CITIZEN LEGISLATIVE INITIATIVES: CHALLENGES, MECHANISMS AND OPPORTUNITIES FOR THEIR IMPLEMENTATION IN REPRESENTATIVE DEMOCRACIES

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Abstract

Representative parliamentary democracy is the most widespread form of exercising political power in democratic states, where citizens exercise their sovereignty through elected representatives. In order to strengthen democratic participation, mechanisms have been created that enable citizens to contribute directly to the legislative process. This study analyzes representative democracy and the legal and institutional mechanisms that enable the implementation of citizen legislative initiatives in parliament.
The purpose of this research is to assess the role and effectiveness of citizen legislative initiatives in strengthening democratic participation and their impact on the process of drafting and approving laws.
Research questions:

1. What are the conditions and procedures that citizens must meet to submit a legislative initiative?
2. What are the main legal, administrative and political obstacles that limit the effective use of the citizens' legislative initiative?
3. What legal and institutional reforms are needed to increase the effectiveness of citizen participation mechanisms in the legislative process? and
4. To what extent do the mechanisms of the citizens' legislative initiative contribute to strengthening representative democracy and citizen participation in the parliamentary legislative process?

The methodology in this study is based on the legal-normative, comparative and analytical method. Constitutional and legal provisions, relevant scientific literature and practices of countries implementing citizens' legislative initiatives are analyzed.
Main findings: The results show that the citizens' legislative initiatives increase citizen participation, transparency and communication between parliament and the public. However, complex procedures limit their effective use.
Conclusions: Citizens' legislative initiatives constitute an important complementary instrument of representative democracy, strengthening democratic citizen involvement in decision-making.
Main recommendations: Simplification of procedures for citizens' legislative initiatives, increased parliamentary transparency and more efficient civic education are recommended.

Keywords: citizens' legislative initiative, legislative process, parliament, parliamentary democracy, representative democracy, transparency.

Introduction

Democracy is a system where people “govern themselves” in an organized manner with norms and standards through procedures for legitimizing the people’s representatives. Democracy is of two types:

1. Mediated democracy; and
2. Direct democracy.

There is often a separation and detachment of politics from the base and the electorate that has voted.
Here, the political and legal mechanism of citizens is necessary for the functioning of democracy. So the citizen control function of representatives is more easily possible and feasible (parliamentary and ad hoc committees, media, civil sector, etc.). This is in terms of representative democracy.
Why is the People’s Legislative Initiative needed. Which people need this? It is the Electorate that has not voted and that does not vote. The legislative function of citizens is more difficult to realize (therefore, this problem is addressed in the paper).

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Meanwhile, the control function is more easily possible and feasible (parliamentary and ad hoc committees, media, civil sector, etc.);
Mediated democracy differs from direct democracy. Because in mediated democracy, the removal and separation of politics from the base often occurs. It is also a matter of representing the electorate that has not voted, then the referendum (direct declaration of the people).
One of the most important instruments of participatory democracy is the citizen legislative initiative. This mechanism gives citizens the opportunity to propose the adoption, amendment or supplementation of laws, directly influencing the legislative agenda and the parliamentary decision-making process. In this way, citizens do not remain just passive voters, but become active participants in the drafting of public policies.
However, the effectiveness of the citizen legislative initiative varies from one country to another. Its impact depends on the constitutional and legal framework, on the procedures for collecting and verifying signatures, on the transparency of institutions, as well as on the political will to seriously consider and treat citizens' initiatives. In many countries, there are legal, administrative and political obstacles that limit the practical use of this mechanism, while in other countries it has yielded significant results in strengthening democratic participation.
The purpose of this paper is to analyze the role and importance of the citizens' legislative initiative in democratic systems, by examining the theoretical and legal basis of this mechanism, the procedures for its exercise, the obstacles it encounters in practice, as well as the impact it has on the functioning of representative and participatory democracy.
The main objectives of the paper are: to explain the concept and legal nature of the citizens' legislative initiative; to analyze the conditions and procedures for its exercise; to identify the legal, administrative and political obstacles that limit its effectiveness; to assess the impact of this mechanism on the parliamentary legislative process; and to propose reforms that can increase citizen participation in public decision-making.
The following methods were used to achieve these objectives: legal-normative method, comparative method, analytical method and descriptive method. The analysis is based on professional literature in law and political science, on documents of international organizations, as well as on the legislation and practices of democratic states.
The scientific and practical significance of this paper lies in the fact that it provides an analysis of the role of the citizen legislative initiative as an instrument of participatory democracy and presents recommendations that can contribute to the improvement of the legal and institutional framework. A democratic system is more sustainable when citizens are guaranteed not only the right to elect their representatives, but also the opportunity to participate actively and continuously in the process of drafting laws and public policies.

