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Direct Democracy in Bulgaria

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DIRECT DEMOCRACY IN BULGARIA*

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1. Historic antecedents

1.1. The referendum of 1922.

Prior to the fall of the communist regime in Bulgaria referendums were held only three times in the history of the Balkan country. Almost five years after the end of World War I the government led by Aleksandar Stamboliyski legislated a new Criminal Law with retroactive effect which allowed the conviction of members of former governments involved in the Balkan Wars and the World War as well. Stamboliyski sought a way to discredit members of the Geshov-, Danev-, Malinov- and Kosturkov-governments who by that time were his main political rivals.¹ In order to gain broader social acceptance to execute these controversial political trials, the Bulgarian government held a nationwide referendum on 19th of November 1922 with the question whether or not to convict those who were responsible for the national catastrophes. The Bulgarian Agrarian National Union based government led a successful campaign among the voters and results of the referendum were more than satisfying for the Stamboliyski cabinet, more than 74 % of the voters cast their votes for the conviction of the former ministers. The total number of the voters was 926 000; 647 000 voted for, while 224 000 voted against the conviction. 55 000 ballots were invalid.²

The referendum was based on the “Law on Referendum of the Liability of the Ministers of the Geshov-, Danev-, Malinov- and Kosturkov-governments for the wars they led and the national catastrophes which occurred afterwards” adopted by the XIX. Ordinary National Assembly on 14th of October 1922. According to this law the voters could have cast their votes by choosing

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¹ KONSTANTINOV, Petar: *Istoriya na Bulgariya. S niakoi premalchavani dosega istoricheski fakti.* [History of Bulgaria. With some untold historic facts.]. „Karina M” Publishing House, Sofia, 2002. 207.

² SEMKOV, Milen: *Istoriya.* [History.]. Publishing House „Svyat.Nauka”, Sofia, 1996. 93.

between a black coloured ballot for the innocence and a white coloured ballot for the guiltiness of the former ministers. The first referendum in the Bulgarian history remained in the history books as an anti-bourgeois instrument managed by the far-left government in order to stabilize their political power.

1.2. The referendum of 1946

On 8th of September 1946 referendum was held for the second time in Bulgaria's history. After World War II the communist political forces, led by Georgi Dimitrov urged a change in the political system of the country. The goal was to replace the current political system, which was a "Hereditary and Constitutional Monarchy with a Popular Representation" according to the so called Tarnovska Constitution which was still in force at that time. The main problem from a legal point of view was that the constitution did not provide any opportunity for the Ordinary National Assembly to replace the monarchy or to amend the constitution, only a Great National Assembly would have had the authority to do so. According to the constitution, the monarch – in this case the Tzar (Simeon II) – had the authority to convene the Great National Assembly. The main obstacle in front of the communist leaders was that Simeon II was only 9 years old in 1946, and until he reached the age of 18, he was not entitled to make such decisions.

In order to establish a more legitimate pretence for political change, the Politburo of the Bulgarian Communist Party's Central Committee suggested to hold a national referendum. Within a couple of days, by the end of July 1946 the (Kimon) Georgiev-government and the National Assembly established the "Law on the Referendum for the removal of the monarchy and the proclamation of the People's Republic".³ In the months that followed the Communist Party and the Patriotic Front actively caused disruption, and by 8th of September the general public mood was significantly changed. An overwhelming majority of the nation cast their votes in favour of a political change, more than 92% of the voters showed up, and almost 96%

³ Zakon za dopitvane do naroda za premahvane na monarhiyata i za provazglastyavane na narodna republika. [Law on the Referendum for the removal of the monarchy and the proclamation of the People's Republic.]. Publishing House „Darzhavno Knigoizdatelstvo“, Sofia, 1946.

voted for the Republic.⁴ The outcome of the referendum was predestined due to the fact that all of the Bulgarian political parties supported the removal of the monarchy.

1.3.The referendum of 1971

In Bulgaria the third referendum was held on 16th of May 1971. The voters – due to major pressure from the State-party, the Bulgarian Communist Party – gathered in large numbers to cast their ballots in order to accept the new constitution of the country. A staggering 99.6% voted for the so called Zhivkov-constitution which was famous for incorporating the prime political role of the Bulgarian Communist Party into the constitution – the famous Chapter 1 cites that the Party “is a leading force in society and in the country”.⁵ Only a mere 0.3% of the voters (15 000 out of 6 135 000) voted against the new constitution.

