

# Swiss direct democracy: the dark side of Habermas

An inquiry into participation for sustainability

*Leonhard Späth*

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Master Thesis Series in Environmental Studies and Sustainability Science,  
No 2013:008

A thesis submitted in partial fulfillment of the requirements of Lund University  
International Master's Programme in Environmental Studies and Sustainability Science  
(30hp/credits)



## LUCSUS

Lund University Centre for  
Sustainability Studies



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Leonhard Späth

leonhard@spath.ch

A thesis submitted in partial fulfillment of the requirements of Lund University International Master's Programme in Environmental Studies and Sustainability Science for the degree of Master of Science

Submitted May 18, 2013

Supervised by Turaj Faran

**Lund University Centre for Sustainability Studies, LUCSUS**

Geocentrum 1, Sölvegatan 10

P.O. Box 170, SE-221 00 LUND, Sweden

[www.lucsus.lu.se](http://www.lucsus.lu.se)



## **Abstract**

Stakeholders' participation has been recognized as a pillar for a transition toward a more sustainable society. However, there is little empirical evidence concerning the viability of participation mechanisms at large scale. This research analyzes a popular referendum process in Switzerland *against* a law that would have been a step toward a low-carbon society in the Canton of Fribourg. Aiming to investigate the citizens' reasons to vote 'yes' or 'no', the critical theory of Habermas has been used as a framework. A first round of citizens' interviews revealed that instrumental valuation of environment and sustainability is *not* the main driver leading citizens to take non-sustainable decisions. Furthermore, aiming to investigate the reasons of the low participation at the referendum, Lukes's radical view of power has been used. A second round of interviews revealed two main mechanisms that fostered citizens' inaction toward voting: a low deliberation quality and a lack of deliberation space. These results show the effects of a public sphere being inactivated through economic and power-related imperatives. The revealed inactivation mechanisms suggest that new deliberation forms and spaces have to be investigated and fostered for a transition toward a sustainable society through participation.

**Keywords:** Sustainability Science, Habermas, Lukes, Switzerland, referendum

## **Acknowledgments**

First and foremost, thank you Turaj for having supervised my thesis and for helping me during the difficult adaptation process from my deep-rooted quantitative mind toward a qualitative approach to solve scientific issues. Thank you for giving me the necessary structures to move forward through the apparent fuzziness of social theory. Thanks to my family for supporting me, and especially Bertrand, Claudia and Vito for hosting me during my fieldwork. You have turned these weeks of work into holidays! Thank you thesis-discussion group: ‘reasoned’ Pia and ‘badass’ Helen for constructively criticising my work. Many thanks to the ‘office group’: Bekki, Colin, Frida, Teresa, Þórhildur and especially Ina for having hosted us in your internetless attic. It was a great contribution to productivity and to discussion ...after all, everything will be alright! Thank you Ina, Leif and Richard for reading my thesis and giving me many insights that I was not able to see before. Thank you all LUMES-friends for these awesome two years.

Un grand merci à toutes les personnes que j’ai pu interviewer durant ce travail. Merci de m’avoir laissé un peu ‘gratter votre esprit’, ce qui m’a permis de rester très optimiste concernant les défis à venir en matière de participation citoyenne pour le développement durable.

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## **Preface**

Participation here... participation there... participation is a recurrent topic within the field of Sustainability Science. Moreover, participation is often ‘sold’ as something innovative and progressive that has the potential to solve many sustainability issues, in other words: a kind of panacea. But, are we sure that it would work on a large scale?

Switzerland already has direct democratic mechanisms in its constitution, namely: referendum and popular initiative, thus allowing direct popular participation in decision making. However, why do most scholars never mention them while arguing for more participation? Even Jürgen Habermas, the great partisan of the ‘public use of reason’, describes a system where the population may decide which issues have to be additionally processed by the authorities and which measures, from the state, may intrude in the populations’ life. Then, why are these already existing participation-friendly states never mentioned?

A careful assumption led me to think that maybe these scholars do not know if participation really works... An additional, less careful assumption, led me to think that they do not mention direct-democratic states because they know that participatory mechanisms, at least in the already existing forms, do not work. These conjectures require a deep exploration of the participation-field to discover its hidden realities, but also its hidden potentials.

In this thesis, I aim to reveal the empirical implications concerning large-scale popular participation for the field of Sustainability Science. Taking Switzerland as a ‘laboratory’ to see how institutionalized participation and sustainability in developed countries may work together through direct democratic participation mechanisms, I will analyze the current participatory situation, pointing out its realities and its faults. Finally, without abandoning the idea that participation may be a key for a transition toward sustainability, I will point out several flaws that should be addressed to enable a transition toward a sustainable society using already existing well-tried participatory mechanisms.

This thesis will cover two main aspects of participation related to sustainability: firstly, it will cover the way decisions associated to sustainability are made by citizens through voting. Secondly, having taken a citizens’ participation starting point, I will then explore non-participation, investigating what reasons keep a part of the population inactive at votes, although they have the possibility to trigger changes toward sustainability. These two main aspects of participation will be analyzed through two theories; the critical theory of Habermas will be used as a framework for the whole thesis, while Lukes’ radical view of power will be used as a theoretical add-on to explain non-participation. To gather evidence from the field, I performed two fieldwork rounds in the same area and for the same voting issue: the referendum for the Energy Act of November 25<sup>th</sup>, 2012 in the canton of Fribourg. Each of the two fieldwork rounds covered a different issue: participation and non-participation.



# **1 Introduction – an inquiry into participation for sustainability**

Increasing human activities on the planet have led to increased pressure on the environment. Boundaries for a “safe operating space for humanity” have been exceeded, compromising the ability to preserve our ‘life-support system’ in the long run (Rockström et al., 2009). Considering the definition of sustainable development as “[m]eeting fundamental human needs while preserving the life-support system of planet Earth” (Kates et al., 2001), it may be assumed that sustainability is in the interest of everyone. Therefore, through a stakeholder-participation perspective, sustainability turns each citizen into a stakeholder and his/her interests should be directed toward this goal. Thus, one may also assume that participation of stakeholders, i.e. citizens’ participation, should be high and consensual toward the goal of a sustainable society. However, although participation is often assumed to be a way towards sustainability (Bäckstrand, 2003; Reed, 2008), in practice it remains hypothetical (Smith, 2003, p. 6; Swyngedouw, 2005).

Although traditional uni-disciplinary sciences enabled major scientific advances, they have yet been unable to solve global sustainability problems that span and interlink various disciplines in a complex fashion (Perrings, 2007). Sustainability Science does not aim to understand traditional disciplinary science more deeply (ibid.). On the contrary, it aims to be problem-driven and solution-oriented, addressing complex issues involving several disciplines in a transdisciplinary fashion, valuating information and actors from outside academia, and generating useful knowledge to address sustainability issues (Lang et al., 2012; Perrings, 2007). Therefore, this research draws on knowledge from different disciplinary fields, mainly social and political science, adding to evidence from the field to offer solutions to the participation issue addressed.

## **1.1 When energy strategies meet popular decisions**

The energy strategies of the Swiss Confederation and its cantons are a main contribution to a transition toward a society relying less on fossil and nuclear fuels (FOEN, 2009a, 2009b). This challenging transition is planned with a long-term perspective (2100) and several milestones are put in between to evaluate the necessary legal measures for this transition. Legal measures to reduce energy consumption have to encourage the Swiss society to implement new technologies, but also to change consumption habits. These measures are in the forms of incentives and bans; the Swiss picture these measures as the *carotte* (carrot) and the *bâton* (stick) which frame citizens’ behaviors in given ways, comparing the citizen to a stubborn horse (or a donkey) (Wuthrich, 2012).

Usually in representative democracies, governments make decisions on what kind of carrot or stick will be used. In Switzerland, the direct democratic legal framework lets the Swiss population propose its own carrot or stick through popular initiatives (Kriesi and Trechsel,

2008, ch. 4; Linder, 2010, ch. 3). Moreover, Swiss citizens, originating from different linguistic cultures and being more bound politically than culturally (Chollet, 2011, Linder, 2010, p. 5), have the right, through popular referendums, to refuse undesirable carrots and especially undesirable sticks. As it is common knowledge that horses prefer carrots to sticks, it is often assumed that citizens may follow the same behavioural pattern. However, as humans have the ability to discuss abstract concepts it may be assumed that the population would have the necessary wisdom to choose the appropriate carrots and sticks to provide an optimal well-being for itself.

From a political science perspective, direct democratic voting has inherent advantages that may tone down many direct-democracy critics. Kriesi (2005, p. 235) reports the main critics' reservations towards direct democracy: firstly, "direct-democratic decisions are too complex;" secondly, "participation in such decisions is too low;" and thirdly, "such decisions are subject to populist exploitation." He responds to these concerns, although acknowledging that not everything is perfect, that complexity is addressed through "decreasing costs of political information for the general public and the public's increasing capacity to process political information" (ibid., p. 236). Moreover, the participation rate is directly dependent on the involvement of the elite, mirroring the importance of the issue at stake; additionally, mechanisms of "selective defection based on lack of competence" keep the most unaware citizens out of the decision making process (ibid., 2005, p. 238). Finally, populist concerns will stay limited

*"[a]s long as the elite speak with many voices, as long as there is a conflict among the elite, as long as the elite form clearly structured coalitions and provide a diversity of arguments for the diverging points of view, the direct-democratic process does not risk falling into the populist trap." (Kriesi, 2005, p. 239)*

The appeasing arguments of Kriesi (2005) suggest a relatively well functioning Swiss democracy. However, it is still unclear how the Swiss citizens would consider issues that are put in a longer time-scale than usual political issues. The reality of the Swiss political scene has shown several times how political directions toward a more sustainable society have been slowed down through popular votes and this calls for more research about the mechanisms at work in popular decisions concerning long-term measures related to environmental challenges (Avenir des crêtes, 2010; Etat de Fribourg, 2012a, 2012b). To analyze these mechanisms, the case of the referendum on the Energy Law in the Canton of Fribourg (Etat de Fribourg, 2012a) provided considerable information about how citizens react to directions taken by the government to evolve into a more sustainable society through reduction of electricity consumption.

## **1.2 The case of the popular referendum on the Energy Act in the Canton of Fribourg**

Following the Fukushima nuclear disaster in March 2011, the confederation has taken the

decision to definitely phase out nuclear plants at the end of their planned operational lifespan; (FOEN, 2012, pp. 4-10). Until then, natural gas plants would be used as a bridging technology while switching toward renewable energies (ibid.). Besides this transition, the energy consumption will be reduced by strengthening current legislation and the state of Fribourg set more ambitious energy-saving consumption targets in the Energy Act. To reach these targets, the modification of the Energy Act included a ban on electric heating systems by 2025 (Etat de Fribourg, 2012c). This forced phasing-out of electric heating systems resulted in citizens launching a referendum that collected double the amount of signatures required for a cantonal referendum (for more details about Swiss democracy, see Appendix A.1) (Etat de Fribourg, 2012d). This outcry was strong enough to put the authorities under pressure. Because the cantonal legal framework does not allow a repeal of a single article (Etat de Fribourg, 2012c), the population had to vote on the entire act, not only the article banning electric heating systems.

Arguing mainly about the unbearable costs for house-owners having electric heating systems, the referendum committee could, by a narrow margin, convince a majority of the voting population to refuse the tightening of the Energy Act on November 25<sup>th</sup>, 2012 with 50.75% of participants voting ‘no’ with a relatively low participation rate of 29% (Etat de Fribourg, 2012b). The main reasons reported in the media about this repeal are the low participation in voting, short-term financial concerns of the opposing part of the population, skepticism toward bans and an idealized ‘David against Goliath effect’ picturing a small ‘heroic’ referendum committee confronting the large unanimous authorities (Gaillet, 2012; Wuthrich, 2012). Although the state of Fribourg admits to have learned from this referendum experience (Gaillet, 2012), the legislative process to lower electricity consumption has been stalled. However, is this situation just an accident that can easily be changed in the future? Considering the necessary reduction of energy consumption, laws that are more intrusive in citizens’ lives than the Energy Act will have to be accepted by the population, which in Switzerland has the right to decide what kind of carrots and sticks will be necessary to move in a more sustainable direction.

