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# CHAPTER 8

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CHAPTER 8

# Direct democracy in today's world: a comparative overview

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208. The instruments of direct democracy are found in all regions of the world, although their usage varies considerably from one country to another. Many countries have provisions for one or more direct democracy procedures in their laws or constitutions, but make use of them only in exceptional circumstances. Others use these instruments more routinely and have integrated them more completely into political life. Throughout the world today, use of the instruments of direct democracy is increasing. In this chapter, the patterns of legal provision for, and the practice of, direct democracy in all regions of the world are examined, highlighting those countries with the most experience of using these instruments and processes.

## **Africa**

209. Referendums in African countries are most often called by the authorities, although a few countries (e.g. Uganda) also have provisions for citizens' initiatives or recall. Most referendums have dealt with constitutional issues, and the device has been employed in a number of instances to ratify a new constitution, as in Benin (1990) and Mali (1992). A referendum in South Africa in 1992 ended apartheid and began the process of transition to a multiracial democracy.

**Table 8.1. Frequency of usage of direct democracy mechanisms at the national level in Africa**

Frequency of usage at national level	Country or territory	Referendum	Citizens' initiatives	Agenda initiatives	Recall
	ALGERIA	•			
	MOROCCO	•			
	COMOROS	•			
	MADAGASCAR	•			
	TANZANIA, UNITED REPUBLIC OF				
	TOGO	•	•	•	
	CONGO, REPUBLIC OF THE	•			
	EQUATORIAL GUINEA	•			
	NIGER	•		•	
	BENIN	•		•	
	BURKINA FASO	•		•	
	BURUNDI	•			
	CENTRAL AFRICAN REPUBLIC	•			
	CONGO, DEMOCRATIC REPUBLIC OF THE	•		•	
	GHANA	•			
	LIBERIA	•	•	•	
	SUDAN	•			
	BOTSWANA	•			
	CAMEROON	•			
	CHAD	•			
	DJIBOUTI	•			
	GAMBIA	•			
	GUINEA	•			
	SENEGAL	•			
	SOMALIA	•			•
	SOUTH AFRICA	•			
	CÔTE D'IVOIRE	•			
	MALI	•			
	MAURITANIA	•			

Frequency of usage at national level	Country or territory	Referendum	Citizens' initiatives	Agenda initiatives	Recall
	NAMIBIA	•			
	RWANDA	•			
	SEYCHELLES	•			
	SIERRA LEONE	•			
	SWAZILAND	•			
	UGANDA	•	•	•	•
	ERITREA			•	
	ETHIOPIA	•			•
	GABON	•			
	GUINEA-BISSAU				
	KENYA				
	LIBYAN ARAB JAMAHIRIYA				
	MALAWI	•			
	SÃO TOMÉ AND PRINCIPE	•			
	TUNISIA	•			
	ZAMBIA	•			
	ZIMBABWE				
	ANGOLA	•			
	CAPE VERDE	•	•	•	
	LESOTHO	•			
	MAURITIUS	•			
	MOZAMBIQUE	•			
	NIGERIA	•			•

### Algeria

210. Referendums in Algeria have been used principally to deal with constitutional issues. A referendum in 1962 authorized the drafting of a new constitution, and a vote in 1963 ratified that document. Further constitutional reforms were approved in referendums in 1976, 1989 and 1996. A referendum in 1999 provided for an amnesty for guerrilla fighters in an effort to end the civil war, and a 2005 referendum (known as the 'Peace Referendum') approved a presidential plan for national reconciliation. In the Peace Referendum, 97 per cent of those participating voted in favour of President Abdelaziz Bouteflika's Charter for Peace and National Reconciliation. Turnout in the 2005 referendum was 80 per cent.

## Madagascar

211. In 1992, voters in Madagascar approved a new constitution by a vote of 73 per cent to 27 per cent. Turnout in this referendum was 65 per cent. The 1992 constitution institutionalized direct democracy procedures by providing for presidential plebiscites and obligatory referendums on changes to the constitution. In 2007, voters in Madagascar approved a package of constitutional reforms that included provisions for wider presidential emergency powers and changes in language rights. With a turnout of 43 per cent in this referendum, the proposed constitutional changes were approved by 75 per cent of those participating.

