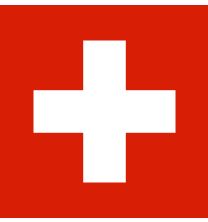


CULTURE, SOCIETY AND POLITICS IN THE GERMAN-SPEAKING COUNTRIES- IRE214

Maya Hadar

Fall 2018

Session 10: Switzerland II



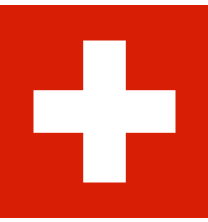
Switzerland II

2

- **Democracy**
 - Models of Democracy: a comparative analysis
- **Federalism**
 - Federalism and Confederalism
- **The Swiss Political System**
 - Direct Democracy, Referendum, Popular Initiatives
- Power Sharing (Consensus Democracy)
- Multicultural concept of the state
- Proportional representation

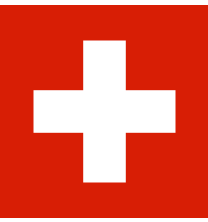


Democracy



- “Government by the people”; the people are sovereign
- Rousseau => *laws have **authority** because they are **social contracts** between free and equal citizens*
 - Was against the transfer of sovereignty to the state, ruler or representatives
- **Ancient Democracy**
 - Social contracts were put together by a popular assembly

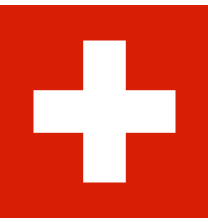




Democracy

- **Modern Democracy:** two equal channels:
 - **Representatives** => Parliament: permanent decision making forum
 - **Direct-democratic**
- **Direct Democracy:** Basic notions
 - The most important decisions of the parliament are subject to the people's vote (referendum)
 - The people has the right to **propose** its own **ideas** for basic legislation and to **vote** on them (**popular initiative**)
 - **Power sharing**

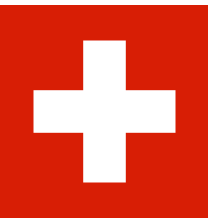
Models of Democracy: a Comparative Analysis



The Majoritarian (Westminster) Model:

- **Concentration of executive power: one-party**
- Two-party system
- One-dimensional party system
- Centralised government
- Unwritten constitution and parliamentary sovereignty