### **1.3 Aims and research questions**

Aiming to assess participation of citizens in the transition process toward a sustainable society, this research focuses on existing popular decision-making processes. Revealing its possible flaws in a systematic way makes it possible to point out the missing aspects that have to be addressed to consider popular participation as a viable way toward sustainability. Several studies about direct democracy issues have been carried out at a national level in Switzerland; however, direct democratic issues at a cantonal level are, from a sociological perspective, under-represented (Gfs.Bern, 2013; Kriesi, 2005, p. 14; Widmer, 2013). In addition to assessing the role of participation in a transition toward sustainability, this thesis may be seen as a contribution to fill this gap, describing dynamics at a sub-national level and

thus completing the ‘federalist knowledge structure’ about the Swiss political system. Aiming to improve the ability of citizens to take enlightened decisions, this research does not aim to address fundamental issues related to different forms of democracy – direct or indirect – but to improve the quality of the ‘social use’ of already existing direct democratic popular rights. Therefore, this research covers the participatory aspect in a direct democratic scheme as can be found in Switzerland, sometimes also described as semi-direct (see Appendix A.1) where direct democratic mechanisms complement a representative democratic structure (Linder, 2010, p. 98).

Considering the case of the Energy Act, the reasons for the voting results, as advocated by the newspapers, have been mainly financial concerns, a popular skepticism against bans and low participation in the voting (Gaillet, 2012; Wuthrich, 2012). Although these reasons may form part of the explanation, more systematic treatment is needed to deeply investigate what the reasons are for the population to act in certain ways. Thus, a first research question may be formulated:

- **RQ1:** ‘*What are the main reasons for the population to accept or to refuse the referendum on the Energy Act?*’

To answer the first research question, the critical theory of Habermas, especially developed in his work *Between Facts and Norms* (Habermas, 1996), gives a framework that fits the cantonal direct democratic system, especially considering the possibility given to the citizens to balance the power of the state through referendums and popular initiatives. Furthermore, Habermas’ other main works will be used to answer this first research question: *The Structural Transformation of the Public Sphere*, to explain the role played by economic concerns against value concerns (ibid., 1991). Furthermore, *The Theory of Communicative Action* (ibid., 1984, 1987) will be used to investigate the deliberations that led to the outcome of the referendum concerning the Energy Act, and to compare them to an ideal deliberative situation. Considering the low participation in voting, a further theory will be used to structure power issues resulting in citizens’ inaction. Steven Lukes’s work *Power: A Radical View* (Lukes, 2005), will be used to investigate the three dimensions of power that are partly addressed by Habermas. This aspect is answered in a second research question:

- **RQ2:** ‘*What are the main reasons for the population to abstain from the referendum on the Energy Act?*’

Framing in a systematic way the reasons of the citizens to take action as a ‘yes’, a ‘no’ or through inaction will make it possible to suggest necessary improvements for an increased quality of participation regarding sustainability issues. This may enable citizens and governments to take measures to improve their decisions through participation in order to be adaptive enough to face the coming challenges related to energy efficiency and sustainability.

## 2 Theoretical framework: The public use of reason

*“What raises us out of nature is the only thing whose nature we can know: language.”  
(Habermas, 1972, p. 314).*

Jürgen Habermas, described as the main figure of the second generation of the Frankfurt School’s critical theorists, defines “the public use of reason” as the core of his theory (Thomassen, 2010, p. 12). Habermas emphasizes a citizens’ ‘public sphere’ able to make decisions in a rational way. Thus, his theoretical approach is particularly useful to describe the problem addressed in this thesis. This chapter describes the relevant aspects of Habermas’s critical theory and how they may be applied to the existing Swiss participatory scheme.

Going back to the enlightenment and following the prime demand of this epoch as formulated by Immanuel Kant, “*Sapere aude!*, Have courage to use your own understanding!”, Habermas describes modernity as the emergence of a critical sphere within the society, in which citizens can be critical through reason, in the public sphere and against the authorities (ibid., p. 40). In his first main work, *The Structural Transformation of the Public Sphere*, Habermas describes the emergence of a critical society where critical debates led toward mutual understanding as an end (ibid., p. 10). However, at the end of the 19<sup>th</sup> century, the critical society declined and critical debates opened space for discussions enclosing increasing strategic interests and gradually the initial critical aspect of debates was set aside, turning the critical public sphere into a spectator of instrumental negotiations of interests responding to economic and power-related imperatives (ibid., p. 45).

Instrumental discussion, is one means where strategic interests are at stake (ibid., p. 10). Instrumentalization in debates led the first generational critical theorists of the Frankfurt School to describe a pessimistic picture of the future of society (ibid., pp. 21-22). Instrumental reason would take over the public sphere, dominating citizens, thus wrecking the initial ideals of the enlightenment (ibid.). The fundamental aspect that differentiates Habermas from the first generation of the Frankfurt School is that he proposes alternatives to this bleak destiny of society (ibid., p. 23). Habermas sheds light on the fact that if humans are able to criticize this development of instrumental reason, there must be another kind of reason having emancipatory virtues serving as a way out of the dominating effects of instrumental reason: communicative reason (ibid., p. 22). While instrumental reason mainly aims to dominate, communicative reason in opposition aims to reach a “shared consensus on the basis of a domination-free dialogue” (ibid., p. 23), raising hope for a further impulsion toward modernity as an unfinished project initiated by the enlightenment.

### 2.1 From a philosophy of consciousness to an intersubjective philosophy of language

Describing communicative reason as a way out of the instrumentalization of reason, Habermas proposes a shift from the traditional philosophy of consciousness to an

intersubjective philosophy of language (Thomassen, 2010, p. 29). He shifts from the main approach in the West since Descartes, where the subject analyzes ‘monologically’ and instrumentally the social world, to an intersubjective philosophy of language where subjects become enlightened through dialogue of communicative reason (Callinicos, 2007, p. 286; Thomassen, 2010, p. 29). Thus, Habermas bases his theory on language where discursive communicative reason, described as communicative action, naturally aims to reach an intersubjective mutual understanding only through “the unforced force of the better argument” (Habermas, 1993, p. 163).

While modernity, according to Habermas, may be seen as a rationalization of society through communicative action based on language, the growing complexity of society led to the necessity to relieve the public sphere from issues that are usually dealt with through communicative action, thus necessitating a ‘system’ to handle these issues in a systematic and efficient way (Thomassen, 2010, pp. 73-74). This *system* is not based on language or communicative action, but on other, impersonal, mediums like power and money (ibid.). Examples of parts of the system are bureaucracies and markets (Bohman and Rehg, 2007, ch. 3.1). Habermas describes the public sphere as a part of the ‘lifeworld’ (German: *Lebenswelt*), where communicative action prevails, in opposition to the *system*, where instrumental reason reigns (Thomassen, 2010, pp. 73-74; see Figure 1, p. 15). The *lifeworld* refers to “the background resources, contexts, and dimensions of social action that enable actors to cooperate on the basis of mutual understanding”, usually acquired through family, school, neighborhood or religion (Bohman and Rehg, 2007, ch. 3.1). The system, impersonal and based on mediums like money and power, is more efficient than the lifeworld, which is based on language and communicative action (Thomassen, 2010, pp. 73-74). Thus, there is a temptation to ‘systemize’ new fields to gain efficiency, leading to what Habermas metaphorically calls the ‘colonization’ of the lifeworld by the system (Ibid., p. 78). Considering this, the lifeworld is threatened by the system through *colonization* and would then fulfill its destiny as described by the early Frankfurt School critical theorists. However, according to Habermas, there is hope for a resistance within the public sphere against the instrumentalization (Ibid., p. 52). To *resist* the *colonization*, the lifeworld must build “a democratic dam against the colonizing encroachment of system imperatives on areas of the lifeworld.” (Habermas, 1992, p. 444).

## **2.2 A power-balance between the lifeworld and the system**

The colonization process of the lifeworld by the system takes several forms; for instance, market logic undermining human aspects, or a welfare state that was initially built to emancipate citizens but is now enslaving them through financial domination (Thomassen 2010, p. 77). Habermas also describes the colonization of the lifeworld by laws: the ‘juridification’ of the lifeworld. Although laws are necessary for a properly functioning public sphere, they are double-edged and may enable colonization or emancipation, depending on

the way they are generated (ibid., p. 78). Laws may serve different sides of society: the system imperatives of instrumental reason or to ensure communicative action (ibid., p. 81). Habermas makes a distinction between the regulative force of law in the case of serving instrumental reason and the constitutive force of law in the case of enabling communicative reason (ibid.).

In his work *Theory of Communicative Action*, Habermas discusses how laws are followed by citizens, not only because of their repressive nature, but also because they may be considered as legitimate (ibid., p. 113). Thus, laws have to be generated in a legitimate way through deliberations that comply with communicative action, including its features of sincerity, inclusion and discussion adhering to the idea of ‘forceless force of the better argument’ (ibid., p. 112). However, considering the different efficiency levels of the system and the lifeworld, a balance has to be found between regulative and constitutive force of law, as a way to slow down the colonization of the lifeworld through the regulative force of law spreading instrumental reason (ibid., p. 118). In his later work, *Between Facts and Norms*, Habermas describes a system of ‘sluices’ regulating legal powers between the lifeworld and the system (ibid., p. 121). These *sluices* have a juridical regulation function and work in two ways: they enable constitutive force of law from the lifeworld to the system and limit the regulative force of law coming from the system to the lifeworld (ibid., p. 121; see Figure 1, p. 15). In that way, the legal framework that composes the sluices may be a solution to slow down or even to block the colonization of the lifeworld, thus ensuring a healthy public sphere with limited effects of instrumental reason, at least in theory.

### **2.3 Habermas and the Swiss popular participation system**

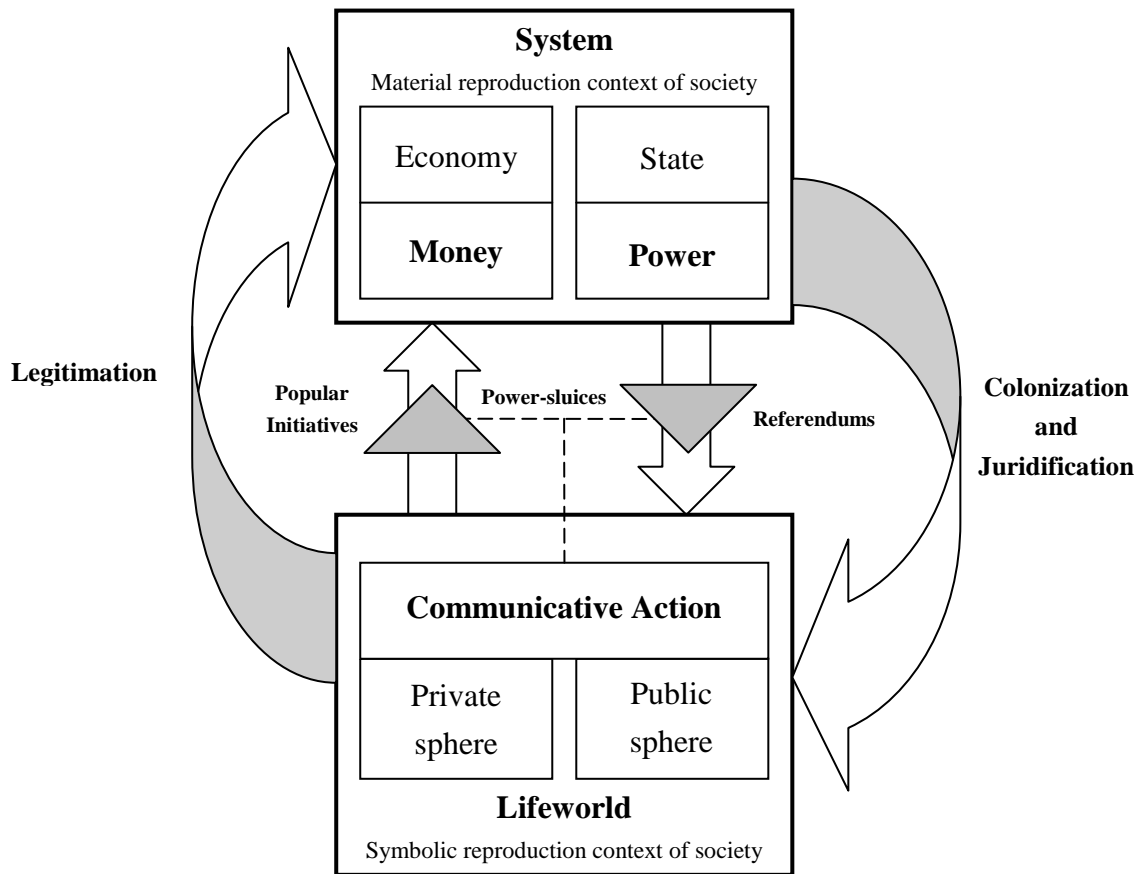
*“Switzerland has become a society with its own identity only through and because of its political institutions. The role of the political institutions was fundamental in uniting a people with four languages, two religions and different regional cultures and in turning these disadvantages into advantages.” (Linder, 2010, p. 5)*

