiative had been approved by the representative chamber, but the Californian Apartment Associations (the homeowners league) managed to block it via legal channels.

According to its promoters, around half of Richmond inhabitants are tenants. The main goal of the measure was therefore to control price rises and to promote housing stability as a way of reinforcing personal and community safety. The specific measures consist of creating a committee of local experts that propose a maximum rental price in those houses which are subject to regulation, public complaint procedures for tenants and the prohibition of free and unjustified evictions.

That year the measure needed at least 4,189 signatures. More than 5,000 petitions were submitted to the electoral authority and a referendum was held on the issue in November 2016. Finally, the Local Rent Control initiative was approved by 21,380 votes to 11,378.

The legislative measure came into force without delay in December 2016. Nevertheless, the homeowner association (California Apartment Association, CAA), contested the ordinance for being contrary to the Constitution and other state regulations. The challenge was rejected by the county judge and the CAA withdrew the claim in May 2017.

Strengths

As well as in other cases in the US, the simple, detailed and binding character of the initiative is one of its strengths. The initiative must be approved by the representative chamber or put to a popular vote, which is an important incentive so that the costly signature collection process can be carried out.

The transparency of the procedure is also a strength, clearly stipulated in the regulations (for example, the role of the public prosecutor, the representative chamber or the promoters).

Weaknesses

Economic inequality represents an important obstacle. Nevertheless, it can be overcome, as this case shows. Regarding the Local Rent Control initiative for example, some local media explained that the coalition which favoured rent control raised 80,000 dollars for the campaign, whereas the homeowners association (CAA) already had 500,000 dollars available. The inequality of resources in this case was not an impediment for the victory of the pro-tenants coalition, despite having fewer economic resources.

Documentation

Rent control measure ballot in Richmond⁷⁸/ [Rent Control Advocates Claim to Have Enough Signatures for November Ballot Measure](#)⁷⁹/ [Housing Policy and Belonging in Richmond](#)⁸⁰/ [The struggle for renter protections in Richmond moves forward](#)⁸¹

Sheet 17. San Antonio (USA):

An initiative proposed by the “Workers Defense Project”

Summary

In Texas, more than 300 municipalities permit legislative initiative for the proposal of concrete measures or policies. They are called “[ballot measures](#)”⁸². In this instance, the State of Texas has approved a law so that Texan cities may include citizens’ initiatives in their regulations for regulatory or constitutional reforms and the proposal of concrete policies.

Regulation

The regulation for the initiative in San Antonio can be found in the [San Antonio City Charter](#)⁸³, Art. IV, Sec. 34-44.

Formal Characteristics

The key characteristics of the initiative are:

Legislative initiatives centre around municipal jurisdictions, except for those prohibited by law (private appropriation of money, enforcement of duties and taxes, recognition of the voting rights of collectives or persons, public prices, zoning or re-zoning of properties). For an initiative to be valid, 10% of voter signatures are required, from those registered to vote in previous municipal elections.

The petitions are registered in the office of the City Clerk. The Clerk certifies or accredits the signatures gathered and the validated delivery of them to the Municipal Chamber of Repre-

sentatives. If any anomalies are found in the signatures, a request to settle the matter must be submitted within 20 days.

The local Chamber of Representatives can either approve the measure or call a referendum. When the Chamber receives a petition, it is mandatorily considered and a public meeting with the promoters is made available. Whatever the Chamber's assessment may be, they must take a decision within 60 days maximum. 60 days is therefore what is available to call for the vote on the petition, whether it is an independent election or whether it is in conjunction with other types of elections. Once the decision is made, they have between 30 and 90 days to carry out the referendum.

If the initiative is approved by a majority of voters in the referendum, it is then considered an ordinance of the city. The ordinance cannot be amended until 6 months after its approval.

Prevalence

The initiative must be considered mandatory by the local Chamber if all the established norms are followed. If it is approved by the majority in the referendum, it comes into effect as an additional ordinance of the city. It cannot be modified or revoked until 6 months from the date of its approval.

The initiative therefore, in spite of the high cost of collecting signatures, can be highly effective in being approved by the local Chamber and by passing it to a popular vote.

Practical Development

One of the most significant cases in Texas is the "Working Texans for Paid Sick Time" ordinance in San Antonio city. This ordinance initiative details the introduction of paid sick leave for workers in San Antonio businesses. According to its promoters, more than 40% of San Antonio's workers do not have the right to claim paid sick leave. In this way, if the ordinance came into effect, the workers would benefit from a system of paid sick leave, for the worker or their family members. The number of days they could claim would vary according to the size of the company, but the worker could enjoy 6 to 8 days of paid leave (calculated according to the number of hours worked in the company) These days can be accumulated from one year to the next. The measure will affect around 130,000 workers.

The period of collecting signatures for support terminated at the end of May 2018 when 144,000 signatures had been recorded and handed to the City Clerk. It is estimated that some 60,000 to 70,000 signatures were needed according to the law, so the collection can be considered a great success. Part of the signatures were collected online.

The most notable point is that the process of collection, that lasted two months, was promoted by a group of trade unions and grassroots organisations: the AFL-CIO (American Labor Federation) and other organisations such as San Antonio Central Labor Council, UNITE HERE, United Food and Commercial Workers and youth organisations such as Young Active Labor Leaders (YALL), MOVE, etc. Apart from the mobilisation, the initiative received support from the Democratic Senator and businessman Beto O'Rourke, which according to the local media increased the popularity of the measure.

In July the Clerk certified the legitimacy of the signatures and handed in the proposal to the City Council. There was a fierce political battle over it, since business lobbies, various organisations of lawyers and republican groups showed their opposition to a similar initiative approved in the city of Austin. However, in August, the local council finally approved the measure. It was predicted that there would be a new legal battle in the following months regarding the new local ordinance.

Strengths

The principal strength of this tool is its binding nature, which is an incentive for promoter organisations facing the costly job of collecting such a high number of signatures (10%), more than 100,000 in the case of San Antonio.

The procedure is simple and transparent, similar to California (see [sheets 10](#) and [16](#)) it has a high level of appraisal and development in the regulations. Also, the materials which are not included are clearly set out in the regulations. The distribution of its jurisdiction in the local arena allows this type of economic and redistributive content. In other jurisdictions it would be more complicated. One of the advantages of this case and of the other cases from the US, is the breadth of subjects and the political, social and economic impact of the proposals presented.

Weaknesses

As in the Richmond case, the collection of signatures and the possible subsequent referendum are subject to the availability of resources and to the social inequalities. As stated by one of the spokespersons for this initiative, ‘the lobbies against the initiative (business and Republican Party) will have put together a large amount of resources a priori to publicise and promote their opposition to the measures’. On the other hand, the coalition of social organisations that promote the initiative have a smaller selection of resources to put together a priori in order to develop their campaign in favour of paid leave. This is a problem that is exacerbated if we consider that the principal people affected (and their potential support) are workers with few resources. Despite this, the initiative has already been approved in other cities such as Austin and finally in San Antonio.

Documentation

[Laws governing local ballot measures in Texas⁸⁴](#)/ [Working Texans for Paid Sick Time \(Working Texans\)⁸⁵](#)/ [Coalition Launches Paid Sick Leave Campaigns in San Antonio, Dallas⁸⁶](#)/ [Organizers Exceed the Number of Signatures Needed for Paid Sick Time Referendum⁸⁷](#)/ [Activists Take Paid Sick Leave Fight to San Antonio with 144,000 Signatures⁸⁸](#)/ [San Antonio Council Approves Paid Sick Leave Ordinance⁸⁹](#)

Sheet 18. Portland (USA):

A traditional and consolidated participatory tool

Summary

The legislative initiative is a traditional participatory tool both in the state of Oregon and in the city of Portland. Oregon has been innovative with initiative material, through the Citizens' Initiative Review, which integrates deliberative forums into the process. In the city of Portland, this method has not yet been incorporated, but detailed guidelines for the initiative can be found, as well as a wide array of information regarding its procedures and numerous recent experiences, both successful and unsuccessful. Even statute or local constitutional reforms follow a similar procedure in terms of proposing legislative measures.

Regulation

The initiative is regulated by the Portland City Code Section 2.04.040.

Formal characteristics

The legislative initiative, as occurs with others, permits the proposal of specific regulations and the request of a referendum regarding an issue. Accessible and detailed information is available on the [city website](#)⁹⁰.

Firstly, voters can place a request for an initiative from the City Auditor's Office, either in person or by email. It is signed by a maximum of 3 promoters. These promoters can seek assistance from the Office for filling out their request and outlining their initiative proposal. The request must include a proposal for the date of the referendum, in the case of one being requested (the initiatives can only be put to a vote on the same days as the representative elections). The proposals can address local statute or constitutional amendments. The office must issue a resolution regarding the initiative's validity and legality, within 5 days.

All this must be delivered to the city attorney in order to prepare the question. The city attorney must write the question within 5 days. Regulations also include a deadline for filing a claim, both by promoters and the general public, if the question is considered unsuitable according to law. The question will be published in the city attorney's office website.