Literature Review

The literature review on the citizen legislative initiative is based on the contributions of authors in constitutional law, political science and democratic theory, who have addressed the relationship between representative democracy and participatory democracy. The literature shows that the citizen legislative initiative constitutes one of the most important mechanisms for involving citizens in the process of drafting laws and in strengthening the legitimacy of democratic institutions.
The authors who have contributed to the study of the citizen legislative initiative are divided into several groups:
Group I: Classical authors of democratic theory -The theoretical foundations of citizen participation in government are found in the work of Jean-Jacques Rousseau, who in his work "The Social Contract" developed the concept of popular sovereignty and argued that political power stems from the will of citizens. John Stuart Mill also emphasized the importance of

active citizen participation in public life, arguing that involvement in decision-making processes influences the development of democratic culture and civic responsibility. On the other hand, Alexis de Tocqueville analyzed the role of civil society and local participation in the consolidation of democratic institutions.
Group II: Contemporary authors are: David Altman, Bruno Kaufmann, Matt Qvortrup and Lawrence LeDuc.
David Altman, in his studies on direct democracy, argues that instruments such as citizens' initiatives and referendums complement representative democracy and create opportunities for broader citizen participation. Bruno Kaufmann, relying on the Swiss experience, considers citizens' initiatives a mechanism that increases transparency, accountability and citizens' trust in public institutions. Matt Qvortrup and Lawrence LeDuc have analyzed the development and functioning of direct democracy in a comparative perspective, highlighting the factors that influence the success or failure of these mechanisms.
Group III; Authors of the theory of participatory democracy: In contemporary literature, Robert A. Dahl considers effective citizen participation as one of the fundamental conditions of democracy. According to him, a democratic system must guarantee real opportunities for citizens to influence the political and legislative process. Along the same lines, Carole Pateman argues that democracy should not be limited to representation alone, but should create ongoing mechanisms for direct citizen participation. Benjamin Barber further develops this approach in the concept of "strong democracy", emphasizing that active citizen participation improves the quality of public decision-making and increases the accountability of institutions, a representative of this group is also . Jurgen Habermas.
Group IV; Authors of Constitutional Law assess that citizen legislative initiative is a procedural right that must be guaranteed by clear constitutional and legal norms. Authors such as Albert Venn Dicey and Giovanni Sartori have addressed the relationship between parliamentary sovereignty and popular sovereignty, emphasizing the need for a balance between representative democracy and instruments of direct democracy.
Institutional sources of scientific importance - The following organizations were taken for analysis: the Organization for Security and Cooperation in Europe (OSCE), the Venice Commission, the Council of Europe, the European Union and the European Parliament.
All of these institutions are a very important source of professional literature.
The literature review shows that there is a broad scientific consensus that the citizens' legislative initiative constitutes an important mechanism for strengthening participatory democracy. However, the authors emphasize that its effectiveness does not only depend on the formal recognition of this right, but also on the existence of clear procedures, functional institutions, transparency, democratic culture and political will to take citizens' initiatives into account. Therefore, contemporary literature supports the idea that the development of citizen participation mechanisms should be accompanied by legal and institutional reforms that guarantee citizens' real influence in the legislative process.

1. Concept, historical development and forms of direct democracy

Direct democracy is a form of government in which citizens participate personally in political decision-making, without the mediation of elected representatives. In this system, citizens vote directly for laws, policies or important public issues. This form of democracy is based on the principle of popular sovereignty and the active participation of citizens.
Historical development of direct democracy:
Direct democracy has its genesis since antiquity. Through historical stages, the course of direct democracy has been:

-Ancient Athens (5th century BC) – Direct democracy was first developed in Athens, where citizens participated in the assembly and voted on public issues.
-Middle Ages – This form of democracy was implemented very little, since most states were ruled by monarchs and feudal lords.
-Modern era – With the development of modern states, direct democracy was largely replaced by representative democracy, but some of its mechanisms were preserved.
-Contemporary form – Direct democracy is used in some countries, especially at the local level or for important national issues, such as referendums and citizens' initiatives.

Direct democracy is the earliest form of democracy and ensures direct participation of citizens in decision-making. It is not practiced in all countries, the rarest are the countries where it is most often practiced. It is not practiced in most countries.

1.1.Forms of direct democracy

Direct democracy is a form of democratic organization in which citizens participate personally in the decision-making process, without the mediation of elected representatives. It complements representative democracy by giving citizens the opportunity to directly influence public affairs and the legislative process.

The main forms of direct democracy are:

1. Referendum

-Citizens vote directly to approve or reject a law, constitutional amendment, or other matter of public importance;

-The most well-known form of direct democracy;

-Citizens request that a law passed by parliament be subject to a popular vote before entering into force or to repeal it;

-Citizens vote directly to approve or reject a law, constitutional amendment, or a matter of public importance;

-Can be:

-Constitutional or legislative;

-Binding or consultative;

-National or local.

2.Citizens' legislative initiative

-Citizens propose a law or legal amendment by collecting a certain number of signatures;

-Enables citizens to propose the adoption, amendment or repeal of a law;

-Usually requires the collection of a certain number of signatures.

-Parliament is obliged to examine the proposal according to established procedures.

3.Citizens' constitutional initiative

-Citizens propose amendments or additions to the constitution;

-In some legal systems, the proposal may be put to a referendum;

4.Petition

-Citizens submit collective requests or complaints to public bodies;

-Although it usually does not have a binding effect, it serves as a mechanism to stimulate debate and institutional action.

5.Recall (Dismissal of Representatives by Popular Vote)

-Gives citizens the right to request the termination of the mandate of an elected official before the end of the term, through the collection of signatures and voting;

-Citizens can remove an elected official from office before the end of his mandate, through voting.