The premises of the main thoughts of Habermas justifying the use of public reason are an intersubjective emancipation, where the enlightenment paved way to modernity (Thomassen, 2010, pp. 40-44). Habermas claims back modernity’s promises of freedom in the form of citizen’s emancipation through rationalization. To counter the decay of the public sphere in the late modernity era, which he also calls “re-feudalization of the public sphere” (Habermas, 1991, p. 195), he describes power-balancing mechanisms in the form of sluices where

*“(…) binding decisions, to be legitimate, must be steered by communication flows that start at the periphery and pass through the sluices of democratic and constitutional procedures situated at the entrance to the parliamentary complex or the courts (and, if necessary, at the exit of the implementing administration as well). That is the only way to exclude the possibility that the power of the administrative complex, on the one side, or the social power of intermediate*

*structures affecting the core area, on the other side, become independent vis-a-vis a communicative power that develops in the parliamentary complex.” (Habermas, 1996, p. 356)*

Considering the Swiss semi-direct democratic political system, these sluices strongly remind us of two fundamental direct democratic mechanisms (see Figure 1): the right of popular initiative and the right of referendum (Kriesi and Trechsel, 2008, ch. 4; Linder, 2010, ch. 3).



**Figure 1: Schematized representation of the theoretical framework described by Habermas (1984; 1987), where sluices enable citizens to regulate power to and from the system (Habermas, 1996); diagram inspired from Trocchia (2009).**

In Switzerland, there is a popular myth that the current direct democratic system directly originates in ancient forms of democracy that made their way until today (Linder, 2010, p. 95). Rather, the following years after the fall of the *ancien régime* during the French Revolution brought ideals of democracy across Europe; “[d]emocracy was imposed by Napoleon, (...) [where] democratic institutions were directly influenced by theorists of the French Revolution (...)” (ibid., p. 95). However, Napoleon failed to create a united *Helvetic Republic* due to cultural and religious tensions between the Swiss cantons, thus giving back their autonomy through the *Mediation Act* in 1803 (ibid., p. 6, p. 44). Following the *Mediation Act*, many cantons were skeptical about representative democracy, which reminded many instigators of democratization of the asymmetric power of the ruling elite of the older regime (ibid., pp. 95-96). Therefore the cantons gradually implemented direct democracy



mechanisms in the name of the “sovereignty of the people” (ibid.). Then, following the creation of the federate state in 1848, a second direct democratic push led to the instauration at the national level of referendums in 1874 and popular initiatives in 1891 (see Appendix A1) as compensations to the cantons for the centralization of political and economic power, maintaining Switzerland as a political nation of cantons and not a united cultural nation (Kriesi and Trechsel, 2008, p. 52; Linder, 2010, p. 6, p. 96).

Having described the reasoning of Habermas and the path followed by the Swiss political system to a common legal system of *sluices*, one may ask what the common denominator between these two pathways is? The answer is the development of public use of reason for Habermas and the use of popular reason for Switzerland. Both paths have their roots in emancipation. Habermas follows the logic of the Enlightenment, where a critical public sphere of the population rises against the feudal authority (Thomassen, 2010, pp. 40-41). The Swiss population, through its respective cantons, which are diverse in religious, linguistic and cultural aspects, developed these direct democratic mechanisms to become emancipated from an emerging federal centralized power (Kriesi and Trechsel, 2008, p. 52; Linder, 2010, p. 96). From a Habermasian perspective: the Swiss population anticipated a potential *colonization* by a centralized federal *system*.

#### **2.4 Public participation in the case of the Energy Act**

Although most of the research about Swiss democratic mechanisms has been carried out at a national level (Kriesi, 2005, p. 14; Linder, 2010, p. 1, p. 121), the case of the Energy Act in the canton Fribourg may be analyzed in the same democratic framework due to the federalist structure of Switzerland having very similar popular initiatives and referendums at a cantonal and communal level (see Appendix A1; Kriesi and Trechsel, 2008, p. 56; Linder, 2010, p. 214). Thus, the sluices and the interaction-dynamics between the system and the lifeworld described by Habermas can be further used on a cantonal level in the case of the Energy Act. The primary goal of the strengthening of the Energy Act was to reduce energy consumption although this measure may be a short-term economic burden for many citizens, especially home owners (Etat de Fribourg, 2012c). From a Habermasian perspective, law may serve two purposes: being a regulative force following imperatives of the system, or being a constitutive force supporting communicative action (Thomassen, 2010, p. 81). Thus, the way citizens acted at the referendum should reflect their perceptions about the Energy Act. On the one hand, a perception of the Energy Act as a short-term economic burden following the imperative of the system, which would more likely be refused by citizens. On the other hand, the Energy Act may be perceived as emancipatory in the long-term, enabling a better public sphere through less economic imperatives related to energy costs. Knowing that the Energy Act was rejected on November 25<sup>th</sup>, 2012, it is interesting to analyze the way that citizens perceived the concerned law and how they acted upon it, i.e. why did they close the sluice to this new law from the system (see Figure 1, p. 15)?

Considering a Habermasian analysis of the referendum on the Energy Act in the canton of Fribourg, several aspects have been evaluated in the field to report the quality of the process leading to the rejection of the Energy Act. Considering citizens as a starting point, the interviews related to the voting were aimed at revealing the way deliberations have been carried out in the public sphere and in the media. Moreover, the way citizens value environmental assets relates to how they perceive laws supporting steps toward sustainability through environmental benefits. Indeed, environmental issues may be considered in two ways, serving either instrumental or communicative reason. Thus one may assume that citizens who perceive environmental issues instrumentally as an economic burden may vote against the law and citizens perceiving environmental issues as a way to enforce the non-instrumental aspects of their environment may vote in favor of the concerned law.

## **2.5 Methodology**

The use of public reason is what the Swiss democratic system and the critical theory advocated by Habermas have in common. Breaking with the Cartesian subject-object tradition (Callinicos, 2007, p. 286; see also chapter 2.1), Habermas describes an intersubjective understanding where something is ‘real’ only through discourse among subjects (Thomassen, 2010, p. 86). Therefore, an interpretivist epistemology, in opposition to positivism, is considered in this research (Bryman, 2012, pp. 28-30), with a particular emphasis on intersubjective dialog among subjects as the only way to see ‘reality’ in an objective way.

Describing society with a *system* and a *lifeworld*, the critical theory of Habermas takes two distinct ontological perspectives (Thomassen, 2010, p. 75). On the one hand, analyzing the system implies taking an objectivist perspective because here social phenomena are decoupled from the social actors (Bryman, 2012, p. 33); indeed, the system relies on non-linguistic mediums like money and power (Thomassen, 2010, p. 74). On the other hand, the lifeworld requires a constructivist perspective because social phenomena are continually generated by actors (Bryman, 2012, p. 33); hence, the lifeworld is generated through language and communicative action (Thomassen, 2010, p. 74). As this research emphasizes the citizens’ behaviors at popular votes like in the case of the referendum on the Energy Act, constructivism is the most appropriate ontological position. However, one must emphasize the intersubjective aspect of this constructivist ontology, where ‘constructions’ add up to create a more objective worldview; the more views are intersubjectively discussed, the more objective the worldview will be.

As the lifeworld is “reproduced through communicative action and language” (Thomassen, 2010, p. 74), analyzing citizens’ perspectives is impossible in a positivist way because citizens have their own ‘perceived intersubjective truth’ which by definition varies from one subject to another. Therefore, a qualitative research strategy is necessary to analyze social facts about the referendum on the Energy Act. A qualitative research strategy has the inherent

advantage of taking a world-view “as a constantly shifting emergent property of individuals’ action” (Bryman, 2012, p. 36), thus being appropriate to analyze intersubjective issues.

## **2.6 Research design**

Considering the case of the popular referendum for the Energy Act that has already been voted, the researcher has no control over the events he is investigating. Moreover, critical theory and its intersubjective epistemology require using a qualitative research strategy, thus a case study is an appropriate research design to answer the main research questions (Yin, 2003, p. 1). This case study is exploratory, proposing to fit an empirical situation in an existing theoretical framework (ibid., p. 22). Having the critical theory of the Frankfurt School as a theoretical framework, social dynamics of modern society are described in a comprehensive way through many disciplines (Thomassen, 2010, p. 17), thus making it possible to pursue a deductive process. Having a robust theory as a starting point makes it possible to ‘test the theory’ through the path: theory – hypotheses – empirical results to confirm the theory (Bryman, 2012, pp. 23-26). In that way, the case of the Energy Act is fitted into the Habermasian theoretical framework, making it possible to reveal problems and flaws in the analyzed democratic process – or in the theoretical framework.

However, a qualitative research strategy has an inherent risk of value-conflicts resulting in the researcher’s interpretations based on biased perceptions (Bryman, 2012, p. 39). Additionally, stories provided by the interviewees do not necessarily refer to “what actually happened”, but rather “how people make sense of what happened”, having a natural tendency to cause biases (Bryman, 2012, p. 582). Habermas is aware of that, asserting the hypothetical value of gained knowledge, which should be regularly ‘tested’ through intersubjective discussion (Thomassen, 2010, pp. 62-63). Theoretically, the more interviews performed, the more intersubjectively gathered knowledge will reduce these biases. Therefore, although fewer would have been sufficient to validate or invalidate hypotheses, more interviews have been carried out to reduce this risk of biases.

## **2.7 Limitations of the research**

The case of the referendum for the Energy Act is confined to the Canton of Fribourg. From a research perspective, it has several inherent advantages: firstly, the area concerned by the referendum is confined and makes it possible to study socio-ecological dynamics of the canton as a whole. Secondly, the direct democratic mechanisms are very similar at their three levels: national, cantonal and communal, and only the ‘dimensions’ of the process vary (see Appendix A1; Kriesi and Trechsel, 2008, p. 56; Linder, 2010, p. 214). Thirdly, Swiss cultural differences are visible, although minimally, in the way citizens act toward votes (Kriesi, 2005, pp. 92-93). Thus, the Canton of Fribourg, with its French-speaking and German-speaking cultures, can be considered to mirror a ‘little Switzerland’, making theoretical assumptions valid for the national votes also valid for the Canton of Fribourg alone.

### 3 Public use of reason, the first fieldwork round

Using a Habermasian approach in order to investigate the reasons that led to a refusal of the Energy Act, the first research question (RQ1) may be answered through three sub-questions (SQ).

- **SQ1.1:** *‘Was there an argumentation according to communicative action where the ‘forceless force of the better argument’ prevails?’*

The first sub-question SQ1.1 considers the quality of the deliberations previous to the voting of the Energy Act. In Habermasian terms, did we have an ideal speech situation where communicative action was possible? This first sub-question makes it possible to give an accurate picture of the deliberative quality prior to the voting.

As the Energy Act may be interpreted by the citizens as a regulative or constitutive force of law, the second sub-question SQ1.2 explores the way that citizens value the environment.

- **SQ1.2:** *‘How do citizens value environmental and sustainability issues?’*

This sub-question aims to show if the citizens value sustainability issues in an instrumental or communicative fashion, i.e. as a means or an end, reflecting the two struggling logics active in the process of a Habermasian colonization of the lifeworld.