Secondly, there is the signature collection. Before it begins, the city attorney's office must validate the petition forms, the information sheets and the Committee of Promoters. The verification of these documents is very important for guaranteeing that the signature collection fulfils all legal requirements. After that, the chief petitioners can start gathering signatures. Chief petitioners or authorised agents who gather signatures must also follow protocol (there are fines for noncompliance).

The signatures of at least 9% of the voters in the previous local elections are required. According to official data, from May 2018 until 2020, the requested number of signatures totals 37,638. Petitions must be submitted at least 4 months before the scheduled vote, in case a referendum is requested.

Thirdly, the submission of petitions to the local elections' official (a section of the city attorney's office). The signatures must be validated within 30 days. Statistical sampling methods may be used for verification. The office may verify the initiative or not (it can request additional signatures from the promoters if the validated petitions are not sufficient).

Finally, the legislative initiative is submitted to the local representative chamber. The chamber can approve it, henceforth becoming law, or reject it. In this case it would pass straight to the referendum phase. The representative chamber can present a counter-proposal to vote on. This would happen on the same date.

Prevalence

The legislative initiative is a relatively frequent practice in the city. For example, in the decade from 2000 to 2010, a citizens' initiative which aimed to amend the city statute, succeeded in gathering the required number of signatures to be put to a referendum vote. In 2002, the so-called "Good Government" initiative, which dealt with the the modification of local government make-up, lost in the referendum. Nevertheless, as we will see, the demand has remained present in some collective neighbourhood groups.

Most of the direct democracy measures developed in the city are top-down. For example, consultations promoted by the government. These take place more frequently than the initiative.

The local initiative is part of an innovative state practice in terms of citizens' initiative. In fact, Oregon has developed an initiative system called Citizens' Initiative Review, which combines the initiative process with the realisation of deliberative forums where information is distributed, and citizens can discuss the initiative measures which will be put to a referendum vote. (see [sheet 21](#)).

Practical development

The initiative in Portland and the state of Oregon is an institution with a long trajectory.

In 2015, a new initiative was approved by the local Auditor's office, once again picking up, in part, the 2002 local statute amendment proposal. Its aim, as in the aforementioned initiative, was to change the local government model: the mayor would hold the executive authority and the representative chamber would in essence be a chamber of territorial representation (elected by the 7 districts). Along with this, the promoters, neighbours of peripheral city districts, aimed for the members of the representative chamber to be elected by districts and not at the city level, in order to link representation to the territorial communities.

The proposal was called "The Portland Community Equality Act" and received validation to collect signatures in September 2015. The required signatures (31,345) had to be gathered by July 2016, four months before the elections.

The problem of this initiative was that, according to the local media, the voters of Portland had already rejected the measure at least seven times in local consultations, the previous two being in 2002 and 2007. In other words, the citizens' initiative had already been presented on numerous occasions without ever having achieved the majority support of local voters.

However, in some city districts the feeling of political exclusion persisted, facilitating greater persistence for the proposal. In this case, the proposal was pushed forward by a group of neighbours from the east of the city who condemned the concentration of political representation and resources in the city centre. They also demanded a greater decentralisation of urban management.

The initiative, after 8 months of gathering signatures, did not reach the 10% of signatures required to be validated. It did not therefore reach the local chamber of representatives and a referendum was not able to be called. It is possible that the recurrence of the initiative and its defeat in previous consultations may have discouraged participation and social support.

Strengths

The initiative in Portland has a considerable institutional tradition, both in the city and at state level. This participatory tool has a long history, which permits a wide understanding and familiarity of it by its citizens.

Weaknesses

Historical demands –like the territorial representative model of the aforementioned initiative– may require alternative participatory channels once rejected in a referendum. In other words, once a measure passes through one or more initiative processes and is defeated in the signature gathering process or in the referendum, it is possible that it will be discredited, or give the impression that most of society does not approve of it.

Documentation

Portland City Code Section 2.04.040. Guide for the citizens' initiative⁹¹/ [Plan to change Portland's government to 9-member City Council with district representation passes hurdle⁹²](#)/[East Portlanders seek equality, dramatic government⁹³](#)/ [District Elections and Good Government⁹⁴](#)

Sheet 19. Helsinki (Finland):

A simple online procedure

Summary

Citizens' initiatives at a local level acquired much greater ease of access in 2013 when an online platform for the presentation of initiatives was launched. This platform streamlined the dissemination, the validation of signatures and even updated information concerning the progress of the initiative. A huge variety of proposals have been delivered to the Helsinki City Hall from then on: ranging from the construction of a new bicycle lane to a referendum about the construction of a large mosque in the city. This ease of launching proposals is combined with a final oversight by the chamber of representatives.

Regulation

The initiative is regulated by the Local Government Act 1995/365.

Formal characteristics

Agenda initiatives to raise policies for discussion are permitted to address issues which are under the remit of the city. This is principally carried out through an online service dedicated to that service (Kuntalaisaloite.fi), run by the Ministry of Justice for cities.

An initiative must be sponsored by residents with voting rights. To trigger an initiative, they must collect signatures representing 2% of the residents with voting rights in the city. Once

this has been achieved it becomes a subject of “interest” for the local chamber of representatives. A time frame of 6 months is granted to debate the issue.

The collection of signatures must take place online, through the abovementioned platform, or in person – in which case the signatures should be handed in to the Municipal Registry Office.

A referendum initiative can also be triggered to request a policy consultation. In this case the signatures required are 5% of residents with voting rights. Finally, the local assembly decided whether the referendum should be held or not.

In both cases the sponsors must be informed of the decisions taken regarding their initiatives.

Impact

The right to launch initiatives has been included in local Finnish legislation since the end of the 1970s. The implementation of online media was carried out in 2013. Through the internet residents can make proposals, gather support (signatures from residents with voting rights) and follow the results of the debate in the local chamber (whether the measure has been approved or not).

In Helsinki the implementation of this online system triggered an increase of proposals. While in 2012, 9 local initiatives were registered, in 2013 30 were proposed. This mechanism was also established by the Ministry of Justice in other cities. According to local media the online procedure has facilitated signature collection in comparison with the effort of collecting them in person. Additionally, the signatures are validated quickly due to the platform containing online identification tools (“e-signature”), supported by the Ministry of Justice (Susha and Grönlund, 2014).

Practical development

On the state website the progress of different local initiatives can be monitored in relation to signature collection and their status. Therefore, it is possible to see what initiatives have been triggered in Helsinki, which have been successful and have been sent to the local chamber. The most voted-on initiatives from 2014 on were a proposal for the maintenance of the city airport (Malmi Airport), and another for the construction of a bicycle lane (both garnering more than 10,000 supporters). One of the proposals that inspired intense public debate was the initiative to hold a referendum about the construction of the Helsinki Grand Mosque.

The proposal to construct the mosque arose in 2015. The project would be financed by a foundation attached to the Royal House of Bahrain (Islam and Society Forum). The large mosque would occupy an old industrial site in the city, close to the neighbourhoods with sizeable Muslim communities. However, to proceed with the construction it is necessary to obtain permission from the City Council due to the fact that the foundation requested the use of public space for their not-for-profit project.

Public debate about the project resurfaced at the beginning of 2017 in relation to the discussion that would be held in the City Hall chamber of representatives that spring. In fact, the issue arose in the debates leading up to the municipal elections that year. In this context the candidates for the National-Coalition and the Finns’ Party were opposed to the project. In contrast, the candidate for the Green League came out in favor “in principle” of the construction of the mosque. Thus, a classic scenario of “culture war” developed between left and right-wing positions around the proposed mosque construction.

Following the elections in April a new centre-right government took power in the city. With a view to the municipal decision about the project and the site, at the beginning of November a citizens' initiative was launched to reject the project for the great mosque and to request a referendum on the issue. One of the sponsors was a well-known artist and another was a member of the Finns Party (Pia Kopra). The initiative gathered more than 1,200 supporting signatures, a small quantity in relation to more successful initiatives (12,000 signatures). It did not pass the minimum threshold required to reach the municipal chamber. In spite of that it was utilised as a tool to spread the anti-mosque campaign and as a show of support for partisan positions against the project.

The initiative put forward two main arguments: firstly, financing for the mosque would principally come from the Bahrain monarchy, identified with radical Islam. Secondly, the mosque would offer leisure, sport and free time services, and the signatories opposed infrastructure segregated according to religion.

In December 2017 the project was debated in the city's Urban Development Committee before being raised in the City Hall plenum. The committee unanimously rejected the sale of a public site to the mosque. Therefore the sponsors withdrew the initiative temporarily with the intention of reformulating it.

In this case the referendum initiative played a marginal role, since the centre of the political debate took place in the municipality and between party political representatives. However, the initiative proved useful for social and party political actors who were committed to rejecting the mosque: a) mobilising their followers; b) spreading the campaign and information which criticised the project; c) a tool for collective action and protest.