## Uganda

212. The 1995 constitution made provisions for direct democracy in Uganda. Under article 255 of the constitution, parliament is required to protect the right of citizens to demand the holding of a referendum on any issue and to provide for the holding of a referendum by the Electoral Commission upon a reference by the government. Citizens are also able to initiate a referendum on change in the political system through a petition to the Electoral Commission signed by 10 per cent of all registered electors in two-thirds of the parliamentary constituencies. There are also provisions for the recall of elected members of parliament by two-thirds of the registered electors in a constituency. In 2000, Ugandans voted in a referendum to determine the type of political system, and in 2005 a second referendum approved a change to a multiparty system (see the case study following chapter 7).

## The Americas

**Table 8.2. Frequency of usage of direct democracy mechanisms at the national level in the Americas**

Frequency of usage at national level	Country or territory	Referendum	Citizens' initiatives	Agenda initiatives	Recall
■	URUGUAY	•	•	•	
■	GUATEMALA	•		•	
■	HAITI				
■	ECUADOR	•	•	•	•
■	PANAMA	•			
■	VENEZUELA	•	•	•	•
■	CHILE	•			
■	COLOMBIA	•	•	•	•

Frequency of usage at national level	Country or territory	Referendum	Citizens' initiatives	Agenda initiatives	Recall
	BOLIVIA	•	•	•	•
	BRAZIL	•		•	
	PERU	•	•	•	
	CANADA	•			
	COSTA RICA	•	•	•	
	ANGUILLA				
	BERMUDA	•			
	CUBA	•			
	PARAGUAY	•		•	
	SAINT KITTS AND NEVIS	•			
	ARGENTINA	•		•	
	ARUBA				
	BAHAMAS	•			
	DOMINICAN REPUBLIC				
	FALKLAND ISLANDS (MALVINAS)				
	GUYANA				
	HONDURAS	•		•	
	JAMAICA				
	NETHERLANDS ANTILLES				
	SURINAME	•			
	ANTIGUA AND ARUBA	•			
	BARBADOS				
	BELIZE				
	CAYMAN ISLANDS				
	DOMINICA	•			
	EL SALVADOR	•			
	GRENADA	•			
	MEXICO				
	MONSERRAT				
	NICARAGUA	•	•	•	
	SAINT LUCIA	•			
	SAINT VINCENT AND THE GRENADINES	•			

Frequency of usage at national level	Country or territory	Referendum	Citizens' initiatives	Agenda initiatives	Recall
	TRINIDAD AND TOBAGO				
	TURKS AND CAICOS ISLANDS				
	UNITED STATES OF AMERICA				
	VIRGIN ISLANDS, BRITISH				

## North America

213. Direct democracy procedures in North America are found primarily at the state and local level in the United States. There is a particularly vigorous usage of all types of direct democracy practices in many of the western US states. Direct democracy is less widely practised in Canada, although there have been several important referendums at the federal and provincial levels.

### *Canada*

214. There have been only three national referendums or plebiscites in Canada, one of which was a vote on a set of proposed changes to the constitution in 1992. There is a federal referendum law which allows the federal government to hold a referendum on any issue, but there are no provisions at the national level for citizens' or agenda initiatives, or for the recall of elected officials. Referendums have also taken place in Canada at the provincial and territorial levels. A referendum was held in the Northwest Territories on the creation of the new territory of Nunavut in 1992. Quebec held referendums on sovereignty in 1980 and 1995, and also held its own referendum on the 1992 constitutional proposals. As is typical within the British parliamentary tradition, the results of a referendum can never be binding. It is up to Parliament or the provincial legislatures to decide whether, and how, to act on the result of any referendum.

### *The United States*

215. There are no provisions for direct democracy of any kind at the national level in the United States. However, there is a very active usage of direct democracy procedures in many of the US states. Nearly all employ direct democracy procedures for amending state constitutions. Twenty-four states have provisions for citizens' initiatives, and 18 states allow recall of elected officials. Citizens' initiatives are more widely used in the western states, particularly California, Colorado, North Dakota and Oregon. (On

Oregon, see the case study following chapter 4.) Recall is less frequently used, but the recall of the governor of California in 2003 was an important event in that state (see box 5.1). There has been an active debate in the United States about potential misuses of direct democracy, but it remains popular with voters in most of the states where it is most widely used.