Models of Democracy: a Comparative Analysis

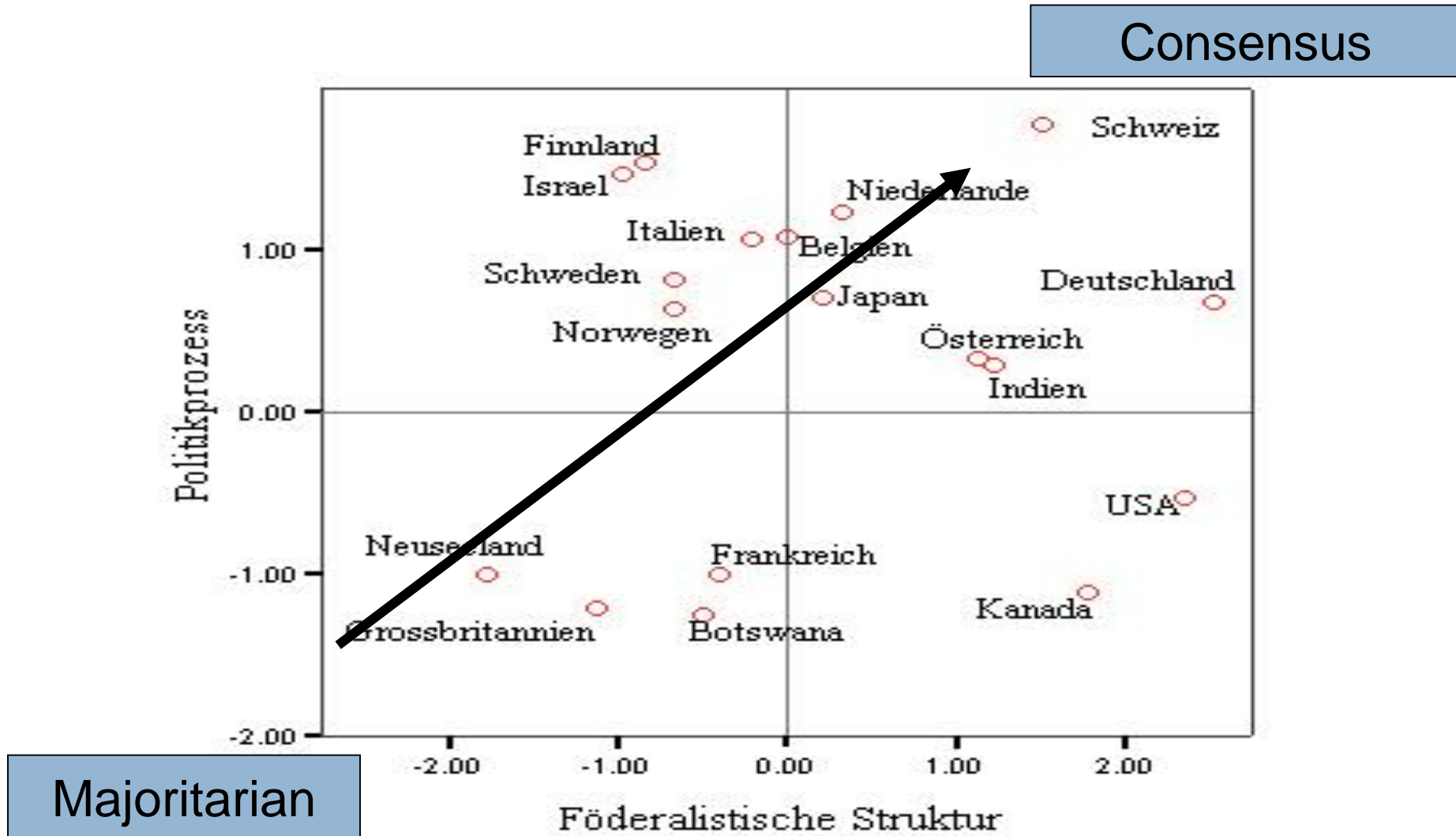


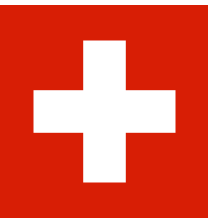
The Consensus/ Power sharing (Dutch, Swiss) Model:

- **Executive power: grand coalitions**
- **Multiparty System, minority representation**
- **Proportional representation**
- **Federalism and decentralisation**
- **Written constitution**



