

# Local popular votes in Finland – procedures and experiences

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„It [the political system in Finland] is perhaps the best in the world.“

Paavo Lipponen, former Prime Minister and Speaker of the Finnish Parliament. Helsingin Sanomat 13.3.2007

„In comparison with Finland, the Swiss institution of the referendum is as if from another planet.“

Markku Suksi (2002)

What kind of popular vote procedures exist on the local level in Finland? How are these procedures used? Can they be categorized as direct-democratic? When were they introduced? And what are the prospects for modern direct democracy in Finland? These are the main questions dealt with in this article.

For understanding the Finnish popular vote procedures, it seems necessary to clarify the underlying concept of direct democracy and the use of the words ‚popular vote‘, ‚referendum‘, ‚initiative‘ and ‚plebiscite‘. Direct democracy is controversial, both as an idea and in practice. Different terminologies and typologies of procedures are used. The relationship between the name and the form of procedure is often not clear; for example, the same word ‚referendum‘ is used to designate different kinds of popular vote procedures. In different constitutions we find different terminologies and classifications, and this makes comparison more difficult.

The basic forms of modern direct democracy are based on the division of popular vote procedures into three different types: *initiative*, *referendum* and *plebiscite*. The *Initiative* comprises procedures where the author of the ballot proposal is the same as the initiator of the procedure, the *Referendum* procedures where the author of the ballot proposal is *not* the same as the initiator of the procedure. Finally the *Plebiscite* comprises procedures where the majority of a representative authority is both the author of the ballot proposal and the initiator of the procedure. However, there exist procedures and practices, which do complicate this classification and there are grey zones between the different types.

Starting from the basic terms used here, in Appendix 2 a more differentiated typology of popular vote procedures is presented which can help to compare the repertoires of direct-democratic instruments in different countries.<sup>1</sup> For the case of Finland, agenda initiatives and advisory referendum will have special importance.

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<sup>1</sup> Büchi 2006 and Kaufmann, Büchi, Braun 2007.

## Local Resident's Right of Participation in Finland

### *Description*

The rights of participation are regulated in chapter 4 of the Local Government Act (LGA) of 1995.<sup>2</sup> As on the national level (Constitution: Section 53), advisory popular votes are possible on the municipal level as well (LGA: Section 30). In both cases only the parliament or council (national parliament = eduskunta, municipal or local council = valtuusto) has the right to call a popular vote. It also decides the subject matter, the ballot question, and the polling date. There is no appeal against decisions of the local council not to call a popular vote (Act on Procedure: Section 99).

Local residents representing at least five per cent of the electorate may request an advisory popular vote (LGA: Section 31). The local council shall decide without delay whether to hold a popular vote (according to the provisions of Section 30). The subject matter must be specified in the request, and the sponsors must identify themselves as eligible voters. In addition to their signature the following data are required: name, profession or occupation, address (Act on Procedure: Section 4).<sup>3</sup>

The law obliges municipal councils to ensure that local residents have „opportunities to participate in and influence their local authority's operations“. According to the law participation can be furthered specifically, for example, by arranging municipal popular votes (LGA: Section 27).

A local resident has the right to petition. The petition must address a question which is within the competence of the municipality (LGA: Section 28.1).

If a petition to the local council is supported by at least 2% of the local electorate, the matter shall be considered by the local council within six months (LGA: Section 28.2).

### *Classification*

The LGA uses the terms „right of initiative“ (Section 28), „referendum proposals“ (section 31) and „municipal referenda“ (section 30). To understand and compare the Finnish procedures and experiences with those of other democracies, the terminology used in the LGA has first to be translated into a general typology (details in Appendix 2).

What the LGA defines under the header „municipal referenda“ (section 30) is a popular vote procedure under the exclusive control of the local parliament. No power-sharing between representatives and represented is involved. Based on our typology, the procedure is not direct democratic in the full sense and must be classified as an advisory local authorities' plebiscite.

What the LGA defines under the header „referendum proposals“ (section 31) can be considered a direct-democratic procedure only in a broad sense. There is some power-sharing between representatives and represented, but the latter do not have any decision-making power. In terms of our typology, this procedure can be classified as a popular initia-

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<sup>2</sup> English translation of the Local Government Act 365/1995:  
<http://hosted.kuntaliitto.fi/intra/julkaisut/pdf/p0702191032100.pdf>

<sup>3</sup> Act on Procedure: laki neuvon-antavissa kunnallisissa kansanäänestyksissä noudatettavasta menettelystä 656/1990 [www.finlex.fi/fi/laki/ajantasa/1990/19900656](http://www.finlex.fi/fi/laki/ajantasa/1990/19900656)

tive proposal or agenda initiative which includes the possibility of an advisory local authorities' plebiscite.

What the LGA calls „right to initiative“ (Section 28) is not a direct-democratic procedure but simply a petition. The result of our translation is the following (Table 5):

*Table 1:* Popular vote procedures in the Finnish Local Government Act: translation of terminology

LGA	LGA terminology	Our terminology	
		TYPE OF PROCEDURE	FORM OF PROCEDURE
Section 28	Right of initiative	FUNDAMENTAL RIGHT	Petition
Section 30	Municipal referenda	PLEBISCITE	Advisory local authorities' plebiscite
Section 31	Referendum proposals	MIXED: INITIATIVE + PLEBISCITE	Agenda initiative + possibility of advisory local authorities' plebiscite

The reality behind the terminology used by the LGA is not that of a real direct democracy at all. Finnish citizens and local residents do not have any decision-making power regarding substantive political issues.

Local resident's right of participation (LGA 365/1995)

(TYPE OF PROCEDURE, **Form of procedure**, Legal provisions (design of procedure))

*FUNDAMENTAL RIGHT:*

**Petition** (Section 28: right of initiative)

A local resident has the right to make a proposal to the municipality. The proposal must address a question which is within the competence of the municipality. The petitioner has to be informed about the measures taken in response to his/her initiative. The local council has to be informed at least once a year about the initiatives for which it is responsible and about the measures which have been taken in response to these initiatives.

If a petition, for which the local council is responsible, is made by at least 2 percent of the municipal electorate, then the local council has to consider the proposal within 6 months.

*MIXED (INITIATIVE + ADVISORY PLEBISCITE):*

Agenda initiative + advisory local authorities' plebiscite (Section 31 referendum proposals)

At least 5 percent of the municipal electorate can request the calling of a popular vote on a specified issue for which the municipality is responsible. The local council has to decide without delay whether an advisory popular vote (Section 30) will be organized (Section 31).

Act on Procedure: The issue of the requested popular vote has to be specified (Section 4). The sponsors must identify themselves as voters of the municipality. In addition to their signature the following data are required: name, profession or occupation, address (Section 4). Postal vote is possible (Section 9). The Ministry of Justice makes additional rules if needed (Section 19).

*ADVISORY PLEBISCITE:*

Advisory local authorities' plebiscite (Section 30 municipal referenda)

The local council can decide to organize a popular vote asking a question for which it is responsible. The popular vote is advisory. The procedure is regulated in a separate law.

Act on Procedure: The local council must decide the voting question and day at least 60 days in advance. The voters must have 3 options to answer the voting question: yes, no, no-opinion (Section 3). Postal vote is possible (Section 9). The Ministry of Justice makes additional rules if needed (Section 19).