The process began in 1962 at the 8th Congress of the Bulgarian Communist Party when the goal of establishing a new constitution was introduced. After years of preparation and promotion the National Assembly issued a resolution in order to involve the people via referendum. The resolution was accepted and, on 8th of May, the members of the Assembly established the “Law on the Referendum for the Adoption of a New Constitution on 16th of May”. The new constitution was recognized on 18th of May 1971 and came into force on the very same day.

1.4.Rejected and invalid referendums during the period of 1878-1990

There were two more occasions when a certain proportion of the Bulgarian population participated on referendums (plebiscites). In 1909 the “Law on the Referendum for Self-government Issues”⁶ was established. On 1st of May 1920 the “Law on Referendum for the Regulation Concerning the Teachers in Primary Schools” was established as well. These two laws did not have the impact the previously mentioned referendums had, furthermore the

⁴ FOL, Aleksandar *et alia*: *Istoriya* [History]. Publishing House „Anubis”, Sofia, 1999. 346.

⁵ FOL, i.m. 352.

⁶ Zakon za dopitvane do naroda za obshtinski raboti. [Law on the Referendum for Self-government Issues]. Obshtinski Vestnik, Sofia, 1909. 1.

outcome of these referendums was invalid due to the low participation rates registered on that occasion.

It is worth mentioning that until 1990 there were also five occasions when planned referendums were rejected. In 1878 the leader of the Liberal Party, Dragan Tzankov suggested that a referendum be held on the issue of forming government. The referendum was rejected due to the fact that the Berlin Treaty and the Constitution of Bulgaria at that time had already constituted the form of the government. In 1908 certain members of the parliament suggested that there be a referendum on the issue whether the country should remain a vassal principality of the Ottoman Empire. The announced independence of Bulgaria a few months later officially degrades the substance of this obsolete proposal. In 1914 the parliamentary opposition unsuccessfully initiated a referendum to assess whether Bulgaria should participate in the World War and, if so, on which side. In 1941 the planned referendum on whether Bulgaria should officially declare neutrality failed as well. The most recent and maybe the most controversial referendum which was rejected was not long after the fall of the communist regime in Bulgaria. On 28th of May 1991 the seventh Great National Assembly adopted a decision to hold a referendum on 6th of July concerning the issue whether the form of government should be republic or monarchy. On 5th of June the Great National Assembly adopted a new decision which retracted the decision for the referendum, this occurred due to the political consensus between the main political fractions.

2. Direct democratic instruments in Bulgaria

2.1. Bulgarian jurisdiction relating to direct democratic instruments

The fundamental base of the Bulgarian legal system - the Constitution⁷- does not embrace the normative legislations relating to the direct democratic instruments, it only lays down some general features. It constitutes that “all elections, national and local referendums shall be held on the basis of universal, equal and direct suffrage by secret ballot”. According to Chapter 42 (2) of the Constitution the organization and procedure for holding elections and referendums shall be established by law.

⁷ Konstitutzhiya na Republika Bulgariya [Constitution of the Republic of Bulgaria]. Darzhaven Vestnik No. 56., Sofia, 1991.

The pivotal law which regulates the use of the direct democratic instruments is the Law on Direct Participation of Citizens in the State and Local Government⁸ (hereinafter referred to as Law on Direct Participation) became effective on 12th of June 2009. Some technical issues relating to the implementation of the direct democratic instruments are specified in the Electoral Code⁹ but the main regulations relating to the topic of the essay are comprised in the Law on Direct Participation.

After the fall of communism the first law regulating direct democratic instruments – the Law on Referendums – was enacted in 1996 and was in force until the Law on Direct Participation came into effect. This particular law was modified only four times previously, while during this period some technical issues were regulated by other laws e.g. the Law on Local Self-governments. The Law on Direct Participation was amended 6 times since it was established back in 2009, although it was not modified significantly, the changes only affected certain technical terms e.g. the use of a “ballot box” instead of “urn”.