7.Citizens' Assemblies and People's Assemblies

-Citizens gather to discuss and decide on issues of public interest;

-This form was characteristic of ancient democracy and is still used today in adapted forms;

8.Public Consultations

-Involve citizens in the drafting of laws and public policies through discussions, public hearings and electronic platforms;

-Although the results are not always binding, they represent an important form of direct participation.

9. Electronic democracy ("e-democracy")

-Uses digital technology for consultations, electronic petitions, citizens' initiatives and, in some cases, electronic voting.

10. People's assemblies

– Meetings where citizens participate directly in the discussion and decision-making on local or public issues.

a) Main characteristics of direct democracy:

-Direct participation of citizens in decision-making;

-Increase the legitimacy of public decisions;

-Strengthen the transparency and accountability of institutions;

-Complementation of representative democracy, not its replacement;

-Promotion of democratic culture and civic responsibility.

2.The concept and historical development of representative democracy

The concept of representative democracy:
Representative democracy is a form of government in which citizens do not make all political decisions themselves, but elect representatives through free and democratic elections.
Historical development of representative democracy:

-Antiquity: In ancient Athens, direct democracy developed, where citizens personally participated in decision-making. However, this was only possible in cities with limited populations;

-Middle Ages: Power was mainly in the hands of monarchs and the aristocracy, but the first representative institutions, such as parliaments and assemblies, appeared;

-Centuries XVII–XVIII: The ideas of the Enlightenment and thinkers such as John Locke, Montesquieu and Jean-Jacques Rousseau emphasized the importance of popular sovereignty, the separation of powers and the protection of individual freedoms;

-Democratic revolutions: The American Revolution and the French Revolution laid the foundations of modern representative democracy, promoting elections, constitutions, and citizens' rights;

-19th–20th centuries: Voting rights were gradually extended to all adult citizens, political parties and parliaments developed, and representative democracy spread to many countries.

Representative democracy is currently the most widespread form of democratic government. It is based on free and fair elections, independent institutions, free media, citizen participation, and respect for the rule of law.

2.1. Representative Democracy

Representative democracy is a form of government in which citizens elect their representatives through free and democratic elections. These representatives make decisions, draft laws, and govern on behalf of the people. Citizens do not participate directly in every decision, but exercise their power through elected representatives.

This form of democracy is the most widespread in the world, because it is suitable for countries with large populations. It is based on principles such as free elections, the rule of law, the separation of powers, and the protection of citizens' rights and freedoms.

2.2. Forms of representative democracy

The main forms of representative democracy are:

1. Parliamentary democracy - Citizens elect the parliament, while the government is formed by the parliamentary majority and is responsible to the parliament.
2. Presidential democracy - Citizens directly elect the president, who is both head of state and government, with a clear separation of powers.
3. Semi-presidential democracy (semi-presidential) - There is a president elected by the people and a prime minister with the government, who share executive powers.

These are the most widespread forms of representative democracy in the world.

3. Representative democracy and the importance of implementing citizens' legislative initiatives in parliament

Representative democracy is a form of government in which citizens elect their representatives to make decisions and adopt laws on their behalf. In this system, parliament is the main institution that exercises legislative power and represents the interests of citizens.

One of the most important mechanisms that strengthens representative democracy is the citizens' legislative initiative. It gives citizens the opportunity to propose laws or legal amendments, usually by collecting a certain number of signatures, which are then considered by parliament. This mechanism increases the direct participation of citizens in the decision-making process and creates a closer link between the people and state institutions.

However, the success of these initiatives depends on the existence of a clear legal framework, fair procedures and the willingness of parliament to treat them seriously. It is also important that citizens are informed about their rights and actively engage in public life.

In conclusion, representative democracy becomes more functional and inclusive when complemented by mechanisms of citizen participation, such as legislative initiatives. These initiatives not only give citizens a stronger voice in the legislative process, but also contribute to building a more transparent, accountable and socially responsive democratic system.

4. Main research authors on the legislative initiative of citizens in democracy

The legislative initiative of citizens has been addressed by authors in the fields of constitutional law, political science and democratic theory. Below are some of the most well-known authors, whose works are widely used in studies on participatory democracy and the instruments of direct democracy.

The main authors who have written on the legislative initiative of citizens in democracy are classified into four groups:

Group I-Classical authors of democratic theory;

1. Jean-Jacques Rousseau – In his work "Du Contrat Social" (1762) he developed the concept of popular sovereignty, which is considered the theoretical basis for the direct participation of citizens.

Regarding the sovereignty of the people, J.J.Rousseau states:

"Sovereignty cannot be represented, for the same reason that it cannot be alienated"[1]. According to Jean-Jacques Rousseau, this means direct democracy.

2.John Stuart Mill – In "Considerations on Representative Government" (1861) argued the importance of citizen participation in government.

J.S. Mill talks about the ideal form of government and in this regard he states:

"It is not difficult to show that the ideally best form of government is that in which sovereignty, or the supreme decision-making power, belongs to the whole community, and every citizen not only has a voice in the exercise of this sovereignty, but is also called upon, at least from time to time, to take a direct part in government through the exercise of some public office."[2]

This is one of the most frequently used quotes in political science literature to support the argument that active citizen participation in government is an essential element of representative government

3.Alexis de Tocqueville – In "Democracy in America" analyzed the role of citizen participation and civil society in democracy.