*Practice 1: Petitions*

In the City of Järvenpää a conflict over land-use arose between local residents and the authorities. A citizens' movement gathered strength to protect a cultural landscape from intrusive urban development by the City. It organized countless debates, developed alternative plans for the area concerned, submitted statements and comments to the authorities, participated in public hearings, contacted the political parties and the municipal council, wrote articles and letters to the press, and gathered 4,764 signatures (the city has 37,500 inhabitants) for a petition; all this generated a huge public debate during the years 2002-2004.

In the Land Use and Building Act 132/1999 citizen participation or interaction between stakeholders and authorities during the whole planning process is emphasized. On its home page the City of Järvenpää invites people to participate. But what are the citizens' experiences when they get involved? Are their opinions valued and are they allowed to genuinely influence the plans?

In their own experience, active citizens were seen by the authorities as „potential complainers and plaintiffs, a threat, troublemakers, silly old grandmas“, and „persons who do not consider economic realities“. Seen from the grassroots perspective, authorities considered the opposing citizens, in contrast to themselves, as „not representative“, and as a „group of outsiders“ and „amateurs“ not entitled to decision-making.

Järvenpää is no singular case; elsewhere, for example in Helsinki and Tampere, people experience citizen participation in much the same way.<sup>4</sup> Citizens feel that their genuine participation is not welcome, and that their possibilities to influence decision-making are in no relation to the size of their efforts. This experience – that participation is a sham – lies at the heart of the often deep disappointment with politicians and the existing political system. There is a consensus among active citizens that the authorities are neither ready nor prepared to share power with the people. There is also a consensus among active people about sticking to the idea of self-directed citizenship and continuing the struggle to make participation real.

The campaign in Järvenpää shows many elements of a popular initiative process, but it assumes a deeply different character due to the categorical imbalance of power between the citizens and the decision makers. The result of all the hard work was disappointing. Attempts to get a popular vote on the issue failed, the local councillor who proposed calling a

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<sup>4</sup> Tampere: Häikiö 2005; Leino 2006; Helsinki: my interviews with participants of the City Forest Movement (ongoing research).

popular vote was accused of populism, and the local masterplan was adopted by the municipal council, without major changes, by 35 to 16 votes.<sup>5</sup>

In the light of these experiences it appears as no surprise that the petition (the so-called „right of initiative“) is the least-used form of citizen participation and that people do not believe in it as an efficient means of participation (Pekola-Sjöblom, Helander, Sjöblom 2006).

Finnish experiences with citizen participation are in many respects similar to experiences in other places and at other times. What Sherry Arnstein wrote in a well-known article on citizen participation as long ago as 1969 is true also for the consultation of citizens, an obligation set by many legal acts<sup>6</sup> in today's Finland: „What citizens achieve in all this activity is that they have ‚participated in participation.‘ And what powerholders achieve is the evidence that they have gone through the required motions of involving ‚those people.‘“

### *Practice 2: Agenda Initiative*

In Hämeenkyrö, the Vapo company plans to construct a waste incineration plant. The main purpose of this plant would be to produce heat and power for the local industry (a saw-mill, a board mill), which is looking for cheaper energy and less dependence on Russian natural gas.<sup>7</sup>

The project runs into opposition from local people.<sup>8</sup> For them waste incineration is a dirty energy source that will harm the environment and public health. They see the project as a megalomaniac enterprise and fear for the green image of their municipality.

Supporters of the project hope that cheaper energy for local industry will secure both employment and Hämeenkyrö as a workplace. They consider waste incineration rather as a clean energy solution than a threat to people and environment.

An advisory popular vote proposal is submitted to the local authority on 8 May 2006. It is signed by about 800 people (10% of the electorate) and contains two demands to the local parliament:

- to call a popular vote and to respect its result;
- to formulate the ballot question in such a way that the result of the vote shows clearly what „opinion“ the voters have regarding the construction of a waste incineration plant in Hämeenkyrö.

The language used is ambiguous. On the one hand, the vote is not considered as an expression of the political will of the local citizens who consider themselves sovereign, but merely as an expression of „opinion“. On the other hand, however, the local council is asked to respect that „opinion“.

<sup>5</sup> For more details on the case of Järvenpää see Büchi 2006: 73-80.

<sup>6</sup> Legal acts concerning citizen participation – an overview made by the Finnish Ministry of Justice: <http://www.om.fi/tulostus/30480.htm>

<sup>7</sup> For a short description of the project see the following document, p.25: [http://www.vapo.fi/filebank/2385-vapo\\_csr\\_2005.pdf](http://www.vapo.fi/filebank/2385-vapo_csr_2005.pdf)

<sup>8</sup> Hämeenkyrön puolesta – hyvässä hengessä (For Hämeenkyrö – in good spirit): <http://www.hameenkyronpolitto.laitos.net/>

On 29 May 2006, the local government decides in favour of holding a popular vote and proposes the following ballot question: „Should the Municipal Council make it possible through the land-use plan for the waste incineration plant to be built in Hämeenkyrö?“ On 26 June 2006, the local council accepts the local government proposal unanimously.

The popular vote takes place on 19 November 2006. The result is: 2,029 (46.3%) „yes“-votes, 2,159 (49.3%) „no“-votes, and 190 (4.3%) „I do not support either of the proposed alternatives“-votes. Voter turnout is 55.1% (4,381 votes out of a total of 7,946).

On 22 January 2007, the local government decides to respect the result of the vote: it proposes not to build the waste incinerator and instead to foster the production of domestic bio-energy. This decision, however, is turned down by the local council on 19 February 2007. Against the majority popular will it decides, by 21 to 14 votes, to make the construction of the waste incineration plant possible.

Hämeenkyrö is, on the one hand, a typical example of the subordinate role which citizens play in Finnish politics. But on the other hand, the holding of a popular vote in Hämeenkyrö is an exception to the rule that advisory popular vote proposals are almost always turned down by the local council. In practice, it also implies an expansion of the range of issues which have been subject to popular vote (Appendix 1, table 7).

For what reasons did local councils reject advisory popular vote proposals? From council minutes I have found at least the following arguments:

- The issue is not important enough
- The issue has only a minor impact on the local residents
- The holding of a popular vote is too expensive
- The bridge forms part of an already agreed land-use plan.
- It is not appropriate to submit a single investment to a popular vote
- On a single investment no popular votes have been held
- Closing a school is part of a whole plan and cannot be considered separately
- Popular votes are not intended for solving complex questions
- No other issues than the fusion of municipalities and road construction have been subjected to a popular vote.
- The initiative proposal puts into question the municipality’s strategy of regional co-operation. It would affect people in neighbouring municipalities.
- The very limited support for the request does not support the holding of a popular vote (in this case 7.7% of the eligible voters had signed the popular vote proposal).

The Finnish Local Government Act came into force on 1 January 1996. From 1996 to 2000 one out of only four advisory popular vote proposals was accepted. From 2001 to 2005 the number of proposals tripled, but all of them were turned down by the local councils. In the year 2006, out of three proposals only the one in Hämeenkyrö was accepted. The remarkable aspect of the Hämeenkyrö case is that the popular vote was about the construction of a waste incineration plant and not about the merging of municipalities. It represents a break with the usual practice of reducing the range of issues de facto to the single one of municipal mergers.