2.2. Existing instruments of direct democratic democracy in Bulgaria

In Bulgaria there are only optional instruments of direct democracy, according to Chapter 3 of the Law on Direct Participation 4 types exist: referendum, citizens’ initiative (or so called popular referendum initiative), European citizens’ initiative, and total residential meeting. A referendum can be facultative, parliamentary, governmental and presidential. The referendums can be conducted at national or at local level. The citizens’ initiative can be conducted at national, at local or at European level, while the total residential meeting can be conducted only at local level. If there is a disagreement relating to the constitutional compliance of a specific issue concerning national referendums the decision is made prior to the referendum date by the Constitutional Court. In case there is a disagreement relating to the legality concerning the outcome of a referendum held on national level the decision is made by the Supreme Court of Administration ; however, if the referendum was conducted on local level then a decision is made by the local Court of Administration. The Central Election

⁸ Закон за пряко участие на гражданите в държавната власт и местното самоуправление [Law on Direct Participation of Citizens in the State and Local Government]. Darzhaven Vesztник No.44., Sofia, 2009.

⁹ Изборен Кодек [Electoral Code]. Darzhaven Vesztник No. 19., Sofia, 2014.

Committee implements the functions of the referendum committee if the referendum is on national level, on local level this is conducted by the local election committees.

National referendums are executed on the territory of the country, the citizens can vote for issues of national importance and on questions which are in the competence of the National Assembly. There are certain issues which are prohibited for referendums or citizens' initiatives. These issues :

- fall within the competence of the Great National Assembly;
- relate to the national budget;
- relate to tax rates, fees, healthcare and social contributions and payments;
- relate to rules of the internal organizations and the powers of the National Assembly;
- relate to Chapters 84 (4, 6, 7, 8, 10, 12, 16, 17), 91, 91a, 103 (2), 130, 132a and 147 (1) of the Constitution - these are prohibited and can't be issued on a national referendum.

The outcome of the national referendums do not require a subsequent approval by the National Assembly. The National Assembly has an obligation to enact the voters' desire into a legal act within 3 months' time of the announcement of the outcome.

The proposal for holding a national referendum can be made by:

- at least 1/5 of the members of the National Assembly (48 members);
- the President of the Republic;
- the Council of Ministers;
- at least 1/5 of the County Councils in Bulgaria;
- an initiative committee comprised of citizens who obtain the right to vote, which has collected at least 200 000 signatures of citizens who obtain the right to vote.

The National Assembly brings a decision to hold a referendum if an initiative committee's proposal contains at least 500 000 signatures by Bulgarian citizens who obtain the right to vote and the issue of the referendum isn't one of the aforementioned prohibitions. The Central Election Committee is entitled to summarize and to announce the results within 3 days after the end of the national referendum.

The subject of the referendum is accepted if the number of voters (participants) equalled the number of voters from the last parliamentary election and if more than half of the voters voted with "yes". If the subject of the referendum was not accepted there is no opportunity

to initiate a national referendum on the same issue earlier than two years following the previous (unsuccessful) referendum. If the number of participants did not reach the turnout of the last parliamentary elections, but was higher than 20 percent and if the number of “yes” votes exceeds 50 percent the subject of the referendum is submitted to the National Assembly, which is entitled to decide in accordance with Chapter 52 of the Law on Direct Participation. The results of the national referendum can be called into question within 7 days after the results are announced by the Central Election Committee; a three-person group from the Supreme Court of Administration is entitled to decide on the appeal. If there is no appeal, the Central Election Committee sends the case to the President of the National Assembly who publishes it in the national journal – the “Darzhaven vestnik”. After the publication the decision comes into force.