Finally, a last sub-question SQ1.3 describes the way that citizens voted at the Energy Act referendum. Indeed, it may be assumed that citizens perceiving sustainability issues in an instrumental fashion, thus seeing the law as a regulative force, may be opposed to the law package, leading to a first explanation of the result of the voting.

- **SQ1.3:** *‘Do citizens, who voted against the Energy Law, value environmental and sustainability issues in an instrumental fashion?’*

Answering this last sub-question sheds light on the distortions caused by the lifeworld’s colonization process on the decisions taken by the citizens when voting.

#### 3.1 Data collection

To tackle the problem addressed in this thesis in a robust way, data from primary and secondary sources have been used. Primary data are interviews of citizens; recorded individual semi-structured interviews as described by Bryman (2012, p. 471) have been performed. Most interviews have been performed in French and one in German, where the high proportion of bilingualism of the Canton of Fribourg enabled several native German-speaking respondents to take part in the interviews in French. Their quotes have been literally translated into English to guarantee a higher accuracy. Therefore, the quality of the English

grammar and the employed vocabulary of the quotes may not be optimal. The thirteen interviews performed in the first fieldwork round were divided into three parts; firstly collecting personal data about the interviewees; secondly, asking questions about the vote on the Energy Act, aiming to get information about the quality and the inclusiveness of deliberations; thirdly, asking questions about the valuation of aspects related to environment and sustainability that are not directly quantifiable such as those related to well-being (Stiglitz et al., 2008. pp. 14-15).

In order to select a qualitatively diverse sample of citizens, purposive and snowball sampling have been performed (Bryman, 2012, p. 418, p. 424). The interviewed citizens covered a wide social range from low to highly educated citizens and from low to high incomes, and covering the most possible diverse political orientations. The purposive selection has been made according to a typology suggested by Martensson and Lundqvist (2010) where ‘Believers, Coverts, Hypocrites and Diehards’ are

*“(...) all the four theoretically possible combinations of attitudes and behaviour. Two groups show consistency between attitudes and behaviour, one displaying a ‘green-green’ [Believers] pattern and the other a ‘grey-grey’ one [Diehards]. Two groups show inconsistent patterns; one group of citizens ‘coming out clean’ in practice despite holding ‘grey’ attitudes [Coverts], another sporting ‘green’ attitudes but actually practicing ‘grey’ environmental habits [Hypocrites].” (Martensson and Lundqvist, 2010, p. 520)*

The typology provided by Martensson and Lundqvist (2010) makes it possible to have a full eco-behavioral and eco-attitude range in the sample, enabling a high qualitative representativity. The issue of representativity has been raised also according to the location of the two fieldwork rounds; both of them have been carried out within and around the city of Fribourg for logistical reasons. A relatively high homogeneity of results for the whole canton justified this. Indeed, there is no large deviation from overall result (50.75% against the Energy Act), with a minimum of 45.7% and a maximum of 54.6% among the different districts of the canton (Gaillet, 2012).

### **3.2 RQ1: ‘What are the main reasons leading the population to accept or to refuse the referendum on the Energy Act?’**

In order to tackle the problem addressed in this research, a Habermasian perspective makes it possible to analyze the situation in a structured way. The quality of the deliberations is examined through the sub-question SQ1.1; additionally, the sub-question SQ1.2 seeks to evaluate the different citizens’ perceptions of sustainability issues. Finally, the last sub-question SQ1.3 attempts to show a link between the instrumental perception of sustainability and the voting choices of the citizens at the referendum for the Energy Act.

### 3.2.1 SQ1.1: ‘Was there an argumentation according to communicative action where the ‘forceless force of the better argument’ prevails?’

Recalling the characteristics formulated by Habermas regarding deliberation and discourse, communicative action may be described as an ideal state; although in reality practically impossible to reach, it is, however, possible to approach it (Thomassen, 2010, pp. 100-102). In the case of the Energy Act in the canton of Fribourg, it has not been possible to directly observe deliberations due to the ‘post-voting’ analysis of the situation. Assisting at live deliberations may have given the possibility to analyze them empirically according to the discourse ethics discussed by Habermas, for instance using the Deliberation Quality Index (DQI) developed by Steenbergen et al. (2003), which is based on the principles of communicative action. However, from a post-voting perspective, relying on the recalling ability of the interviewees may create biases on the outcome of post-voting DQI.

An evaluation of the quality of the deliberations perceived by the citizens is possible through the Habermasian rationale of the ‘forceless force of the better argument’. However, this evaluation may not be able to be referred in an absolute way to the ideal of a Habermasian deliberation, as it may have been the case in doing a pre-voting DQI. Nevertheless, the main criteria stated by Habermas are considered: a “forceless force of the better argument”, ‘inclusiveness’ and a “‘disinterested’ interest in reason” (Thomassen, 2010, p. 41, p. 52). Considering these three criteria, the following hypothesis needs to be validated:

- **H1.1:** *‘There was a Habermasian deliberation during the period preceding the voting on the referendum for the Energy Act.’*

While Habermas puts intersubjective communication as the core principle of deliberation, the cantonal chancellery distributes, at every vote, a booklet describing the arguments for and against the subject of the vote. There is usually one side from the authorities and the other side from initiative or referendum committees (Etat de Fribourg, 2012c). Thus citizens may construct their opinion only based on the stated arguments without necessarily taking part in or listening to deliberations. In order to fulfil Habermas’ criterion, citizens who did not interact with the deliberations are not taken into account.

In order to minimize popular resistance to new laws, the Energy Office (French: *Service de l’Energie*) of the canton of Fribourg organized consultations in order to include most of the stakeholders potentially affected by the law (Etat de Fribourg, 2011). However, the fact that the referendum of the Energy Act has been set up by citizens may be seen as the result of a non-inclusion in the consultation process previous to the elaboration of the Energy Act. This view dismisses directly the inclusiveness aspect of the legal procedure supporting this law.

Considering the quality of the deliberations, all concerned interviewees were unanimous: the two sides were stuck in a context of ‘numbers-war’ and personal disrespect was several times

reported.

*“These numbers on one side and on the other side everyone mutually calling the others liar, (...) this war on numbers was completely pointless and it has not brought anything.” (D., citizen, interview)*

*“When you arrive at a battle of numbers, it is because you do not communicate well. (...) It means that you have no message to pass on.” (I., citizen, interview)*

Moreover, several perceived interests from both sides have also been reported.

*“I even have the impression that some lobbies were behind that push for renewable energies. (...) As soon as there are these radical changes of laws, I have though the impression that some people [lobbyists] are pushing.” (M., citizen, interview)*

*“Some media directly attacked people that were in the [referendum] committee, arguing that they had personal interests, that they put forward their own person instead of the interest of the community.” (A., citizen, interview)*

These results strongly undermine the hypothesis of a Habermasian deliberation previous to the referendum voting. Additionally, although one may assume that a negative recall of the deliberation quality is a characteristic of the ‘loser camp’, this was not the case here, because voters from both camps reported a negative quality of deliberations. Thus, a lack of inclusion leading to the referendum in the first place, two immobile sides, perceived argumentation with underlying interests and personal disrespect during the deliberations support the invalidation of hypothesis H1.1, suggesting there was no (proper) Habermasian deliberation prior to voting on the Energy Act.

### **3.2.2 SQ1.2: ‘How do citizens value environmental and sustainability issues?’**

Recalling the regulative or the constitutive force of a law as theorized by Habermas, the way citizens perceive restrictive regulations may have a direct impact on their decisions at the referendum on the Energy Act. Indeed, if the Energy Act and sustainability issues are perceived as a regulative force, the citizens may vote against them, closing the power-slucce from the system to their lifeworld. Interviews have been carried out to assess the perception of citizens toward environmental and sustainability issues, which may be perceived as regulative or constitutive (emancipatory).

Perception is subjective; however, without going deeply into psychology and instead staying within the Habermasian theory, narratives of the interviewees can give insights into their ‘instrumental’ versus ‘value’ rationality toward environmental and sustainability issues (McCarthy, 1985, pp. 193-213). So it is possible to assess the way citizens value aspects in their daily actions related to sustainability that are still not clearly quantifiable yet. Eight

aspects of well-being suggested by Stiglitz et al. (2009, pp. 7-18) have been taken as a starting point: material living standards, health, education, personal activities, political voice, social connections, environment and security. However, although these parameters cannot be evaluated in absolute terms, a relative appreciation of citizens' valuation is possible. Relative variation in citizens' perception of sustainability issues has been classified in three levels: 'high instrumental valuation', 'low instrumental valuation' and 'ambivalent'. The latter is assigned to citizens that show inconsistency between the two first valuations and where it is not possible to state clearly if the concerned citizen values sustainability issues in a high instrumental or in a low instrumental way. In their typology, Martinsson and Lundqvist (2010) make a differentiation between ecological practice and ecological attitude. However, these behaviors may be seen as an 'output' – a result of citizens' valuation of sustainability issues. A Habermasian perspective makes it possible to measure the 'input' about sustainability issues in the form of perception, making this approach relevant to be linked to 'output' behavior, or in our case 'choices at voting'.

High instrumental valuation of sustainability issues usually takes the form of a high appreciation through mediums of the system, especially through economic aspects. The concerned citizens tend to value environmental and sustainability challenges as something that must 'pay off', dismissing other economically non-quantifiable aspects of sustainability.

*“When you are a landlord (...), you have to do financial investment. (...) A heat pump on a built house, it is an enormous investment that is never paid off. Thus it is really a philosophical choice. (...) Now, I could not invest in a heat pump, it would simply be unrealistic.” (I., citizen, interview)*

On the contrary, low instrumental valuation of environmental and sustainability aspects, is usually expressed as value-orientation, without considering the 'pay-off' aspect of measures.

*“The first house I built in 1998, to use a heat pump, one had to be convinced about it. The oil-fuel was so cheap that it seemed absurd to use a heat pump. (...) There are things I do where I know I will not gain anything [financially]. I will even lose money, but I think it is good.” (D., citizen, interview)*

The last category of citizens are those who are 'ambivalent' because they do not state their valuation in a distinct way. They show inconsistencies between high and low instrumental values; thus their classification is difficult to establish. Less than half of the interviewees showed an ambivalent valuation, thus keeping the dataset usable for the sub-question SQ1.3, where clear valuation ways of environmental and sustainability are required to answer the sub-question.



**3.2.3 SQ1.3: ‘Do citizens, who voted against the Energy Law, value environmental and sustainability issues in an instrumental fashion?’**

Having presented how citizens value environmental and sustainability issues, a table is able to show the pattern to validate the following hypothesis:

- **H1.3:** ‘*Citizens valuing environmental and sustainability issues in an instrumental way voted against the Energy Act.*’

As not all interviewed citizens voted, two non-voting interviewees have been disregarded.

**Table 1 :** Table presenting the relation between the interviewed citizens’ voting choice and their level of instrumental valuation of environmental and sustainability issues, showing no connection pattern between instrumental perception of sustainability issues and citizens’ voting choice.

Interviewee	Has voted	Voting choice	Instrumental valuation
A	yes	yes	low
D	yes	yes	low
H	yes	yes	low
B	yes	yes	high
I	yes	yes	high
C	yes	yes	ambivalent
L	yes	no	low
G	yes	no	high
F	yes	no	ambivalent
J	yes	no	ambivalent
M	yes	no	ambivalent
E	no	-	high
K	no	-	high

No direct link between instrumental valuation of sustainability and citizens’ choices has been possible to establish and both yes-voters and no-voters may value environmental and sustainability aspects either in a high or low instrumental way and no clear pattern can be drawn (see Table 1). The initial hypothesis (H1.3) is thus not validated and it may be concluded that instrumental valuation did not play a direct role for citizens’ choice while voting.