*Practice 3: Local Authorities' Plebiscites*

52 local authorities' plebiscites were held in Finland from 1990 to 2007: twice on road construction (1991, 1992), once on changing province (1997), once on the construction of a waste incineration plant (2006), once on the annexation of territory from Sipoo to Helsinki (2007), and 47 times on municipal mergers (see table 11: advisory local plebiscites in Finland 1991-2007).

*Table 2: Number of local authorities' plebiscites/year:*

1991	92	93	94	95	96	97	98	99	2000	01	02	03	04	05	06	07
4	7	1	-	3	4	1	7	1	2	2	1	2	4	-	3	10

The Local Government Act (LGA) allows popular votes on any matter resting with the local authority, but in practice the range of voting issues has been restricted to almost only the one of municipal mergers. It remains to be seen whether the plebiscite in Hämeenkyrö on the construction of a waste incineration plant marks a break with this tradition. It seems that local politicians resist the sharing of power with citizens no less than national politicians do.

In Finland popular votes are always advisory and their result is not binding on local councils, which make the final decision. From a democratic point of view it is strange if a local council decides against the majority political will as, for example, in Konginkangas, Kuorevesi, Pattijoki, Vehkalahti, Korpolahti and Hämeenkyrö (see table 2).

In a debate in the Finnish Parliament the social democratic MP Tero Rönni spoke of the consequences of the plebiscite in Kuorevesi (LA 65/2000 vp, 13.6.2000):

„In Kuorevesi, the neighboring municipality of my home town Mänttä, an advisory popular vote was organized. The residents of Kuorevesi were asked whether they wanted to join the municipality of Jämsä or remain independent. 86 per cent went to vote, 54 per cent voted for independence and 44 per cent for municipal merger. The local council made a decision, taking into consideration – or not, depending on your interpretation – the result of the popular vote, and decided by 14 to 7 votes to merge the municipality with the City of Jämsä. This was the beginning of an enormous number of complaints, a process which is still going on. Of course, people have the right to file complaints and to make decisions, but this is a difficult and expensive way of dealing with the issue. The expensive and difficult popular vote was a futile exercise, which in my opinion made a mockery of democracy. The phone lines and mail etc. of the local councillors were massively disrupted, and relations between people broke down completely for years; some even think the effects will last for decades. Some families even broke up because of the way in which the merger was handled.“

Pattijoki was a different case from Kuorevesi. The decision to consult the people was made by the state, not the local council. The Finnish state shows a clear interest in the promotion of municipal mergers, for example through monetary incentives and legislation. Under certain conditions, the Ministry of the Interior may also initiate municipal mergers, and in such a case it may order the holding of a popular vote if it is proposed by the municipal boundary administrator (Act on Local Authority Boundaries (kuntajakolaki) 1196/97).

In Pattijoki a very small majority voted against the municipal merger. Judging from prior opinion polls, the „no“-result was unexpected, and it gave room for different interpreta-

tions: the difference between the „yeses“ and the „noes“ was only 9 votes, and in addition there were 73 „no opinion“ –votes.

In a voting pamphlet the municipalities of Raahe and Pattijoki informed people about the popular vote on the merging of the two municipalities. The pamphlet „RAAHE-PATTIJOKI. Together or separate? Now you can have your say“ stated:

- The popular vote will decide whether or not Pattijoki and Raahe will merge to form a new municipality.
- A positive result in Pattijoki and Raahe will give the national government the right – but not the obligation – to decide for the municipal merger even if the local council takes a negative stand.
- If the people of Raahe and/or of Pattijoki vote against the proposed merger, the government will not make any decision on the issue.
- But in this case the local councils may decide that the municipal merger takes place, even if in both municipalities the majority of the voters have voted against it.

The pamphlet emphasizes that the people’s vote is decisive for the municipal merger, but at the same time it makes it clear that in no case will the popular vote be decisive. After the popular vote the issue returns either to the state or to the municipality, where the real decision will be made either by the Ministry of the Interior or the local council.

This was the course of events:

- 29 March 2000: on the joint initiative of the local councils of Pattijoki and Raahe the Ministry of the Interior ordered a special inquiry into the merging of the two municipalities.
- 2 October 2000: municipal boundary administrator Pekka Myllyniemi proposes that the two municipalities are abolished and merged into a new one. He proposes the calling of popular votes.
- 30 August 2001: the Ministry of the Interior orders the holding of popular votes on the municipal merger.
- 25 November 2001: the popular votes are held. In Raahe the municipal merger is accepted, in Pattijoki rejected by 1631 to 1622 votes; in addition there are 73 „no opinion“ –votes.
- 27 March 2002: the local councils in Raahe and Pattijoki both accept the municipal merger. They will receive money from the state: 6.73 million euro for implementing the merger and a further 1.682 million euro for investment and development.
- 19 June 2002: the government decides to merge the City of Raahe and Pattijoki into a new municipality of Raahe, as from 1 January 2003.

### **The Purpose of a Procedure is Revealed by its Design**

The Finnish Local Government Act, like the Constitution, contains regulations for only one popular vote procedure: a local authorities’ plebiscite (Section 30). It also contains regulations for an agenda initiative (Section 31), which is unknown to the Constitution. This request is empowering citizens, but without giving them decisional power. The holding of a



popular vote is always decided by the parliament, and this is incompatible with direct democracy as defined above.

The advisory plebiscite is called „neuvoa-antava kansanäänestys“ (literally: advisory popular vote). The usual English translation for the word ‚kansanäänestys‘ is referendum, and no distinction is made between plebiscites and referendums. The word ‚kansanäänestys‘ has different meanings; it can be a decision made by the people, but usually it means a consultation of the voters which precedes decision making by the authority. The word is used not only in the context of decision making on substantive issues, but also to designate the direct election of the president or a mayor.

*Table 3:* Characterization of local popular vote procedures in Finland

<b>Local popular vote procedures in Finland</b>	<b>Well-designed modern direct democracy</b>
The local council (authority) monopolizes the right to make decisions on substantive political issues.	Modern direct democracy implies that both representatives and citizens have decisional power; citizens are „occasional politicians“.
Municipal plebiscites are designed as instruments of the politicians, not the people. The local council decides when and on what a popular vote is called.	Direct democratic procedures are designed as instruments of the people. The decision to call a referendum or to launch a popular initiative is made by people, not the authorities.
Popular votes are used on rare occasions.	Popular votes are held on a regular basis, according to the needs of the people.
The voters are given the role of advisers, not decision makers.	In direct democratic procedures citizens are decision makers, government and parliament are given the role of advisers.
People making an advisory popular vote proposal must explain and justify their demand to the authorities, which alone can decide. Active citizens tend to become lobbyists and public debate comes second.	The proponents of a popular initiative or referendum must explain and justify their request to the whole electorate, which makes the final decision.
The result of a popular vote is not binding, the local council makes the final decision afterwards and may disregard the will of the people.	There are no plebiscites, only referendums. The result of a referendum is binding.
The agenda initiative and the advisory popular vote proposal are not direct democracy in a strict sense. There is no citizen law-making.	Initiative and referendum procedures allow people to participate in the process of law-making. Popular initiatives make citizen law-making possible.
The limitations of the instruments show, that political power belongs to the representatives and not to the citizens.	Referendums and initiatives are instruments of power sharing between representatives and citizens.
Citizens without voice are difficult to motivate for participation.	Citizens with decisional power have more motivation to participate.
Popular vote procedures are poorly defined in the Finnish Constitution and in the Local Government Act as well.	Direct democratic procedures are well defined in the constitution and law.