## Central and South America

216. Many Latin American countries have incorporated provisions for the use of direct democracy into their constitutions. Initially, direct democracy instruments were employed mainly for the ratification of national constitutions, but they have come to be used for a wider range of issues. In Latin America, they have been most successfully employed in countries where the institutions of representative democracy are most solid. Among the countries that have used instruments of direct democracy more extensively in recent years are Chile, Colombia, Ecuador, Panama, Uruguay and Venezuela. Mexico does not employ direct democracy at the national level, but there is some use of direct democracy processes in some Mexican states.

### *Uruguay*

217. Nowhere in Latin America have the instruments of direct democracy been used more often than in Uruguay, which established a semi-representative or semi-direct system of government in its constitution of 1934 (see the case study following chapter 7). Since the 1973–85 dictatorship, referendum issues have included the revocation of amnesty laws (in 1989), measures to safeguard pensions (1989), the privatization of state-owned companies (1992), constitutionally fixed budgets for the education system (1994), legal restrictions on workers' claims against their employers (1998) and the privatization of water assets (2004). The Uruguayan experience of direct democracy has often suggested that voters remain politically loyal to the parties that they support.

### *Panama*

218. The first referendum in Panama, held in 1983, proposed a number of amendments to the 1972 constitution, such as the replacement of the 505-member National Assembly of Municipal Representatives by a national legislature of 70 members. The proposals were approved by 88 per cent of those participating – a result that strengthened the authoritarian regime of Manuel Noriega. In 1992, a referendum was held on further constitutional reforms. A third referendum was held in 1998 in which 64 per cent of the voters rejected a proposal to change the constitution so as to allow immediate re-election of the president. In 2006 Panama held a national referendum on a proposal to enlarge the Panama Canal.

## ***Ecuador***

219. The first referendum to take place in Ecuador was organized by the military regime in 1978, during the country's transition to democracy. A new constitution was approved but further constitutional reforms stagnated until 1984, when President León Febres proposed to strengthen presidential powers so as to enable him to call referendums on constitutional reform. In 1995, during a period of conflict with the legislature, President Sixto Durán called for a consulta hoping to gain power to dissolve the parliament. This proposal was firmly rejected by the voters. A constitutional crisis triggered the next use of direct democracy, in 1997, removing President Abdalá Bucarám from office and appointing Fabián Alarcón Rivera as an interim replacement. In both the 1995 and 1997 referendums, a number of other policy and reform proposals were also placed on the ballot paper, including the abolition of the right to strike in the public sector, the privatization of social insurance, and judicial reforms. Most of these proposals were not approved by the voters.

## ***Chile***

220. A national plebiscite took place in 1978, five years after Augusto Pinochet seized power in a military coup. The next plebiscite, also called by Pinochet, was held in 1980 to decide on a new constitution, which was to become the foundation for the new government. The new constitution obliged Pinochet to seek continued endorsement in yet another plebiscite or to call new elections within a period of eight years. In 1988, therefore, Pinochet called one of the most important referendums to have been held in Latin America to date. The opposition gained 56 per cent of the votes, thus putting an end to a dictatorship that had lasted for 15 years. Counting on a strong economy and controlled media, Pinochet had hoped to legitimize his position through a 'democratic' vote. Ironically, he had to accept defeat in and by a plebiscite that he himself had instituted. Chile's fourth national plebiscite was held the following year. Centring on constitutional reform, that referendum confirmed and furthered the transition to democracy.

## ***Colombia***

221. In Colombia, constitutional provisions for direct democracy were introduced in 1991. The reform of the earlier constitution was largely motivated by a general crisis in democratic institutions – a crisis deepened by the ever-increasing numbers of political murders carried out by drug cartels and guerrilla movements. Colombia has seen a number of different kinds of referendum since 1991. The most (in)famous took place in 2003, when President Álvaro Uribe presented the electorate with 15 different proposals in a single referendum. The proposals covered a wide range of political and administrative issues – action against corruption, reductions in government expenditure and increases in state funding for sanitation and education – but only the proposal on anti-corruption measures reached the turnout quorum of 25 per cent. The low turnout in the 2003 referendum sparked extensive debate on the principles and procedures of direct democracy.