Strengths

The online platform set up by the Ministry of Justice facilitates the presentation of initiatives, communication and the collection of signatures, as well as the validation (e-signature) of individual signatories.

The low requirements in terms of number of signatures encourage the presentation of initiatives, although they only succeed in some cases in reaching the chamber of representatives that, in the last instance, will take a decision about the concrete measure or referendum.

Weaknesses

Ultimately initiatives are subordinated to decisions taken by municipal representatives, for both agenda and referendum initiatives. As Büchi (2011) points out, initiatives have a strongly consultative component.

Documentation

Büchi, 2011 / Susha and Grönlund, 2014 / Christensen et al., 2017 / [Information about the Local Government Act 1995/365⁹⁵](#) / [Initiative Service Website⁹⁶](#) / [Website eases progress of citizens' municipal initiatives](#) / [Bahrain royals contributing to Helsinki mosque plan⁹⁷](#) / [Finns Party Helsinki chair: Grand mosque is welcome⁹⁸](#) / [Helsinki's grand mosque project still has a long way to go, reminds project manager⁹⁹](#) / [Finnish minister says new 'grand mosque' plans could pose 'security risk'¹⁰⁰](#) / [Mirage: Why Helsinki's 'Grand Mosque' Disappeared¹⁰¹](#)

Sheet 20. Krakow (Poland):

Reaction against a big sporting event

Summary

In Poland a citizens' referendum exists at local level. In 2014, a referendum in Krakow gained attention at international level: a social movement platform gathered thousands of signatures online and the local government was politically obliged to call for a referendum over their participation in the Olympic Games as a host candidate for 2022. In the referendum a significant segment of the population rejected involvement in the sporting event.

Regulation

Local Government Act, March 8th, 1990 referendum.

Local Referendum Act 2001 and municipal statuses.

Formal characteristics

In Poland, the citizens' referendum initiative was included in the Local Government Act (1990) and subsequently in the Local Referendum Act of 1991 and 2000 (Piasecki, 2011). The initiative is put forward by 5 registered voters on the electoral register and also by registered organisations or parties with communal activities. The initiators will have 60 days to collect all valid signatures. The request for a referendum requires the support of 10% of voters' signatures.

The citizens' initiative is sent to the Provincial Electoral Commission. This institution reviews the legal and formal criteria both as an insight and in subsequent signature validation. Once validated, the initiative goes to the second phase: the go ahead for the referendum. The Provincial Electoral Commission and the City Council facilitate the whole process (for example, setting up polling stations).

For the result of the referendum to be valid, it requires participation of at least 30% of the voters of the total census (60% of participation in the case of revoking the local government). In order to be approved, the measure must reach a simple majority. In referendums regarding municipal taxes, a qualified majority is required.

According to Piasecki (2011), the state legislation does not facilitate the citizens' initiative in proposing legislation, policies or agenda issues, but neither does it prohibit it. Thus, some local statutes incorporate this type of initiative (Sidor, 2012); but it is a type of direct democracy scarcely used (Piasecki, 2011). For example, in Wroclaw, the municipal statute establishes the citizens' initiative for local ordinances through a petition signed by 300 voters (out of a total population of more than 600,000 inhabitants). This type of initiative refers to local matters (for example, the increase of licenses for the sale of alcohol) or to social issues (for example, asking the mayor to negotiate inheritance taxes with the state). In Warsaw in 2008 the popular initiative was also launched: 3,000 voters can initiate the proposition of a regulation, taking it on to the local chamber for its evaluation.

Prevalence

According to recent studies, the referendum citizens' initiative is not the most frequently used type of direct democracy in Poland, other tools such as the recall referendum initiative prevail over it (see [sheet 3](#)). Recall referendums sometimes begin with a citizens' initiative.

Regarding the citizens' legislative initiative or the initiative for the proposal of policies, we are not aware of specific studies in Poland, apart from the few existing studies which highlight their underdevelopment.

The derogatory referendum mentioned above did not begin -strictly speaking- from an initiative; it was a campaign to collect signatures promoted by a social movements' platform, which motivated the local government to decide to hold the referendum.

Practical development

In 2012, Krakow was presented as one of the candidate cities to host the Winter Olympic Games of 2022. There were other candidates, such as Oslo and Stockholm. However, two years later, Krakow was dropped from the list of candidates following a local referendum, where part of the population rejected its involvement in the macro sporting event.

In 2012, the City Council of Krakow and the Polish Olympic Committee decided to apply for the Winter Olympic Games. The initial enthusiasm was reflected in local and national media, but soon they began to give voice to other critical actors who showed their doubts over the benefits of the event.

Against the municipal candidacy, an urban social movements' platform called "Krakow Against Games" was created (Vargas-Tetmajer, 2016). As well as performances, rallies and demonstrations, the platform collected more than 7,900 online signatures in support of the campaign. It was a central protest strategy that made the platform and its anti-Games discourse definitively visible in the national media. It was not a formalised citizens' initiative, but a collective action strategy reacting against a municipal agreement to participate in the event (derogatory dimension). The main arguments of the campaign were economic: excessive public investment, the candidacy would increase the municipal debt, some green areas would be destroyed and too many infrastructures would be built just for the event, which, according to the part of the population, would then be of little use. (Pasquinelli, 2015).

Despite the candidacy of 2012, the municipal government decided to revise its decision and to hold a referendum over participation in the Olympic Games. The government publicly defended its favourable position towards the event. Finally, the referendum was held in May 2014 together with the European elections. Around 35% of voters turned out and more than 69% of the voters were against the Olympic candidacy.

Strengths

Although it was not a citizens' initiative, but rather a strategy of collective action, the collection of signatures served as a reaction against an unpopular municipal policy. In this sense, the collection of signatures can be useful as a defence strategy against unpopular policies, as a measure of control over municipal governments, and also as a source of information for public decision-makers. Facilitating citizens' initiative channels and promoting their visibility can be a way to establish more formal ways of relating to public administrations through more transparent rules.

Weaknesses

In this case, the formalisation of the citizens' initiative did not take place, thus the decision to call for a referendum was primarily the will of the municipal government. The organisers of the platform did not need to formalise the collected signatures to influence public

decision-makers. However, in other cases, this formalisation is necessary to gain effectiveness: only if there is a formalised procedure to request a referendum can the result will be achieved.

The social movements' network collected the signatures via telematic means, through an online platform. If citizens' initiatives do not have this possibility, they can be perceived as too costly, and they will then opt for other forms of protest and collective action.

References

Kozłowska, 2015 / Pasquinelli, 2015 / Piasecki, 2011 / Sauer, 2013 / Sidor, 2012 / Vargas-Tetmajer, 2016

Sheet 21. Oregon (USA): Citizens' Initiative Review, an initiative supplemented with deliberative forums

Summary

In 2010, the Oregon government launched a new practice linked to the citizens' initiative: a series of deliberative forums would be held before referendums. They would prepare a dossier of information for the electorate, as a measure prior to referendums. The measure came to be known as the "Citizens' Initiative Review" (CIR). Several groups of voters would be selected, forming a representative sample of the population, to deliberate for several days and to collect their arguments for and against, in a dossier called a "Citizens' Letter". This model of deliberative forum has been incorporated in other states such as California, Colorado and Washington.

Regulation

House Bill 2895: 2895 (ch. 632), 2009, Session of the Oregon State Legislature.

Formal characteristics

The regulation was aimed at revitalising the citizens' initiative by promoting a more informed public debate. For this purpose, deliberative forums would be held to discuss citizens' initiatives on state regulations. These forums are formed by randomly chosen electors who will receive information from various perspectives and discuss the measures over several sessions. After that, they would draft a "Citizens' Dossier" which includes information about the initiative to be submitted to a referendum. This dossier is sent to the electors' houses.

The regulation establishes some additional details about these deliberative forums: they would be composed by a sample of 18-24 registered voters, there would be 5 meetings over 5 consecutive days, it would be facilitated by an NGO with experience in the material and in the organisational work. They would write a final letter with four sections of arguments and counterarguments (Citizens' Letter). The letter also includes a final evaluation of the majority of panellists.

The measure was initially a pilot programme, but was implemented permanently in 2011, with the support of the major state-wide parties.

Prevalence

In 2010, two forums were launched to discuss two citizens' initiatives: one was dedicated to discussing the increase of prison sentences for serious crimes and for repeated driving under the influence of alcohol; and the second forum was about the medical use of marijuana. The panellists, in both cases, wrote the respective "Citizen Letters" with arguments and counterarguments that they thought the voters should know about. The experience was consolidated in Oregon and has also been extended to other states (Gastil, Richards and Knobloch, 2014).

This new device was the answer to a concern that voters may not have enough information or indeed the correct information about the measures submitted to referendums (see Gastil, Richards and Knobloch, 2014, on the effects of the CIR). The "Citizens' Letter" was intended to supplement the citizens' initiative with additional information prepared by other electors, covering potential gaps in information.