2.3. The process of popular decision-making in Bulgaria

The process for proposing of a national referendum is somewhat complex. A 5-to-15-person initiative committee is set up, then the gathering of the signatures is organized. This activity comprises of the preparation of the signature sheets, the consultative designation of the places where the committee staff can gather signatures. The committee is obliged to notify the President of the National Assembly about the issue of the planned national referendum and the ongoing gathering. After the required amount of signatures is collected the initiative committee submits the complex documentary to National Assembly. The documentary is recorded in the national referendum register, subsequently the President of the National Assembly submits the documentary's electronic form to the Directorate General for Civil Registration and Administration of the Ministry of Regional Development. The DG instantly implements an official audit. If the audit does not find any violations concerning the registration of the initiative the DG prepares and submits a protocol to the President of the National Assembly. The National Assembly inspects the initiated referendum issue and if there is a violation in the documentary it draws the attention of the initiative committee to correct it within 1 month. The permanent parliamentary commissions discuss the proposed issue and they present their stance to the President of the National Assembly within 1 month. The National Assembly have the right to edit the initiated issue, but without changing the original substance and content of the question(s). The National Assembly afterwards votes for or against the issue –with or without motivation. The National Assembly has 3 months' time from the submission of the initiative to make a decision.

After the decision of the National Assembly the President of the Republic has 1 month to set the date of the national referendum. The date of the referendum should not be earlier than 2 months and should be no later than 3 months from the decision of the National Assembly. The referendum may be held (but it is not an obligation) simultaneously with parliamentary elections due to the fact that the only obligation is that it shall be held on a holiday (non-working day).

The organization and the technical preparation of the national referendum is carried out by the Council of Ministers. The ballots' colour is white; the voters can vote with "yes" or "no", the subject of the referendum (the question) is written in understandable, simple Bulgarian. The technical rules regarding the method of voting, the counting of the ballots and the

transmission of the information from the local election sections to the regional committees is similar to the one laid down in the Election Code.

2.4. Local referendums in Bulgaria

The implementation of a local referendum with some particularity is a very similar process to the national referendum. A local referendum can be held in a county, region or self-government in order to resolve issues of a local importance, which are within the competence of the institutions of the local government, the region or the county. The issues which are prohibited from a local referendum are ones that are related to the budget of the local government; the local tax rates and fees; rules relating to the internal organization and powers of the local government committee bodies. The decision made through a referendum is not subject to subsequent approval of the local government committee.

Local referendum can be initiated by:

- at least 1/5 of the members of the town council, but their number cannot be less than 3;
- the mayor of the township, the region or the municipality;
- an initiative committee which has collected the signatures of at least 1/20 of citizens who bare the right to vote and have a registered home residence in the given town, municipality or region.

If an initiative committee collects at least 1/10 of the citizens' signatures who bare the right to vote and have a registered home residence in the town, municipality or region, the town council automatically accepts the decision in order to hold a local referendum. The date of the referendum has to be no later than 2 months after the council's decision – not prior to 45, and no later than 60 days. Similar to the national referendum on local level, the documentary of the initiative is sent to the Directorate General for Civil Registration and Administration of the Ministry of Regional Development which performs an audit.

2.5. Citizens' initiative in Bulgaria

National citizens' initiatives give Bulgarians an opportunity to make recommendations to the National Assembly or to the central executive institutions in order to deal with issues of national importance. The citizens' initiative is approved on a rally by at least 50 citizens who bare the right to vote. The rally accepts the subject of the initiative and elects a 3-to-7-person initiative committee. The local citizens' initiative is a recommendation addressed to the town council; the mayor of the municipality, region or township; the regional and county institutions. The collection of the signatures is executed on the territory of the specific municipality, county or region.

The gathering of the signatures must be executed within 3 months after the rally in case of a national citizens' initiative and within 2 months in case of a local citizens' initiative. Only citizens who have registered their home residence at the specific region or municipality have the right to provide their signatures to the initiative committee of the local citizens' initiative. In the case of a national citizens' initiative there is no similar restriction. The initiative committees have the duty to organize the information campaign and debates. The process of submitting the documentary is almost the same as in the case of referendums – the initiative committee submits it to the National Assembly (in case of a national citizens' initiative) or to the the Municipal Council, the mayor or to the competent sub-municipal, regional or district authority (in case of a local citizens' initiative). The President of the National Assembly or the local executive leader submits the documentary to the Directorate General for Civil Registration and Administration of the Ministry of Regional Development in order to prepare the audit. The authorities are obligated to examine the proposal and to make their decision within 3 months after the documentary was submitted. The decision must be published on their websites, in a national (or in the other case a local) daily newspaper and announced in the public media. The state authorities are also obliged to inform the initiative committee in a written form.