## Venezuela

222. The 1998 elections, in which Hugo Chávez was elected president, were a turning point for direct democracy in Venezuela. In 2004 the opposition convened a presidential recall, which Chávez survived (see the case study following chapter 1). His promise to include instruments of direct democracy in the constitution, so as to overcome the supposed limitations of representative democracy, had been central to Chávez's electoral platform. In April 1999, he held a referendum asking voters to authorize elections for a new assembly. The Venezuelan constitution was then reformed through a plebiscite held in December 1999. The new constitution stated that Venezuelan citizens have the right to a wide range of direct democracy instruments such as plebiscites, consultas, referendums, constitutional initiatives, indirect legislative initiatives, recalls and powers to revoke existing laws.

## Asia

223. While few Asian countries use direct democracy procedures extensively, a mixture of different instruments and procedures exists in a number of countries. The 1987 constitution in the Philippines was ratified in a referendum, and institutionalized a number of direct democracy instruments including provisions for both citizens' and agenda initiatives. Kyrgyzstan and Taiwan have provisions for referendums called by the authorities, as well as agenda initiatives and recall. In Taiwan, in addition to many local referendums, two referendums on international issues have been called by the government, each on the same day as presidential elections. In March 2004, one referendum question referred to the intensification of defence, and the other to reopening peace discussions with Beijing; neither vote was valid since the participation rate of 45 per cent of registered electors did not meet the turnout quorum of 50 per cent. On 22 March 2008, in the referendum on support for Taiwan's bid for membership of the United Nations, the 'Yes' side did not receive a majority of votes cast.

**Table 8.3. Frequency of usage of direct democracy mechanisms at the national level in Asia**

Frequency of usage at national level	Country or territory	Referendum	Citizens' initiatives	Agenda initiatives	Recall
■	PHILIPPINES	•	•	•	
■	MALDIVES	•			
■	CAMBODIA				
■	KYRGYZSTAN	•		•	•
■	KOREA, REPUBLIC OF	•			

Frequency of usage at national level	Country or territory	Referendum	Citizens' initiatives	Agenda initiatives	Recall
	AZERBAIJAN	•			
	IRAN, ISLAMIC REPUBLIC OF	•			
	UZBEKISTAN	•			
	BANGLADESH	•			
	TAJIKISTAN	•			
	INDONESIA				
	KAZAKHSTAN	•			
	PAKISTAN	•			
	TAIWAN	•	•		•
	TURKMENISTAN	•	•	•	
	BURMA				
	MONGOLIA	•			
	NEPAL				
	SINGAPORE	•			
	SRI LANKA	•			
	THAILAND	•		•	
	VIET NAM	•			
	AFGHANISTAN	•			
	BHUTAN				
	BRUNEI DARUSSALAM				
	CHINA				
	INDIA				
	JAPAN	•			
	KOREA, DEMOCRATIC PEOPLE'S REPUBLIC OF				
	LAO PEOPLE'S DEMOCRATIC REPUBLIC				
	MALAYSIA				
	TIMOR-LESTE	•			

### ***The Philippines***

224. A number of referendums were held in the Philippines under the authoritarian regime of President Ferdinand Marcos. Following Marcos' downfall, a new constitution was approved by the voters in a referendum on 2 February 1987. The 1987 constitution recognized the right of the people to exercise by 'direct initiative' many powers previously reserved to the government. These included powers to repeal national and local laws, to propose new laws, and to propose amendments to the constitution. In keeping with this provision, the Congress in 1989 adopted an Initiative and Referendum Act setting out the procedures under which 10 per cent of registered electors, including a minimum of 3 per cent in each electoral district, can initiate a vote on an issue. In addition to the national provisions, the possibility of local-level recall is detailed in Book One of the Local Government Code of the Philippines, which states 'the power of recall for loss of confidence shall be exercised by the registered voters of a local government unit to which the local elective official subject to such recall belongs'.

### ***Thailand***

225. On 19 September 2006 a military junta toppled the democratically elected government of Prime Minister Thaksin Shinawatra. The leaders of the coup annulled the 1997 constitution and appointed a Constitution Drafting Assembly to write a new constitution. By the end of June 2007 a proposed new constitution was published, and the Constitution Drafting Assembly announced that a national referendum would take place on 19 August. Copies of the draft constitution, comprising more than 300 articles, were published and sent to all Thai families on 31 July. Thus, a very short period of 19 days was provided for informing the voters on a lengthy and complex document. The result of the referendum was an endorsement of the new constitution as 58 per cent voted 'Yes' and 42 per cent 'No'. However, only about 58 per cent of the eligible electors participated in the referendum.