There is no popular initiative in Finland, although the word for it exists: ‚kansanaloite‘. But this word has no well established meaning. There is also the word ‚kansalaisaloite‘ (citizen initiative), but this word is used mostly to describe various kinds of petitions to authorities submitted by a group of citizens. The word ‚referendumi‘ is seldom used, the word ‚plebiskiitti‘ even less.

Finland has few experiences with direct democracy and the understanding for it is not yet well developed. There is a lack of established words or concepts for describing the different instruments of direct democracy.

In table 3, the popular vote procedures on the local level in Finland are characterized and compared with well-designed modern direct democracy.

On its homepage, the City of Järvenpää, like many other municipalities, invites local people to participate and to be active. At the same time authorities stick to their traditional way of doing politics and decision making. There is a contradiction between rhetoric and practice. But from this does not necessarily follow that local authorities are in reality unwilling to cooperate with the citizens. The gap between rhetoric and practice may also be explained by assuming that authorities and citizens attribute different meanings to the words participation and democracy.

In the authorities' view participation means primarily consultation, an instrument to get to know the opinions, needs and expectations of the citizens. Participation is seen as a prolongation of the authorities' activities, responsibility is transferred to the citizens but no decisional power. Citizen participation should help to make decision making more efficient and more legitimate.

For the people participation is implied in the principle of democracy and self-government. It means having a voice, making decisions together with others, power sharing. Participation is an instrument to bring one's own view into public debate and the decision making process. The expectation is, of course, that participation has a significant impact on outcomes.

### **Elements for a History of Direct Democracy in Finland**

Direct democracy was on the agenda already before Finland's independence. The introduction of universal, equal suffrage and of „the right to direct legislation for the people by way of the right to propose and to repeal laws“ was among the basic demands adopted by the Social Democratic Party in 1903 at the Party Congress in Forssa. In 1908 and 1914 proposals for local direct democracy were submitted to the Parliament. The 1918 draft constitution of the Finnish left contained provisions for a popular initiative which included the possibility of a counter proposal by Parliament. It was the time of the Civil War between the „Reds“ and the „Whites“. The plan was to submit the constitution to a referendum – after victory, which never came. During one year, 1918-1919, there existed a right to popular referendum on the local level, which was used only once.<sup>9</sup> The referendum provisions were quickly repealed by the victorious Whites, and direct democracy was put aside.

The constitution of 1919 was purely representative with no provisions for popular votes. In 1922 the Finnish Parliament struggled with the proposal to call a plebiscite on the issue of alcohol prohibition. The deputies were afraid of the possibility that the voters could make another decision than the parliament. They felt that such a contradictory outcome would be a condemnation of the parliamentary legislator by the people. Prohibition was controversial also within the political parties. Parliament was not able to resolve the

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<sup>9</sup> 30.1.1919: creation of the new municipality of Huopalahti, which before was a part of the rural municipality of Helsinki.

question and turned to the voters for help. Following the example of Iceland, Norway and Sweden a plebiscite was held on 29-30 December 1931.

After this first experience of a national plebiscite, the Finnish Parliament developed three guiding principles for the use of popular votes. Paraphrasing Markku Suksi (2002: 37), they read as follows:

1. Parliament alone may decide to call a plebiscite.
2. The subject matter must be simple enough so that people can understand it.
3. Plebiscites are held as a last resort.

In fact these are guidelines for avoiding plebiscites; based on them, proposals for holding a plebiscite have been rejected repeatedly (Suksi 2002: 37).

A few parliamentary proposals were made to improve the popular vote procedure as such, but they all remained without effect. Representative and direct democracy were incompatible for the prevailing mentality. The introduction of the plebiscite into the Constitution in 1987 represented no break with the traditional thinking; it was not a new beginning but only the continuation of public consultation as it had been practiced before.

So far only one plebiscite was held, the one on EU accession on 16 October 1994. Interestingly enough, the voters had only two options („yes“ and „no“), and not three as required by the Act on Procedure (578/1994).

The plebiscite was adopted basically without alteration into the new Constitution of 2000. In practice nothing changed, although there are signs of a change as well. An alternative view, which considers representative and direct democracy not as opposites but as complementary, becomes more visible since the 1990s. It gets legal backing by the new constitution which obliges public authorities to:

- provide instruments of direct citizen participation in addition to the right to vote in elections (Section 2.2);<sup>10</sup>
- „promote the opportunities for the individual to participate in societal activity and to influence the decisions that concern him or her“ (Section 14.3);
- „guarantee for everyone the right to a healthy environment and for everyone the possibility to influence the decisions that concern their own living environment“ (Section 20.2).<sup>11</sup>

In 1990 an amendment of the 1976 LGA (Local Government Act) introduced an advisory popular vote proposal and an advisory local authorities' plebiscite. Both instruments were transferred to the 1995 LGA which was presented as an opening for more public participation. However, the number of voters required for an advisory popular vote proposal was increased from 2 to 5 per cent.<sup>12</sup> Parliament also rejected the idea that the local council is given the right to decide case-by-case whether a popular vote should be binding or not. It

<sup>10</sup> In the preparatory work, the popular initiative is mentioned as an example of a mechanism for direct citizen participation (HE 309/1993 Hallituksen esitys Eduskunnalle perustuslakien perusoikeussäännösten muuttamisesta, see also HE 1/1998).

<sup>11</sup> Section 121.1 reads: „Finland is divided into municipalities, whose administration shall be based on the self-government of their residents.“ Certainly local direct democracy is compatible with this provision.

<sup>12</sup> The Report of the Administration Committee (HaVM 18/1994) argued, that a higher threshold underlines the importance of the procedure both in general and in respect to the right of petition (LGA: Section 28).

eliminated this possibility from the draft law arguing that a binding popular vote would have been in conflict with the principle of representative democracy.

Since the middle of the 1990s Finnish governments have implemented a series of projects and programs to promote citizen participation.<sup>13</sup> The driving motive behind these endeavours is that authorities are worried about the decline in voter participation and the loss of representativity and legitimacy of the political system. Direct participation in decision making, however, is not a main concern; rather the aim is to strengthen representative democracy by activating citizens and leaving direct democracy aside.<sup>14</sup>

Direct Democracy was not an issue in the campaigns for the Finnish Parliament Election 2007. Of all the political parties only The Greens advocate it in their party program, and a little bit also the Christian Democrats. In general, „popular vote“-debates are mostly debates about whether or not to call an advisory plebiscite on a certain issue. There is much less debate about the procedure as such, and hardly any about direct democracy in a strict sense. In parliament proposals were made to submit to popular vote the following issues: EU accession, nuclear energy, EMU membership, alcohol retail monopoly, EU Constitutional Treaty (see table 4).