2.6. Total residential meeting (“general populace”)

The total residential meeting – also called “general populace” – is implemented in order to resolve issues of local importance, which are within the competence of the specific town council or the mayor of the settlement. The town council takes measures within 1 month after

their decision, regarding the acceptance of the proposal . Total residential meetings can only be organized in settlements, towns, and regions etc. which have population of less than 10 000 people. In settlements with more than 1 000 people the total residential meeting can be organized in separate places according to the election sections. Every citizen who bares the right to vote and has a registered home residence in the specific place can attend the total residential meeting. The official initiative to hold a total residential meeting is made by the mayor of the given settlement, town, region etc. The proposal for the initiative can be made by the mayor, or it can be instigated by a decision of the town council, and it can also be requested by at least 1/50 of the citizens (but not less than 20in number) who have the right to attend the total residential meeting. If the proposal is made by the citizens a 3-to-9-member initiative committee must be established which will officially represent the citizens' will. The process of the gathering of signatures and the registration of the documentary is the same as in the case of the local referendum.

After the official approval the mayor must announce the exact date and time, the place of the total residential meeting and the raised questions as well. The announcement must be made at least 15 days prior to the total residential meeting. The day of the meeting must be organized no later than 1 month after the announcement, and it must be scheduled on a non-working day. The expenses are covered by the annual budget of the municipality.

The total residential meeting is valid if at least 1/4 of the citizens entitled to participate attend, in settlements with less than 150 people this criterion is 1/3. If in the exact time the number of participants is less than the validation threshold, the meeting is postponed by 1 hour, but only if at least 1/10 of the citizens have already attended. A decision can be accepted with the votes of at least half of the participants. The decision is announced by the mayor, on the basis of the town council's approval the mayor issues a resolution within 7 days in order to fully implement the decision made at the total residential meeting. If there is an appeal against the decision, the local Court of Administration has the authority to decide within a 14-day period.

3. The practice and impact of direct democracy in Bulgaria since 1989/1990

3.1.The 2013 Referendum

The practice of direct democracy on national level after 1990 in Bulgaria was not a very inviting opportunity for the Bulgarian citizens and political forces. The fact that there was only one occasion – in 2013 – when the Bulgarian citizens cast their ballots shows that neither the political parties nor the civil institutions have trust in the direct democratic instruments. Albeit the fact there have been discussions on a regular basis whether the citizens should have a firm say in the management of the country; the habitual political processes and the mentality prevent the greater role of referendums and initiatives.

The only national referendum in Bulgaria – also known as the “Nuclear referendum” – was held on 27th of January 2013, the Bulgarian citizens voted on the question: “*Should the nuclear energetics in Bulgaria be developed by constructing a new nuclear power plant?*”¹⁰ The citizens had an opportunity to vote with “Yes” or “No”. The referendum most likely served party political interests rather than the real goal, namely to develop the nuclear energetics in the country. The construction of the second nuclear power plant in Belene was the main official motive, although this political issue was a cardinal problem. The history of the construction dates back to the late 1970’s and numerous allegations for corruption, abuse of political power and organized crime were conjoined with the planned developments. Many allegations pointed out that only certain oligarchic groups and certain elements of foreign interest benefited through the protraction of the case. The proposal was officially initiated by the Bulgarian Socialist Party (BSP), which was in opposition at that time, while the far-right Ataka was also supporting the cause. One of the main reasons for the initiation was the upcoming parliamentary elections in 2014; the socialists needed an official campaign-starter in order to boost their popularity index among the voters. In order to submit the proposal to the National Assembly the BSP gathered 770 000 signatures, interesting fact is that the ruling party, the Citizens for European Development of Bulgaria (GERB) used its’ majority to down vote the primary initiative which contained the word ‘Belene’.

The referendum was preceded by a heated and smeared political debate which did not give any answers regarding the main questions nor did it allay any of the main concerns. The lack of transparency only kept away the citizens from voting, they were massively influenced by the political parties – GERB, and the Blue Coalition – which were opposed to the referendum.

