REPRESENTATIVE GOVERNMENT
AND DIRECT DEMOCRACY

*Italy and the Main Direct Democratic Traditions
in Europe in the 19th–20th Centuries*[*]

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1. Introduction

"[…] I await with anxiety the result of the count, which is taking place in Central Italy. If, as I hope, this last proof is decisive, we shall have written a marvellous page in the history of Italy. Even should Prussia and Russia contest the legal value of universal suffrage, they cannot place in doubt the immense importance of the event to-day brought to pass. Dukes, archdukes and grand-dukes will be buried forever, beneath the heap of votes deposited in the urns of the voting places of Tuscany and Emilia…"

Camillo Cavour, prime minister of Sardinia-Piedmont demonstrated with these words – in a letter[1] written to Villamarina, Minister of Sardinia at Naples – the importance of the plebiscites held in Tuscany and Emilia on 12 March 1860 on the joining to the kingdom of Victor Emmanuel II. Therefore, at the 150th anniversary of the Italian unification not only does the role of representative institutions in Italian nation-building deserve our attention. Not less interesting is the practice of popular participation in the unification process. This paper aims to deal with the role of popular votes in the Italian "Resurgence" (il Risorgimento) and in later Italian constitutional history taking into consideration the most important European direct democratic traditions as well.

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[*] Written version of a paper presented at the 62nd Conference of the International Commission for the History of Parliamentary and Representative Institutions in Palermo/Messina, 5–10 September 2011.

[1] The extract is published in Italian and English in Sarah Wambaugh: *A Monograph on Plebiscites.* New York, Oxford University Press, 1920. 523. Both its first part "A Study of the Theory and Practice of Plebiscites" and the "Documents" published in the second part of the volume served as fundamental source for this paper.

2. Popular Will in Times of the French Revolution; the Napoleonic Tradition

In modern European history, the idea of popular decision making is traced back to Jean-Jacques Rousseau. In his book on the Social Contract, he resolved the contradiction between state power and individual liberty by declaring that the community of people is subject to laws but is legislator as well. In his radical interpretation of popular sovereignty, "Any law that has not been ratified by the people is null and void – and is, in fact, not a law".[2] This idea first came true in modern constitutional history in revolutionary France. The Declaration of the Rights of Man and of the Citizen of 1789 accepted both direct popular legislation and the law-making by representatives in principle.[3] Although the French monarchic constitution of 1791 was based on the idea of representation, the overthrowing of the monarchy opened the door to direct legislation. In 1792, the French National Convention laid down in a resolution that the expressed consent of the whole nation is required to adopt a new constitution.[4] Therefore, the French Constitution of 1793, the so-called Montagnard Constitution was put to a referendum.[5] This constitution adopted further two direct democratic instruments: the constitutional initiative for a total or partial revision of the constitution and the popular veto on parliamentary statutes. Both of them institutionalized the direct influence of the nation on constitutional and legislative rule-making processes, based on "bottom up" initiatives of so-called primary assemblies. This meant that not only state organs but also the citizens themselves could initiate referendums.[6] However, these "bottom up" instruments were never realized in practice in France, only the constitutional referendum remained after the Jacobin dictatorship.[7]

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[2] "Toute loi que le peuple en personne n'a pas ratifiée est nulle; ce n'est point une loi." Jean-Jacques Rousseau: Du Contrat Social ou Principles du droit politique. Book III, chapter XV. (1st ed.: Amsterdam, Marc Michel Rey, 1762.). In: Charles Edwin Vaughan (ed.): *The Political Writings of Jean Jacques Rousseau*. Vol. II. Cambridge, Cambridge University Press, 1915. 96.

[3] Art. 6: "La Loi est l'expression de la volonté générale. Tous les Citoyens ont droit de concourir personnellement, ou par leurs Représentants, à sa formation." Alexandre Ray: *Réimpression de l'ancien Moniteur*. Vol. I. Paris, Henri Plon, 1858. 368.

[4] "La Convention nationale déclare, 1° qu'il ne peut y avoir de constitution que celle qui est acceptée par le peuple." (22 September 1792) Jean Baptiste Henri Duvergier: *Collection complète des lois, décrets, ordonnances, réglemens, et avis du Conseil-d'État*. Vol. I. Paris, Guyot et Scribe, 1825. 1.

[5] René Baticle: Le plébiscite sur la Constitution de 1793. *La révolution française,* 57. (1909) 496–524.; 58. (1910) 5–30., 117–156., 193–237., 385–410. For the result see the table attached to page 144.

