

INTERNATIONAL JOURNAL OF LAW MANAGEMENT & HUMANITIES

[ISSN 2581-5369]

Volume 7 | Issue 5

2024

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Comparative Analysis of Direct and Indirect Democracy: A Study of Switzerland and India

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ABSTRACT

This paper offers a comparative analysis of democratic systems in India and Switzerland, focusing on the distinctions between indirect and direct democracy. India operates primarily under an indirect, representative democracy, where citizens elect representatives who make decisions on their behalf, reflective of its diverse population and complex federal structure. In contrast, Switzerland practices a direct democracy, where citizens actively participate in decision-making through referendums and initiatives. The paper examines the legal frameworks, political structures, and historical contexts that shaped these systems. India's model, influenced by its colonial history, emphasizes efficient governance for a large, diverse population, while Switzerland's approach fosters direct citizen involvement in a smaller, more localized context. The study highlights the strengths and challenges of both systems, exploring how India's indirect democracy balances representation with governance and how Switzerland's direct democracy promotes citizen engagement but demands higher levels of political awareness. Ultimately, the paper suggests that hybrid models incorporating elements from both systems may enhance democratic governance worldwide.

Keywords: *Indirect democracy, Direct democracy, India, Switzerland, Representative democracy, Referendums, Political structure, Citizen participation, Governance, Comparative analysis.*

I. INTRODUCTION

Every state or land of areas will be ruled by the kings, or by the government or by some other entity. In ancient periods the land of areas or state were ruled by the kings which also identified as their region. Even many things like tax collection from the folks and many other things were prevailed at those days itself which are similar to the current governance. Later on, evolution was arisen and new era is being commenced then they brought a concept of government ruling in the world which also got recognized by various countries. Government is an entity which is

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the authority which controls all the activities of people and the country within a specified geographical area. For the past 200 there has been a change in the world as many countries became independent after being colonized by some nations. As they had a dominative control and the native people of that colonies had no authority in their governance, many countries after their independence, their main matter into consideration is generally governance by people. This is generally called Democracy in which the people's decision is superior all the actions of government will be decided by people. So, in this presentation we shall analyze the types of democracy that is Direct and Indirect democracy and shall discuss about countries which follows any of these two democratic governments followed by India and the Switzerland as That is the comparative study.

(A) Government

In simple we can define the government as an entity which entity or institution which was made by a set of people, this institution aid to manage the state or country. The primary work of the government is enriched to constitute the law and order to the country. Basically, most of the government is established for the welfare of the people and to fulfil the justiciable wishes of the people. Later on, they will set up the organs and departments for the country like judicial organ to render the justice to all the people, if someone violates the rights of the others in the society. And some other departments like police, military and high trained forces they were provide the peace and security in both aspects like from the external and internal aggressions and disturbance. They also have to focus in the matters of the basic needs of a person to live in the earth like food, health and to avail some of the basic fundamental facilities to the people for attaining a minimum standard of living in the society². In economical aspect the government attempt to focus in the subjects like infrastructure, foreign investments and foreign reservation, etc to the boost the economy of the country. Last but not least the government have to be more concern about the nature resources like water, preserving the forests and the plants, setting up sanctuaries and to control all the forms of pollution which leads to cause damage to the global environment. And also, to manage with the renewable resources and the sustainable development which means simply this world is not only for the humans and not to the present generation. The above viewed detailing was just a gist of the responsibility and function of a government. The government which has to a deal with all the matters of the country for the peace, security and also for the development of the country

² Meaning of government, Vedantu, (oct 15,2024, 9.30am), Meaning of Government - Responsibilities, Levels, Forms and FAQs (vedantu.com)

concurrently for the welfare of the people of the country. Prior to all this they have to do these without any biased intention and to prevail the natural justice in the society.³

(B) Democracy

Definition of democracy- the term of democracy was derived from a Greek term “demoskratos” which is compounded of terms like demos means the citizen of particular country, and kratos means the power or authority. Simply it means that the authority or power of a democracy state is vested in the hands of the citizen, they are having the powerful weapon in their hands in the democracy state. It is a system of government where the people of the country used to choose their government or the rulers of them. In most of the democracy form of government the people of the country used to elect their representative. The representative of the state used to create laws on behalf of the people in the legislature. These representatives will be there in different political parties, every party has their own ideology and plans they used to present their manifesto to the people before the election after viewing the manifesto of every candidate the people will select their choice of their representative. The highest voted candidate will be the representative of the people in the country for a specified period of time, they have various of responsibilities which is allocated to them. In this democracy form of government there were different forms in exist some of them are it maybe in a form of presidential system, republic and parliamentary or constitutional system.⁴