Majoritarian & Consensus Democracy

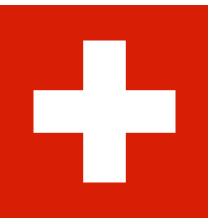




Majoritarian Democracy

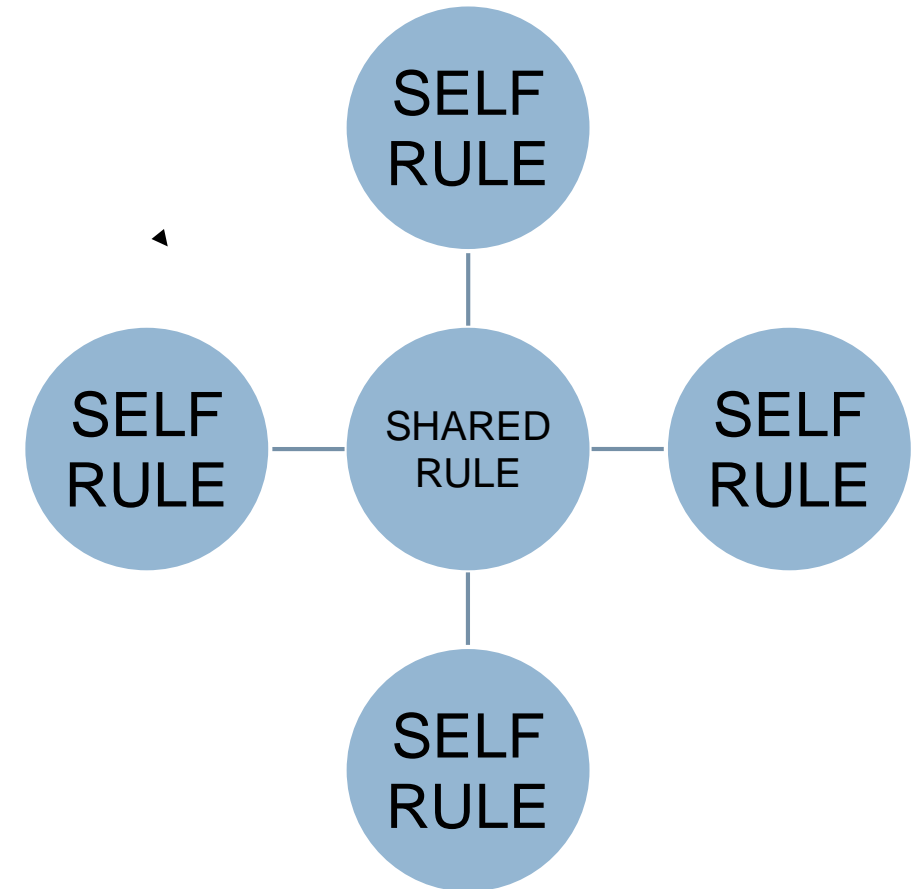
Why Majoritarian Democracy may not be the best choice for multicultural societies?

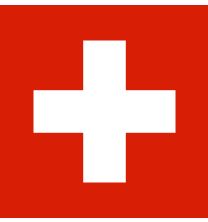
- The basic idea of the Westminster model: **change of roles** between **government** and **opposition** requires **voter's change of preferences** (Left or Right)
- **Structural minorities** (UK=> Catholics, Celtic speakers) cannot change preferences
- **No chance** of structural minorities to be **in power**
- **Eternal majority**, can lead to misuse of power