One of the main effects was an increase in the information about the "Citizens' Initiative Review" itself. In a survey carried out in 2010, around a 25% of the interviewees knew about the new deliberative forums before the state sent the Citizens' Letter. After the distribution of this information, around 42% knew about the deliberative forums.

Regarding the formation of opinions, in the case of the initiative regarding penalties associated with serious crimes, the information prepared by the forums helped 30% of the respondents to form their own opinions on the matter. Regarding the initiative over the medical use of marijuana, a smaller number of respondents felt influenced by the new information offered by the forums (only 18% said they had been influenced).

Practical development

From the point of view of the deliberation that took place in the forums, Knobloch et al. (2013) give a positive assessment. These authors wrote a series of reports about the deliberative experience of the participants and the practical development of the forums. Regarding this evaluation, we can highlight some elements:

First, after analysing the participants' experience and the observations of the researchers, the forums were useful for weighing up the pros and cons of the measure. Learning about new arguments or identifying the underlying values of the initiatives emerged as a less relevant effect: participants probably already knew these about values and arguments. Secondly, the following areas were considered excellent during the development of the forums: equality in participation (for example, in intervention); the consideration of the different arguments and mutual respect among participants and elements related to the careful facilitation of session. Finally, and very prominently, the development of a non-coercive process of exchange and decision-making (in a reasoned manner) was applauded by the participants.

According to Knobloch et al. (2013), successful deliberation standards were the product of a previous session of deliberative training and skills (how to discuss the issues); the mixture of discussion formats in small groups and in a plenary; and the inclusion of question and answer sessions with stakeholders and observers of the process.

Strengths

One of the critiques about the use of the initiative and the referendum refers to problems in the distribution of adequate and diverse information. This type of deliberative forum can

serve to complement the information provided through other means such as state institutions, the media, political parties, the promoters themselves and the detractors of the initiatives.

The deliberative forums generate a summary document (Citizens' Letter) including the arguments for and against a specific proposal. The forums listen, debate and include the various points of view. They can therefore act as a balance to the stakeholders' arguments and/or to the actors who have a higher capacity to shape public opinion on the matter (for example, through privileged access to the media or through promoting campaigns with greater economic resources).

Weaknesses

In some cases, the information offered by the forums (the Citizens' Letter) does not constitute significant additional material; it is neither different nor more influential than the information available through other means. They may represent a waste of time, effort and money, without a clear contribution in terms of additional information. Perhaps it would be appropriate to reserve this tool for those initiatives that foresee a greater need to complement the available information.

Bibliography

Gastil y Knobloch, 2010 / Gastil et al., 2014 / Knobloch et al., 2013 / [House Bill 2895](#)¹⁰²

6. Conclusions

The citizens' initiative represents a complex and unequal participatory tool. It is complex, given the very different models and processes that exist, and unequal, because its presence, development and results vary enormously between regions and countries. In this study we have tried to improve our understanding of the reality of the local citizens' initiative, the debates concerning its potential and risks, its geographical dispersion and its most relevant characteristics. We have set out a general view of the topic, analysing 21 experiences and the contributions of 20 experts in this field.

This study has tackled numerous debates, illustrated by more or less successful cases. From this revision we are setting out a series of ideas on elements which we consider relevant, to guarantee that the administration's efforts in opening up participatory channels, and of citizens in putting them into practice, will be fruitful and generate positive results. In the face of the crisis of political institutions, the citizens' initiative is seen as one option, amongst many others, to strengthen the link between citizens and representative institutions. If badly designed, it could well have the opposite effect.

Before considering specific questions, it is important to highlight that there are no magic formulas that can guarantee the success of a particular model of citizens' initiative. That which works in one area, could fail in another, or visa-versa. The context is, in this way fundamental, both at a social level (the community which wants to be heard) as it is at a political level (the institutional political framework within which the initiative is to be placed). Without losing sight of the relevance of each idiosyncrasy, we are confined to pointing out some issues that should be carefully considered in good regulation and good practices.

The purpose of initiatives

The first point to consider is the objectives which the initiative can aim at. Apart from objectives that are intrinsic to each kind of initiative (to propose legislation, debates, referendums, to recall laws and revoke posts) the possible topics to be included can be limited or extensive. This is less relevant in the case of recall, although it can be under the control of the Mayor, the entire government, individual members, or even designated public offices. In the remaining initiatives, it becomes a central aspect. Opening a participatory process, which can deal with any topic, is not the same as establishing important restrictions. The most restrictive, and relatively common of these, is that which has to do with money, preventing the municipal budget from being affected. On the one hand, this leaves out elements which are crucial to citizen interests. On the other hand, depending on how the topic is defined, it can contribute to positioning vis-à-vis the final vote. Also, depending how the topic is set out, it could lead to ambiguity given that almost any proposition could have a budgetary effect if it were to be approved.

As far as the intrinsic scope of each type is concerned, the agenda initiative is the least assured, given that its link with decision-making is limited to promoting a debate in the representative chamber, which could perfectly well be ignored or rejected. In this case, limiting the topics to be included in the proposition makes less sense. An agenda initiative with few guarantees is not so different from many other less formal mechanisms. Citizens everywhere can collect signatures and deliver them to the authorities for them to consider. The difference could stem from the establishment of a clear public debating procedure

and response mechanisms, just as from the possibility that the promoters participate in a deliberative process, with no vote, but with a voice. Moreover, if the debate is opened up to all citizens, this tool could be seen as more useful than other ways of expressing demands.

Matching requirements and objectives

The remaining initiatives, which should be deemed successful if they impact directly on the decision-making process, are intrinsically more attractive as a channel of collective action. This decision-making relevance of each type of initiative should, without doubt, be bound to the requirements which are defined by its implementation. In cost-benefit terms, the more benefit an initiative can generate, the greater the costs its potential drivers will be prepared to assume, and vice versa.

For an initiative to demonstrate an outstanding support, these requirements make reference to the number of signatures required; where they can be collected and the time needed to assemble them and, in case of its leading to a referendum, to the conditions that ensure a binding result. At the same time, these elements should relate to one another. On the one hand, the combination of the requisite number of signatures (be it a percentage, or an absolute majority) with the time needed to obtain them. In the short term there is no sense to a high quorum. On the other hand, the requirements of the signatures and those of the referendum. Very relaxed requirements, to guarantee the outcome of the referendum (in an extreme case, a simple majority without a minimum participation threshold) could be sustainable if the requirements for delivering signatures are very strict and act as a filter for the majority of proposals. The number of referendums to be carried out, would, in principle, be limited with this option, by the cost of achieving them, but its highly binding nature could be sufficient to promote the use of the tool. With the reverse combination, relaxed requirements for the signatures (few and over a long period of time) could lead to a less demanding referendum (with a participatory quorum and votes in favour of the proposition).

Information and expectations

In many cases the question is often raised as to why tools, such as the citizens' initiative, that are already the disposal of citizens are not used. Of course, it is necessary for citizens to be aware from the start, of the existence of these instruments and their potential and basic requirements. Besides this, the answer to the question probably results, in part, from a negative evaluation of the balance, between the costs implied in activating the initiative and the effects it can have. This balance, between the degree of binding to public decisions and the requirements to ensure it prospers, is important to encourage public demands be driven forward and for use of the process to make sense (instead of opting for other ways to express demands) whilst at the same time, avoiding an overuse of this participatory channel from saturating the political process or giving excessive influence to a small minority, with the costs and the waste that this would mean.

Correction of inequalities

When considering participatory costs, a tool to channel citizens' demands, should take into account the existing inequalities in society. For a group of people or a small association to initiate a process of signature collection the same effort is not required as for an organisation with large economic resources and access to the media. In this sense, it is opportune for the design of the initiatives to include elements that can compensate for these inequalities, such as technical assistance and with dissemination.

In the event of a referendum, these inequalities could lead to the possibilities of campaigns in favour or against the proposition, so, it is advisable to incorporate measures to increase the power of, and give visibility to, the campaign, as well as perhaps limiting the economic resources invested in it by each party.

Online platforms

New technology is a final aspect to highlight in relation to the costs of participation. The possibility of online platforms makes collecting signatures easier and more open. In some cases it has been proven that they have also led to social groups that are traditionally excluded from institutional participation (such as young people) being involved. Likewise, through the web, signature collecting campaigns can be complemented by forums that allow debate and flow of information, although these inevitably only reach certain sectors of the population.

Transparent procedures

Guaranteeing transparency throughout the process is a fundamental issue if citizens' initiatives are to contribute to reducing the mistrust towards political institutions. This means establishing clear and detailed rules from the beginning to the end of the proposition's journey, such as a system that can guarantee accountability. Incorporating independent actors to influence different stages of the process could be relevant in this sense. This is especially in order to allow promoters of an initiative who disagree with some decisions made by public authorities to respond (such as, for example, in the case of refusal of a signature collection proposal alleging that the subject does not comply with the stipulated requirements in the regulations).