**3.3 Analysis of results**

Direct democracy has one particularity that is less relevant to representative democracies: it is hard to grasp the unpredictable aspect of popular decisions (Kriesi, 2005, pp. 227-239). Kriesi (ibid.) demonstrated that citizens weigh arguments in an elaborated way and are not easily manipulated by single organizations or actors. Moreover, participation has a regulating effect,

where the most ‘informed’ citizens participate more in votes than the less informed citizens (ibid., p. 233). Additionally, the more a topic is discussed (and financial means invested into it), the more information and diversity of arguments are spread, helping citizens to make their choice (ibid., p. 232). Thus, from the perspective of Kriesi (ibid.), several interviewees came to the same conclusions, considering the topic as too technical:

*“I did not vote, for the simple reason, it is because it [the Energy Act] appeared too complicated to me.” (K., citizen, interview)*

Moreover, according to Kriesi (2005, p. 237), low elite involvement leads to low popular participation in voting, thus considerably reducing the quality of the outcome. This fact has also been reported by the interviewees:

*“All [political] parties were in favor of the law. Thus, as there was, from a politics point of view, a consensus about what should be the result [of the voting], no party has really stepped into [the deliberations].” (A., citizen, interview)*

*“When a law is refused [with such low participation] (...), we can ask ourselves if [direct] democracy really plays a role. On the other hand, (...) those who did not vote put themselves in the wrong.” (I., citizen, interview)*

The Referendum of the Energy Act may be considered a learning case. Indeed, the negative result of the referendum may be seen as feedback pointing towards flawed governance.

*“Electric heating was praised at the time [70s and 80s] (...). After all, it causes no emissions [due to nuclear power generation]; it is cleaner than oil-fuel, etc. And finally, people opted for electric heating; I think many of them did that thinking they were doing something good. And finally, we explain to them later that it is not good because indeed it is not a rational use of energy.” (D., citizen, interview)*

*“The referendum was the last tool at our disposal. (...) It is a big victory for democracy.” (G., citizen, interview)*

Direct democracy issues can sometimes go ‘wrong’, but these cases are rather exceptions (Kriesi, 2005, pp. 236-237). The voting in the case of the Energy Act fits in this ‘political failure perspective’ due to low familiarity with the topic and low elite involvement. However, although the popular feedback given by referendums may improve governance, in the case of the Energy Act, it is at the expense of the transition toward less energy consumption. Considering this, the first research question may be only partially answered:

- **RQ1:** ‘What are the main reasons for the population to accept or to refuse the referendum on the Energy Act?’

Using a Habermasian theoretical framework did not make it possible to answer RQ1 in an

accurate way. The results (SQ1.3) showed that instrumental valuation of environmental and sustainability aspects is not directly relevant to the choice made by the interviewed voters. Nevertheless, although it has not been possible to theoretically assess the way citizens made their decisions at the voting, several flaws could be pointed out:

- From a critical theory perspective (Habermas), instrumental valuation of sustainability issues did not directly lead to the result of the referendum of the Energy Act. However, the deliberative scene failed to pursue communicative action where the ‘forceless force of the better (disinterested) argument’ prevailed: this is a deliberative failure.
- From a Kriesi’s perspective, the low participation is linked to low political elite’s involvement and the complexity of the issue considered. Although the low participation acted as an ‘ability selection’ to take position on a technical issue, low participation of the political elite also undermined the quality of the voting: this is a political failure.

The results from the field show that the Energy Act does not stem from a deliberation that fulfills the criteria of communicative action, thus invalidating the hypothesis that citizens may steer the referendum-slucice in a rational way. Moreover, concerns about the impossibility for the political sphere to reach communicative action make Habermas’s theory lead to a dead end, if one does not consider changing fundamentally the deliberation process of the Swiss political system (Brächtiger et al., 2010). According to Kriesi (2005, pp. 237-237), low participation reduces the quality of the votes; however, he considers inaction as a passive selection of the most able citizens. The participation at the referendum for the Energy Act was only 29%, below the Swiss average of 39% for 2012 (Etat de Fribourg, 2013c; FSO, 2013), revealing a relatively low popular action. Inaction is not specially treated in the Habermasian theoretical framework because Habermas assumes that every human strives naturally to communicative action, stating that

*“[w]hat raises us out of nature is the only thing whose nature we can know: language. Through its structure, autonomy and responsibility are posited for us. Our first sentence expresses unequivocally the intention of universal and unconstrained consensus”. (Habermas, 1972, p. 314).*

This statement leads to a further question: what kept the other 71% of the citizens inactive, although they should naturally strive for mutual understanding? To directly address the inaction of citizens, the critical theory of Habermas does not suggest any solution and requires using another theory. Indeed, although the sluices-model described by Habermas enables a citizens’ driven balancing of power between the system and the lifeworld, other ‘power forms’ may be active, keeping a part of the population inactive.

## 4 Theoretical add-on: A third dimension of power

“*[P]ower is at its most effective when least observable.*” (Lukes, 2005, p. 1)

In his late work, *Between Facts and Norms*, Habermas described a system of sluices to balance the power between the system and the lifeworld. If needed, these sluices may be activated by citizens in order to block regulations (referendums) or to force the system to take a certain direction (popular initiatives). According to Habermas, more power naturally flows from the system toward its periphery than the opposite, making the system of sluices useful to protect the lifeworld from its colonization by the system through power (Habermas, 1996, p. 356; Thomassen, 2010, p. 121). For Habermas, power from the system is considered as a means, thus being instrumental (Thomassen, 2010, p. 74). Although he makes a differentiation between ‘directions’ of power, from the system to the lifeworld and vice-versa, he does not make any differentiation between different kinds of power; he only views power as domination (ibid., pp. 81-82). However, one may doubt the capacity of these sluices to shield the lifeworld from intrusion of the system through its power. This makes it necessary to analyze the concept of power in depth. Steven Lukes (2005), in his main work *Power: A Radical View*, distinguishes three dimensions of power, going beyond the traditional view of power as its active exercise. According to Lukes,

“(…) *we need to attend to those aspects of power that are least accessible to observation: that, indeed, power is at its most effective when least observable.*” (Lukes, 2005, p. 1)

While Habermas mainly focuses on action and language, Lukes focuses on aspects that are ‘least’ observable. The concept of sluices described by Habermas implies that power is visible and that citizens may be able to steer these sluices based on their perception of the power-flows coming from the system. However, if there are forms of power that are less observable, one may suggest that citizens would not be able to perceive them and thus be unable to steer the sluices correctly; the sluice system may then be permeable to power. In this chapter, this problem is addressed using Lukes’s (2005) radical view of power.

### 4.1 The three dimensions of power

Aiming to provide a theoretical and empirical analysis of power, Lukes describes three dimensions of power (Lukes, 2005, p. 1). The first dimension focuses mainly on the exercise of power: it assumes power is “intentional and active”, described as *decision making power* (ibid., p. 5). In that way, “A may exercise power over B by getting him to do what he does not want to do [...]” through active decisions (ibid, p. 27). The second dimension of power emphasizes power as the ability to prevent grievances through impeding issues to be challenged and discussed, described as *nondecision-making power* (ibid., p. 22). In this second view, A removes B’s possibility to challenge an unwanted direction taken by A (ibid., p. 24). Both the first and second dimensions of power focus on ‘power over’ where there may

be an opposition through observable grievances (ibid., p. 12, p. 28). Without grievances, there is an assumption of a genuine consensus (ibid., p. 7, p. 28).

Lukes proposes a different view, the *radical view*, where *A* prevents *B* from having grievances, thereby shaping *B*'s perceptions and preferences (ibid., p. 11). He states that this third dimension of power is

*“(... ) leading those subject to it to see their condition as ‘natural’ and even to value it, and to fail to recognize the sources of their desires and beliefs. These and other mechanisms constitute power’s third dimension when it works against people’s interests by misleading them, thereby distorting their judgment.” (ibid., p. 13)*

Under a functional perspective, when *A* prevents *B*'s grievances through shaping *B*'s perceptions and preferences, *A* makes *B* act against his real wants and preferences (ibid., p. 38). Thus, the third dimension of power

*“(... ) maintains that people’s wants may themselves be a product of a system which works against their interests, and, in such cases, relates the latter to what they would want and prefer, were they able to make the choice.” (ibid., p. 38).*

Finally, Lukes introduces the notion of *real interests*, to describe the real wants and preferences of people (ibid., p. 38, p. 146). However, this notion is questionable in the sense that it is not completely possible to remove the effects of power in order to lay bare the real interests of people (ibid., p. 147). This dilemma leads to the notion of a *false consciousness*, as a pessimistic pendant of citizens' *real interests* (ibid., p. 147). In opposition to the Foucaultian perspective that there is no escape from power (ibid., pp. 99-107), real interests as discussed by Lukes reflect a way out. Thus, this may be seen as an optimistic view on the effects of power of the third dimension, recalling the way Habermas introduced communicative reason as a way toward a more optimistic vision of modern society.

#### **4.2 The third dimension of power in the Habermasian theoretical framework**

Describing communicative action, Habermas assumes that human beings strive naturally toward a mutual understanding through language and discussion (Thomassen, 2010, p. 10, pp. 36-37). Thus, when participants of a discussion do not agree on one point, they move in a discursive mode where, under ideal conditions, the ‘forceless force of the better argument’ prevails and leads to a ‘rational discourse’ (ibid., pp. 69-70). Considering that a rational discourse may enable two subjects to reach a rational consensus, third dimension power relations preventing grievances as described by Lukes (2005, p. 11) may end divergences in opinions between subjects, making them inactive from a communicative action perspective. Thus, the radical view of power provided by Lukes makes it possible to identify power relations that undermine communicative action, the essence of the lifeworld, at its roots.

Introducing a form of power that suppresses grievances, thus potential action, Lukes offers a diagnosis of an additional form of harm to the lifeworld through power, undermining communicative action. Added to the previously mentioned forms of ‘colonizing’ power discussed by Habermas, the result may again become a very pessimistic picture of modernity. However, although Lukes does not show a clear way out of the dilemma as Habermas does, he relies on the natural human ability to oppose power as

*“[p]ower’s third dimension is always focused on particular domains of experience and is never, except in fictional dystopias, more than partially effective. It would be simplistic to suppose that ‘willing’ and ‘unwilling’ compliance to domination are mutually exclusive: one can consent to power and resent the mode of its exercise.” (Lukes, 2005, p. 150)*

Therefore, considering the ability of the citizens to steer the power-slouices described by Habermas, perception, here described as *resentment* of the mode of power, may be considered a theoretical way out, enabling citizens to pursue their *real interests* steering the power-slouices according to their perception as a resentment of power’s third dimension.

### **4.3 Dimensions of power in the popular referendum on the Energy Act**

Aiming to provide a framework to analyze power theoretically and empirically (Lukes, 2005, p. 1), the dimension-typology of power developed by Lukes may be applied to the case of the Energy Act to illustrate the power-issues at stake. Additionally, Lukes’s power-typology makes it possible to analyze the power-issues in depth in the Habermasian framework of system and lifeworld through the referendum for the Energy Act.

From a *decision-making* perspective (first dimension) (ibid., p. 22), the popular referendum of the Energy Act is an exemplary way to show how citizens may block power from the system. Indeed, if this power is perceived as threatening, citizens can build a formal opposition against it through a popular referendum.

The *nondecision-making* (second dimension) (ibid.) perspective is not relevant in the case of the Energy Act because the issues at stake are discussed in the political area. Nevertheless, popular initiatives empower citizens to raise issues onto the political agenda, theoretically enabling citizens to avoid being under the second level of power.

Under a *radical view* of power (third dimension), citizens may not take position about the energy vision of the Canton of Fribourg through shaped misleading perceptions of the issues at stake. The third dimension of power has the particularity to prevent grievances, making citizens agree with the ‘existing order of things’ through inaction, thus keeping them unconscious that the decisions (or non-decisions) taken may, in one way or another, harm their real interests (ibid., p. 28, p. 52).

Assuming that citizens are empowered enough through the slouices described by Habermas,

the ability of the citizens to address the third dimension remains uncertain due the least-visible property of power's third dimension. Additionally, the high level of abstention at the referendum for the Energy Act may be considered as a hint that power's third dimension may not be addressed in the current... order of things.