Some key characteristic features of the democracy form of country are:

- The power is vested in the hands of the citizens.
- It brings the capable of decision-making thoughts in all the citizen.
- The power which was disturbed to all the citizens equally without holding it in the hands of the individual or group of individuals.
- Making the society as a cooperative form of entity.
- They used to development the country in all the aspect.

There were various kind of democracy form of government some of them are direct, indirect, presidential, parliamentary democracy, etc. in this assessment we are going to deal with the two types of democracy they are direct and indirect form of democracy government especially

² Benjamin Talin, 7 basic roles of a Government – do they change in future?, morehandigital, (oct 15, 2024, 10.30am) 7 basic roles of a Government – do they have to change in future? (morehandigital.info)

⁴ Definition and types of democracy, study master, (oct 15, 2024, 12.00 pm), Types of Democracy: Definition & Differences | StudySmarter

between the countries of India and Switzerland.

II. INDIRECT DEMOCRACY AND INDIA SYSTEM

(A) Definition:

“Indirect democracy is a form of government where the representatives have been elected by the people with the choice of majority. The legislation and policy will be decided by those small elected representatives for the people elected them in the legislation”.⁵

- David Robertson

This form of democracy is alias as “Representative democracy”, as we earlier mentioned that in this form of government the people of the country will elect their representative by the way of voting. These representatives will enact laws and as a seat in the legislature with that they will be in the decision-making process on behalf of the people. The legislature passing laws also as the process voting in the parliament the elected will be presented there and the majority towards the bill will be shown by the representative in the parliament. In this form of government, the citizens of the country have the ultimate power in their voting finger. If the representative fails to fulfil the manifesto words which is represented before them and if the representative fails to satisfy the wishes of the citizens, then they will be accountable to questions of the people and citizens will replace the failed representative with the other in the next or upcoming elections.

In India we used to follow the representative form of democracy. Our country consists of both the houses (Lok and Rajya Sabha) likely in Lok Sabha, the representative will be elected by the people. And whereas in Rajya Sabha, the representatives of this house will be elected by the president and the representative of the respective states. Here the prime minister used to preside over the parliament and president will be the head of the executive and to control with his power. Like this in India, people of the states will elect their representative, the duration of each house is differs from one to another. So in our country, the voting right which is conferred under article 19 (1) (a) and under article 326 of the constitution. Article 19 (1)(a) says that all the citizen to have the right to freedom of expression and Article 326 deals with the condition of the voters, in this article they said that the people who is aged below 18 is not having the right to vote because here we are following adult suffrage concept. This voting rights and requirements is applicable to the elections of both the houses and also to the state legislature election. So basically, in India the people of the state will elect their representative, those representatives

⁵ Sourabh Yadav, Indirect democracy: Definition and examples, Helpful professor.com, (oct 15, 2024, 2.00pm), Indirect Democracy: Definition and Examples (2024) (helpfulprofessor.com)

will enact the laws in both the houses and in the state legislature with that the central and state government will enact their respective laws within their criteria which also conferred under the constitution. With above the detailing we get to know that the right to vote is the powerful weapon of the people to write their own fate because people of the society used to prevail with the laws enacted by the elected government. So, they have to choose their representative correctly then only they can have a peaceful life ahead in the society. The government indirect has the pressure and tension towards the people because they can they can easily remove or replace the government in the next election. So, they people of the representative form of democracy country have to be more concern and focus in electing their representative by voting properly which is going to benefit all the people of the area or region in that all the people will benefited if they elect the right one if not means if will end in endangers. And in indirect form of democracy the trust is the process in this form so the elected representative has to be a more trusted person in the society. The person to be the same after he got elected in the election.