On the role of civic participation and civil society, he wrote:

"If people are to remain civilized or become so, the art of association must develop and advance in step with the increase in equality of conditions."[3]

This position is widely used to support the argument that civil society and citizen participation in voluntary organizations are fundamental pillars of democracy.

Group II-Contemporary authors are:

1.David Altman – One of the most important researchers of direct democracy. Altman analyzes citizen initiatives, referendums and other participatory instruments.

In this regard he states:

"Mechanisms of direct democracy initiated by citizens are not intended to replace representative democracy, but rather to serve as intermittent safety valves against perverse or irresponsible behavior of representative institutions and politicians" (Altman, 2011, p. 2).[4]

From the analysis of direct democracy mechanisms D. Altman emphasizes:

"Mechanisms of direct democracy allow citizens to express their preferences through popular votes, such as initiatives and referendums on political issues beyond elections" (Altman, 2011, p. 1–3).[5]

1. Matt Qvortrup – Author of the works "A Comparative Study of Referendums" and "Referendums and Ethnic Conflict", where he also treats the citizen initiative as a democratic instrument.

Regarding elections and democracy, Matt Qvortrup states:

"Democracy means rule by the people. However, in all countries, the role of the citizen is limited to periodic general elections and occasional referendums." (Qvortrup, 2005, p. 1).[6]

Regarding referendums and interethnic conflicts, Matt Qvortrup has emphasized that:

[1] Jean-Jacques Rousseau. (1918). *The Social Contract* (C. E. Vaughan, Ed.). Manchester University Press. (Rousseau, 1762/1918, Book III, Chapter XV). **Notice: Page 215 refers to the C. E. Vaughan edition (1918), where Chapter XV is located** ("Deputies or Representatives"). **The original copy was published in 1762.**

[2] Mill, J. S. (2010). *Considerations on Representative Government*. Prometheus Books. (Original work published 1861). (Mill, 1861, Chapter III); **Edition: Prometheus Books, 2010): (Beginning of Chapter III; p.55).**

[3] Tocqueville, A. de. (2000). *Democracy in America* (H. C. Mansfield & D. Winthrop, Trans.). The University of Chicago Press. (Original work published 1835–1840). Notice:The quote is taken from: Tocqueville, Alexis de. *Democracy in America*. Vol. II, Part II, Chapter V, p. 517. Translated by Phillips Bradley, Knopf, 1968.

[4] David Altman. (2011). *Direct democracy worldwide*. Cambridge University Press, p.2;

[5] David Altman. (2011). *Direct democracy worldwide*. Cambridge University Press,Pages 1-3;

[6] Qvortrup, M. (2005). *A comparative study of referendums: Government by the people* (2nd ed.). Manchester University Press; p.1.

"Although referendums have been used for centuries to resolve ethno-national conflicts, there has not yet been any systematic study or generalized theory regarding their effectiveness." (Qvortrup, 2014/2022, p. 1).[7]

Authors Bruno Kaufmann, Thomas Schiler and Lawrence LeDuc have published many studies on citizens' initiatives and referendums, especially on the Swiss model, comparative studies on direct democracy in Europe, then analyze the impact of citizens' initiatives and referendums on democratic systems, etc.

Group III-Authors of the most eminent theory of participatory democracy:

Carole Pateman, Benjamin Barber and Robert A. Dahl, argue that the active participation of citizens is a condition for a qualitative democracy., defend the expansion of direct participation mechanisms and address the conditions that enable effective citizen participation.

Jürgen Habermas – In the theory of deliberative democracy emphasizes the importance of public debate and informed participation in the legislative process.

For this idea of deliberative democracy, the most relevant work by Jürgen Habermas is Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy (English edition 1996; German original 1992), where he develops the theory of democratic legitimacy through public communication and the rational formation of political will.

A relevant quote (in Albanian translation) is:

"Legitimate laws must be able to be considered as the result of a process of discursive formation of opinion and will, in which citizens participate as equals."(Habermas, 1996, p. 110).[8]

Group IV-Authors of the most eminent constitutional law are:

Albert Venn Dicey and Giovanni Sartori.

1.Albert Venn Dicey: He has treated the relationship between parliamentary sovereignty and popular sovereignty.

This work is the classic source where Dicey explains the concept of the Rule of Law, which remains one of the most cited texts in constitutional and administrative law.

A suitable quote for the research topic is:

"The principle of parliamentary sovereignty means that Parliament has the right to make or repeal any law and that no person or body is recognized by the law of England as authorized to override or annul the legislation of Parliament."(Dicey, 1915, p. 37).[9]

2.Giovanni Sartori – In the work "The Theory of Democracy Revisited" analyzes the relationship between representative and direct democracy.

Giovanni Sartori states that: "Direct democracy and representative democracy are not forms that can completely replace each other; in modern societies, representative democracy remains the indispensable form of democratic governance."(Sartori, 1987, p. 72). [10]

On the citizens' legislative initiative, the most recommended authors to use as a theoretical basis are: David Altman, Bruno Kaufmann, Matt Qvortrup, Carole Pateman, Robert A. Dahl, Benjamin Barber, Jürgen Habermas and Giovanni Sartori. These are considered among the most cited scholars in the contemporary literature on participatory democracy, direct democracy and citizens' legislative initiative.

[7] Qvortrup, M. (2022). *Referendums and ethnic conflict* (Revised ed.). University of Pennsylvania Press. p.1.