#### **4.4 Methodological considerations**

Describing “(...) how to think about power theoretically and how to study it empirically” (Lukes, 2005, p. 1), Lukes maintains that there is a reality of three dimensions of power. However, these dimensions, particularly the third one, are only observable through a sociological perspective, suggesting a critical realist stance (Bryman, 2012, p. 29). In terms of an ontological perspective, Lukes describes three dimensions of power that condition the actors' behavior (Lukes, 2005, p. 13); thus, he takes an objectivist stance where “social phenomena (...) have an existence that is independent or separate from actors” (Bryman, 2012, p. 33). The epistemological and ontological stances of Lukes are different from the intersubjective constructionism of Habermas (see point 2.5). Nevertheless, the view of power provided by Lukes may be seen as a complement to the Habermasian intersubjective epistemology and ontology. Since intersubjective reality is constructed through discourse (Thomassen, 2010, p. 86), adding a further critical realist stance to the ‘discourse’ improves the perception of reality, as there is an additional view to be intersubjectively synthesized.

## 5 A third dimension of power, the second fieldwork round

In the case of the referendum on the Energy Act, the conflict is apparent and overt: grievances led to the referendum. In this case, grievances are a matter of first and second dimensions of power (Lukes, 2005, p. 29). However, the low participation in the popular referendum requires an analysis of the non-participation. According to Lukes (ibid., p. 28, p. 52), a usual consequence of power's third dimension is inaction; thus one may assume that power's third dimension may keep a part of the population inactive. Therefore the second research question (RQ2) may partly be answered through the following sub-questions:

- **SQ2.1:** *'Are there power-issues making citizens accept the current situation as 'the existing order of things'?''*

A confirmation of a third dimension of power among inactive citizens makes it necessary to assess under which observable mechanisms this power has an effect on citizens, leading to the second sub-question:

- **SQ2.2:** *'What observable mechanisms kept the population inactive at the referendum on the Energy Act?'*

Interviews of citizens that did not take part in the referendum for the Energy Act helped to shed light on mechanisms of power's third dimension. Although this research is based on a citizens' perspective, an interview of a member of the cantonal Energy Office gave some insights to complement the citizens' view and made it possible to spot, in a robust way, which mechanisms keep a large part of the citizens silent when a shift toward a less energy-intensive society is proposed.

### 5.1 Identifying the third dimension of power

Particular aspects of the third dimension of power are difficult to identify; indeed, according to Lukes (2005, p. 28), a main characteristic of the third dimension of power is that there are no observable grievances. However, Lukes (ibid., p. 52) provides three key aspects that characterize the third level of power; firstly, power is characterized by inaction instead of action. Secondly, the third dimension of power is unconscious (Lukes, 2005, p. 52; Lorenzi, 2006); indeed, if concerned citizens would be aware that their real interests differ from the interests at stake in a referendum, they would act through voting. Thirdly, power "may be exercised by collectivities, such as groups or institutions" (Lukes, 2005, p. 52). Here, Lukes describes a situation very similar to the struggle between the lifeworld and the system as described by Habermas.

Lukes speaks of three 'lines of action' to determine if a power-relation, although usually least observable, has the characteristics of the third dimension of power (ibid., p. 64). He



recommends

*“(1) to search for observable mechanisms of what I call power’s third dimension, (2) to find ways of falsifying it, and (3) to identify relations, characteristics and phenomena of power for which the first and second dimensions cannot account.” (Lukes, 2005, p. 64)*

In the case of the Energy Act, the first ‘line of action’ to identify power-relations of the third dimension is optimal for several reasons. Firstly, as discussed in section 4.3, popular referendum and initiative mechanisms enable citizens with grievances to act in favor or against a position taken by the state; thus it excludes *de facto* the two first dimensions of power and therefore dismisses the second line of action described by Lukes (*ibid.*, p. 64). Secondly, as inaction at the referendum of the Energy Act is investigated, it is assumed that if citizens were aware of a conflict of real interests, they would take a position through voting, making non-voters *de facto* a matter of the third dimension of power, thus dismissing the third ‘line of action’. Thirdly, the first ‘line of action’ complies with the approach taken within this thesis. Through a qualitative approach and semi-structured interviews, it aims to shed light on power-mechanisms of the third dimension, according to the three features contended by Lukes (*ibid.*, p. 52): inaction, unconsciousness and power exerted by collectivities.

## **5.2 Data collection**

In the second fieldwork round, six semi-structured interviews have been performed among citizens that did not participate in the voting for the Energy Act. Furthermore, a member of the cantonal Energy Office has been interviewed to report the view of actors who are active within the system. In addition to semi-structured interviews as primary data sources, secondary sources have been used to discuss facts, especially concerning the system side, for instance reports or legal documents. Citizens’ interviews have been carried out in three parts; firstly, questions about the socio-economic situation of the interviewee have been asked. Secondly, questions to assess the valuation of environmental and sustainability aspects have been asked in a similar way as the interviews of the first fieldwork round, asking the interviewees to express how several aspects of well-being (Stiglitz et al., 2009) are considered and valued. Finally, in the third part, the interviewees have been asked about the reasons why they did not take part in the referendum. Furthermore, the reasons of their inaction have been discussed in relation to the sustainability issues discussed in the second part in an attempt to detect their real interests. However, as the boundary between real interests and false consciousness cannot be determined with certainty (Lukes, 2005, pp. 144-151), the notion of ‘perceived real interest’ is used to express hypothetical real interests.

## **5.3 RQ2: ‘What are the main reasons for the population to abstain at the referendum on the Energy Act?’**

To reveal in a comprehensive way the third dimension of the power-dynamics at work in a

popular referendum, both sides of the Habermasian theoretical framework, lifeworld and system, are considered. One may assume that the dominated side is the lifeworld, thus making it necessary to show how and under what mechanisms this inaction is fostered. Sub-question SQ2.1 explores the citizens' side, investigating power-issues of the third dimension that kept citizens inactive at the referendum for the Energy Act. Furthermore, sub-question SQ2.2 discusses which mechanisms make some citizens inactive. Revealing these mechanisms will be the basis for developing solutions enabling the public sphere to resist instrumentalization to pursue an emancipatory path toward a more sustainable society.

### **5.3.1 SQ2.1: 'Are there power-issues making citizens accept the current situation as the 'existing order of things'?'**

Recalling the three main features of the third dimension of power brought forward by Lukes (2005, p. 52), inaction, unconsciousness and power from collectivities, the hypothesis to be tested is:

- **H2.1:** *'Power-effects of the third dimension are observable through inaction of citizens, unconsciousness about the effect of power, and power exerted by collectivities.'*

Similarly to the instrumental valuation of environmental aspects and sustainability, power-effects of the third dimension may not be investigated in a positivist way. Nevertheless, considering the first 'line of action' discussed by Lukes (2005, p. 64), finding mechanisms of power's third dimension does not say anything about their 'intensity'; however, finding power's third level mechanisms supports the assumption that citizens' choices have been narrowed down through inaction (ibid., pp. 52-53).

#### *5.3.1.1 Inaction*

Having inaction as a main characteristic, identifying it may be difficult using traditional social research (ibid.). However, in the case of the referendum for the Energy Act, one may assume non-participation in the voting to be an instance of inaction from a Lukesian perspective. Therefore, it may be assumed that the whole sample of interviewed non-voters covered in the second fieldwork round is under power of the third dimension.

#### *5.3.1.2 Unconsciousness*

Although all the interviewed citizens (non-voters) in the second fieldwork round did not act through voting, several were acting in a parallel way through daily commitments toward sustainability.

*"I do not feel enough concerned by votes, but when it concerns my close environment, when I really have a concrete influence on something, (...) I feel much more committed." (O., citizen, interview)*

One interviewee even organized local activities to promote a more sustainable way of life.

*“It is a contradiction [action in private life and inaction on the voting], yes. I think it is the result of a deception. I am a fan of movements that can develop on the fringes of society that make it to have an impact on the system.” (Q., citizen, interview)*

Some interviewees reacted with surprise when exposed to their own behavioral inconsistency, on the one hand they sometimes act toward sustainability in their private and professional life; on the other hand they did not act when they were asked if they wish to take a step toward sustainability through the popular referendum on the Energy Act. This inconsistency shows different decoupled logics at work in the sustainability transition taken by the state and the sustainability aspirations wanted by non-voting citizens.

5.3.1.3 *Collectivities*

In the case of the Energy Act, collectivities were clearly identified by the interviewed citizens in a recurrent way, usually ‘the state’, ‘the system’ and ‘the politics’. Their claims have one element in common: a strong differentiation between the way citizens work and the way the other collectivities, such as authorities or politics, work. This clear differentiation of the interviewees between their life-sphere and the ‘other’ recalls undoubtedly the system and lifeworld described by Habermas, confirming their existing power-struggle.

**Table 2: Features of power’s third dimension reported in the second fieldwork round showing issues of power’s third dimension among the interviewees who did not participate in the referendum of the Energy Act. All interviewees showed, at least partially, that the three characteristics of power’s third dimension exist and undermine their expression of potential real interests toward sustainability.**

Interviewee	Has voted	Instrumental valuation	Inaction	Unconscious	Collectivities
O	no	low	yes	yes	yes
Q	no	low	yes	partially	yes
S	no	high	yes	yes	yes
P	no	high	yes	partially	yes
N	no	ambivalent	yes	yes	yes
R	no	ambivalent	yes	yes	partially

Analyzing the perceptions of the non-voters interviewed in the second fieldwork round suggested that power-issues of the third dimension are real and that they distort the ability of citizens to take sides in formal popular votes through inaction (see Table 2). Hence, these results validate hypothesis H2.1. Additionally, there is no link between instrumental valuation of environmental and sustainability aspects, and the inaction that may be caused by power’s third dimension (see Table 2). Therefore, one may assume that this additional form of power is not addressed in the theoretical framework of Habermas.

### 5.3.2 SQ2.2: ‘What observable mechanisms kept the population inactive at the referendum on the Energy Act?’

Following the “first line of action” discussed by Lukes (2005, p. 64): “(...) to search for observable mechanisms of what I call power’s third dimension (...)”, interviews of inactive citizens at the referendum of the Energy Act made it possible to identify the main mechanisms that kept them inactive. However, as these mechanisms are mediated through citizens’ interview responses, their perceptions of the mechanisms are very diverse and it is necessary to classify them. Having started with the theoretical framework developed by Habermas, the division *lifeworld/system* makes it possible to classify mechanisms in two different categories: communicative-related mechanisms from the public sphere and instrumental-related mechanisms from the system to the public sphere (see Figure 1, p. 15).

#### 5.3.2.1 Mechanisms from the public sphere

From a communicative action perspective, the second fieldwork round confirmed the low quality of deliberations. As most interviewees of the first round voted, the second round revealed that bad deliberation led to non-participation.

*“I do not like debates on TV, it gets on my nerves. (...) They do not listen to each other (...). I have the feeling that it is a war of personalities instead of in-depth debates.” (N., citizen, interview)*

Furthermore, although the deliberations were not optimal, differing ways of functioning between the citizens’ public sphere and the system have been revealed, where the mediums of the system clashed with results of discussions among citizens.

*“The opponents came with an incredibly high amount of purely emotional arguments; and answering to each of these arguments required us an enormous amount of work.” (T., member of the Energy Office, interview)*

These results confirm the findings discussed in section 3.2.1 regarding the low quality of deliberations. However, the difference here is that citizens brought up these bad deliberations as a main reason not to partake in the popular democratic process.

In addition to a low deliberation quality, a missing deliberation space was mentioned. Several interviewees spoke of a lack of space for discussion among their professional and social environment.

*“At work, they say you should not take sides, (...) thus we undermine all political discussions, we do not discuss at all about that; neither at home; neither with friends. Thus it is really not a subject that I talk about; thus I am ignorant toward politics.” (P., citizen, interview)*

*“We lost that, because before it should have happened in the bistros [pubs] at the level of*

*villages, (...) we do not have these social spaces where we can really discuss all together about a topic anymore.” (O., citizen, interview)*

The lack of deliberation space recalls strongly the critical discussion spaces, which, according to Habermas, enabled emancipation at the beginning of modernity. Moreover, although we live now in the IT-era, some interviewees do not consider media as a way to replace real-life communicative action.