[6] Art. 115: "Si, dans la moitié des départemens, plus un, le dixième des assemblées primaires de chacun d'eux, régulièrement formées, demande la révision de l'acte constitutionnel, ou le changement de quelques-uns de ses articles, le Corps-Législatif est tenu de convoquer toutes les assemblées primaires de la République, pour savoir s'il y a lieu à une Convention nationale." Art. 58: "Le projet est imprimé et envoyé à toutes les communes de la République, sous ce titre: Loi proposée." Art. 59: "Quarante jours après l'envoi de la loi proposée, si, dans la moitié des départemens, plus un, le dixième des assemblées primaires de chacun d'eux, régulièrement formées, n'a pas réclamé, le projet est accepté, et devient loi." Art. 60: "S'il y a réclamation, le Corps-Législatif convoque les assemblées primaires." Duvergier op. cit. vol. V. 441., 439.

[7] The French Constitution of 1795 entitled – in the last instance – the primary assemblies to approve the proposed constitutional amendments. Art. 26: "Les assemblées primaires se réunissent: - 1° Pour

The question of popular sovereignty arose in connection with some territorial issues as well in the first period of the French Revolution. In July 1791, popular votes decided the status of Avignon and the neighbouring Comtat Venaissin. These regions were still a part of the patrimony of the Holy See but the revolution increased the discrepancy between unionists and inhabitants willing to continue under the administration of the Pope. Finally, the French Assembly sent three commissioners to the region who organised popular votes in the communes. The majority voted for the incorporation with France and the French Assembly passed a law of union on 14 September.[8] In 1792, the inhabitants of the duchy of Savoy were also consulted on their intention whether they want to remain a part of the kingdom of Sardinia or to return to France. Still in this year the same happened to Nice as well. In both cases, the process was organised in the same way as in Avignon; the majority of the population voted for France.[9] These cases can be considered as first sporadic realizations of the principle of self-determination.

Still at the turn of the eighteenth and nineteenth centuries, several plebiscites were held on territorial and other constitutional issues in French client republics of Italy, established during the French revolutionary wars, like the Cispadane and Cisalpine Republics, the Republics of Venice and Lucca and in the Ligurian Republic.[10] However, these popular votes bore the signs of the Napoleonic use of plebiscites, where people have only the right to confirm decisions which had already been taken and mostly effectuated as well. Bonaparte Napoléon applied this procedure four times on the French national level too: plebiscites approved the constitution of the Consulate (1799), Napoléon himself as first consul for life (1802), two years later as emperor (1804). After his return from Elba in 1815, he restored and amended the imperial constitution of 1804 and submitted this "Additional Act" as well to popular vote. In each case the constitutional question was related to the person of Napoléon, the vote served not only to ratify a constitutional amendment but also to strengthen

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accepter ou rejeter les changements à l'acte constitutionnel, proposés par les assemblées de révision." Cf. Léon Duguit – Henry Monnier – Roger Bonnard (eds): *Les constitutions et les principales lois politiques de la France depuis 1789.* 7th ed. by Georges Berlia. Paris, Librairie générale de droit et de jurisprudence, R. Pichon & R. Durand-Auzias, 1952. 78. See further title XIII, 105–106.

[8]   Wambaugh op. cit. 33–40.; Philip Goodhart: Referendums and Separatism I. In: Austin Ranney (ed.): *The Referendum Device.* Washington, D.C., American Enterprise Institute for Public Policy Research, 1981. 138–139.

[9]   Wambaugh op. cit. 41–45.; for further similar territorial plebiscites in Belgian Communes (1793), on the French-German border in the Upper Rhine region (1793), in Mulhausen and Geneva (1798) see 45–57.

[10]   In the Cispadane Republic (Repubblica Cispadana, 1796-1797): on a new constitution (19 March 1797); in the Cisalpine Republic (Repubblica Cisalpina, 1797–1805): on a new constitution (2 October 1798); in the Republic of Venice (Repubblica di Venezia): on the future of the republic – remaining in uncertainty or free homeland (28 October 1798); in the Ligurian Republic (Repubblica Ligure, 1797–1805): on a new constitution (2 December 1797), on the accession to France (27 May 1805); in the Republic of Lucca (Repubblica Lucchese, 1799–1805): on a new constitution (7 June 1805), on the male succession to the throne (14 June 1805). In summer of 1797, a plebiscite was organised in Valtellina on the accession to the Cisalpine Republic. For further details see: Beat Müller: *Database and Search Engine of Direct Democracy,* http://www.sudd.ch (accessed: 14 March 2014).

him in his position.[11] The votes in the client republics occupied by military corps were also not free expressions of the popular will.

