

Direct democracy in Germany at local level

Summary of the Findings of the 2014 Report

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Data complete up to: 1956 – 2013

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Introduction

- By “direct democracy” and “referendums”, we mean popular votes on substantive issues (no recalls) which are decisive and not consultative.
- All 16 federal states of Germany (“Bundesländer”) now have direct democracy at local level. Until 1990, only one state – Baden-Wuerttemberg – had local referendums. From 1990 until 1997, almost all the other states introduced them. The city-state of Berlin was the last state to establish local referendums in 2005.
- The legal design of referendums (issues allowed, signature threshold,...) is different in each state.

1. Number and Frequency

- Between 1956 and 2013, we count a total of 6.447 proceedings at local level. 3.177 of them resulted in a local ballot („Bürgerentscheid“). Most of them occurred during the last ten years (see figure 1 and figure 2, below). In 2013, 365 initiatives were launched.
- Those 6.447 proceedings are of two different types: 5.354 citizens' initiatives („Bürgerbegehren“, launched by citizens through the collection of signatures) and 1.054 authorities' referendums („Ratsreferendum“, initiated by the local council). Despite our very best efforts, we could not find out yet how and by whom the remaining 39 processes were started.
- Bavaria remains the “home state” of direct democracy: Nearly 40 % (2.495) of all proceedings take place here.
- In order to analyze the frequency of usage, we take into account the number of villages and cities per state as well as the number of years direct democracy instruments have been in place. The city states of Hamburg, Berlin and Bremen rank No. 1-3, followed by the larger states of North Rhine-Westphalia and Bavaria. On average, Hamburg's urban districts experience one proceeding per year. Rhineland-Palatinate ranks at the very bottom with regards to frequency of use: Statistically, a citizens' initiative or an authorities' referendum occurs once every 278 years in a village or town of this state.

2. Issues

- The hottest local issues are economic/business issues (18,3 % of the proceedings), public social and educational issues and projects (17,0 %) and road and traffic issues (16,3 %). They vary considerably from state to state, since – among other factors – local land use planning is a restricted issue in some federal states.

3. Outcomes and Successes

- Around 38 % of all cases were successful in terms of the outcome matching the proposal, either by referendum vote or by persuading the local council to reach a decision (715 cases) without a referendum vote.
- Considering only the local ballot votes, 52 % of all referendums have had positive

outcomes i.e. the ballot proposal was adopted. Authorities' referendums had a higher success rate (59 %) than citizen-initiated referendums (49 %).

- Quite many citizens' initiatives (1.497 out of 5.354) were declared invalid (28 %). Bavaria shows the lowest rate (16 %), while five states (Lower Saxony, Saxony, Saxony-Anhalt, Mecklenburg-Western Pomerania and Saarland) show a rate of more than 40 %. The institutional design has a major influence. Most of the initiatives were declared invalid because they could not collect enough signatures in the statutory period or due to issue restrictions, e.g. land use issues (each 21 %). 15 % were declared invalid due to the arrangement for covering costs (the initiative must present a plan how to finance their proposal) which is requested in some states.

4. Referenda/Popular Votes

- The overall average turnout in local referendums in Germany was 50,9 %. Turnout correlates with the size of the local authority. In smaller communities, it is higher than in bigger cities.
- Effects of the approval quorum: 12,4 % of all referendum outcomes that received a majority of votes did not satisfy the required approval quorum. We call this “invalid failure” or “quorum's victim”.

5. Authorities' Referenda („plebiscites“)

- 16 % of the 6.447 processes were authorities' referenda, initiated by the local authorities.
- Around 50 % of the authorities' referenda treated territorial reform issues, e.g. merger of communities. The federal states with the highest percentage of authorities' referenda were Saxony-Anhalt (84 %) and Brandenburg (67 %). In both states, a statewide territorial reform during the last years is responsible for these high percentages.
- Authorities initiate referenda for various reasons: The local council may draft a counter-proposal in the case of a citizen-initiated referendum. This often occurs in Bavaria and Hamburg. Or, the local council reacts to a public debate and initiates a referendum because of the importance of the issue.

Source/Original Report

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Free Download: www.mehr-demokratie.de/fileadmin/pdf/bb-bericht2014.pdf

Link to local direct democracy database (in German language):
www.mehr-demokratie.de/bb-datenbank.html

Link to local direct democracy overview of Mehr Demokratie (in German language):
www.mehr-demokratie.de/buergerentscheid.html

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Figure 1: Number of newly submitted processes in the period 1956-1990 (possible only in Baden-Wuerttemberg)

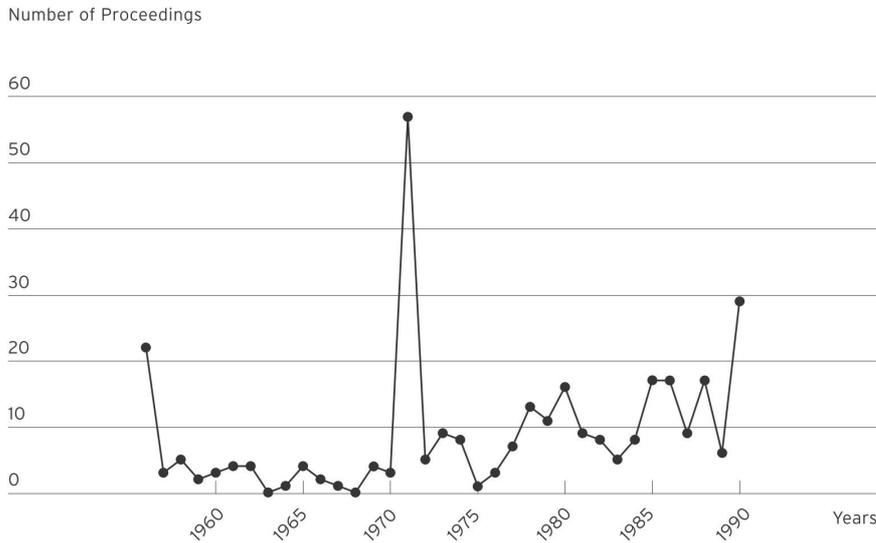


Figure 2: Number of newly submitted processes in the period 1990-2013 (most of the states introduced local direct democracy until 1996, Berlin was the last state in 2005)