*“It is sterile [pointless], because when I watch political debates [on TV] (...), sometimes I have questions; I cannot ask them (...). I need a real social interaction, being in front of somebody to discuss about that.” (O., citizen, interview)*

These claims question the unidirectional nature of media. Although, as stated by Habermas, communicative action is based on language (Thomassen, 2010, p. 72), unidirectional language is seemingly a problem leading to non-participation of citizens.

In addition to their perception of the deliberations, non-participation has also been linked to a feeling of a dilution of power, where several citizens doubted that their vote could change something in the current situation.

*“I cannot tell to myself that my voice really counts because it is so diluted that my intervention is nil.” (O., citizen, Interview)*

Finally, the common point of all these claims is mainly related to a low deliberation quality and the results match the findings about deliberation quality of the first fieldwork round.

### *5.3.2.2 Mechanisms from the system to the public sphere*

Not only low deliberation quality, missing deliberation space and the feeling of powerlessness led citizens to abstain from voting, high scepticism about the system also plays a role. Many interviewees showed hopelessness, especially regarding the market dynamic of the system.

*“Social values become more and more... money, money, money and that is all. There is only that: competition, and then there are no real positive values anymore.” (N., citizens, interview)*

*“Actually, there is a kind of paradox because we should be the most aware about it [sustainability] now, and now the consumption-market is for me the most harmful.” (O., citizen, interview)*

Considering the other side of the public sphere, in the system, there is a confirmation of the misunderstanding between these two sides of society.

*“The population, it is always the same thing, it is about the wallet. You can make the population sensitive to that [energy issues], and we do that. But we have noticed, for voluntary measures, the population is ready to do a bit, as far as it does not cost more. But it [the population] will*

*not do its calculations for the long-term; it does so only on the instant.” (T., member of the Energy Office, interview)*

On the one hand, there is a system pushing through an economic logic toward an energy transition, on the other hand, the market dynamic undermines participation through scepticism and hopelessness about that dynamic. Therefore there is distrust between citizens and the economic aspects of the system and its implications for the political sphere; this may lead citizens to be hopeless towards participating in popular decisions like the referendum on the Energy Act.

#### **5.4 Analysis of results**

Using Lukes’s radical view of power completes the theoretical framework developed by Habermas. Indeed, Habermas assumes that all citizens in the public sphere are naturally active (Thomassen, 2010, pp. 36-37) and the reality showed that even with sluices as means to limit the power flow from the system, another form of power can still freely circulate and keep citizens inactive at votes. Therefore, the second main research question (RQ2) may be answered.

- **RQ2:** *‘What are the main reasons for the population to abstain from the referendum on the Energy Act?’*

Following the results of the first research question (RQ1), inaction may not only be the result of low elite mobilization and low familiarity with the topic. Furthermore, it would be simplistic to assume that the origin of the problem would be only a poor quality of campaign that could be fixed in political science terms. Kriesi (2005, pp. 238-239) raises the question of knowledge about political issues generating “a problem of self-defection based on a lack of competence”, keeping participation low, and thus generating a “hidden census”. To address this issue of social justice, Kriesi (ibid.) advocates better civic education and technical enhancement of the democratic procedures like electronic voting. However, although this may increase the quality of the votes and increase participation, one may assume that it does not necessarily solve the power issue of the third dimension brought up by Lukes (2005). Due to this power issue, the *hidden census* cannot only be traced back to the citizens’ level of knowledge and to voting tools, but also to interaction that is caused by the system weakening a public sphere that is already flawed in its capacity to provide good deliberations.

The results from the second fieldwork round suggested that there was a third dimension of power present in the case of the referendum for the Energy Act. Although it has not been estimated how competent the interviewed citizens are about energy issues, the main reasons mentioned by them about their non-voting behaviour is an unhealthy interaction between the public sphere and the system, and among the public sphere itself. Considering the Habermasian theoretical framework, power’s third dimension creates, additionally to the

existing hidden census, an ‘inactivation’ of the public sphere. As Habermas assumes that citizens are naturally active (Thomassen, 2010, pp. 36-37), Lukes shows how an additional dimension of power can undermine communicative action. Therefore, the system does not only cause a colonization and a juridification of the public sphere (see Figure 1, p. 15), but also an *inactivation*. However, the system is not the only cause, as power’s third dimension is also caused by a flawed deliberation quality within the public sphere itself as a result of colonization. Therefore, power’s third dimension directly from the system and indirectly within the public sphere narrowed down the citizens’ choice through inaction, making them unable to take a clear voting position according to their values to support a transition toward sustainability. Finally, although citizens and the system communicate in the same language, they do not share the same ‘parlance’, confirming the two different logics at work – instrumental for the system and value-based for the citizens – as described by Habermas.

Although results of qualitative research do not enable any generalization for the whole population (Bryman, 2012, p. 406), the interviewees showed different mechanisms fostering inaction where the most recurrent ones could be classified into two categories: the mechanisms from the public sphere and the mechanisms from the system.

- From the public sphere, a low deliberation quality in addition to a lack of deliberation space are the main reasons for abstain from voting.
- From the system, a vision of sustainability focused on economic aspects that ignore the different functioning of citizens, particularly regarding communicative characteristics of the lifeworld, which are based on values and communicative action.

These main points create distrust and hopelessness among citizens that translate into non-voting. Therefore, the system of sluices may become inefficient in shielding the public sphere from intruding instrumentalization coming from the system if only a minority of citizens take action and steer the sluices. According to the Habermasian theoretical framework, the public sphere emancipates itself through communicative action in an intersubjective way (Thomassen, 2010, pp. 72-73). However, it is unclear how to restore an inactivated public sphere through power’s third dimension. Nevertheless, this pessimistic outcome can potentially be improved by increasing deliberation space and improving the quality of deliberations. Indeed, the Habermasian theoretical framework assumes that a deliberative democracy leaning on the core principles of communicative action may emancipate citizens to steer the sluices in an appropriate way (ibid., pp. 111-112). Moreover, citizens still naturally desire to deliberate (Bächtiger et al., 2010), thus giving hope for a further emancipation step toward a public sphere able to address future sustainability challenges.

## 6 Discussion and implications

*“Certainly the desire to deliberate seems to exist among citizens at much higher rates than previously thought.” (Bächtiger et al., 2010, p. 40)*

Recalling the reasons for the popular disapproval of the Energy Act discussed in the media by Gaillet (2012) and Wuthrich (2012), analyzing the problem with a Habermasian theoretical framework combined with a Lukesian view of power made it possible to explain the reported effects in a systematic way. ‘Short term financial effects’ as an instrumental view on sustainability issues did not play any direct role in the results. ‘Skepticism toward bans’ may be seen as resistance against the regulative force of law, and ‘low participation’ in the voting is the result of power’s third dimension active through poor deliberation quality, missing deliberation space and distrust between lifeworld and system. A last element remains, an idealized ‘David against Goliath effect’, also often reported by several interviewees, but how should this effect be considered? One may see in this effect the natural ability of citizens to critically challenge the system, confirming Habermas’s critical theory that there is still hope to preserve the public sphere. Likewise, one may also see this effect confirming Lukes’s theory of power’s third dimension, where a resistance against the least visible effects of power may still exist. Therefore, although the transition toward a less energy-consuming society has been delayed, one may view this delay as a benefit for the public sphere and the citizens.

### 6.1 Participation for sustainability issues: the missing bricks

This research did not aim to change the existing participatory system as found in Switzerland, but used it as a participation ‘laboratory’ to examine current flaws. However, while keeping in mind a citizen-driven transition toward sustainability, revealing these flaws in a systematic fashion using a robust theoretical framework pinpoints further research issues to be solved.

#### 6.1.1 Missing brick 1: a better deliberation quality

Evidence from the field confirmed that a better deliberation quality is an important feature of participation and direct democracy. Having used a Habermasian theoretical framework, one would tend to propose the criteria supported by him where ‘the forceless force of the better argument’ prevails (Thomassen, 2010, p. 52). However, Habermasian deliberations are hardly achievable in the real world, mainly due to the difficulty of separating communicative from strategic (instrumental) action: assuming that all the participants of deliberations are sincere (Bächtiger et al., 2010). Nevertheless, the ‘ideal speech situation’ desired by Habermas has the advantage of setting standards for deliberations, but the applicability of these standards in the public sphere is still questionable (Bächtiger et al., 2010; Steenbergen et al., 2003).

Habermasian deliberation is not the only way to debate; hence, an extra-Habermasian deliberation also exists, where alternative forms of communication like rhetoric, emotional



discourse or story-telling may be included (Bächtiger et al., 2010). However, this alternative way to deliberate reduces or even dismisses the sincerity criterion, and makes the extra-Habermasian way more likely to be implemented in the public sphere but also more likely to turn deliberation into a field of manipulation and coercive rhetoric (ibid.).

In his late works, particularly in *Between Facts and Norms*, Habermas gradually supports deliberation in a middle way between what may be defined as Habermasian deliberation as presented in *The Theory of Communicative Action*, and an extra-Habermasian deliberation (ibid.). He states that “all forms of communication “count” going into a process and are legitimate *objects* of deliberative consideration. But the “work” of deliberation involves sorting out the claims with defensible cognitive content (...)” (ibid.). Following the same pattern, Bächtiger et al. (2010) propose a sequential approach where, in a first round, extra-Habermasian deliberations generate elements that may be discussed in a second round in a Habermasian way. However, further empirical research is needed to define clearly how these sequences may be empirically defined (ibid.). Nevertheless, although the question of the institutionalization of these sequences remains open, a “via media” between Habermasian and extra-Habermasian has the potential to improve current flawed deliberative processes (Ibid.), maintaining hope for a future better deliberative public sphere.

### **6.1.2 Missing brick 2: more deliberation space**

Habermas discusses the decay of the public sphere in his early work *The Structural Transformation of The public Sphere* (Thomassen, 2010, p. 36), thus a tendency toward a reduction of critical deliberation space is not new. Evidence from the field confirms this. More space for deliberation may be created by the State, but this way is questionable for issues that do not go in the same direction as the state’s imperatives (Dryzek, 2000, pp. 96-98). Moreover, from a Habermasian perspective, a part of the system (the state) creating an ‘artificial public deliberation sphere’ remains questionable due to the instrumental potential underlying their creation. Nevertheless, if the state recognizes the necessity of a transition toward sustainability, the creation of more deliberation space in this direction is better than no creation of space at all.

Civil society may be pointed out as a potential deliberative space, where actors may discuss political issues in an unconstrained way and thus in a less power-influenced environment (Dryzek, 2000, p. 103). Moreover, political action within civil society may have emancipatory virtues (ibid., p. 102), recalling the emancipation of the public sphere through criticism raised by Habermas (Thomassen, 2010, p. 38). In the era of an atomized society and the Web 2.0, virtual ‘third spaces’ defined as “public space[s] beyond home or workplace” may function in a similar way as the public sphere described by Habermas (Wright, 2012). However, due to the high diversity of this ‘Internet civil society’, deliberation should also be increasingly considered from an extra-Habermasian perspective where “emotions, humour, rhetoric and

private (not just public) issues” are spread (ibid.).

### **6.1.3 Missing brick 3: a system for the citizens, and not the opposite**

Evidence from the field shows that low deliberations’ quality within the public sphere deteriorates the communication flow between the system and the public sphere. The system communicates mainly through non-linguistic mediums (ibid. p. 74), which may not necessarily be grasped by a part of the population. Kriesi (2005, p. 238) already mentioned this hidden census as a social justice issue that makes it necessary to increase “issue-specific awareness” to ensure higher voting-quality. However, remaining in a Habermasian logic, it is necessary to go beyond a better understanding of the system. The system must be at the service of the citizens and not the opposite (Puech, 2010, pp. 10-15; Thomassen, 2010, p. 74). The system, created and legitimized by the citizens, should be re-appropriated by the citizens’ public sphere (Adaman et al., 2003). However, this thesis showed that the main condition for that is to have high quality deliberation within the public sphere. If this condition is not fulfilled, all attempts to include more participation in the actual governing forms may be at the advantage of the system, especially through market imperatives (Swyngedouw, 2005), keeping participation, in citizens’ emancipatory terms, in a potential blind alley. Thus, a re-appropriation of the system may enable citizens to realize their sustainability-aspirations, re-embedding natural and environmental aspects in a controlled system as a way toward a sustainable society (Adaman et al., 2003).