¹⁰ *Referendum on development of the nuclear energetics*. Ministry of Interior, 27 May 2014, Web. 10 Jul. 2014. <http://www.mvr.bg/referendum_2013.htm >

Regardless of the fact that more than 60% of the voters¹¹ cast their ballots in favour of the construction of the nuclear plant the referendum was invalid due to the low turnout. The main political victory for the ruling GERB was the broad disinterest showed by the citizens – only 1 405 463 people registered while on the previous parliamentary elections the turnout was 4 345 450. It is quite definite that mainly the potential voters of the BSP and their political partners voted, and even in this situation more than 1/3 (37.9%) of the voters expressed their disapproval. It is quite interesting that the proportion of the highly educated among the voters was stunningly low; this can be explained by the fact that a broad majority of this group is disillusioned with the domestic politics. The highest turnout came in regions – e.g. Kardzhali, Razgrad, Targovishte etc. – where the ethnic Turkish minority represents a high proportion among the voters. The ethnic Turkish party, the Movement for Rights and Freedom (DPS) has always mobilized successfully prior to the elections. The referendum did not have a direct effect on the construction of the planned power plant; it had a direct effect on the BSP – it showed that there is a lack of rejuvenation in the oldest Bulgarian party.

While there has been only one referendum on national level, on local level much more have been held. Based on the previous referendums the main topic on local level is the amendment of territorial boundaries of certain inhabited settlements or counties. For example in Sevlievo the local referendum held on 15th of March 2003 was about the reconstruction of one of the main streets.¹² The turnout of this local referendum was 6.81%, this low number is quite typical for the local direct democratic instruments. The local referendum held in Elena on 19th of April 2003 was about the reconstruction of a public building into a kindergarten. The turnout was also typically low – 7.09%. There is an interesting tendency that only the most concerned local residents participate actively in these local events, and thus the outcome is mostly in favour of the initiated cause.

4. Evaluation of the regulation and practice of direct democracy

¹¹ Central Election Committee: *Referendum results*. 29 Jan. 2013. Web. 10 Jul. 2014 <<http://results.cik.bg/referendum/rezultati/index.html>>

¹² MIHAJLOV, Docho – NEGENTZOVA, Ralitzia – HRISTOVA, Slevaya: *Sreda za natsionalni i mestni referendumi v Bulgariya*. [Environment of the national and local referendums in Bulgaria]. Sofia, Bolkan Assist, 2010. 2.

On local and national level as well there have been normative factors which restrict and narrow the opportunity of organizing referendums or implementing other instruments of direct democracy. The first obstacle hindering an initiative committee is the high barrier for the initiation of referendums. For instance the high threshold limit (the high amount of signatures needed to register the initiative) establishes an uncertainty right before the initiative is accepted. The high barrier also gives an advantage to larger institutions, organizations (e.g. political parties) that have the financial and technical capacity to execute the collection of the signatures. The citizens' initiative – which is relatively small in number – may back out on certain important issues which can be addressed only by the civil society if the barrier seems to be insurmountable. Naturally the threshold is necessary in order to prevent referendums on marginal and irrelevant topics, but if the amount of signatures is excessively high citizens will have to rely on other institutions. For instance the local referendum in Elena was initiated by the town council due to the fact that the citizens only managed to collect 480 signatures (8.32%).¹³ In order to resolve this problem in 2002 two amendments were submitted to the National Assembly by political groups to reduce the threshold in the case of local referendums from 25% to 10%. Even though this proposal was accepted there were further complaints expressing that it should be decreased to 5%.

The larger obstacle of the effectiveness of the local and national referendums is the low turnout and interest. One of the main reasons given by the Bulgarian lawmakers for the existence of the high threshold is the low interest rate shown by the citizens – an initiative committee must gather a significant number of signatures in order to ensure the needed outcome on the day of the referendum. In case of the national referendums the 500 000 signatures needed is also a problematic question due to the fact that the Bulgarian population is decreasing rapidly (high mortality and migration rate).