(B) Special Characteristics:

a. Constitution:

Most of the democratic countries in the globe used to operate the government with laid down framework of the constitution. More often this constitution has been in the written form in many countries. The constitution which consists of rights and duties of the citizens, powers and duties of the organs of the country. Organs like legislature, executive and judiciary.

b. Independent Judiciary:

Beside the constitution, there is also a judiciary independence used to prevail in the country. This judiciary organ attempts to control the other organs of the state by reviewing it. If any other organ acts more than its authority means they will counter by the judiciary. For example, if the legislature enacts laws with violation of basic structure of the constitution it will be held void or unconstitutional by the judiciary.

c. Choosing the leader:

Elected representatives mostly used to elect the leader of the country within themselves, the process of it maybe differ from one country to another. For instance, in India the elected representative of the upper house (lok sabha), they used to elect a representative from themselves. Mostly the majority holding party's representative will be the leader of the country.

d. Limited Direct Democracy:

Even indirect form of democracy there will be some sort of direct democracy aspects and

elements in some political matters. For instances, in some direct democracy like there will be referendums to decide an important matters or decisions for a common political question or matters.⁶

III. DIRECT DEMOCRACY AND SWITZERLAND SYSTEM

This form of democracy also known as pure democracy. In this form of government, the people used to have extreme amount of rights and decision in decision making process of legislation which grants the people to self-determine their laws to prevails in the society. In this form of democracy there will be no intermediaries in the law-making process.

“It is purest means of identifying the wishes of the people and excellent barometer of the political atmosphere”- **Bonjour**

In the world Switzerland is the only country to have direct democracy in the current era. They also as representative to govern the state but the legislation law making process will be in the hands of the people. The people of the Swiss will finalise a law of them by voting to the law or policy. This form of democracy was coined in Switzerland in 1848 in some of the cantons(states) of the Swiss as the direct democracy form of government even at the 14th century. This direct form of democracy is available at both the level of federal and cantons laws where the respective people will finalise the laws by voting. The law which attains the majority will be enacted and enforce in the respective area or region. To know the history of direct democracy in Switzerland we have to trace back to the 14th century. Switzerland adopted the federal set of land in 1848. Direct democracy which prevails at the national level laws too. The federal constitution is amount to the concept of referendum in order to change the provisions of the constitution, in parallel to reverse the constitution as a whole they have to do popular initiative like there were some more process to enact, amend and to reverse the law in Switzerland. The election duration in Swiss which will held four once.⁷

(A) Special Characteristics:

a. Referendum:

It means “refer to the people”. In general, it is an action take place by the people of the country to rectify the laws passed by the legislation. They may accept or reject the law which will be determined by the majority or with prescribed voting majority. There are two kinds of referendum – obligatory and optional referendum.

⁶ Sourabh Yadav, Indirect democracy: Definition and examples, Helpful professor.com, (oct 15, 2024, 4.00pm), Indirect Democracy: Definition and Examples (2024) (helpfulprofessor.com)

⁷ Switzerland’s Direct Democracy, oidp.net, (oct 16,2024, 9.30), OIDP

i. Obligatory Referendum:

In this compulsory kind of referendum if the federal Government wants to revise the constitution of Swiss which can be either total or partial revise for both the revise they have to submit to the proposal to the people and cantons. If they are going to revise the constitution totally means the government has to submit the new constitution to the people and cantons, if they attain the majority of votes from both the people and cantons means the said revision will be effected. Then in case of amendment, firstly the houses differ on the proposal revision, they will see that the revision is need or not. Hence the revision will be referred to the people to know whether it is need or not if they approved it with majority of vote. Later on, the government will place the said after the approval of the people, then the people and cantons will vote if the majority was attained means the said will be effected.

ii. Optional Referendum:

This concept of optional referendum was introduced by the Swiss Constitution in 1874. Since 1921, it is been used for the passage of federal laws, certain essential federal decrees. The federal laws which are not declared urgent by the assembly are to be submit to the people for referendum if the 30,000 Swiss or 8 cantons demand for it. It is brought that the federal assembly misused the urgency provision during war and economic crisis period. Later a constitutional amendment was brought into effect like they raised the number of the votes from 30,000 to 50,000 voters or 8 cantons which same as earlier. In 1921, the optional referendum was provided for international treaties concluded for a period of more than 15 years or indefinite period ⁸.

iii. Referendum in the cantons:

As earlier mentioned, that the constitution referendum is compulsory in all the cantons. Legislative referendum which is also compulsory but it as to made in ten- and one-half cantons. Optional referendum is conducted on demand of a specific number of voters of the people. In rest of the cantons, referendum is not been practised as laws are passed directly by the people in the “Landsgemeinde” which is an old age tradition and colourful practice. The people of certain cantons like Appenzell, Glairs and Unterwaldenin this area the people were used to meet annually once to decide the matters like levy tax, Constitution, elect officials, finance and public work. The people will decide in these matters after a discussion that the Landsgemeinde possesses all those powers which is a sovereign legislative body is supposed to possess. But this Landsgemeinde which can be existed in the small cantons.