Electoral convergence

One of the concerns in relation to direct democracy refers to the danger of overloading citizens with too many electoral events. In order to avoid this, several experiments show the relevance of making several questions converge in one electoral event, grouping citizens' propositions with calls for representative elections. In this way representative dynamics and direct democracy converge, and avoid a saturation of elections and participatory spaces.

Initiatives and debate

Lastly, we need to refer to the quality of debate. The participation and the empowerment that can be achieved through direct democracy, often conflict with slow and well organised deliberation and debate, that can give rise to less dichotomous solutions, than the result of a referendum. In an attempt to reduce this dichotomy, phases which permit a richer relationship between the instigators of the proposition and the administration to take place, are designed into some initiatives. One example is that of a legislative initiative with a first round of signature collection to register the proposal, which is discussed with public representatives to facilitate agreement, before initiating the second phase of signature collection, which culminates in a referendum. In turn, when faced with a citizens' proposal, the government can occasionally include a counter proposal in the referendum, enabling several options for citizens to decide upon. In terms of the final stage of voting, it is important to enable channels for the flow of information between citizens and the different sectors involved.

Combination with other tools

This mixture of participation and deliberation can be made more powerful by combining the citizens' initiative with other tools. The Citizens' Initiative Review (see [sheet 21](#)) is an example of the combination of a legislative initiative, including its instigators and detractors, with citizens' juries who hear out interested parties, and then debate and develop a report that is intended to inform the vote. The involvement of the initiators throughout the whole process (from the start of a petition until voting) and even when it is developed into specific policies, can strengthen the relationship between citizens and public institutions

In short, a citizens' initiative cannot be considered in isolation. It must be conceived of and designed in relation to the combined participatory tools, including amongst these the varying initiative models that exist in that community. Take the example of a municipality that has limited itself to implementing the recall initiative, or where the rest of the initiatives are designed in such a way as to make them too costly and/or weakly binding. In these scenarios, when faced with municipal legislation which is rejected by citizens, popular discord could lead to a direct attempt to remove the government, instead of initiating a process to repeal the particular policy or propose alternatives. Therefore, the citizens' initiative should be conceived as part of a broader architecture of related instruments (Okamoto and Serdult, 2016; Takanobu, 2000).

The Initiative as a school of Democracy

Neither is it appropriate to evaluate the citizens' initiative in isolation, but rather it should be understood as part of a process, which implies learning and evolution. The paths taken by different experiences of direct democracy are important: as time passes understanding of the tool improves and becomes used more appropriately. In those places where direct democratic experiences are more established and are designed on the bases of an appropriate combination of validation requirements and effects upon the political process, they generally work well and receive positive evaluations from citizens. Where there is less experience (or experience does not exist) the citizens' initiative can initiate a route whereby the citizenry and public administration lean towards greater interaction. This can plunge both into a learning process of active participation, as well as increased responsiveness.

Annex: List of consulted experts

Table A 1. List of consulted experts and their institutions

Name	Institution
Alejandro Montbrun	Consultant
Alicia Lissidini	Universidad Nacional de San Martín
Brigitte Geissel	Goethe University Frankfurt
Bruno Kaufmann	Swiss Democracy Foundation
Caroline Morris	Queen Mary, University of London
Céline Colombo	University of Zurich
Francisco Soto Barrientos	Universidad de Chile
Henrik Serup Christensen	Åbo Akademi University, Turku
Jo Saglie	Institute for Social Research, Oslo
Jan Erling Klausen	Universitetet i Oslo
John Gastil	Pennsylvania State University
Majja Setälä	University of Turku
Mike Davies	SMART Harare
Ming Zhuang	Participation Center, China
Neliana Rodean	University of Verona
Nenad Stojanovic	Université de Genève
Orestes Suárez Antón	European Parliament
Sandra Hincapié	Consejo Nacional de Ciencia y Tecnología, México
Víctor Cuesta	Universidad de Las Palmas de Gran Canaria
Yan Guzman Hernández	Universidad de La Habana

References

- Adamiak, A. L. (2011): "Direct democracy in local politics in Norway", in Schiller, T. (ed.): *Local direct democracy in Europe* (pp. 9-29). Springer Science & Business Media.
- Agger, A. and Lund, D. H. (2017): "Collaborative Innovation in the Public Sector – New Perspectives on the Role of Citizens?", *Scandinavian Journal of Public Administration*, 21(3): 17-37.
- Alacio García, R. Y. (2017): "Mecanismos de democracia en México: la iniciativa ciudadana y popular en la legislación", *Anuario Latinoamericano–Ciencias Políticas y Relaciones Internacionales*, vol. 4: 231-254.
- Altman, D. (2010): "Plebiscitos, referendos e iniciativas populares en América Latina: ¿mecanismos de control político o políticamente controlados?", *Perfiles latinoamericanos*, 18(35): 9-34.
- Angeyo, J. S.; Byanyima, M. S.; and Okello Oryem, A. L. (2008): "Direct democracy in the Republic of Uganda", in Beramendi, V., Ellis, A., Kaufman, B., Kornblith, M., LeDuc, L., McGuire, P., Schiller, T. and Svensson, P.: *Direct democracy: the International IDEA handbook*. IDEA, International Institute for Democracy and Electoral Assistance.
- Aranda Álvarez, E. (2006): "La nueva Ley de la iniciativa legislativa popular", *Revista Española de Derecho Constitucional*, 26 (78): 187-218.
- Arnold, F., and Freier, R. (2015): "Signature requirements and citizen initiatives: Quasi-experimental evidence from Germany", *Public Choice*, 162(1-2): 43-56.
- Arques, F. (2017): "Mecanismos de Democracia Directa en Argentina: legislación y puestas en práctica". Work prepared for its presentation in the 9º Congreso Latinoamericano de Ciencia Política, organised by the Asociación Latinoamericana de Ciencia Política (ALACIP). Montevideo, July 26-28.
- Arques, F. (2014): "Mecanismos de Democracia Directa en Argentina a nivel sub-nacional: un recurso latente e ignorado", *C2D Working Paper Series*, 46/2014.
- Asatryan, Z., Baskaran, T., Grigoriadis, T., and Heinemann, F. (2016): "Direct Democracy and Local Public Finances under Cooperative Federalism", *The Scandinavian Journal of Economics*, 119(3): 801–820.
- Bednarz, H. (2013): "The development of direct democracy mechanisms in Poland", *C2D Working Paper Series*, 44. Aarau: Centre for Research on Direct Democracy.
- Beramendi, V., Ellis, A., Kaufman, B., Kornblith, M., LeDuc, L., McGuire, P., Schiller, T. and Svensson, P. (2008): *Direct democracy: the International IDEA handbook*. IDEA, International Institute for Democracy and Electoral Assistance.
- Berg, C., Carline, P., Kaufmann, B., Leinen, J., and Wallis, D. (2008): *Initiative for Europe Handbook. The guide to transnational democracy in Europe*. Brussels: IRI Publication.
- Blanchet, T. (2014): "Struggle over energy transition in Berlin: How do grassroots initiatives affect local energy policymaking?", *Energy Policy*, 78: 246-254.
- Bowler, S. (2004): "Recall and representation: Arnold Swarzenegger meets Edmund Burke", *Representation*, 40(3): 200-212.
- Breuer, A. (2008a): "The problematic relation between direct democracy and accountability in Latin America: evidence from the Bolivian case", *Bulletin of Latin American Research*, 27(1): 1-23.
- Breuer, A. (2008b): "Policymaking by referendum in presidential systems: Evidence from the Bolivian and Colombian cases", *Latin American Politics and Society*, 50(4): 59-89.
- Breuer, A. (2007): "Institutions of direct democracy and accountability in Latin America's presidential democracies", *Democratization*, 14(4): 554-579.
- Büchi, R. (2011): "Local popular votes in Finland – procedures and experiences", in Schiller, T. (ed.): *Local direct democracy in Europe*, Springer Science & Business Media.