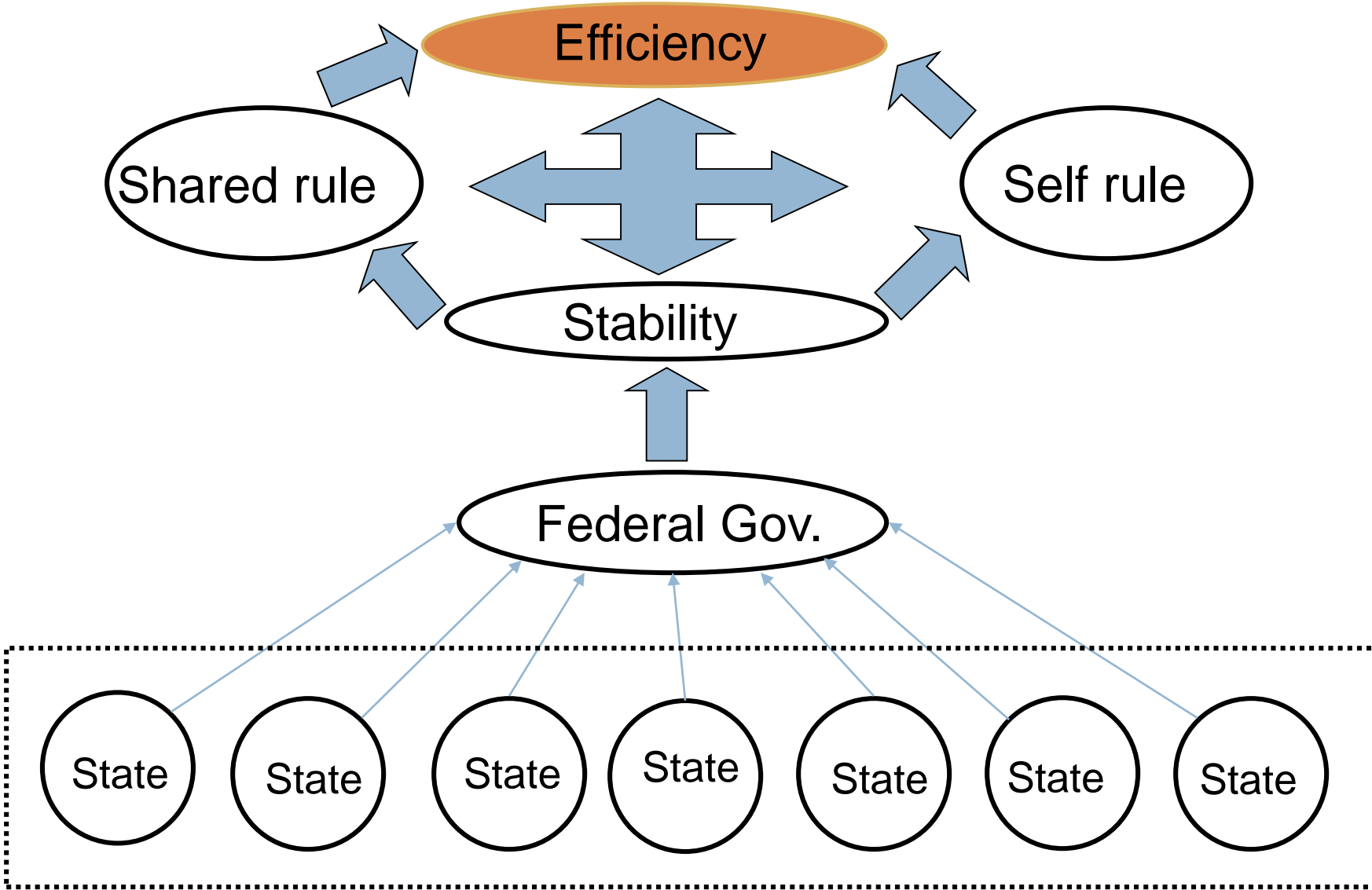
Federalism

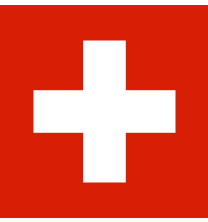
- Federalism refers to the **advocacy** of a **multi-tiered government**, combining elements of:
 - **Shared-rule** (collaborative partnership) through a common government
- +
- **Regional self-rule:** Constituent unit is autonomous





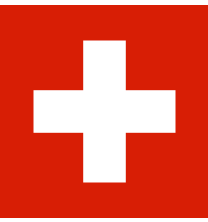
Federalism





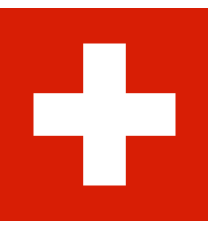
Federalism: Brief History

- 1787 => The **United States** adopted a **federal constitution**, often regarded as the first modern federation
- 1848 => **Switzerland** transformed its **confederation** (which was founded in 1291) into a federation



Federation vs. Confederation

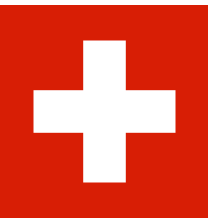
Federation	Confederation
A union of countries, states or provinces	
<ul style="list-style-type: none">- States or provinces that join a federation, agree to give up part of their powers and to answer to the central government, which has the power to enforce laws and regulations	<ul style="list-style-type: none">- States come together creating a loose (often temporary) union for matters of political, economic or administrative convenienceCan (almost) freely leave the union when they decide to do so
<ul style="list-style-type: none">- Members of a federation are bound to respect the authority of the central government and maintain limited powers	<ul style="list-style-type: none">- Within a confederation, member states maintain a large degree of autonomy and independence, often appoint a weak central authority