### ***Japan***

226. According to article 96 of the Japanese constitution, amendments to the constitution may be adopted by a two-thirds majority of both houses of the Diet and are then to be submitted to a vote of the people. No referendums have been held in Japan to date under this provision. There are, however, initiative and referendum practices at the local level, and local referendums have been held to deal with issues such as nuclear power plants, waste processing plants, the construction of dams and the location of US military bases.

## Europe

Table 8.4. Frequency of usage of direct democracy mechanisms at the national level in Europe

Frequency of usage at national level	Country or territory	Referendum	Citizens' initiatives	Agenda initiatives	Recall
◀◀◀◀	SWITZERLAND	•	•		
◀	ITALY	•	•	•	
◀	LIECHTENSTEIN	•	•	•	•
◀	FRANCE	•			
◀	IRELAND, REPUBLIC OF	•			
◀	DENMARK	•			
◀	SLOVENIA	•	•	•	
◀	ROMANIA	•		•	
◀	ESTONIA	•			
◀	GREECE	•			
◀	LATVIA	•	•	•	
◀	LITHUANIA	•	•	•	
◀	SWEDEN	•			
◀	NORWAY	•			
◀	SAN MARINO			•	
◀	SLOVAKIA	•	•	•	
◀	SPAIN	•		•	
◀	ANDORRA	•		•	
◀	HUNGARY	•	•	•	
◀	ICELAND	•			
◀	POLAND	•		•	
◀	ARMENIA	•			
◀	MALTA	•	•		
◀	PORTUGAL	•		•	
◀	TURKEY	•			
◀	ALBANIA	•	•	•	
◀	AUSTRIA	•		•	
◀	BELARUS	•	•	•	•
◀	BULGARIA	•			
◀	CYPRUS (NORTH)	•			

Frequency of usage at national level	Country or territory	Referendum	Citizens' initiatives	Agenda initiatives	Recall
	GEORGIA	•	•	•	
	GIBRALTAR	•			
	LUXEMBOURG	•			
	UKRAINE	•	•		
	CYPRUS				
	FINLAND	•			
	MACEDONIA, THE FORMER YUGOSLAV REPUBLIC OF	•	•	•	
	MOLDOVA, REPUBLIC OF	•	•	•	
	RUSSIAN FEDERATION	•	•		
	BOSNIA AND HERZEGOVINA				
	CROATIA	•	•		
	CZECH REPUBLIC	•			
	MONTENEGRO	•		•	
	NETHERLANDS	•		•	
	SERBIA	•	•	•	
	UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND	•			
	BELGIUM				
	GERMANY				
	GUERNSEY				
	HOLY SEE (VATICAN CITY STATE)				
	JERSEY	•			
	MAN, ISLE OF				
	MONACO				
	SAINT HELENA				

227. Historically, referendums have been an important part of the political process in Europe. A number of referendums were held in France during the Revolutionary and Napoleonic periods, and a tradition of direct democracy became established. Switzerland has had provisions for direct democracy in its constitution since 1778, and uses direct democracy procedures extensively in its politics at both the national and the cantonal levels. With the advent of the EU, the usage of direct democracy has become more widespread in Europe. Referendums have been used by a number of European countries as part of the process of deciding whether to join the EU, and in others to ratify major EU treaties. Provisions for both citizens' initiatives and agenda initiatives are found widely throughout Europe, although recall is less common. Liechtenstein, however, has provisions in its constitution for all four of these instruments, and uses direct democracy procedures extensively. Historically, direct democracy has not been associated with the British political tradition, but referendums have been employed selectively in the UK in recent years.

### ***Switzerland***

228. Switzerland is generally acknowledged to be the world leader in the use of direct democracy (see the case study following chapter 1). Typically, Swiss citizens vote on several initiatives, constitutional proposals or treaties three or four times each year. For most types of referendum, a double majority – that is, a popular majority and a majority of the cantons – is required if the referendum is to pass. Direct democracy instruments are also extensively used in the Swiss cantons and at the local level. Experience in Switzerland has shown that initiatives and referendums can be fully integrated into the political system in a way that enhances democracy at all levels. In recent years, referendums have dealt with subjects such as immigration, genetically modified foods, health care, taxes and transport, to mention only a few of the many subjects which have been treated in citizens' initiatives or other types of popular vote.