*Table 4:* Issues proposed for submission to popular vote

EU accession	LA 24/1991 Esko Seppänen /vas et.al.
	LA 37/1994 Erkki Pulliainen /vihr
Nuclear energy	LA 18/1993 Esko Seppänen /vas et.al.
	LA 174/2000 vp Kimmo Kiljunen /sd et.al.
	LA 178/2000 vp Mirja Rynnänen /kesk vp
EMU membership	LA 1/1995 Esko Seppänen /vas
	LA 113/1997 Aapo Saari /kesk et.al.
Alcohol retail monopoly	LA 2/1998 Risto Penttilä /nuors et.al.
EU Constitutional Treaty	Oral question PTK 46/2004 Outi Ojala /vas
	LA 11/2005 vp Arja Alho /sd et.al.
	Parliamentary Debates 2005, 2006

<sup>13</sup> The Participation Project Phase I and II of Prime Minister Paavo Lipponen's governments (1997-2002) and the Citizen Participation Policy Program of Prime Minister Matti Vanhanen's government (2003-2007).

<sup>14</sup> As part of the Citizen Participation Policy Program 1 Million € had been spent on a campaign to activate voter participation in the Parliament Elections of 2007. However, total voter turnout reached a new low since the 1939 elections; it was 67.8% or 1.9% less than in the 2003 elections.

There were also a number of proposals dealing with procedure, yet none was implemented:

*Table 5: Proposals concerning popular vote procedure*

Popular votes together with elections	LA 10/1993 Pekka Rätty /vihr et.al. LA 142/2003 vp Antti Kaikkonen /kesk et.al.
Mandatory referendum (delegation of constitutional power to international authority)	LA 30/1994 Heidi Hautala /vihr
Popular initiative	KK 573/1999 vp Petri Neittaanmäki/kesk
Local council shall determine whether popular vote is binding or not	LA 65/2000 Tero Rönni /sd et.al.
Binding popular vote	TA 261/2000 Erkki Pulliainen /vihr
Local plebiscite: only „yes“- and „no“-option	LA 157/2001 vp Unto Valpas /vas et.al.
	LA 16/2006 vp Unto Valpas /vas
(direct election of mayor)	LA 61/2006 vp Oras Tynkkynen /vihr

LA = parliamentary motion (lakialoite), KK = written question (kirjallinen kysymys), TA = petitionary motion (toimenpidealoite)

Kesk: Centre Party, Nuors: Young Finnish Party, Sd: Social Democratic Party,

Vihr: The Greens, Vas: Left Alliance

## Future Prospects

The Finnish institution of the plebiscite has been formed in the first two decades of independence. It was implemented in the constitution much later, in 1987, based on the report of the Referendum Committee (KM 1983:25). This report shows a very negative attitude towards the idea of direct democracy and raises a number of the usual arguments against it. According to the committee the Finnish representative democracy functions perfectly well and is in no need of reform. Of all the popular vote procedures only the advisory plebiscite is considered compatible with representative democracy, which is given absolute priority.

The report of the Referendum Committee has been serving as a basis for the further development (or rather: non-development) of the Finnish popular vote institution. Both the new Local Government Act of 1995 and the new Constitution of 2000 represent rather continuity than change. The same is true for the government's participation programs (1997-2007). Prime Minister Matti Vanhanen's government stressed the advantages of representative democracy and put direct democracy deliberately aside. In a dissenting opinion to the report of the Democracy 2007-Commission, Hautala and Heikkinen (The Greens) state, that the commission was not willing at all to promote possibilities for direct citizen participation. Any reform towards turning the plebiscite into an instrument of the citizens was considered as too radical.

The reflections of Laura Nordenstreng (2004) on the reform of the Finnish plebiscite are also marked by continuity. But she departs from the report of the 1983 Referendum Committee in two respects. She concludes with a critique of the plebiscite which cannot fulfill the promise of increasing the possibilities for citizen participation. And, in a rather ambivalent way, she argues that there is a need to strengthen representative with direct democracy.

The governmental participation projects and policy programs may be steps towards direct democracy. But these projects are still very much under the spell of politics as usual.

The golden thread running through the states popular vote policy since the 1920s has been to secure the monopoly of decision making on substantive issues for the politicians. The same thread runs through the states participation policies of the last decade. Citizen participation is subordinated to „strong representative democracy“ and „direct democracy“ is given a merely consultative role.

The conclusion is unavoidable that in Finland the popular vote continues to be an instrument for the government to exercise power rather than a means for real citizen participation in political decision making. Citizen participation is still not understood as citizen power. Instead of real participation citizens are offered rubber-stamp participation; people have little opportunities and resources to influence the policies designed „for their benefit“. If there is a will for sharing power with the citizens, it is still overshadowed by the old mentality which is rather hostile towards citizen participation in decision making and tries to avoid it as best as possible.

If left to the representatives, the prospects for getting direct democracy in Finland are slim. However, pressure from below might change the situation. And there is growing pressure from below, such as a citizens' movement for the preservation of the city forests (kaupunkimetsäliike) in the capital Helsinki. In 2008, it collected signatures for an agenda initiative which demands that the city parliament calls a popular vote on the issue. This agenda initiative is the first one in the capital city. It is a protest against plans to build houses on green areas, and at the same time it is also a call for more citizens' rights of participation. It is a demand to supplant the weak and tedious agenda initiative with a real popular initiative.

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## Appendix 1:

Table 6: Advisory popular vote proposals 1991-2007

Year	Municipality	Decision of the local council	Issue
1991	Tuusula	accepted	road construction
1992	City of Lohja	accepted	road construction
1994	City of Porvoo	rejected	construction of a bridge
1997	Kuhmoinen	accepted	changing province
1997	Forssa	rejected	confidence in the city manager
1999	Tampere	rejected	construction of a bridge
2000	Ruovesi	rejected	placing of a retirement home
2001	Turku	rejected	construction of a water purification plant
2001	Vaala	rejected	preservation of the existing school network
2002	Oulu	rejected	marketization of Oulun Energia
2003	Pudasjärvi	rejected	municipal form: turn Pudasjärvi into a city
2003	Tuupovaara	rejected	municipal merger
2004	Eura	rejected	municipal form: turn Eura into a city
2004	Naantali	rejected	construction of an indoor swimming pool
2005	Pyhäselkä	rejected	health cooperation treaty between Joensuu and Pyhäselkä
2005	Suolahti	rejected	municipal merger
2005	Kaavi	rejected	transfer of secondary school from Kaavi to Juankoski
2005	Ruokolahti	rejected	close down of local school
2005	Mäntsälä	rejected	construction of an indoor swimming pool
2006	Mäntsälä	rejected	construction of an indoor swimming pool
2006	Kihniö	rejected	municipal merger
2006	Kurikka	rejected	municipal merger
2006	Hämeenkyrö	accepted	construction of a waste incineration plant
2007	Eura	rejected	close down of local school
2007	Kuusankoski	rejected	municipal merger
2007	Tohmajärvi	rejected	Regional cooperation for the organisation of public services
2007	Vilppula	rejected	municipal merger
2007	Joutseno	accepted	municipal merger
2007	Pertunmaa	accepted	municipal merger

Table 7: Advisory local plebiscites in Finland 1991-2007 (September)