Similarly to these Napoleonic plebiscites, the above mentioned territorial votes were also mostly abolished after the fall of Napoléon and the plebiscite itself was not commonly recognized as a lawful instrument for the settlement of territorial issues.

3. Italian Plebiscites in the Springtime of the Peoples

However, the idea of popular sovereignty was reborn in Italy during the next wave of European revolutions. In March of 1848, the revolt of the northern Italian provinces began in Milan. The municipality established a provisional government which was later extended to the whole of Lombardy. Charles Albert, King of Piedmont-Sardinia declared war on Austria. Parma, Modena, Reggio and the cities of Venetia also instituted provisional governments.[12] On 31 March, Charles Albert declared in his proclamation that "the wish of the nation shall be expressed freely".[13] He proposed to elect a representative assembly for the revolutionary provinces on the basis of a very broad and liberal franchise, "in order that the decision of the same may be really regarded as a most sincere expression of the common will". He also emphasized that "to the people alone [...] belongs the sacred right of determining the form of its own government".[14] This pledge was intended to calm the republicans as well who wanted to establish a republic. In the next days, a commission appointed by the provisional government of Lombardy – together with delegates from other provinces – began to organise primary assemblies for the election of a representative assembly. But the impatient general public could not wait until the commission finishes its work. In Piacenza, citizens opened registers for a vote on the unification with Sardinia. The Lombard government also decided to organise a plebiscite on the question of whether there should be an immediate union with Sardinia or a delay of the decision. Plebiscites were held at the same time on the union in Parma, Guastalla, Modena and Reggio. Male citizens over twenty-one years of age had the right to vote. They could sign registers in the presence of the parish priest as a chief election official. The lists were open over a considerable period of time; the overwhelming majority voted for the union. The Sardinian Parliament incorporated each province basing the union on the result of the plebiscites.[15]

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[11] On the Napoleonic use of plebiscites see: Christoph Frei: Direkte Demokratie in Frankreich. Wegmarken einer schwierigen Tradition. *Vorträge am Liechtenstein-Institut, Kleine Schriften* 22, Vaduz, Verlag der Liechtensteinischen Akademischen Gesellschaft, 1995. 12–15.

[12] Wambaugh op. cit. 58–59.

[13] Proclamation of King Carlo Alberto promising a free vote, 31 March 1848; Wambaugh op. cit. 372.

[14] See the confidential communication to the Government of Lombardy expressing the desire of Carlo Alberto, Lodi, 31 March 1848, Wambaugh op. cit. 373–374.

[15] Wambaugh op. cit. 59–64. See further the laws adopted by the Sardinian Parliament on 13 and 16 June 1848 on the acceptance of the popular votes in Modena, Reggio, Parma and Guastalla, 439–440., 417–419. In case of Venice – where no popular vote was held – the Sardinian Parliament accepted the vote of the Venetian Representative Assembly on 27 July 1858. Ibid. 409–410.

However, the military events have overwritten the popular will. The Austrian troops forced back the Piedmontese army; Charles Albert abdicated in favour of his son Victor Emmanuel II who concluded peace with general Radetzky. Lombardy and Venetia again became Austrian territory.

4. The Role of Plebiscites in the Creation of the Italian State

It nevertheless took only a decade to set the Italian unity on the agenda again. Napoleon III who rendered help to Cavour against Austria, had already made use of the plebiscite twice in order to establish his autocracy in France: in 1851, a plebiscite confirmed his prolonged ten-year presidency and empowered him to work out a new constitution. In 1852 he transformed his authoritarian regime and established the Second French Empire. His dignity as emperor was approved by a plebiscite in this case as well.[16] As for Italian territorial issues he was not averse to applying this instrument again. On 8 June 1859, after the battle of Magenta, he promised in a proclamation to the Italian people: "[…] my army will oppose no obstacle to the free manifestation of your legitimate desires" and endeavoured – without success – to write into the Agreement of Villafranca that the settlement shall be done "according to the votes of the population".[17]

However, the Agreement of Villafranca, this separate peace between Napoléon III and Franz Joseph I ceding only Lombardy to France and then to Sardinia, did not meet the Italian aspirations. Following the proposal of the English Foreign Secretary, Lord John Russell,[18] representative assemblies were convoked in Tuscany, Modena, Parma, Piacenza and Romagna, on the basis of adult literate male suffrage. These assemblies adopted resolutions on the annexation to the Kingdom of Victor Emanuel II. However, Napoléon refused to accept these votes referring to pressure from Sardinia and the warlike circumstances, but he could not contest the principle of popular sovereignty.[19] Therefore, the British Cabinet proposed an election of new Italian assemblies who may decide the question of the union with Sardinia.[20] However, Cavour preferred to consult the "Italian nation" directly.[21] The plebiscites took place

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[16]   FREI op. cit. 16–19.