### ***France***

229. The tradition of direct democracy in France dates back to the period following the French Revolution. The constitution of the Fifth Republic was adopted by means of a referendum in 1958. Since then, a number of referendums have been held under article 11 of the constitution, which empowers the president of the republic to 'submit to a referendum any government bill which deals with the organization of the public authorities, or with reforms relating to the economic or social policy of the Nation'. Referendums have been held in France on the Maastricht Treaty (1992), the length of the president's term of office (2000) and the EU Constitutional Treaty (2005).

### ***The Republic of Ireland***

230. In the Republic of Ireland, all constitutional amendments must be submitted to a referendum. Because they have been entrenched in the constitution, this has meant

that issues such as divorce and abortion have been the subject of referendum votes. The courts in the Republic of Ireland have also ruled that major treaties that involve any transfer of sovereignty or jurisdiction in constitutional areas must be submitted to a referendum. Thus, EU treaties such as those of Maastricht (1992), Nice (2001 and 2002) and Lisbon (2008) have been submitted to referendum votes. Because of the importance of these referendums to its national politics, the Republic of Ireland has developed an extensive process for the regulation of referendum campaigns. Government activity is severely restricted, and a Referendum Commission is responsible for providing public information about the subject of the referendum and encouraging participation.

### **Italy**

231. Italy has a rare constitutional provision for the 'abrogative referendum' in which 500,000 voters or five regional councils can demand a referendum on total or partial repeal of an existing law. No such referendums are allowed for tax or budget laws, amnesties, pardons, or ratification of international treaties. There is also a provision in the Italian constitution for agenda initiatives, which can be proposed by 50,000 citizens, and can be sent to a referendum by the parliament if it so decides. This provision is little used, but since 1974 there have been many abrogative referendum votes dealing with subjects such as advertising, media ownership, party finance, the drug laws and electoral reform. A turnout quorum of 50 per cent of eligible electors is required for the passage of a proposal, and the parliament has two months to change or amend a law following the passage of an abrogative measure.

### **Denmark**

232. The Danish constitution provides for mandatory referendums on constitutional amendments and on the delegation of sovereignty to international authorities. There is also a provision under which one-third of the members of parliament can demand a referendum on a bill passed by the parliament. It is also possible for the authorities to call referendums on other issues. There are no provisions for citizens' initiatives or recall. Denmark has had a number of important referendums in recent years on issues of European integration, including referendums on the Maastricht Treaty (1992) and on the adoption of the euro (2000).

### **The Middle East**

233. Among the institutions of direct democracy, only referendums (or plebiscites) called by the authorities are found in the Middle East. The countries that have made the most use of this device are Egypt and Syria.

**Table 8.5. Frequency of usage of direct democracy mechanisms at the national level in the Middle East**

Frequency of usage at national level	Country or territory	Referendum	Citizens' initiatives	Agenda initiatives	Recall
	EGYPT	•			
	SYRIAN ARAB REPUBLIC	•			
	IRAQ	•			
	YEMEN	•			
	BAHRAIN	•			
	QATAR	•			
	ISRAEL				
	JORDAN				
	KUWAIT				
	LEBANON				
	OMAN				
	PALESTINE				
	SAUDI ARABIA				
	UNITED ARAB EMIRATES				

### **Egypt**

234. Most referendums in Egypt have dealt with constitutional issues or with presidential powers. Referendums were held to secure the dissolution of the parliament (1987, 1990) and to confirm Hosni Mubarak as president (1981, 1987, 1993, 1999). A controversial referendum held in 2007 ratified extensive constitutional reforms, including a ban on religious political parties, the adoption of a new election law and procedures, the possibility for the president to dissolve the parliament unilaterally and the establishment of a new anti-terrorism law. Although 75 per cent of those participating approved the changes, the 2007 referendum saw a turnout of only 27 per cent.

### **Syria**

235. Referendums in Syria have been used mainly to confirm the president in office or to approve his policies. Referendums (1971, 1978, 1985, 1991 and 1999) maintained the presidency of Hafez el-Assad. In 2000, a referendum was employed to confirm his son, Baschar el-Assad, as president. In 2007, President Assad was retained in office for a

second seven-year term. The 'Yes' vote in this referendum was 97 per cent, and turnout was reported to be 95 per cent of the electorate.