[8] **Habermas, J. (1996).** *Between facts and norms: Contributions to a discourse theory of law and democracy* **(W. Rehg, Trans.). MIT Press;p.110;**

[9] Dicey, A. Venn. (1915). *Introduction to the study of the law of the constitution* (8th ed.). Macmillan and Co.; p. 37;

[10] Sartori, G. (1987). *The theory of democracy revisited* (2 vols.). Chatham House Publishers; p. 72;

5. International organizations and institutions that have defined the practice of citizens' legislative initiative

For a general approach, the sources of the following organizations are recommended:

5.1. Organization for Security and Cooperation in Europe (OSCE):

The OSCE publishes reports and guidelines on democracy, citizen participation and the legislative process.
Regarding the quality of laws, the OSCE has the position that:
"The quality of laws is a direct consequence of the way they are developed and discussed. Law-making procedures and practices should follow democratic principles, adhere to the rule of law and be in line with international human rights obligations and standards. At the same time, they should be evidence-based, open and transparent, participatory and inclusive, and subject to effective oversight."[11]

5. 2. Venice Commission

The Venice Commission is the most relevant source on constitutional standards and democracy in Europe.
For the topic I am researching, the mechanisms for implementing citizens' legislative initiatives in parliament, the most authoritative document of the Venice Commission is the Report on Legislative Initiative (CDL-AD(2008)035). Although it is not the latest edition, it remains the basic normative document that is constantly cited by the most recent opinions of the Venice Commission (2023–2026).

A frequently used quote from the report is:
"Citizens are given the opportunity to initiate laws and thus bring their contribution and ideas directly to the attention and agenda of parliament, and not just to approve or disagree with a draft law that has already been elaborated and drafted. The final word and decision on the fate of this initiative will remain within the representative authority, which is Parliament."[12]
The part you quote is found in:

Paragraph 80:

"Moreover, unlike in the case of referendums, citizens here are given the opportunity to initiate laws and consequently to directly bring their contribution and ideas to the attention and agenda of the parliament, and not just to agree or disagree with a draft law that has already been elaborated and drafted."[13]

Paragraph 81:

"On the other hand, it cannot be presented as an institution of direct democracy as such, since the final word and decision on the fate of this initiative will remain within the representative authority, i.e. Parliament."[14]

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[11] Organization for Security and Co-operation in Europe, Office for Democratic Institutions and Human Rights. (2024). *Guidelines on democratic lawmaking for better laws*. Organization for Security and Co-operation in Europe. ***(last access: September 19, 2026);***

[12] European Commission for Democracy through Law (Venice Commission). (2008). *Report on legislative initiative* (CDL-AD(2008)035). Council of Europe. https://www.venice.coe.int/webforms/documents/CDL-AD(2008)035.aspx
(last access: September 20, 2026);

[13] European Commission for Democracy through Law (Venice Commission). (2008). *Report on Legislative Initiative* (CDL-AD(2008)035), **paras. 80–81**, p.11.**Council of Europe:** .https://www.coe.int/en/web/venice-commission/-/CDL-AD%282008%29035-e?utm ***(last access: September 20, 2026);***

[14] European Commission for Democracy through Law (Venice Commission). (2008). *Report on Legislative Initiative* (CDL-AD(2008)035), **paras. 80–81**; p.11;
https://www.coe.int/en/web/venice-commission/-/CDL-AD%282008%29035-e?utm ***—(last access: September 27, 2026);***

5.3. Council of Europe

The Council of Europe does not only have a convention directly regulating the citizens' legislative initiative in parliament), but also Recommendation CM/Rec(2023)6 on Deliberative Democracy and the Revised Code of Good Practice for Civil Participation in the Decision-Making Process (2019)[15], which constitute the most important European standards for citizen participation in the decision-making process.
According to the Council of Europe, the sentence "Citizen participation is at the core of a genuine democracy."[16] is a communicative formulation on the Council of Europe's information website and not the official text of the recommendation.[17]
This formulation is used in the Council of Europe's explanatory memorandum.
A formulation that is widely used in this document is:
"Civil participation contributes to transparent, accountable and democratic decision-making."[18]

5.4. European Union (EU)

On the topic of "mechanisms for implementing citizens' legislative initiatives in parliament, participatory democracy, good governance and citizens' rights", the most authoritative sources of the European Union (EU) are the Treaty on European Union (TEU) [19]and Regulation (EU) 2019/788 on the European Citizens' Initiative (ECI).[20] These are the main legal acts regulating participatory democracy at the level of the European Union.
According to the Consolidated version of the Treaty on European Union (June 2016) "The institutions shall, by appropriate means, give citizens and representative associations the opportunity to make known and publicly exchange their views in all areas of Union action."[21]
Another fundamental provision is:
“No less than one million citizens, who are nationals of a significant number of Member States, may take the initiative of asking the European Commission, within the framework of its powers, to submit any appropriate proposal on matters where citizens consider that a legal act of the Union is required for the purpose of implementing the Treaties.”[22]
The essence of Article 11(4) TEU is therefore: the direct democratic participation of EU citizens through the European Citizens’ Initiative, enabling them to influence the legislative agenda of the European Union.
The Preamble to the Regulation states that:

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[15] Council of Europe, Committee of Ministers. (2023). *Recommendation CM/Rec(2023)6 of the Committee of Ministers to member States on deliberative democracy*. Council of Europe. https://rm.coe.int/recommendation-cmrec-2023-6-of-the-committee-of-ministers-to-member-st/48802b1631 ***(last access: September 27, 2026);***

[16] Council of Europe. (2023, September 6). *Deliberative democracy: First international standard adopted by the Council of Europe!* https://www.coe.int/en/web/democracy-and-human-dignity/home/-/asset_publisher/Zfc1ZIcQBPOF/content/deliberative-democracy-first-international-standard-adopted-by-the-council-of-europe-/16887348 ***(last access: September 29, 2026);***

[17] Council of Europe. (2023, September 6). *Deliberative democracy: First international standard adopted by the Council of Europe!* https://www.coe.int/en/web/democracy-and-human-dignity/home/-/asset_publisher/Zfc1ZIcQBPOF/content/deliberative-democracy-first-international-standard-adopted-by-the-council-of-europe-/16887348 ***(last access: September 30, 2026);***

[18] Council of Europe, Committee of Ministers. (2023). *Recommendation CM/Rec(2023)6 of the Committee of Ministers to member States on deliberative democracy*. Council of Europe. https://rm.coe.int/recommendation-cmrec-2023-6-of-the-committee-of-ministers-to-member-st/48802b1631 ***(last access: October 2, 2026);***

[19] European Union. (2012). *Consolidated version of the Treaty on European Union*. Official Journal of the European Union, C 326, 13–45. https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12012M/TXT ***(last access: October 2, 2026);***

[20] European Parliament, & Council of the European Union. (2019). *Regulation (EU) 2019/788 of the European Parliament and of the Council of 17 April 2019 on the European citizens' initiative*. *Official Journal of the European Union, L 130*, 55–81. https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32019R0788 ***(last access: October 3, 2026);***

[21] European Union. (2016). *Consolidated version of the Treaty on European Union*. *Official Journal of the European Union, C 202*, 7 June 2016. https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:12016M/TXT ***(last access: October 3, 2026);***

[22] European Union. (2016). *Consolidated version of the Treaty on European Union: Article 11(4).* EUR-Lex. https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12016M011 ***(last access: October 5, 2026);***

"The European Citizens' Initiative enhances the democratic functioning of the Union through the participation of citizens in its democratic and political life."[23]
European Commission. (2001). European Governance: A White Paper (COM(2001) 428 final)./European Commission. (2001). European Governance: A White Paper (COM(2001) 428 final), states that: "The quality, relevance and effectiveness of EU policies depend on ensuring broad participation throughout the policy chain."[24]

5.5. European Parliament

On the topic of "mechanisms for implementing citizens' legislative initiatives in parliament, participatory democracy, good governance and citizens' rights", one of the most important documents of the European Parliament is the resolution on the implementation of the European Citizens' Initiative (ECI), which assesses the functioning of this mechanism of participatory democracy.

1. European Citizens' Initiative: Implementation of Regulation (EU) No. 211/2011 (2020)/European Citizens' Initiative: Implementation of Regulation (EU) No 211/2011 (2020)

2.The European Citizens' Initiative – Data, Challenges and Perspectives (2021)/The European Citizens' Initiative – Data, Challenges and Perspectives (2021)

3.Annual Report on Petitions 2023 (2024)/Annual Report on Petitions 2023 (2024).

Below we explain each of the documents in question.

5.5.1. European Citizens' Initiative: Implementation of Regulation (EU) No 211/2011 (2020)/European Citizens' Initiative: Implementation of Regulation (EU) No 211/2011 (2020)

The European Citizens' Initiative aims at the Citizens' Legislative Initiative.
The public hearing of initiatives in the European Parliament is foreseen in Article 11.
Specifically, "When the conditions set out in Article 10 are met, the organisers shall be given the opportunity to present the citizens' initiative at a public hearing. The Commission and the European Parliament shall ensure that this hearing is organised in the European Parliament, if appropriate, together with other Union institutions and bodies which may wish to participate."[25]
Examination by the European Commission following the initiative: Article 10 provides for the examination of any citizens' initiative by the Commission.
The document states that "Within three months of the submission of the citizens' initiative... the Commission shall set out in a communication its legal and political conclusions on the initiative, the action it intends to take, if any, and its reasons for taking or not taking that action."
This article indicates that the citizens' initiative does not automatically become law, but is subject to institutional review by the Commission, while Parliament participates in the process through public hearings. This is one of the main mechanisms for the implementation of the citizens' legislative initiative.

[23] European Union. (2016). *Consolidated version of the Treaty on European Union: Article 11(4).* EUR-Lex. https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A12016M011 *(last access: October 5, 2026);*
[24] European Commission. (2001). *European governance: A white paper* (COM(2001) 428 final). Office for Official Publications of the European Communities. https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:52001DC0428 *(last access: October 7, 2026);*
[25] European Parliament, & Council of the European Union. (2011). *Regulation (EU) No 211/2011 of the European Parliament and of the Council of 16 February 2011 on the citizens' initiative. Official Journal of the European Union, L 65*; p.1–22. . https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32011R0211 ***(last access: October 7, 2026);***

5.5.2. The European Citizens' Initiative – Data, Challenges and Perspectives (2021)

The European Citizens' Initiative aims at Participatory Democracy.
According to the document "The European Citizens' Initiative enables one million EU citizens from at least seven Member States to invite the European Commission to submit a proposal for a legal act within its competences." (European Commission, n.d., para. 1)

5.5.3. Annual Report on Petitions 2023 (2024) Annual Report on Petitions 2023 (2024)

This concerns several issues mainly related to the right and possibility of citizens' petition and includes the following issues:

1. Citizens' right to petition
2. Participatory democracy
3. The importance of petitions
4. Citizen participation

Below we provide a basic explanation of each of these categories of citizens' rights.

