

National Governance

The framework of Swiss National Governance

(Article no. references are to the Swiss Constitution)

(Direct & Decentralised Democracy in blue, Parliamentary Democracy in red)

Process	Constitutional Basis
<p><i>The People control the Constitution (Art. 138):</i></p> <p>100,000 (proportionally 80,000 in Scotland) voters may propose a totally new Constitution within 18 months from official publication of their Popular Initiative; a majority popular vote is required to approve the proposal. This is the cornerstone of Popular Sovereignty (Direct Democracy (DD)) through which new National or Regional Constitutions are developed (i.e. Constitutional Conventions).</p>	<p><i>Direct Democracy (People only)</i></p>
<p><i>The People & Regions jointly control changes to the Constitution (Arts. 139 & 140):</i></p> <p>100,000 (80,000 in Scotland) voters may also propose partial changes to the Constitution within 18 months; Because the Constitution is extremely comprehensive, the subjects covered by Popular Initiatives are many and varied. A double majority of People and Cantons (Regions) is required to approve such constitutional changes as well as those proposed by the Government including accession to international treaties. This is what is often referred to as Decentralised Direct Democracy (DDD).</p>	<p><i>Direct & Decentralised Democracy (People & Regions)</i></p>
<p><i>Parliament and Government draft legislation and statutory instruments:</i></p> <p>Parliament and Government draft laws and statutory instruments to implement approved Constitutional changes and other constitutionally defined business of government - and no more (residual power being vested in the Regions). This is a normal parliamentary process, similar to the UK, except that because the constitutionally defined seven member Swiss Government is elected by Parliament, the legislative process is much more consensual than in either Holyrood or Westminster where it is conflict-based. Switzerland has no Prime Minister but rather a Presidency which rotates annually among the seven members of government each of whom is responsible for a government department of which there are therefore only seven. The seven Ministers are selected / re-elected by Parliament (i.e. by the main Political Parties) every four years, based on their successful track record to date. "Sackings" are therefore extremely rare (only four since 1848).</p>	<p><i>Parliamentary Democracy</i></p>
<p><i>The People & Regions control Parliament and Government (Art.141):</i></p> <p>50,000 (40,000 in Scotland) voters or any eight Regions may launch a Referendum to contest all proposed legislation or certain statutory instruments within 100 days from official publication of the Bill approved by Parliament; a majority popular vote is required to approve or reject proposals. This is similar to the Scottish Salvo, except that the right to a Swiss referendum operates <i>at the time of publication of each proposed law or instrument</i> unlike Salvo whereby, "from 1592-1707, the Scottish Parliament acknowledged the sovereignty of the people - the higher authority! - by offering 'Salvo' <i>at the end of every session</i>: anyone could challenge parliamentary legislation that prejudiced their civil rights or freedoms." (Sara Salyers "This is our Claim of Right" Salvo©2022).</p>	<p><i>Direct & Decentralised Democracy (People & Regions)</i></p>

Comparative information: Switzerland has a population of 8.7 million and comprises 26 Cantons (Regions) and 2,136 Municipalities / Communes. Scotland's population is approx. 5.5 million in 32 Council areas.