## Oceania

236. Australia requires a referendum for amendments to the constitution, and instruments of direct democracy are also used in several of the Australian states. New Zealand has used instruments of direct democracy quite extensively, and adopted a new provision for 'citizen initiated referendums' in 1993. Palau and the Federated States of Micronesia have extensive provisions for direct democracy, including citizens' initiatives and recall.

**Table 8.6. Frequency of usage of direct democracy mechanisms at the national level in Oceania**

Frequency of usage at national level	Country or territory	Referendum	Citizens' initiatives	Agenda initiatives	Recall
	NEW ZEALAND	•	•	•	
	AUSTRALIA	•			
	PALAU	•	•		•
	MICRONESIA, FEDERATED STATES OF		•		•
	COOK ISLANDS	•	•		
	MARSHALL ISLANDS	•	•		
	NIUE	•			
	SAMOA	•			
	TOKELAU				
	KIRIBATI	•			•
	TIMOR-LESTE	•			
	TUVALU				
	FIJI				
	NAURU	•			
	PAPUA NEW GUINEA				
	PITCAIRN ISLANDS				
	SOLOMON ISLANDS				
	TONGA				
	VANUATU	•			

***New Zealand***

237. New Zealand has a long tradition of practising direct democracy. For many years, a referendum on liquor legislation was held automatically concurrent with each general election. In 1992 and 1993, referendums were held which resulted in a change in the electoral system from the British-style single-member plurality representation to a Mixed Member Proportional system. In 1993, the parliament adopted a Citizen Initiated Referenda Act which permitted 10 per cent of New Zealand citizens to propose a non-binding initiative on any issue. Under this legislation, a number of initiative petitions have been started, and three votes have been held to date (see box 3.2).

***Palau***

238. Palau is one of the world's youngest and smallest nations. It has about 20,000 inhabitants and 13,000 voters. The constitution provides for several direct democracy instruments, such as citizens' initiatives called by 10 per cent of the registered electors to enact or repeal national laws (except on appropriations); citizen's initiatives on constitutional amendments, which can be called by 25 per cent of the registered electors; and mandatory referendums on constitutional amendments. A double majority – a majority of the votes cast plus a majority in 12 of 16 states – is required for constitutional amendments. The constitution also provides for the recall of MPs, called by 25 per cent of the number of persons who voted in the most recent election for the MP concerned. Up to 2008, 23 referendums have been conducted, eight of them since independence in 1994. Between 1982 and 1993, Palau held eight referendums on the “Compact of Free Association with the United States” setting an example where persistence may lead to an eventual affirmation. In 2004 six referendums on constitutional amendments on the same day dealt with dual citizenship, joint election of the president and vice-president, limited terms for MPs, a unicameral parliament, uniform compensation for MPs, and a convention for constitutional amendments. All were passed except for the proposal for a unicameral parliament.

***Australia***

239. Amendments to the Australian constitution must be approved in a referendum. A double majority, comprising a majority of the national electorate and a majority in four of the six states, is required for an amendment to be adopted. The government may also hold non-binding referendums on other issues. Referendums are employed in the same manner in several of the Australian states. There are no provisions in Australia for citizens' or agenda initiatives, or for the recall of elected officials. In 1999, Australians voted in a referendum on a proposed constitutional amendment to replace the queen with a president to be chosen by parliament. The proposal was rejected by 55 per cent to 45 per cent. Voting in both elections and referendums in Australia is compulsory.

240. As this survey shows, the instruments of direct democracy are most widely used at the national level in Europe and Latin America. Switzerland and Uruguay are

the two countries in these regions, with the most extensive usage and the most fully developed integration of direct democracy with other political institutions. While there is no provision for direct democracy at the national level in the United States, the use of all forms of direct democracy is widespread in the US states, and these have been important laboratories for the development of direct democracy institutions and practices. There is also considerable use of the referendum in Australia at both the national and the state levels, and great interest in New Zealand with the adoption of a law providing for citizen initiatives. The usage of direct democracy in Asia, Africa and the Middle East has been more sporadic, and has generally been limited either to presidential plebiscites or the approval of a new constitution. Nevertheless, the spread of democracy has increased interest in these types of instruments in all parts of the world, and it is likely that their usage will increase as more countries gain experience with new forms of citizen engagement and democratic practice.