[17]   WAMBAUGH op. cit. 66. fn. 3, and page 13.

[18]   Lord J. Russel to Mr. Corbett, British Minister at Florence (19 July 1859): "[…] I have to state to you that it is much to be desired that a Representative Assembly should be convoked in Tuscany, in order that the wishes of the people in favour of the autonomy of that country may be regularly and freely expressed." Lord J. Russel to Earl Cowley (16 August 1959): "The people to Tuscany, for instance, have the right which belongs to the people of every independent State, to regulate their own internal government. To interfere by force with the exercise of that right would not be defensible on any principle of public law." WAMBAUGH op. cit. 449., 442.

[19]   WAMBAUGH op. cit. 67–71.

[20]   See Lord J. Russel's dispatch to Earl Cowley, British ambassador at Paris on 15 January 1860, WAMBAUGH op. cit. 500.

[21]   See Cavour's dispatch to the Governors of Emilia and Tuscany on 29 February 1860, WAMBAUGH op. cit. 508.

first in Tuscany and Emilia (including Parma, Modena, Romagna, Bologna etc.) on 11 and 12 March 1860 on the basis of an absolute manhood suffrage for citizens over twenty-one. The ballot was secret; people could vote in the chief towns of the districts by dropping their ballot into the ballot-boxes. They had to choose between two voting-papers with written or printed formulas: either the "Union with the Constitutional Monarchy of King Victor Emanuel" or a "Separate Kingdom". The overwhelming majority voted for the union. After Garibaldi's advance and the deposition of the House of Bourbon, the same happened in Naples and Sicily in October, and finally – after the Piedmontese army crushed the papal forces – in Umbria and Marche in November. Subsequently, Victor Emanuel declared these provinces integral parts of the Italian state.[22] In February 1861 the first Italian Parliament assembled in Turin, Victor Emanuel was voted King of Italy and the new kingdom was recognised by Great Britain and – three months later – by France.[23]

The accession of Venetia and Rome was realized some years later but in these cases as well, the popular will proved to be a decisive factor. As for Venetia, Italy – in exchange for the help rendered to Prussia in the Schleswig-Holstein war – got the promise from Bismarck to obtain the province. Just like in 1859 in case of Lombardy, the province was formally delivered through the medium of France this time as well. In October 1866, in the peace treaty between Austria and Italy, Franz Joseph recognized the union of the Lombardo-Venetian Kingdom to Italy, "under the reservation of the consent of the populations, duly consulted..."[24] The plebiscite was held still in the same month; the vote was nearly unanimous.

As for Rome, the opportunity of the union was offered by the Franco-Prussian war of 1870. After the withdrawal of the French troops who protected the temporal power of the Pope, the Italian forces occupied Rome without running into considerable resistance. It came to the vote on 2 October. The organisers tried to use every means for the sake of the cause. Native Romans from all parts of the peninsula were transported by the railway free of charge to Rome to cast their votes. Italian soldiers, their camp-followers, boys under age were allowed to vote. As electoral certificates were not made out for a special district and were not to be surrendered after casting a vote, one man could vote in several districts. On the other side, the Pope prohibited all Roman Catholics from taking part in the ballot which was – from his point of view – a reason for questioning the sovereign right of the Papacy. Under such circumstances, the vote again had given a definite answer to the question of the union. The King accepted the votes and a royal decree incorporated the Roman provinces in the Kingdom of Italy.[25] The unification of Italy was now completed.

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[22]   Johannes Mattern: *The Employment of the Plebiscite in the Determination of Sovereignty.* Baltimore, Johns Hopkins Press, 1922. 89–92.

[23]   Wambaugh op. cit. 72–75., 89–96.

[24]   Treaty of Peace between Austria and Italy. Signed at Vienna, 3 October 1866. Wambaugh op. cit. 681.