- Buetzer, M. (2011): "Second-order direct democracy in Switzerland: How sub-national experiences differ from national ballots", in Schiller, T. (ed.): *Local direct democracy in Europe*, Springer Science & Business Media.
- Christensen, H. S., Jäske, M., Setälä, M., and Laitinen, E. (2017): "The Finnish Citizens' Initiative: Towards Inclusive Agenda-setting?", *Scandinavian Political Studies*, 40(4): 411-433.
- Collins, R. B. and Oesterle, D. (1995): "Structuring the Ballot Initiative: Procedures that Do and Don't Work", *University of Colorado Law Review*, Vol. 66, 47.
- Cronin, T. E. (1989): *Direct Democracy: The Politics of Initiative, Referendum and Recall*, Cambridge and London: Harvard University Press.
- Cuesta López, V. (2017): "El referéndum europeo: la decisiva intervención de los soberanos nacionales en el proceso de integración", *Oñati Socio-legal Series* [online], 7 (5): 899-928.
- Cuesta López, V. and Presno Linera, M. (2017): "El reto de la profundización democrática en Europa: avances institucionales en democracia directa", *Oñati Socio-legal Series* [online], 7 (5).
- Dalton, R. J. and Weldon, S. A. (2005): "Public images of political parties: A necessary evil?", *West European Politics*, 28:5: 931-951
- Donovan, T., Tolbert, C. J., and Smith, D. A. (2009): "Political engagement, mobilization, and direct democracy", *Public Opinion Quarterly*, 73(1): 98-118.
- Durso, R., Craig Jenkins, J., Martin, A., and Stearmer, M. (2018): "How to study political activists: A petition survey approach", *Social Science Research*, 73: 207-220.
- Eldridge, R. D. (1997): "The 1996 Okinawa referendum on US Base reductions: one question, several answers", *Asian Survey*, 37(10): 879-904.
- Emnid (2013): Umfrage des Meinungsforschungsinstitut TNS Emnid im Auftrag von FOCUS, November.
- Erne, R. (2004): "Direct Democracy in Italy", in Kaufmann, B., and Waters, M. D.: *Direct democracy in Europe: a comprehensive reference guide to the initiative and referendum process in Europe*, Carolina Academic Press.
- Font, J.; Blanco, I.; Gomà, R.; and Jarque, M. (2010): "Mecanismos de participación ciudadana", in Canto Chac, M. (comp.): *Participación ciudadana en las políticas públicas*, Siglo XXI editores.
- Font, J., Navarro, C. J., Wojcieszak, M., and Alarcón, P. (2012): *¿Democracia sigilosa en España? Preferencias de la ciudadanía española sobre las formas de decisión política y sus factores explicativos*, Madrid: CIS.
- Ganuzá, E. and Font, J. (2018): *¿Por qué la gente odia la política?*, Madrid: Los Libros de la Catarata.
- García Cuadrado, A. (1991): "El derecho de petición", *Revista de Derecho Político*, 32: 124.
- García Majado, P. (2017): "La Configuración de la Iniciativa Legislativa Popular: Resistencias y Soluciones", *Oñati Socio-legal Series* [online], 7 (5): 1041-1057.
- Garrett, E. (2004): "Democracy in the wake of the California Recall", *University of Pennsylvania Law Review*, 153: 239-284.
- Gastil, J., and Knobloch, K. (2010): "Evaluation report to the Oregon state legislature on the 2010 Oregon Citizens' Initiative Review", *Unpublished report, University of Washington, Seattle, WA*.
- Gastil, J., Richards, R. C., and Knobloch, K. (2014): "Vicarious deliberation: How the Oregon Citizens' Initiative Review influenced deliberation in mass elections", *International Journal of Communication*, 8: 62-89.
- Geissel, B. (2017): "Direct democracy and its (perceived) consequences: The German case", in Ruth, S. P., Welp, Y. and Whitehead, L. (eds.): *Let the People Rule? Direct Democracy in the Twenty-First Century*, Colchester: ECPR Press.

- Geissel, B. and Jung, S. (2018): “Recall in Germany: Explaining the Use of a Local Democratic Innovation”, *Democratization*, 25(8): 1358-1378.
- Gerber, E. R. (1996): “Legislative response to the threat of popular initiatives”, *American Journal of Political Science*, 40(1): 99-128.
- Gómez Fortes, B. and Font, J. (2015): *Cómo votamos en los referéndums*, Madrid: La Catarata-Fundación Alternativas.
- González Mora, R. (2017): “Ley de Referéndum: Reflexiones a diez años de su promulgación”, *Revista de Derecho Electoral*, (23), 10.
- Gonzalo, M. A. (2017): “Participación ciudadana y actividad parlamentaria”, *Oñati Socio-legal Series* [online], 7 (5): 1018-1040.
- Gordon, T. M. (2004): *The local initiative in California*. San Francisco: Public Policy Institute of California.
- Gregorczyk, H. (1998): *Citizens Initiated Referenda*, Queensland Parliamentary Library, Publications and Resources Section.
- Guzmán Hernández, T. Y. (2017): “Los mecanismos de democracia directa en Cuba: diseño normativo y práctica”, *Perfiles latinoamericanos*, 25(50): 103-127.
- Hevia de la Jara, F. (2010): “La iniciativa legislativa popular en América Latina”, *Convergencia*, 17(52): 155-186.
- Hevia de la Jara, F. (2007): *La iniciativa legislativa popular en América Latina*, Santiago, Chile XXI.
- Hill, L. (2003): “Democratic deficit in the ACT: Is the citizen initiated referendum a solution?”, *Australian Journal of Social Issues*, 38(4): 495-512.
- Hincapié, S. (2017): “Entre el extractivismo y la defensa de la democracia. Mecanismos de democracia directa en conflictos socioambientales de América Latina”, *RECERCA. Revista de Pensament i Anàlisi*, (21): 37-62.
- Holland, A. C., and Incio, J. (2018): “Imperfect Recall: The Politics of Subnational Office Removals”, *Comparative Political Studies*, September 26.
- House of Lords (2010): “Referendums in the United Kingdom”, Select Committee on the Constitution, 12th Report of Session 2009--10, HL Paper 99.
- Igarashi, A. (2006): “Japan – Against Oppressive National Policies: Rebellion by the People”, in J. Hwang (ed.): *Direct Democracy in Asia: A Reference Guide to the Legislations and Practices*, Taipei: Taiwan Foundation for Democracy: 311-322.
- Inglehart, R. (1991), *El cambio cultural*, Madrid: CIS.
- Jain, P. C. (1991): “Green Politics and Citizen Power in Japan: The Zushi Movement”, *Asian Survey*, 31(6): 559-575.
- Jasiewicz, K. and Jasiewicz-Betkiewicz, A. (2014): “Poland”, *European Journal of Political Research Political Data Yearbook*, 53: 250-256.
- Kaufmann, B. (2011): “Sweden: Better late than never. Towards a stronger initiative right in local politics”, in Schiller, T. (ed.): *Local direct democracy in Europe*, Springer Science & Business Media.
- Kaufmann, B., and Waters, M. D. (eds.) (2004): *Direct democracy in Europe: a comprehensive reference guide to the initiative and referendum process in Europe*, Carolina Academic Press.
- Każmierczak, T. (2011): Partycypacja publiczna: pojęcie, ramy teoretyczne. [W:] A. Olech (red.), *Partycypacja publiczna. O uczestnictwie obywateli w życiu wspólnoty lokalnej*. Instytut Spraw Publicznych, Warszawa: 83-84.
- Kersting, N. (2018): “Africa”, in Qvortrup, M. (ed.): *Referendums Around the World*, Cham, Switzerland: Palgrave Macmillan.

- Kersting, N. (2009): "Direct democracy in Southern and East Africa: Referendums and initiatives", *Journal of African elections*, 8(2): 1-22.
- Knobloch, K. R., Gastil, J., Reedy, J., and Cramer Walsh, K. (2013): "Did they deliberate? Applying an evaluative model of democratic deliberation to the Oregon Citizens' Initiative Review", *Journal of Applied Communication Research*, 41(2): 105-125.
- Kozłowska, M. (2015): "Future of Winter Olympic Games in the Context of Ongoing Application Process to Host Winter Olympic Games 2022, Study Case: Cracow Bid", *Current Issues of Tourism Research*, 4(2): 27-37.
- Láštic, E. (2011): "Slovakia – restricted direct democracy in local politics", in Schiller, T. (ed.): *Local direct democracy in Europe*, Springer Science & Business Media.
- Le Duc, L. (2002): "Opinion change and voting behavior in referendums", *European Journal of Political Research*, 41: 711-732.
- Linares Lejarra, S. (2017): "Democracy, Epistemic Value, and Political Equality: a New Model of Epistemic Participatory Democracy", *Ethics & Politics*, XIX, 2: 247-283.
- Lissidini A. (2008): "Democracia directa latinoamericana: riesgos y oportunidades", in Lissidini, A.; Welp, Y. and Zovato, D.: *Democracia directa en America Latina*, UNSAM-C2D-IDEA, Prometeo, Buenos Aires.
- López Rubio, D. (2017): "El control de constitucionalidad de la 'legislación popular'", *Oñati Socio-legal Series* [online], 7 (5): 929-956.
- Lupia, A., and Matsusaka, J. G. (2004): "Direct democracy: new approaches to old questions", *Annual Review of Political Science*, 7: 463-482.
- Macintyre, C., Williams, J. M., and Williams, J. (eds.) (2003): *Peace, Order, and Good Government: State Constitutional and Parliamentary Reform*, Wakefield Press.
- Madariaga Méndez, L. (2018): "La iniciativa ciudadana europea como expresión del principio democrático: ¿ir por lana y salir trasquilado? El caso de la Sentencia del Tribunal General en el asunto T-754/14", *Revista Española de Relaciones Internacionales*, (9): 140-168.
- Marques, A. and Smith, T. B. (1984): "Referendums in the Third World", *Electoral Studies*, 3(1): 85-105.
- Matsusaka, J. G. (2010): "Popular control of public policy: A quantitative approach", *Quarterly Journal of Political Science*, 5(2): 133-167.
- Matsusaka, J. G. (2008): *For the many or the few: The initiative, public policy, and American democracy*, Chicago: University of Chicago Press.
- Matsusaka, J. (2003): *The Initiative and Referendum in American Cities: Basic Patterns*, Washington, D.C.: Initiative and Referendum Institute.
- Micotti, S., and Bützer, G. (2003): "Municipal democracy in Switzerland: General view, institutions and experiences in the cities 1990-2000", Rapport de recherche FNS/SNF.
- Morales Arroyo, J. M. (2017): "La práctica de la iniciativa legislativa en el constitucionalismo español reciente", *Revista Chilena de Derecho y Ciencia Política*, 8(2): 87-104.
- Mulgan, A. G. (2000): "Managing the US base issue in Okinawa: a test for Japanese democracy", *Japanese Studies*, 20(2): 159-177.
- Nežmah, B. (2011): "Direct democracy in Slovenia – poor practice at the local level", in Schiller, T. (ed.): *Local direct democracy in Europe*, Springer Science & Business Media.
- Numata, C. (2006): "Checking the center: popular referenda in Japan", *Social Science Japan Journal*, 9(1): 19-31.
- Okamoto, M., Ganz, N., and Serdült, U. (2014): *Direct Democracy in Japan, c2d Working Papers Series 47*, Aarau: Centre for Democracy Aarau (ZDA).