1. Citizens' right to petition

If you refer to the Annual Report on Petitions 2023 (2024) of the European Parliament's Committee on Petitions, you can quote it like this:
Narrative quote: The European Parliament (2024) emphasizes that the right to petition is a fundamental mechanism that enables citizens to address the institutions of the European Union on matters falling within the field of EU competence.[26]

6.Participatory democracy

According to the Annual Report on Petitions 2023 (2024), participatory democracy:
Narrative quote: According to the European Parliament (2024), the right to petition is one of the main instruments of participatory democracy, as it enables citizens to submit concerns and requests to the institutions of the European Union, increasing transparency and accountability.[27]

6.1.The importance of petitions

According to the Annual Report on Petitions 2023 (2024), The importance of petitions:
Narrative quote: According to the European Parliament (2024), the right to petition plays an essential role in protecting and promoting citizens' rights, ensuring that their requests and complaints are examined effectively, transparently and within a reasonable time.[28]

6.2.Citizen Participation

According to the Annual Report on Petitions 2023 (2024), Citizen Participation:
Narrative quote: According to the European Parliament (2024), petitions are an important tool of civic participation, as they give citizens the opportunity to influence the policy-making process and seek solutions to issues that affect their interests.[29]

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[26] European Parliament. (2024). *Report on the annual report on the activities of the Committee on Petitions 2023 (A10-0016/2024).* https://www.europarl.europa.eu/doceo/document/A-10-2024-0016_EN.html ***(last access: October 10, 2026);***
[27] European Parliament. (2024). *Report on the annual report on the activities of the Committee on Petitions 2023 (A10-0016/2024).* https://www.europarl.europa.eu/doceo/document/A-10-2024-0016_EN.html ***(last access: October 10, 2026);***
[28] European Parliament. (2024). *Report on the annual report on the activities of the Committee on Petitions 2023* (2024/2019(INI)). https://www.europarl.europa.eu/doceo/document/A-10-2024-0016_EN.html ***(last access: October 10, 2026);***
[29] European Parliament. (2024). *Report on the annual report on the activities of the Committee on Petitions 2023 (2024/2019(INI)) (A10-0016/2024).* https://www.europarl.europa.eu

7. Democratic space and mechanisms of citizen participation in the legislative process

Citizens' legislative initiative is a very important element of democracy. Democracy is the "color" of political and ideological determinations, therefore it is necessary that in addition to representatives, citizens also have the opportunity to initiate legislation. This certainly makes a democracy much more representative and more stable.
The research questions of the paper are:

1. What are the conditions and procedures that citizens must meet to submit a legislative initiative?
2. What are the main legal, administrative and political obstacles that limit the effective use of citizens' legislative initiative?
3. What legal and institutional reforms are needed to increase the effectiveness of citizen participation mechanisms in the legislative process? and
4. To what extent do citizen legislative initiative mechanisms contribute to strengthening representative democracy and citizen participation in the parliamentary legislative process?

The possibility and mechanisms of citizen participation in the legislative process:

Citizens have the right to participate in the process of drafting and approving laws, contributing to improving the quality of legislation and strengthening democracy.

The main mechanisms of citizen participation are:

-Public consultations – citizens, civil society organizations and interest groups provide comments and proposals on draft laws.

-Citizens' initiative – in some countries citizens can propose the drafting or amendment of a law, if they collect the required number of signatures.

-Petitions – citizens can address institutions with requests for the adoption, amendment or repeal of laws.

-Referendum – in certain cases citizens decide directly on issues or laws of particular importance.

-Public hearings – parliament or parliamentary committees organize meetings where citizens and experts express their opinions on draft laws.

-Participation through civil society organizations – NGOs and interest groups present analyses, recommendations and protect the interests of citizens during the legislative process.
Therefore, citizen participation in the legislative process increases transparency, improves the quality of laws, strengthens the accountability of institutions and ensures that legislation better reflects the needs and interests of citizens.

8. Citizens' legislative initiative: concept, characteristics and forms of initiative

Concept- Citizens' legislative initiative:
Citizens' legislative initiative is the right of citizens to propose the adoption, amendment or repeal of a law. This is a form of participatory democracy, which enables citizens to directly influence the legislative process.
Characteristics:

-It is a mechanism of direct participation of citizens.

-It is exercised according to procedures and conditions established by law.

-Usually requires the collection of a certain number of signatures from citizens.

-Aims to influence the drafting and improvement of legislation.

-Strengthens transparency, democracy and accountability of institutions.

-(last access: October 17, 2026);

Forms of legislative initiative:

1. Popular initiative - citizens propose a draft law or amendments to an existing law.
2. Citizens' petition - citizens submit requests or proposals for the adoption, amendment or repeal of laws.
3. Legislative referendum – citizens decide directly by vote on the approval or rejection of a law, when this is provided for by the constitution or law.
4. Initiative for constitutional changes – in some countries citizens can initiate procedures for amending the constitution, if they meet the legal conditions.