[25]   The decree (9 October 1870) referred to the result of the plebiscite – Wambaugh op. cit. 724. See further ibid. 99–101.

One could bring up several arguments for a negative evaluation of the use of popular votes in the unification process. The secrecy of the ballot was mostly violated, the territories were under military occupation, women had no right to vote.[26] However, it can't be denied that the plebiscites were clear expressions of the popular will which was in these cases recognized as a decisive factor in solving territorial issues. By deciding fundamental questions, elected state organs, representative assemblies played only an executive role: they ordered the plebiscites and ratified the result. In this sense, a valuable idea of the French Revolution was restored and applied in practice. These popular votes were not needed to reveal the people's opinions and feelings concerning their foreign princes and the union with Piedmont. But they were important in terms of realizing the principle and – last but not least – as political manifestations against possible plans of intervention by foreign powers.[27]

5. The Swiss Model of Direct Democracy

Interestingly, after this strong reference to the people's will during the unification process, not a single plebiscite or referendum was held in Italy in the subsequent decades. The representative character of the Italian political system became predominant over the direct exercise of popular sovereignty. Although at that time in neighbouring Switzerland another political system was established strongly relied on the direct expression of the popular will. In Switzerland, in two revolutionary periods in the 1830s and the 1860s, several popular rights were adopted both on cantonal and national level. During times of the so-called Regeneration, most cantons – and in 1848 the federation as well – adopted the mandatory constitutional referendum. Every amendment of the cantonal or federal constitution was to be subject to popular vote. Furthermore people had the right to initiate facultative referendums, to bring new laws by petition to the electorate and to thereby set a veto on them. Finally, the Swiss citizens were given the power to launch popular initiatives: they can initiate modifications of the federal constitution either by a precisely formulated draft or by a general suggestion; the proposal is in both cases subject to a referendum.[28] For this reason, contrary to the French practice of the Napoleonic plebiscites, the Swiss tradition was formed by popular movements coming from below.

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[26] These circumstances are brought forward by Anne Peters: *Das Gebietsreferendum im Völkerrecht. Seine Bedeutung im Licht der Staatenpraxis nach 1989*. Baden-Baden, Nomos, 1995. 50.

[27] Mattern op. cit. 96, referring to Felix Stoerk: *Option und Plebiscit bei Eroberungen und Gebietscessionen*. Leipzig, Duncker & Humblot, 1879. 127–128.

[28] Kris W. Kobach: Switzerland. In David Butler – Austin Ranney (eds): *Referendums around the World. The Growing Use of Direct Democracy*. Washington, D.C., AEI Press, 1994. 99–101.; Alexander H. Trechsel – Hanspeter Kriesi: Switzerland: the Referendum and Initiative as a Centrepiece of the Political System. In: Michael Gallagher and Pier Vincenzo Uleri (eds): *The Referendum Experience in Europe*. Basingstoke, Macmillan, 1996. 185–189.

6. Interwar Period

While in the nineteenth century both the Swiss model of "bottom up" initiatives and the Italian practice of territorial plebiscites remained exceptional manifestations of the direct popular decision-making in Europe, the times after the First World War had brought a first spread of direct democratic institutions in other European countries as well. The Weimar Constitution (1919), the Constitution of Austria (1920), the first Constitutions of the Republics of Estonia (1920), Latvia (1922) and Lithuania (1922), the Constitution of the Irish Free State (1922),[29] all adopted different instruments of popular legislation. In some of these countries, the instruments were misused by authoritarian regimes in the 30ies – it is enough to refer to the popular votes in Estonia in 1933 and 1936 which paved the way for Konstantin Päts,[30] or to mention of Hitler's plebiscites in 1933, 1934 and 1938.[31] Two popular votes of Mussolini fit in this tendency as well. Although they concerned the election of the parliament they are sometimes referred to as "plebiscites" because only one list was admitted and the voters could merely accept or refuse the list en bloc. Candidates were nominated by legally recognized associations of employers and employees and by cultural and patriotic organizations, but the list of 400 candidates was made up by the Grand Council of Fascism and this assorting was finally put to the vote of the electors. Therefore, the two plebiscites in 1929 and 1934 cannot be considered free expressions of the popular will, all the more because they were held in the atmosphere of intimidation. It should be noted here that the parliament was already robbed of its original functions in 1928, its power was mostly handed over to the Grand Council of Fascism.[32]

7. Referendums in the Italian Republic

The recommencement after the end of the Second World War has raised the question of popular sovereignty again. The form of government itself was decided by a national referendum in 1946; the majority voted for a republic.[33] At the same time the Constituent Assembly was elected in order to elaborate the new constitution.