Authority's decision (#) / voting day	Result (##)	Voter turnout	Procedure
1 TUUSULA: ROAD CONSTRUCTION PROJECT			
14.1.1991 12.5.1991	rejected 55.4%	46.5%	agenda initiative + advisory local authorities' plebiscite
2 KONGINKANGAS: MERGER WITH THE MUNICIPALITY OF ÄÄNEKOSKI			
09.9.1991 10.11.1991	rejected 53.1%	74.4%	advisory local authorities' plebiscite
3 VIIALA: MERGER WITH THE MUNICIPALITY OF TOIJALA			
10.09.1991 24.11.1991	rejected 63%	71.5%	advisory local authorities' plebiscite
4 TOIJALA: MERGER WITH THE MUNICIPALITY OF VIIALA			
10.09.1991 24.11.1991	rejected 56.7%	57.7%	advisory local authorities' plebiscite
5 PULKKILA: MERGER WITH THE MUNICIPALITY OF PIIPPOLA			
12.11.1991 19.1.1992	approved 80%	67%	advisory local authorities' plebiscite
6 PIIPPOLA: MERGER WITH THE MUNICIPALITY OF PULKKILA OR PYHÄNTÄ			
11.11.1991 19.1.1992	rejected 56.8%	79.7%	advisory local authorities' plebiscite
7 PYHÄNTÄ: MERGER WITH THE MUNICIPALITY OF PIIPPOLA			
29.11.1991 02.02.1992	rejected 72.8%	72.1%	advisory local authorities' plebiscite
8 SÄYNÄTSALO: MERGER WITH THE MUNICIPALITY OF JYVÄSKYLÄ			
30.1.1992 29.3.1992	approved 72.7%	79%	advisory local authorities' plebiscite
9 NURMO: MERGER WITH THE MUNICIPALITY OF SEINÄJOKI			
17.2.1992 26.4.1992	rejected 71.6%	72.5%	advisory local authorities' plebiscite
10 CITY OF LOHJA: ROAD CONSTRUCTION PROJECT			
25.3.1992 31.5.1992	6 options, improving status quo got 59.9% of the votes	38.9%	agenda initiative + advisory local authorities' plebiscite
11 VIJAKKALA: MERGER OR INDEPENDENCE?			
17.6.1992 24.8.1992	60.7% for independence	83.8%	Unofficial advisory popular vote
12 VUOLIJOKI: MERGER WITH THE MUNICIPALITY OF KAJAANI			
23.9.1993 12.12.1993	rejected 56.3%	76.6%	advisory local authorities' plebiscite



13 RURAL MUNICIPALITY OF LOHJA: MERGER WITH THE CITY OF LOHJA			
14.6.1995 03.9.1995	approved 54.6%	61%	advisory local authorities' plebiscite
14 CITY OF LOHJA: MERGER WITH THE RURAL MUNICIPALITY OF LOHJA			
15.6.1995 03.9.1995	approved 90.9%	60%	advisory local authorities' plebiscite
15 JÄMSÄNKOSKI: MERGER WITH THE MUNICIPALITY OF JÄMSÄ			
16.06.1995 22.10.1995	rejected 59.2%	75%	advisory local authorities' plebiscite
16 RURAL MUNICIPALITY OF PORVOO: MERGER WITH THE CITY OF PORVOO			
18.10.1995 28.01.1996	approved 55.9%	72.2%	advisory local authorities' plebiscite
17 CITY OF PORVOO: MERGER WITH THE RURAL MUNICIPALITY OF PORVOO			
18.10.1995 28.01.1996	approved 63.6%	62.4%	advisory local authorities' plebiscite
18 RURAL MUNICIPALITY OF PIEKSÄMÄKI: MERGER WITH THE CITY OF PIEKSÄMÄKI			
18.12.1995 25.02.1996	rejected 77%	79.6%	advisory local authorities' plebiscite
19 CITY OF PIEKSÄMÄKI: MERGER WITH THE RURAL MUNICIPALITY OF PIEKSÄMÄKI			
18.12.1995 25.02.1996	approved 73.7%	49.4%	advisory local authorities' plebiscite
20 KUHMOINEN: CHANGING PROVINCE			
24.3.1997 25.5.1997	rejected 54%	74%	Petition + advisory local authorities' plebiscite
21 SUOLAHTI: MERGER WITH THE MUNICIPALITY OF ÄÄNEKOSKI			
19.1.1998 05.4.1998	rejected 61.5%	68.1%	advisory local authorities' plebiscite
22 ÄÄNEKOSKI: MERGER WITH THE MUNICIPALITY OF SUOLAHTI			
19.1.1998 05.4.1998	rejected 58.2%	60.4%	advisory local authorities' plebiscite
23 ANTTOLA: MERGER OF 5 MUNICIPALITIES TO CREATE „BIG-MIKKELI“			
18.5.1998 06.9.1998	approved 53.8% 1.1.2001 merger with the municipalities of Mikkeli (city + rural municipality)	77.6%	advisory local authorities' plebiscite
24 HIRVENSALMI: MERGER OF 5 MUNICIPALITIES TO CREATE „BIG-MIKKELI“			
18.5.1998 06.9.1998	rejected 69.5%	75.8%	advisory local authorities' plebiscite

25 CITY OF MIKKELI: MERGER OF 5 MUNICIPALITIES TO CREATE „BIG-MIKKELI“			
18.5.1998 06.9.1998	approved 83.5% 1.1.2001 merger with the municipalities of Anttola and Mikkeli (rural)	51.1%	advisory local authorities' plebiscite
26 RURAL MUNICIPALITY OF MIKKELI: MERGER OF 5 MUNICIPALITIES TO CREATE „BIG-MIKKELI“			
18.5.1998 06.9.1998	rejected 52.2% 1.1.2001 merger with the municipalities of Anttola and the City of Mikkeli	64.7%	advisory local authorities' plebiscite
27 RISTIINA: MERGER OF 5 MUNICIPALITIES TO CREATE „BIG-MIKKELI“			
18.5.1998 06.9.1998	rejected 61.5%	66.5%	advisory local authorities' plebiscite
28 KUOREVESI: MERGER WITH THE MUNICIPALITY OF JÄMSÄ			
23.06.1999 21.11.1999	rejected 54.2% 1.1.2001 merger accomplished	86.5%	advisory local authorities' plebiscite
29 HAMINA: MERGER WITH THE MUNICIPALITY OF VEHKALAHTI			
20.6.2000 03.9.2000	approved 70.1%	58.9%	advisory local authorities' plebiscite
30 VEHKALAHTI: MERGER WITH THE MUNICIPALITY OF HAMINA			
12.6.2000 03.9.2000	rejected 54.8% 1.1.2003 merger accomplished	67.4%	advisory local authorities' plebiscite
31 PATTIJOKI: MERGER WITH THE MUNICIPALITY OF RAAHE			
30.08.2001 25.11.2001	rejected 50.1% 1.1.2003 merger accomplished	77.8%	advisory popular vote (Ministry of the Interior)
32 RAAHE: MERGER WITH THE MUNICIPALITY OF PATTIJOKI			
30.08.2001 25.11.2001	approved 80.1%	51.5%	advisory popular vote (Ministry of the Interior)
33 PERÄSEINÄJOKI: MERGER WITH THE MUNICIPALITY OF SEINÄJOKI			
8.4.2002 9.6.2002	approved 54%	69%	advisory local authorities' plebiscite
34 MIETOINEN: MERGER WITH THE MUNICIPALITY OF MYNÄMÄKI			
25.10.2002 26.01.2003	rejected 69.8% 1.1.2007 merger accomplished	87.4%	advisory popular vote (Ministry of the Interior)
35 MYNÄMÄKI: MERGER WITH THE MUNICIPALITY OF MIETOINEN			
25.10.2001 26.01.2003	approved 73.1%	59.1%	advisory popular vote (Ministry of the Interior)