The third problem is the validation limit of a referendum. On national level the 2013 referendum demonstrated that the mobilization of the Bulgarian voters is very difficult. This is a result of the significant indifference towards domestic politics. In Bulgaria the democratization process suffered great adversity in the 1990s, the role of the civil society did not develop like it did in other countries in Central-Europe and the talented pro-European

¹³ Ibid. 4.

mindful Bulgarians have migrated to Western-Europe. Mainly because of the high corruption rates and the communist legacy the Bulgarians only feel the need for direct democracy at the time of parliamentary or presidential elections. The direct democratic instruments do not have the cultural background in everyday politics of Bulgaria and it is quite difficult to teach it to the increasingly aging population. It is quite evident that there is only a small chance that a crucial issue should trigger a larger outcome of a national referendum in order for it to be valid. However this is unlikely to happen because the political parties are aware of the current issues which may affect their popularity index and may amend certain regulations in order to prevent the initiation from being registered. Another problem is the abuse regarding the collecting of the signatures – even though the number of signatures required is rather high in the case of national referendums there have been many allegations of falsifications. For instance GERB and Rosen Plevneliev, President of Bulgaria launched a campaign in the spring of 2014 in order to hold a referendum on certain amendments of the Election Code and had gathered more than 570 000 signatures, but BSP accused its' political rivals that many citizens never even signed their initiative albeit the fact that their name and signature was on their signature sheets. In fact the official audit institution declared that only 463 000 signatures were valid, the rest (more than 100 000) were contested and controversial due to certain deficiencies in the documentary. Thus the National Assembly – with the majority of the BSP and DPS –down voted the initiative.

In recent time topics like environmental sustainability and preservation, protection of natural habitat and transparent social life have emerged, although prior to 2007 these questions were restricted to a narrow intellectual layer of society. Parallel to this change in the interest of civil society the need for greater intervention with the use of direct democratic instruments can be also detected. Direct democratic practice did not promote a reasonable discussion of certain political issues at the expected level. The political issues and problems are oversimplified, the in-depth analyses and debates are very rare and the campaigns are characterized overwhelmingly by populism. In the recent few years a new kind of political wave has emerged in Bulgaria – new anti-establishment, anti-EU and “jibjab” parties have addressed the voters in order to change their old political preference. The direct democratic instruments provide opportunities for the political parties to manipulate the opinion of the voters as well (e.g. it is a common practice in Bulgaria to bribe voters from marginalized parts

of society in order to support a certain political interest or not to participate on a referendum). It is also common that most of the voters are hardly informed about the options; the information channels are quite restricted.

On national level the direct democratic instruments are almost entirely a part of the all-time opposition's political arsenal. To initiate or at least to envisage a referendum is of great benefit to the opposition parties due to the fact that it is an issue which will be vividly presented by the local media. The media (especially the television) possesses a great opinion-shaping influence in Bulgaria therefore it is vital for the opposition to attract media attention. On the other hand – on local level – if a public institution initiates a referendum it is more likely that the ruling political force will make the proposal.

In the case of Bulgaria we cannot relate to direct democratic instruments on national level as real opportunities in order to solve relevant issues. The political mentality, environment and culture have not reached the desired level that would allow the citizens to force through their will in the decision-making process. Although the legal background more or less gives the opportunity to execute referendums or citizens' initiative, the political system is extremely dependable on oligarchic structures which can easily manipulate the outcome of an eventual initiative. Overall it can be underlined that there is still plenty of room for improvement in order for the Bulgarians to adopt the practice of being engaged directly in the shaping of their country in a political sense. The attitude of the political elite regarding the opportunity of involving the citizens into direct decision-making is very ignorant and scornful. The direct democratic practices extremely increase the polarization of the political arena in Bulgaria – initiatives are an embodiment of a political counterattack even in cases where the opinions regarding the raised issues are very similar to each other.

Direct democracy can become dangerous for the current political status quo – social activity has risen in the recent years, the number of public demonstrations has multiplied compared to the period before 2013. It is interesting to see that the public is relying more on public demonstrations, rallies and non-legal forms of political pressure than referendums or other direct democratic instruments. This is mainly due to the lack of trust shown towards the democratic institutions – the interconnections between the independent public institutions and the political forces are overgrown and apparent.

Direct democratic practice can only be enhanced and improved if the political culture is radically transformed beforehand – so that corruption and the lack of transparency can be detected at all levels of the public and state administration.