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[29]   See art. 73–76. of the Weimar Constitution of 1919; art. 41, 43–46. of the Constitution of Austria (1 October 1920); art. 30–34 and 87–89 of the Constitution of the Republic of Estonia (1920); art. 48, 50, 72–80 of the Constitution of the Republic of Latvia (1922); art. 20, 102–103 of the Constitution of the Republic of Lithuania (1922); art. 47–50. of the Constitution of the Irish Free State (1922).

[30]   Cf. Evald Uustalu: *The History of Estonian People*. London, Boreas, 1952. 202–208.; Andres Kasekamp: *The Radical Right in Interwar Estonia*. Houndmills–Basingstoke–Hampshire–New York, Macmillan Press – St. Martin's Press, 2000. 32–48. and 120–128.

[31]   Otmar Jung: *Plebiszit und Diktatur: die Volksabstimmungen der Nationalsozialisten. Die Fälle »Austritt aus dem Völkerbund« (1933), »Staatsoberhaupt« (1934) und »Anschluß Österreichs« (1938).* Tübingen, J.C.B. Mohr, 1995.

[32]   William Ebenstein: *Fascist Italy*. New York, American Book Company, 1939. 44–46.; Dolf Sternberger – Bernhard Vogel: *Die Wahl der Parlamente und anderer Staatsorgane*. Vol. I/1. Berlin, Walter de Gruyter, 1969. 725–726.

[33]   Sternberger–Vogel op. cit. 730.

In course of the debate the Assembly discussed the question of direct democratic institutions in detail as well. It aimed to establish a kind of "half-direct democracy", where political matters of high importance could be decided not only by the representative state organs but directly by the voters as well. The Constitutional Commission of 75 deputies (Commissione dei 75) presented a draft constitution with the suspensive referendum ("referendum sospensivo"), an instrument similar to the Swiss facultative referendum, which entitled citizens to set a veto on bills adopted by the parliament but not yet promulgated as laws. However this draft was cut down and other important institutions of direct democracy were adopted.[34] In addition to the facultative constitutional referendum, the most particular is the abrogative referendum ("referendum abrogativo") which empowers 500 000 voters or five regional councils to put an existing law – or a part of it – to popular vote (art. 75). As the initiative can be aimed at laws that have been in force for many years but also at statutes which have just been adopted by the parliament, the abrogative referendum does not only have a negative, veto character. In case it aims to repeal a long-established law, it becomes an instrument of reform and a device of political agenda setting, because the representative power is constrained to adopt a new regulation instead of the abrogated one.[35]

The law on the referendum process foreseen by the Constitution was adopted only in 1970. Therefore, the first nation-wide referendum was held in 1974. Since that time, it came to twenty national referendums concerning seventy questions. The issues are diverse: in addition to questions on divorce and abortion also environmental, constitutional and other matters were submitted to the vote. Although it comes quite frequently to referendums in European comparison (every two years a referendum – nearly two questions per year on average), the direct exercise of popular sovereignty has not endangered the Italian parliament's power and it hasn't change the prevailingly representative character of the Italian political system.[36]

These direct democratic institutions and the frequent use of them places Italy – next to Switzerland and Liechtenstein – not only among the first three European democracies that have held the most national referendums in their history. It also qualifies it as the owner of a particular and exemplary tradition of direct democracy. This might be explained not only by former considerations of the 1946 Constituent Assembly and by actual political circumstances of the subsequent times. The beginning of this particular tradition is to be found in the practice of territorial plebiscites in the Italian unification process.

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[34] Katharina Fontana: *Die Gesetzgebung in Italien*. Basel–Frankfurt am Main, Helbing & Lichtenhahn, 1993. 104–106.

[35] Vernon Bogdanor: Western Europe. In Butler – Ranney (eds.) op. cit. 61–69.; Pier Vincenzo Uleri: Italy: Referendums and Initiatives from the Origins to the Crisis of a Democratic Regime. In Gallagher–Uleri (eds.) op. cit. 106–125.

[36] Cf. Anna Capretti: Direkte Demokratie in Italien. In: Hermann K. Heussner – Otmar Jung (eds): *Mehr direkte Demokratie wagen. Volksentscheid und Bürgerentscheid: Geschichte / Praxis / Vorschläge.* 2nd ed. München, Ollzog, 2009. 170–171.