

POLb1135, Spring 2020

Study Material – Referendum

Basic information:

Slovakia belongs to CEE countries with an above-average number of held referendums. After 1993 Slovakia witnessed eight referendums, the first in 1993 and the most recent in 2015. Except for one referendum concerning the accession of the country to the EU in 2003, all the referendums ended as invalid due to low turnout. The fundamental formal rule sets a minimum attendance of 50 per cent (plus one voter) as a requirement of a referendum to be valid. In most cases, the held referendums had a turnout well below this threshold.

Main issues:

1. Political parties and referendums

The central theme of the lecture lies in links between political parties and referendums. In Slovakia, there are two ways to initiate the referendum. First, a petition that requires at least 350,000 signatures of Slovak citizens (roughly eight per cent of eligible voters). Second, a referendum can be initiated by a parliamentary resolution. Such resolution requires only a majority as a classical law, i.e. any government can initiate referendum without many obstacles. In sum, it is relatively easy to initiate a referendum (mainly for political parties with substantial power in parliament).

On the other hand, the condition of minimum turnout (50 per cent plus one voter) is a tough one. Note that general elections in Slovakia have a turnout of around 60 per cent and there is no other competition with such a turnout. This means that without massive mobilization, there is no way of having a referendum with attendance of the majority of citizens.

Combining these two points, it means that a referendum in Slovakia can be initiated relatively easily; however, the prospects of the successful vote are negligible. For political parties, this, however, represents a reliable tool in achieving their goals providing the referendum itself (regardless of its result) is a helpful one. The development since 1993 shows that referendum fulfils such expectations.

In six out of eight cases, referendums were initiated by political parties. Even in 2004 party SMER-SD was very active in organizing the referendum despite its official initiator were its ally, the Trade unions. In 2015 the referendum was initiated by civic association the Alliance for the Family. Political parties thus developed roughly a monopoly in using the referendum for their purposes.

2. Issues or Procedures?

Following the previous point, throughout the lecture, you should observe that referendums can be divided into two groups. First, the referendums with issues, i.e. those that aimed to adopt or change some policy. These are referendums in 1993, 1997, 1998, 2010 and 2015. Second are the referendums about procedures, i.e. those that called for an early election and which were held in 2000 and 2004. The 2003 EU accession referendum stands aside of these two groups given that it was a result of external rather than interior factors.

The critical issue to note is that if referendums aimed at some policy, the official motives of their initiators were different than their real goals. In case of referendums in 1993, 1998 and 2010 the political parties standing behind used the referendums as mobilizing tools to increase their gains in upcoming parliamentary elections. In 1997 the aim was to block the initiative of political rivals (see below). The 2015 referendum is an exception here as the official and real motives of the initiator were the same, i.e. to change the legislation. However, as noted above, this was the only referendum aimed at policies that were not initiated by political parties.

On the other hand, in case of referendums on procedures, i.e. early elections, the official and real motives of the initiating political parties were the same. In other words, the opposition parties aimed to call for an early election, and they intended to achieve this goal by successful referendums. In these cases the invalid referendums were a partial loss for the initiators, however by organizing the referendums, they mobilized the people for the next elections. This was especially true for SMER-SD that won the 2006 election despite the 2004 referendum was invalid.

3. The critical referendum in 1997

The final point belongs to the referendum in 1997. I highlight this referendum as crucial, given its timing, circumstances and its consequences. The referendum was held during the government led by V. Mečiar (check the respective lecture about this government) in a highly polarized situation in both politics and society. Due to this polarization, there was a high risk that after president Kováč finished his mandate in 1998, the parliament will not be able to vote a new head of the state. In such a situation, the powers of the president would move to Prime Minister and the chairman of the parliament (both from HZDS). Given the decline of democracy in that time Slovakia, such change would pose a further risk in the development of the country.

As a solution, the opposition parties started a petition to hold a referendum on direct presidential elections. The petition was successful, and the initiators collected more than 520,000 signatures. Such a development was however not welcome by the governing parties, especially the HZDS and its leader.

As a counteroffensive, the governing parties passed a parliamentary resolution to hold a referendum on integration to NATO with three questions. The president who calls the referendum thus obtained two referendum initiatives; a scenario not covered by the Slovak constitution. The president decided to join the two initiatives into one referendum with four questions, three regarding the NATO issue and the fourth concerning the direct presidential elections. The government denied such a solution and new referendum ballots were distributed one day before the vote, now with only three questions on NATO issue, i.e. without question on the direct presidential election. The opposition refused this and called for boycotting the referendum.

The referendum was held only with three questions, and its turnout was below ten per cent. Officially no voter attended as the referendum was called marred by the electoral committee, i.e. the

referendum was invalid. However as noted above, this posed no problem for the governing parties as their official goals (NATO) were not the same as their real ambitions (to block the initiative leading to direct presidential elections). Their real goal was fulfilled, and for the government, it was a success. This victory was, however, only temporary as the referendum mobilized the opposition parties to join forces and increased their overall support in the society. With such a constellation the opposition won the 1998 election and created the new government. A final consequence of the 1997 referendum was a decline of the foreign image of Slovakia leading to temporary halt or delay of integration processes to EU and NATO. These were resumed only after 1998 election.

Some notes for discussion and reflection:

- Think about the impact of referendums on politics in Slovakia in terms of their positives and negatives.
- Go through each referendum, compare real and official aims of the initiating parties and evaluate whether they succeeded
- Consider whether the requirements in Slovakia for a referendum to be valid should be kept or if they should be modified (and in which direction)