## **6.2 Real interests and participation**

Going back to the first assumption about participation and sustainability, all citizens should be concerned by sustainability issues. The low participation rate at the referendum for the Energy Act showed that this assumption is wrong; only a minority of citizens (29%) took part in the voting investigated (Etat de Fribourg, 2013c). However, this research made it possible to assess, in a systematic way, what anti-participation mechanisms kept a part of the population inactive at votes related to sustainability. These mechanisms narrowed down citizens’ choices that may have been different under better conditions; thus, addressing inaction may enable citizens to act differently and certainly more actively to contribute to a transition toward a more sustainable society.

While participation has the potential to improve the quality of environmental decisions (Reed, 2008), it may also improve the public’s acceptance of science-related issues, mediated in a form of “civic science” (Bäckstrand, 2003). This aspect of science is particularly relevant, for instance in the current popular scepticism toward climate change (Hoffman, 2011). However, this research shows that there is one main issue that needs to be solved first: participation must take place in a deliberative environment where real interests of the stakeholders are minimally or not at all affected by inactivating power. Only then is participation viable and, without addressing this main point, all participatory attempts to shift toward a sustainable

society will be doomed from the very beginning.

### **6.3 Further research**

Having invalidated the hypothesis that instrumental valuation of sustainability aspects directly influenced the vote of citizens, this research highlighted a more important issue concerning non-participation, undermining an assumed common real interest for all stakeholders: that a transition toward sustainability is in the interest of everybody. Therefore, considering the existing Habermasian theoretical base, deeper research in the field of social theory has to be carried out about the phenomenon of inactivation of the public sphere through a differentiated view of power, for instance, as provided by Lukes. A further topic that was not addressed in this research is the role of the media; further research is needed to investigate how media act and contribute to the colonization of the lifeworld. Additionally, further research on the implications of the media for the preservation of a healthy critical public sphere in a Habermasian framework as found in Switzerland is also necessary.

Considering the major participation flaws in the Swiss direct democratic system put forth by this research, the question of how to generate and operationalize a better deliberation quality and a larger deliberation sphere remains open. How can a way between Habermasian and extra-Habermasian deliberation be implemented in the real world at the level of the citizen? What additional deliberation spaces can be consistently generated nowadays, considering the current atomized nature of society? The answers to these questions have the potential to recreate emancipatory conditions triggering a citizen-driven push toward sustainability, questioning many aspects of society, economy and environment in an intersubjective fashion. This questioning is also a part of the specific field of (transdisciplinary) Sustainability Science; but striving toward transdisciplinarity is also tending to go toward an intersubjective knowledge-generation which can be achieved properly only in a restored critical public sphere.

## **Final thoughts**

Going back to the first, careful and less careful, assumptions stated at the very beginning of this thesis asking why scholars do not talk about already existing participation mechanisms on a large scale for sustainability, I came to the following conclusion: these scholars are... careful. However, the reality of the field concerning sustainability shows that there is no need to be careful and that it is necessary to say clearly: ‘the way it is, it does not work!’

Considering the initial assumption that sustainability is good for every citizen, that they are all concerned and should therefore participate in political debates on sustainability issues, this research would not have been necessary to demonstrate that this assumption is wrong; reading the participation levels in the newspapers would have been enough. Moreover, the ‘reasons’ for the participation outcomes are also provided in the newspapers. However, this research made me understand the underlying mechanisms in institutionalized participatory schemes, thus making it possible to clearly formulate existing flaws and the possible ways to address them.

Therefore, becoming careful again, I reformulate my previous statement to: ‘it does not work ...yet!’ Although this research reported many dysfunctions, there is no reason to be pessimistic. Probably, a researcher in pre-modern times would not have been able to predict the rise of modernity in the way Habermas described ...about three centuries later. Therefore, as the first big emancipation has been the Enlightenment, the next emancipation must be about sustainability ...an ‘Enlightenment 2.0’ where the public sphere emancipates itself toward a sustainable common future; only if we get citizens’ deliberation right.

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## **Appendices**

### **A1: The Swiss semi-direct democratic system**

Although it may be considered that most of the Swiss population has a tacit knowledge about using direct democratic mechanisms (Kriesi, 2005, p. 230), this appendix shortly sketches the Swiss democratic system and its federalist structure for readers that are not familiar with it.

#### **Legislative and executive structure**

At the national level, legislative power is in the hands of the federal assembly (parliament), divided into two chambers with equal power: the National Council and the Council of States (Linder, 2010, ch. 2.2.1). These two councils are elected every 4 years by the citizens. The configuration of the Swiss parliament is similar to what can be found in the United States with the House of Representatives representing the people and the Senate representing the States (Smith et al., 2011, pp. 42-43).

The Federal Council is the executive authority at the national level. This council is elected by the federal assembly for four years (Kriesi and Trechsel, 2008, ch. 5.3). The partisan attribution of the seven seats is carried out according to a non-written rule, the ‘magic formula’, according to the partisan distribution of the federal assembly (ibid.).

#### **Federalist structure**

The power structure in Switzerland is divided into three levels: federal (national), cantonal and communal level (Linder, 2010, ch. 2.1.1). The cantonal legislative authority is usually called the Great Council (French: *Grand Conseil*) and the executive authority is usually called the State Council (French: *Conseil d’Etat*); these denominations may change in some cantons (Etat de Fribourg, 2013b). The denominations mentioned here are those for the area covered by this thesis: the Canton of Fribourg.

The competences assigned to the higher levels, federal and cantonal, are stated in the federal constitution and the competences assigned to the lower levels, cantonal and communal, are stated in the cantonal constitution (Linder, 2010, p. 46). Usually, competences are divided according to the outreach of the political authorities, where the confederation deals with international and national issues, cantons deal with regional and communes with local issues (ibid.).

#### **Popular rights**

Two main mechanisms of direct democracy make Switzerland particular: the right of initiative and the right of referendum. The initiative right allows citizens, in the form of an initiative committee, to propose a revision of the constitution; a popular initiative at the

federal level requires 100,000 signatures, collected within 18 months (Kriesi, 2005, p. 21). Referendums are divided into two kinds, *compulsory* and *optional* referendums. Mandatory referendums take place for every modification of the constitution by the parliament (ibid.). Optional referendums enable the people to contest laws, decrees or agreements made by the parliament; an optional referendum at the federal level requires 50,000 signatures, collected within 100 days after the law has been published (Linder, 2010, p. 93). The same mechanisms can be found at the cantonal and communal level, although their dimensions are reduced and the topics addressed are within the frame of the cantonal and communal competences. At a cantonal level, the amount of required signatures for popular initiatives and optional referendums may vary according to the sizes of the cantons. In the case of Fribourg, 6,000 signatures have to be collected for a popular initiative and for an optional referendum (Etat de Fribourg, 2013a).

Differing from consultative or plebiscitary referendums (Linder, 2010, p. 104, p. 160), Swiss popular initiatives and referendums are binding and the people have the ‘last word’, putting their authority over the elected legislative authorities (Kriesi and Trechsel, 2008, ch. 4.2; Linder, 2010, ch. 3.2.1). In case of an initiative, the federal or cantonal authorities may propose a counterproposal, usually a softer form of the proposition of the initiative committee (Kriesi and Trechsel, 2008, p. 60). Furthermore, at a national level, votes requested by the people, popular initiatives and optional referendums, require a ‘double majority’: from the people and from the cantons; this mechanism has been set to avoid a ‘tyranny of the majority’ (ibid., ch. 4.1).

### **Semi-direct democracy: a complement to representative democracy**

The Swiss democracy cannot be defined as a truly direct democracy; hence, a genuine direct democracy would imply that all citizens should deliberate in the form of popular assemblies (Linder, 2010, ch. 5.1.3.2). In Switzerland, this form of democracy, called *Landsgemeinde*, only still exists in two Swiss cantons (Kriesi and Trechsel, 2008, p. 37). Nowadays, the Swiss democracy is considered a semi-direct democracy, where an elected representative parliament functions like in many other states in Europe (Linder, 2010, p. 98). The difference is the right given to citizens to interfere with parliamentary business through popular initiatives or referendums (ibid., p. 124). This form of citizens’ participation has the potential and the inherent advantage of being easily implemented to complement existing representative democratic schemes of many other countries (Kriesi, 2005, p. 7, p. 228).

## **A2: Interview guide for fieldwork round 1, Examples of questions (to answer RQ1)**

### **Part I – Personal characteristics**

What is your profession?

What is your highest level of education?

What is your age?

What is your monthly household income?

What size is your household? What is your family situation?

What is your political preference?

Are you politically active?

Do you consider yourself caring toward the environment? Why?

Are you a homeowner?

What kind of heating system do you use?

What kind of mobility do you use for your professional and private travels?

Do you have hobbies? How could you describe your life-work balance?

### **Part II – The voting on the Energy Act**

Did you vote on November 25th?

How did you vote at the referendum for the Energy Act?

What was the problem with this referendum?

How do you interpret the results?

What do you think is the real problem/advantage with electrical heating systems?

How do you interpret the decision of the people?

What arguments have influenced your choice at the voting?

Have your arguments and your opinions been discussed in the public sphere?

Have your arguments and your opinions been discussed enough in the deliberations?

Do you think the topic has been discussed enough?

Do you think the deliberations before the voting have been carried out fairly?

Do you think people have been manipulated?

### **Part III – About sustainability**

How do you interpret the concept of sustainable development?

Are you ready to pay more for something more sustainable, although you do not know if it will pay-off?

What is well-being for you?

On what values did you vote?

How do you value things that have no economic value?

...for material things?

...for health?

...for education?

...for professional activities?

How do you value?

...your political voice?

...social connections?

...the environment?

...security aspects?

How would you manage resources that have to be left for further generations?

### **A3: Interview guide for fieldwork round 2, Examples of questions (to answer RQ2)**

#### **Part I – Personal characteristics**

What is your profession?

What is your highest level of education?

What is your age?

What is your monthly household income?

What size is your household? What is your family situation?

What is your political preference?

Are you politically active?

Do you consider yourself caring toward the environment? Why?

Are you a homeowner?

What kind of heating system do you use?

What kind of mobility do you use for your professional and private travels?

Do you have hobbies? How could you describe your life-work balance?

#### **Part II – About sustainability**

How do you interpret the concept of sustainable development?

Are you ready to pay more for something more sustainable, although you do not know if it will pay-off?

What is well-being for you?

On what values did you vote?

How do you value things that have no economic value?

...for material things?

...for health?

...for education?

...for professional activities?

How do you value?

...your political voice?

...social connections?

...the environment?

...security aspects?

How would you manage resources that have to be left for further generations?

#### **Part III – The referendum on the Energy Act**

Did you vote on November 25th?

How did you vote at the referendum for the Energy Act?

Why did you not vote on the referendum for the Energy Act?

What do you think about the challenges of sustainable development?

How different is your vision from the vision of the authorities?

Are there alternatives that have not been discussed?

What would you make you vote?

Where would the salvation of the environment come from? (politics, science, citizens)

If you had a magic wand, what would you change?

#### **A4: Interview guide for the Energy Office (to answer RQ2)**

##### **Part I – General information about the Energy Office**

How do you interpret the concept of sustainable development?

What is the vision of the Energy Office about a sustainable society?

How would you describe your work, among the political authorities and the consulted groups of interests?

How would you describe your role in the public debates?

##### **Part II – The referendum on the Energy Act**

Could you describe the reasons of the modification of the Energy Act?

How can this law be fitted in the vision of a 2000W-society by 2100?

How did you choose the sectors where the Energy Act had to be strengthened?

How did the consultations go?

How did you discuss alternatives?

How did you work with the political authorities?

Do you think that the citizens did not understand your message?

Do you think there is too much information? ...Or should information be more accessible?

Is the Energy Office also promoting its services in fields where people are less convinced about sustainability issues?

What should be done to make more people follow the directions taken by the Energy Office?

What should be done in order that referendums like that on the Energy Act do not happen again?