36 SAHALAHTI: MERGER WITH THE MUNICIPALITY OF KANGASALA			
13.10.2003 11.01.2004	approved 53.7%	72.7%	advisory local authorities' plebiscite
37 KANGASLAMPI: MERGER WITH THE MUNICIPALITY OF VARKAUS			
11.11.2003 25.01.2004	approved 68%	68.5%	advisory local authorities' plebiscite
38 KIIHTELYSVAARA: MERGER WITH THE CITY OF JOENSUU			
19.11.2003 25.01.2004	approved 63.3%	69.6%	advisory popular vote (Ministry of the Interior)
39 SAHALAHTI: MERGER WITH THE MUNICIPALITY OF KANGASALA			
17.11.2003 01.02.2004	rejected 73.2%	74%	advisory local authorities' plebiscite
40 SIIKAJOKI: MERGER WITH THE MUNICIPALITY OF RUUKKI			
14.12.2005 19.02.2006	approved 54.1%	68.9%	advisory local authorities' plebiscite
41 KORPILAHTI: MERGER WITH THE CITY OF JYVÄSKYLÄ On 14 November 2006 the local council accepted municipal merger by 17 to 10 votes.			
28.08.2006 29.10.2006	„yes“ votes 42.1% „no“ votes 52.1%	63.8% (electorate: 3'948 voters)	advisory local authorities' plebiscite
42 HÄMEENKYRÖ: CONSTRUCTION OF WASTE INCINERATION PLANT The local council approves by 21 to 14			
12.06.2006 19.11.2006	rejected 51.6%	55.1%	agenda initiative + advisory local authorities' plebiscite
43 SIPOO: MOVING OF MUNICIPAL BORDER Ballot question: „Do you approve, that the border of the municipality of Sipoo is moved according to the proposition of Pekka Myllyniemi?“ On 28 June 2007 the Finnish government accepted the moving of the municipal border of Sipoo (in practice: annexation of territory from Sipoo to Helsinki).			
18.12.2006 25.02.2007	rejected 94.9%	65.6%	advisory local authorities' plebiscite
44 YLISTARO: MERGER WITH THE CITY OF SEINÄJOKI AND THE MUNICIPALITY OF NURMO			
22.01.2007 22.04.2007	accepted 52.9%	68.8%	advisory local authorities' plebiscite
45 NURMO: MERGER WITH THE CITY OF SEINÄJOKI AND THE MUNICIPALITY OF YLISTARO On 21 Mai 2007 the local council accepted municipal merger by 18 to 17 votes.			
22.01.2007 22.04.2007	rejected 64.5%	72.1% (6487/8992)	advisory local authorities' plebiscite
46 JOUTSENO: MERGER WITH THE CITY OF LAPPEENRANTA			
25.06.2007 14.10.2007	rejected 75.9%	66.2	advisory popular vote
47 PERNAJA: MERGER WITH THE CITY OF LOVIISA OR PORVOO?			
18.06.2007 28.10.2007	With Loviisa 62.7% With Porvoo 36.1% „no opinion“ votes 1.0%	73.9	advisory popular vote

48 LAPINJÄRVI: MERGER WITH LIJENDAL, LOVIISA, PERNAJA AND RUOTSINPYHTÄÄ			
20.06.2007 28.10.2007	rejected 52.7%	59.8	advisory popular vote
49 LIJENDAL: MERGER WITH LAPINJÄRVI, LOVIISA, PERNAJA AND RUOTSINPYHTÄÄ			
18.06.2007 28.10.2007	Accepted 71.4%	63.1	advisory popular vote
50 LOVIISA: MERGER WITH LAPINJÄRVI, LIJENDAL, PERNAJA AND RUOTSINPYHTÄÄ			
13.06.2007 28.10.2007	Accepted 92.3%	48.9	advisory popular vote
51 RUOTSINPYHTÄÄ: MERGER WITH LAPINJÄRVI, LIJENDAL, LOVIISA AND PERNAJA			
18.06.2007 28.10.2007	Accepted 50.7%	51.7	advisory popular vote
52 PERTUNMAA: MERGER WITH HARTOLA AND HEINOLA			
24.09.2007 25.11.2007	Rejected 83.4%	68.6	agenda initiative + advisory popular vote

(#) Authority = Municipal Parliament or Ministry of the Interior

(##) The calculation of the result is based on the total number of the „yes“ and „no“-votes; the „no opinion“ –votes were not counted.

The local council decided against the majority popular will:

1991 Konginkangas	In addition:
1999 Kuorevesi	1998 rural Mikkeli merged with the City of Mikkeli and Anttola
2001 Pattijoki	2003 Vehkalahti was merged with Hamina
2006 Korpilahti	2007 Mietoinen was merged with Mynämäki
2007 Hämeenkyrö	2007 Viljakkala was merged with Ylöjärvi
2007 Nurmo	

## APPENDIX 2:

### Typology of Modern Direct Democracy

*Rolf Buechi*

This typology offers a coordinate system, covering all procedures of popular votes on substantive issues. This means that popular votes on persons and parties, like for example recall procedures, are NOT included. The basic structure of the proposed classification is based on the division of popular vote procedures into three different types: INITIATIVE, REFERENDUM and PLEBISCITE. The INITIATIVE comprises procedures where the author of the ballot proposal is THE SAME as the initiator of the procedure, the REFERENDUM procedures where the author of the ballot proposal is NOT the same as the initiator of the procedure. Finally the PLEBISCITE comprises procedures which are initiated by a representative authority, be it the majority or a majority. There exist procedures and practices where elements of different forms of procedure are combined, and this is quite often the result of bad legal design.

## A typology of popular vote procedures

Popular vote procedures can be considered as political tools, of which different TYPES can be identified: INITIATIVE, REFERENDUM and PLEBISCITE. Just like a hammer or screwdriver exists in different forms, also INITIATIVE, REFERENDUM and PLEBISCITE exist in different forms for different applications. One form of a REFERENDUM is for example a referendum triggered by law, another a citizen-initiated referendum. In the following the different forms of popular vote procedures and their characteristics will be described. The term popular vote is used to designate a vote on a substantive political issue made by the voters, as opposed to a vote made by elected representatives. The term does not indicate of what type the designated procedure is, and no particular definition of direct democracy is implied.

On the one hand a typology is needed to avoid confusions in the discussions of direct democracy. Confusions arise when different types of procedures are given the same name, like when the word ‚referendum‘ is used indistinguishably for authorities’ controlled popular votes and for real referendums. Inversely a good deal of confusion results if the same procedure is given many different names, for example, if an agenda initiative is also called people’s petition, popular initiative and people’s proposition.

On the other hand different countries use different juridical terminologies. Without a typology it is not possible to compare the repertoire of popular vote procedures between countries.

The aim of this typology is to classify the really existing procedures in a realistic and not only formal way. The words ‚initiative‘ and ‚referendum‘ designate two different types of procedures, whose use is controlled by minorities except for the obligatory referendum, which is determined by law. The word ‚plebiscite‘ is used to designate a third type of procedure: authorities controlled popular votes (plebiscites). The distinction between referendums and authorities controlled popular votes is crucial; whereas referendums are tools of the people, plebiscites operate as tools of power holders for legitimization and mobilization or for bypassing other representative institutions or for disengaging from tough policies.