- Okamoto, M. and Serdült, U. (2016): “Recall in Japan”, Paper prepared for presentation at the 24 IPSA World Congress, Poznan, Poland, July 22-28.
- Paddy McGuire (2008): “Direct democracy in Oregon”, in Beramendi, V., Ellis, A., Kaufman, B., Kornblith, M., LeDuc, L., McGuire, P., Schiller, T. and Svensson, P.: *Direct democracy: the International IDEA handbook*, IDEA, International Institute for Democracy and Electoral Assistance.
- Paonessa, M. L. (2007): “La iniciativa popular como estrategia de participación”, IV Jornadas de Jóvenes Investigadores, Instituto de Investigaciones Gino Germani, Facultad de Ciencias Sociales, Universidad de Buenos Aires, Buenos Aires.
- Pasquinelli, C. (2015): “The Olympics Bidding Process: A Matter of Branding?”, *CritCom: A Forum for Research & Commentary on Europe*, May 22.
- Pateman, C. (2012): “Participatory democracy revisited”, *Perspectives on politics*, 10(1): 7-19.
- Pérez Alberdi, M. R. (2017): “El modelo autonómico de democracia participativa: la situación a partir de la aprobación de los nuevos estatutos de autonomía”, *Oñati Socio-legal Series* [online], 7 (5): 1058-1081.
- Pettit, P. (2012): *On the People’s Terms*, Cambridge University Press.
- Piasecki, A. K. (2011): “Twenty years of Polish direct democracy at the local level”, in Schiller, T. (ed.): *Local direct democracy in Europe*, Springer Science & Business Media.
- Podolnjak, R. (2015): “Constitutional Reforms of Citizen-Initiated Referendum. Causes of Different Outcomes in Slovenia and Croatia”, *Journal for Constitutional Theory and Philosophy of Law*, 26: 129-149.
- Primo, D. M. (2010): “The Effect of Initiatives on Local Government Spending”, *Journal of Theoretical Politics*, 22(1): 6-25.
- Quaranta, M. (2015): *Political protest in Western Europe*, Springer.
- Quintero Ortega, R. T. (2014): “Iniciativa Legislativa Popular en España: aspectos normativos e incidencia práctica”, *Ars Iuris Salmanticensis*, vol. 2, June: 137-162.
- Qvortrup, M.; Morris, C. M; and Kobori, M. (2018): “Australasia”, in Qvortrup, M. (ed.): *Referendums Around the World*. Cham, Switzerland: Palgrave Macmillan.
- Ramírez Nárdiz, A. R. (2018): “Breve estudio comparado de la democracia participativa en Colombia y España”, *Revista de Derecho de la UNED*, 21: 433-453.
- Rodean, N. (2017): “La iniciativa ciudadana en el procedimiento legislativo italiano: de su ineficacia a las propuestas de reforma”, *Oñati Socio-legal Series* [online], 7 (5): 1116-1143.
- Rourke, J.; Hiskes, R. P. and Zirakzadeh, C. (1992): *Direct Democracy and International Politics: Deciding International Issues Through Referendums*, Boulder, Co: Lynne Rienner.
- Royo, S., Yetano, A., and Acerete, B. (2011): “Citizen participation in German and Spanish local governments: A comparative study”, *International Journal of Public Administration*, 34(3): 139-150.
- Ruppen, P. (2004): “Direct Democracy in Switzerland”, in Kaufmann, B., and Waters, M. D.: *Direct democracy in Europe: a comprehensive reference guide to the initiative and referendum process in Europe*, Carolina Academic Press.
- Ruth, S.; Welp, Y. and Whitehead, L. (eds.) (2017): *Let the people rule? Direct democracy in the twenty-first century*, Colchester: ECPR Press.
- Sánchez, Y. G. (2013): “La iniciativa ciudadana en la Unión Europea”, *Panorama Social*, 17: 59-69.
- Sauer, A. (2013): “The system of the local self-governments in Poland”, *Asociacion of International Affairs*, Research Paper 6.
- Schiller, T. (2011a): “Local Direct Democracy in Europe—a comparative overview”, in Schiller, T. (ed.): *Local direct democracy in Europe*, Springer Science & Business Media.

- Schiller, T. (2011b): "Local direct democracy in Germany – varieties in a federal state", in Schiller, T. (ed.) *Local direct democracy in Europe*, Springer Science & Business Media.
- Schneider, C., and Welp, Y. (2015): "Diseños Institucionales y (des) equilibrios de poder: las instituciones de participación ciudadana en disputa", *Revista Mexicana de Ciencias Políticas y Sociales*, 60(224): 15-43.
- Schneider, C., and Welp, Y. (2011): "¿Transformación democrática o control político? Análisis comparado de la participación ciudadana institucional en América del Sur", *Íconos-Revista de Ciencias Sociales*, (40): 21-39.
- Schwarz, A. (2012): "The love parade in Duisburg: lessons from a tragic blame game", in Schwarz, A. M. and Pratt, C. B. (eds.): *Case studies in crisis communication: international perspectives on hits and misses*, New York/London: Routledge.
- Seo, H. (2017): *Reaching out to the people? Parliament and citizen participation in Finland* (Doctoral Dissertation). Tampere: Tampere University Press.
- Serdült, U. (2018): "Switzerland", en Qvortrup, M.: *Referendums Around the World*, Basingstoke: Springer.
- Serdült, U. (2015): "A dormant institution – history, legal norms and practice of the recall in Switzerland", *Representation, Journal of Representative Democracy*, 51 (2): 161-172.
- Serdült, U. and Welp, Y. (2017): "The levelling up of a political institution. Perspectives on the recall referendum", in Ruth, S., Welp, Y. and Whitehead, L.: *Let the people rule? Direct democracy in the twenty-first century*, ECPR Press.
- Serdült, U. and Welp, Y. (2012): "Direct Democracy Upside Down", *Taiwan Journal of Democracy*, 8(1): 69-92.
- Setälä, M. and Schiller, T. (eds.) (2009): *Referendums and representative democracy. Responsiveness, accountability and deliberation*, London/New York: Routledge.
- Sidor, M. (2012): "The Process of Enhancing Citizens' Participation in Local Government in Poland", *Socialiniai tyrimai*, (3), 28.
- Smith, D. A., and Tolbert, C. (2004): *Educated by initiative: The effects of direct democracy on citizens and political organizations in the American states*, Ann Arbor: University of Michigan Press.
- Smith, M. L. (2011): "Local Direct Democracy in the Czech Republic", in Schiller, T. (ed.): *Local direct democracy in Europe*, Springer Science & Business Media.
- Solar M. (2016): "Direktdemokratische Verfahren in Berlin und Hamburg – Die institutionellen Rahmenbedingungen", en: *Regieren im Schatten der Volksrechte*, Springer VS, Wiesbaden.
- Sonenshein, R. (2006): *Los Angeles: Structure of a city government*, Los Angeles: League of Women Voters of Los Angeles.
- Soto Barrientos, F. (2017): "Mecanismos de participación ciudadana en el proceso legislativo, los desafíos de su recepción en Chile", *Oñati Socio-legal Series* [online], 7 (5): 1144-1159.
- Stiftung, B. (2011): *Demokratie vitalisieren - politische Teilhabe stärken*, Gütersloh: Bertelsmann Stiftung.
- Stiftung, B. and Baden-Württemberg, S. (2014): *Partizipation im Wandel*, Gütersloh: Bertelsmann Stiftung.
- Suárez Antón, O. (2017): *La iniciativa de agenda en América Latina y la Unión Europea*, doctoral thesis, Instituto Universitario de Investigación Ortega y Gasset, Universidad Complutense de Madrid.
- Suksi, M. (1993): *Bringing in the People: A Comparison of Constitutional Forms and Practices of the Referendum*, Dordrecht/Boston/London: Martinus Nijhoff publishers.
- Susha, I., and Grönlund, Å. (2014): "Context clues for the stall of the Citizens' Initiative: lessons for opening up e-participation development practice", *Government Information Quarterly*, 31(3): 454-465.
- Takanobu, T. (2000): "Local Self-Governance in Japan: the realities of the direct demand system", *National Institute for Research Advancement Review*, 7(2): 26-29.