9. The importance of legislative initiatives for the functioning of parliaments and democratic legitimacy

Legislative initiatives play an important role in the functioning of parliaments and in strengthening democratic legitimacy. They enable citizens, members of parliament, the government and other authorized entities to propose laws or legal amendments, thereby contributing to the improvement of the legislative process.

The importance of legislative initiatives:

-Enable the involvement of citizens and other stakeholders in the law-making process;
-Improve the quality of legislation through new ideas and proposals;
-Increase the transparency and accountability of parliament;
-Help laws better reflect the needs and interests of society;
-Strengthen citizens' trust in democratic institutions;
-Increase the legitimacy of parliament's decisions, as they are based on a more inclusive and democratic process, etc.

Impact on democratic legitimacy:

When citizens have the opportunity to participate in the legislative process, they feel more represented and involved in decision-making. This increases trust in institutions, improves the relationship between citizens and parliament, and strengthens the principles of the democratic state.

Legislative initiatives are an essential element of democracy. They make parliament more open, representative, and accountable, while increasing democratic legitimacy by ensuring that the law-making process reflects the public will and interest.

10. Challenges and limitations of citizens' legislative initiatives

Citizens' legislative initiatives face several challenges and limitations, which can affect their effectiveness. Some of them are:

1. High number of signatures – In many countries, the collection of a large number of signatures is required, which makes the process difficult and time-consuming and resource-intensive.
2. Complicated legal procedures – Drafting proposals and complying with procedural requirements can be complex for citizens who do not have legal knowledge.
3. Financial cost – Organizing campaigns, informing the public and collecting signatures require financial resources and organizational support.
4. Lack of political support – Even when the initiative meets the legal requirements, parliament may not approve it for political reasons.
5. Low civic participation – Lack of interest or awareness among citizens can make it difficult to secure the necessary support.
6. Constitutional and legal limitations – Not every issue can be proposed by citizens; some areas, such as the state budget, taxes or national security issues, are often excluded.

7. Risk of manipulation – Interest groups or political actors can influence citizens' initiatives to advance their own interests.

In conclusion, citizens' legislative initiatives are an important mechanism of participatory democracy, but their success depends on a clear legal framework, the support of citizens and the willingness of institutions to consider and treat them seriously.

Conclusions and recommendations:

Conclusions: The following main conclusions can be drawn from the analysis of the citizens' legislative initiative in democratic systems:

1. The citizens' legislative initiative is an important instrument of participatory democracy, which enables citizens to contribute directly to the law-making process and influence the legislative agenda;
2. This mechanism does not replace representative democracy, but complements it, creating a stronger link between citizens and parliament and increasing the democratic legitimacy of decision-making;
3. The effectiveness of the citizens' legislative initiative depends on the constitutional and legal framework, as well as on the functioning of institutions. Simple procedures, clear deadlines and transparency are essential elements for its success;
4. Legal, administrative and political obstacles can significantly limit the use of this mechanism. High signature thresholds, bureaucracy, lack of digital tools and lack of political will often reduce the impact of citizens' initiatives;
5. International experience shows that countries with a developed tradition of participatory democracy, such as Switzerland, have managed to build mechanisms that strengthen citizens' trust in public institutions and increase the quality of the legislative process;
6. The use of technology and electronic platforms has created new opportunities for broader participation, making the process faster, more transparent and more accessible;
7. Citizen participation is not measured only by the formal existence of the right to initiative, but by the real influence that citizens have on the decision-making process and by the obligation of institutions to seriously consider their proposals.

Recommendations: In order to increase the effectiveness of the citizens' legislative initiative and strengthen participatory democracy, the following measures are recommended:

1. Improving the legal framework, by simplifying the procedures for submitting initiatives and establishing reasonable conditions for collecting signatures;
2. Digitalizing the process, through the use of electronic signatures and secure platforms for submitting, verifying and tracking initiatives;
3. Establishing binding deadlines for parliamentary review of citizens' initiatives and requiring that each decision be accompanied by a full justification;
4. Increasing transparency, by regularly publishing information on initiatives, their status and the results of parliamentary review;
4. Strengthening public consultations, including civil society organizations, the academic community, experts and interest groups in the drafting of legislation;
5. Developing civic education, through school and university programs and public campaigns that increase knowledge about democratic rights and participation mechanisms;
6. Institutional support for initiators, by creating parliamentary units or offices that provide legal and technical assistance during the preparation of initiatives;
7. Exchange of international best practices, by taking experience from countries with a consolidated tradition of participatory democracy and adapting it to the country's legal and constitutional system;

8. Strengthening democratic culture, by fostering dialogue between institutions and citizens and by promoting active participation in public processes;

9. Periodic monitoring and evaluation of citizen participation mechanisms, to identify shortcomings and continuously improve their functioning.

A modern democracy is not measured only by free and periodic elections, but also by its ability to enable citizens to participate continuously and effectively in the law-making process. The citizen legislative initiative represents one of the most important mechanisms of participatory democracy, because it creates a bridge between citizens and representative institutions. The more transparent, accessible and functional this mechanism is, the greater the potential to increase the legitimacy of decision-making, the quality of legislation and public trust in democratic institutions.

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