### What does this typology look like?

This classification of popular vote procedures includes only votes on substantive issues, not on people (like recall elections). It distinguishes popular vote procedures according to who is

- 1) the author of the ballot proposal (a group of citizens, a minority of a representative authority, a representative authority)
- 2) the initiator of the procedure (a group of citizens, law, a minority of a representative authority, a representative authority).
- 3) the decision-maker (the whole electorate, a representative authority).

In the following table the forms of procedure are listed in column 1. The following columns indicate who is the author of the ballot proposal (column 2), who has the right to initiate the

procedure (column 3), and who has the right to decide about the outcome of the procedure (column 4). The last column tells us about the TYPE of procedure in question. Citizen- and law-initiated procedures are in color (green for the initiative, yellow for the referendum) and procedures triggered by an authority are in grey.

Agenda-initiatives and referendum proposals are addressed to and decided by a representative authority; they may lead to a popular vote, but often they do not. Despite of this, these two forms of procedure are included in this typology.

### Three TYPES and eleven forms of popular vote procedures

#### *Type 1. INITIATIVE*

Designates a certain type of popular vote procedures (this typology distinguishes three types: INITIATIVE, REFERENDUM, and PLEBISCITE). Initiative procedures are characterized by the right of a minority, normally a specified number of citizens, to propose to the public the introduction of a new or renewed law. The decision on the proposal is made through a popular vote.

Note, that the agenda initiative fits into this type of procedure only with respect to its initial phase. What happens next is decided by a representative authority.

##### *Form 1.1. Popular or citizens' initiative [PCI]*

A direct democracy procedure and a political right that allows a given number of citizens to put their own proposal on the political agenda. The proposal may be, for example, to amend the constitution, adopt a new law, or repeal or amend an already existing law. The procedure is initiated by a prescribed number of eligible voters. The sponsors of a popular initiative can force a popular vote on their proposal (assuming that their initiative is formally adopted). The initiative procedure may include a withdrawal clause, which gives the sponsors the possibility to withdraw their initiative, for example in the event that the legislature has taken action to fulfill the demands of the initiative or part of them.

This procedure may operate as a means of innovation and reform: it allows people to step on the gas pedal. In principle, initiatives enable people to get what they want. In practice, it is a means to synchronize the citizens' view with the politicians' view.

##### *Form 1.2. Popular or citizens' initiative + authorities' counter-proposal [PCI+]*

Within the framework of a popular initiative process a representative authority (normally parliament) has the right to formulate a counter-proposal to the initiative proposal. Both proposals are then decided on at the same time by a popular vote. If both proposals are accepted, the decision on whether the initiative proposal or the authority's counter-proposal should be implemented can be made by means of a special deciding question.

##### *Form 1.3. Agenda (setting) initiative [PAI]*

An agenda initiative is the right of a specified number of eligible voters to propose to a competent authority the adoption of a law or measure; the addressee of this proposal and request is not the whole electorate but a representative authority. In contrast to the popular initiative, it is this authority which decides what is going to happen to the proposal.

An agenda initiative can be institutionalized in a variety of ways: for example as an agenda initiative without popular vote, as an agenda initiative followed by a consultative or binding plebiscite or as a popular motion („Volksmotion“). The popular motion can be the equivalent of a parliamentary motion; if adopted, it can also be treated like a popular initiative (this is the case in the canton of Obwalden, Switzerland).

### ***Type 2. REFERENDUM***

Designates a certain type of popular vote procedures (This typology distinguishes three types: INITIATIVE, REFERENDUM, and PLEBISCITE). The referendum is a direct democracy procedure which includes a popular vote on a substantive issue (ballot proposal) like, for example, a constitutional amendment or a bill; the voters have the right to either accept or reject the ballot proposal.

The procedure is triggered either by law (-> obligatory referendum) or by a specified number of citizens (-> popular referendum) respectively by a minority in an authority (-> authorities' minority referendum).

#### *Form 2.1. Popular or citizen-initiated referendum [PCR]*

A direct democracy procedure and a political right that allows a specified number of citizens to initiate a referendum and let the whole electorate decide whether, for example, a particular law should be enacted or repealed.

This procedure acts as a corrective to parliamentary decision-making in representative democracies and as a check on parliament and the government. The „people“ or demos (i.e. all those with the right to vote) has the right to decide in retrospect on decisions made by the legislature. Whereas the popular initiative works like a gas pedal (speeding up developments which can be progressive or regressive), the popular referendum gives people the possibility to step on the brakes. In practice, popular referendums (like popular initiatives) are a means to synchronize the citizens' view with the politicians' view.

#### *Form 2.2. Popular referendum + counter-proposal [PCR+]*

This direct democracy procedure combines a popular referendum against a decision by an authority with a referendum on a counter-proposal. If both proposals are accepted, the decision between the two can be made by means of a deciding question.

#### *Form 2.3. Referendum proposal [PPR]*

This procedure is characterized by the right of a prescribed number of eligible voters to propose to a competent authority the calling of a popular vote on a specified issue; note that the demand is addressed to a representative authority (usually parliament – local or national) which decides about further action.

#### *Form 2.4. Obligatory referendum [LOR]*

This direct democracy procedure is triggered automatically by law (usually the constitution) which requires that certain issues must be put before the voters for approval or rejection. A conditional obligatory referendum means, that a specified issue must be put to the ballot only under certain conditions (for example, in Denmark the delegation of powers to international authorities is decided by popular vote if more than half but less than four fifth of the

parliament accept such a proposal). Unconditional referendums are without loophole (for example, in Switzerland changes of the constitution must always be decided by a popular vote).

### ***Type 3. PLEBISCITE***

Designates a certain type of popular vote procedures (This typology distinguishes three types: INITIATIVE, REFERENDUM, and PLEBISCITE). A plebiscite is a public consultation controlled „from above“. It is the powers that be (the President, Prime Minister, Parliament) which decide when and on what subject the people will be asked to vote or give their opinion. Rather than being an active subject in control of the procedure, people (popular votes) become means to an end which is determined by a representative authority. Plebiscites give ruling politicians additional power over citizens. They are used to evade responsibility for controversial issues which have become an impediment, they are used to provide legitimacy for decisions those in power have already taken, they are used to mobilize people behind rulers and parties, and they are used by an authority to bypass another representative authority. The aim of a plebiscite is not to implement democracy, but to reinforce or salvage those in power with the help of „the people“.

#### *Form 3.1. Plebiscite [ATP]*

A popular vote procedure whose use lies exclusively within the control of an authority. In this form the author of the ballot proposal and the initiator of the procedure are the same (for example parliament or president).

#### *Form 3.2. Veto-plebiscite [AVP]*

A popular vote procedure whose use lies exclusively within the control of the authorities. In this form the author of the ballot proposal and the initiator of the procedure are NOT the same. For example, a government or a president may oppose (veto) a decision of parliament and refer it to a popular vote; hence the name veto plebiscite.

#### *Form 3.3. Authorities' minority veto-plebiscite [AWP]*

A direct democracy procedure characterized by the right of a minority of a representative authority to put a decision made by the majority in the same authority before the voters for approval or rejection. This procedure enables a minority of a representative authority to step on the brakes and give the final say to the voters.

#### *Form 3.4. Authorities' minority plebiscite [AMP]*

A direct democracy procedure and a political right that allows a specified minority of an authority (e.g. one third of the parliament) to put its own proposal on the political agenda and let the people decide on it by a popular vote.