- Taralezhkova, I. (2011): "Towards a law on local direct democracy in Bulgaria", in Schiller, T. (ed.): *Local direct democracy in Europe*, Springer Science & Business Media.
- Vargas-Tetmajer, A. (2016): "Urban movements in Poland—a short presentation", *Urban Research & Practice*, 9(3): 311-321.
- Welp, Y. (2018): "Recall referendum around the world: origins, institutional designs and current debates", in Morel, L. and Qvortrup, M. (eds.): *The Routledge Handbook to Referendums and Direct Democracy*, Abingdon, New York: Routledge.
- Welp, Y. (2017): "La participación ciudadana como compromiso democrático" [Citizen's Participation as a Democratic Commitment], *Revista Mexicana de Derecho Electoral*, 10: 97-121.
- Welp, Y. (2016): "Recall referendums in Peruvian municipalities: a political weapon for bad losers or an instrument of accountability?", *Democratization*, 23(7): 1162-1179.
- Welp, Y. and Rey, J. (2014): "Revocatoria del mandato y democracia: análisis de las experiencias recientes en Lima y Bogotá", *Democracias*, 2: 169-186.
- Welp, Y. and Ruth, S. (2017): "The Motivations Behind the Use of Direct Democracy", in Ruth, S.; Welp, Y. and Whitehead, L. (eds.): *Let the People Rule? Direct Democracy in the Twenty-First Century*, Colchester: ECPR Press.
- Welp, Y. and Serdült, U. (2011): "¿Jaque a la representación? Análisis de la revocatoria de mandato en los gobiernos locales de América Latina", in Welp, Y. and Whitehead, L. (eds.): *Caleidoscopio de la innovación democrática en América Latina*, Mexico: FLACSO.
- Welp, Y., and Suárez, O. (2017): "¿Cambio o cumbia? Análisis de la iniciativa de agenda en América Latina", *Revista Boliviana de Ciencia Política*, 1(1).
- Whitehead, L. (2018): "The recall of elected officeholders the growing incidence of a venerable, but overlooked, democratic institution", *Democratization*, 25 (8): 1341-1357.
- Whitehead, L. (2017): "Between the 'fiction' of representation and the 'faction' of direct democracy", in Ruth, S.; Welp, Y. and Whitehead, L. (eds.): *Let the people rule? Direct democracy in the twenty-first century*, Colchester: ECPR Press.
- Williams, G., and Chin, G. (2000): "The Failure of Citizens's Initiated Referenda Proposals in Australia: New Directions for Popular Participation?", *Australian journal of political science*, 35(1): 27-48.
- Yasuhiro, M. (2007): "Okina a and the Paradox of Public Opinion: Base Politics and Protest in Nago Cit, 1997-2007", *The Asia-Pacific Journal Japan Focus Volume*, 5(8).

- ¹ We want to sincerely thank Suzanna Wylie, Lucy Powell, Marc Farràs and Adrian Bua for their contribution in the translation of the report.
- ² Regarding the ideological orientation that might drive these processes, conservatives opposed the initiative the first time it was proposed in the USA, arguing that it would turn into a tool of the left. However, some studies suggest that the initiative tends towards the centre when a legislature moves sharply to the right or the left (Lupia and Matsusaka 2004).
- ³ It is not possible to generalize in the same way about the mechanisms initiated by public authorities.
- ⁴ <https://www.idea.int/data-tools/data/direct-democracy>
- ⁵ <https://www.direct-democracy-navigator.org/>
- ⁶ <http://aceproject.org/ace-en/focus/direct-democracy/default>
- ⁷ <https://participedia.net/>
- ⁸ See Orestes Suárez Antón, “La justicia al rescate de la política europea”: goo.gl/8hr73Q
- ⁹ See Alejandro Montrbun, “Otra forma de gobierno sin intendentos ni concejales”: goo.gl/dA3Mbq
- ¹⁰ www.kansalaisaloite.fi
- ¹¹ “Not In My Back Yard” acronym. It refers to opposition to installations or infrastructure (usually deemed necessary) near the place of residence.
- ¹² goo.gl/vuTGcM
- ¹³ goo.gl/E1LUyC
- ¹⁴ goo.gl/g4jrsf
- ¹⁵ goo.gl/w78QFy
- ¹⁶ goo.gl/mTecBA
- ¹⁷ goo.gl/z78x2Q
- ¹⁸ goo.gl/MbymGN
- ¹⁹ goo.gl/vMwQDL
- ²⁰ goo.gl/epJ2TZ
- ²¹ goo.gl/vFYGr2
- ²² goo.gl/WUYWhC
- ²³ goo.gl/9tetgN
- ²⁴ goo.gl/HuhJWW
- ²⁵ goo.gl/DKsrtk
- ²⁶ goo.gl/UX7JFm
- ²⁷ goo.gl/nBpWdj
- ²⁸ goo.gl/i4qwbH
- ²⁹ goo.gl/ZEqMpf
- ³⁰ goo.gl/YKogb5
- ³¹ goo.gl/AV9ATs
- ³² goo.gl/JgM5Fn
- ³³ goo.gl/3Cs8kn
- ³⁴ goo.gl/d2j2o6
- ³⁵ goo.gl/wQEaGz
- ³⁶ goo.gl/QieB6p
- ³⁷ goo.gl/oghraE
- ³⁸ goo.gl/8j9MVi
- ³⁹ goo.gl/YyPnxh
- ⁴⁰ goo.gl/pfhR5e
- ⁴¹ goo.gl/5zN2Wu

⁴² goo.gl/mUyUy2

⁴³ goo.gl/BvGZhe

⁴⁴ goo.gl/BMa9Rz

⁴⁵ goo.gl/iopx2E

⁴⁶ goo.gl/s3oWrr

⁴⁷ goo.gl/YVjWD3

⁴⁸ goo.gl/zbZLQh

⁴⁹ goo.gl/5yddkf

⁵⁰ goo.gl/5JVCst

⁵¹ goo.gl/D6bMsA

⁵² goo.gl/oTEfyE

⁵³ goo.gl/WteX9N

⁵⁴ goo.gl/bDz6Yx

⁵⁵ We would like to thank Amelie Buck (University of Frankfurt) for her support in the review of the original documents in German.

⁵⁶ goo.gl/Myq2rZ

⁵⁷ goo.gl/Eehh9m

⁵⁸ goo.gl/ufCgqq

⁵⁹ An agreement project is similar to a city ordinance. It is a regulation adopted by the local legislative body (City Councillors or Council of Representatives).

⁶⁰ goo.gl/TCrnyL

⁶¹ goo.gl/FuE5ey

⁶² goo.gl/BWaKbV

⁶³ goo.gl/bCJRcB

⁶⁴ goo.gl/qfbVop

⁶⁵ The power of local initiative shall not be exercised more than once a year (art. 15).

⁶⁶ goo.gl/Dh93xx

⁶⁷ goo.gl/xEEQPi

⁶⁸ goo.gl/2V2LGN

⁶⁹ goo.gl/WK7LH7

⁷⁰ goo.gl/2zKW3T

⁷¹ goo.gl/7A5Lii

⁷² goo.gl/MvNeMZ

⁷³ goo.gl/oWZMAq

⁷⁴ goo.gl/r84CFn

⁷⁵ goo.gl/qdHbhb

⁷⁶ goo.gl/YcW5dT

⁷⁷ goo.gl/fFfQQp

⁷⁸ goo.gl/6sT4QS

⁷⁹ goo.gl/LrqDSG

⁸⁰ goo.gl/WrCtKz

⁸¹ goo.gl/xGg4L3

⁸² goo.gl/ac6GUx

⁸³ goo.gl/mthfQL

- 84 goo.gl/RXok7t
- 85 goo.gl/2dmQfF
- 86 goo.gl/x9jAXn
- 87 goo.gl/FYY53R
- 88 goo.gl/Ahn2k4
- 89 goo.gl/VTHBv7
- 90 goo.gl/cZZj33
- 91 goo.gl/X5gSts
- 92 goo.gl/juU9f4
- 93 goo.gl/aJFJpz
- 94 goo.gl/og4avQ
- 95 goo.gl/A17MPh
- 96 goo.gl/XJ39fg
- 97 goo.gl/mbKPbA
- 98 goo.gl/3qhZEE
- 99 goo.gl/LpDSbo
- 100 goo.gl/L4isjP
- 101 goo.gl/RJz3jq
- 102 goo.gl/uJVW6K