⁸ 10th revised and enlarged edition Vishnoo bhagwan, vidya bhushan and Vandana mohla, world constitution a comparative study (pg 266- 175), 10th edition 2013

(B) Initiatives

It is a positive device of mechanism to rectify the acts of omission of the legislature. In this mechanism the people of the Swiss used to make a proposal to change the federal constitution. This mechanism was getting updated version of new initiatives there on 2003, which is mostly used in relation to more general in the statutory provisions. This initiative will be filed by the people of the society which should attain certain specified number of valid signatures (i.e. signature of registered voters) are required for a initiatives. By making of initiative, they can force the federal council and parliament to considered their initiatives and to settle it by referendum on the initiative proposal. To amend the constitution, they are having 2 different ways of initiatives they are the popular initiatives of total or partial revision of the constitution. Firstly, we are going to deal with the popular initiatives of total revision of the constitution in this way they need to fulfil the number of minimum votes of 100,000 in an initiative to revise the entire constitution as a whole. Then on the other hand the popular initiatives of partial revision of the constitution in this also they have to attain the minimum if votes of 100,000 but in this the people have the opportunity to propose a draft to revise a particular part of the constitution. For both the ways of initiatives, they have to attain the said required signature and it must be made within 18 months of the initiative which is being filed. From 2006, the people of Swiss voters got another availability of general popular initiative. This mechanism which is being used to force the federal council or parliament in the matters of constitution or in the legislative level by attaining the signature of 100,000 voters to support the process of initiatives⁹.

Here some of the examples of the issues made through referendum in Switzerland. They are:

1. To construct a new Alpine railway.
2. Made a new federal constitution.
3. Banned to construct a nuclear plant.
4. To regulate the immigration.
5. Joined the UN.
6. To open an electricity market, etc.

IV. COMPARISON OF INDIA AND SWISS SYSTEM OF DEMOCRACY

By comparing the direct and indirect democracy specially between the country of India and

⁹ Switzerland: Swiss Direct Democracy, aceproject.org (oct 16,2024, 11.00am), Switzerland: Swiss Direct Democracy — (aceproject.org)

Switzerland. In Switzerland, they used to follow the direct democracy in that we can clearly see that it is the purest form of democracy where the wishes of the people are absolutely referred and enacted by the legislation. But in India we are following the indirect democracy where the representative elected by the people. The elected representative will enact the laws in the country. Here we can see that India they are only electing the people we can't assure that the elect representative will fulfil the wishes of the people because he may come up with different values and backgrounds. At those point of time the wishes of the people will not be attained in some scenario. And here the participation of the people in laws will not be there as like direct democracy so the wishes of the people will not be reached. To apply the direct of democracy in India there is a huge drawback which we are consist of extreme population in our country so we cannot make all the laws for the public referendum which will be complicated, time consuming and richer process. But in this modern era we can use the online portals or application to conduct the referendum in our country but that we have to educate all the people to use the technology. As well in India we cannot make referendum for every enactment because we are having huge number of populations so better, we can do referendum to the people in certain limited cases like in important matters with the concerned of the subject matter people. For that we have to initiate and to make a short list of the important matters. Like this we have to improve our government laws into the wishes of the people.

V. CONCLUSION

As we are known that most of the countries in the world are adopted representative form of government. In this indirect democracy, there may be lack of representation and corruption. In this form there will be a constitution and independence of judiciary to safeguard the citizens from abuse of powers by the authorities. Whereas in direct form of democracy the people can make amendment and revision of enactments through initiatives and referendum. So, in my point of view in indirect or representative form of government there should be initiatives and referendum opportunity in particular matters. The government of the representative democracy have to make a list of important matters and they have to be prepared for any uncertainty while implementing the process in the preliminary stage.