Federalism: Brief History

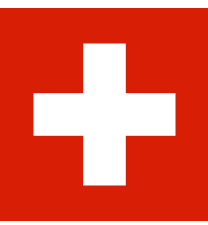
- 1867 => **Canada** became the third modern federation
- 1871 => the **North German Federation** of 1867 was expanded to include South German States
- 1901 => **Australia** became a federation
- During the 19th century some Latin American republics adopted federal structures (**Venezuela, Mexico, Brazil, Argentina**) but these proved unstable

Contemporary Federalism



21st century =>

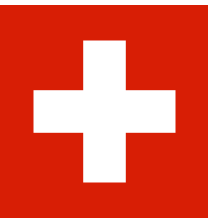
- The world appeared to be in the midst of a **paradigm shift**: from **sovereign nation-states to diminished state sovereignty** and increased interstate linkages of a federal character
- How about now? Brexit, Trump's 'America first'?
- Currently there are 25 countries, encompassing over 40% of the world's population that exhibits the fundamental characteristics of a functioning federation



Swiss Political System

- Direct Democracy
- The system of **initiative** and **referendums** is a **modern** form of **popular assembly** (has all its features), suitable for **large number of people** and **decisions**
- In Swiss cantons, the step from popular assembly to initiative and to referendums was made consciously

Referendum is Latin for 'referral' or 'referring' of a certain matter to the public for their vote



Direct Democracy



pensions

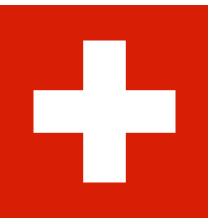
pollution



taxes

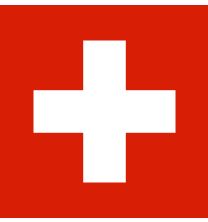
Four ballots
a year on
national
issues





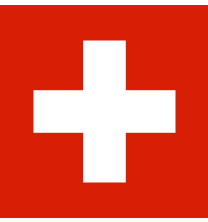
The Referendum

- **Constitutional amendments** and some **international treaties** => **mandatory referendum** (decisions must be accepted by the **majority** of the **people** and the **cantons**)
 - 1874-2006: *206 propositions, 153 accepted, 53 refused*
- **Amendments to legislation** => **optional referendum** (the proposition of parliament has to be accepted by the **majority** of the **people**) if a vote is demanded by 50,000 people
 - 1874-2006: *2260 propositions of the parliament, popular votes on referendum demands 184, 87 propositions of parliament accepted, 73 rejected*



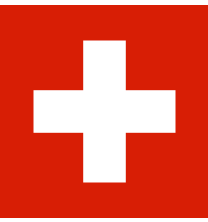
The Referendum

- Introduction of optional referendum against laws in 1874 technically allowed the Catholics (opposition) to contest almost every law
- **Consequences:**
 - The Liberal **majority** must find compromises with the **minority**
 - **Permanent accommodation with the opposition** is necessary: 1894 a Conservative Catholic is admitted to the Federal Council
 - Further integration happens with the Farmers party and with the Socialists in the first half of the 20th century
- Today: **Referendum as pressure for compromise:** necessary accommodation of all groups strong enough to organise referendums



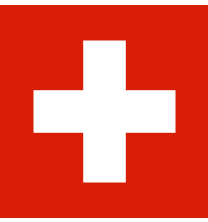
Parliament and Referendums

- 200 referendums/year (all levels)
- 531 federal referendums (1848-2004)
 - 187 obligatory
 - 152 rejective
 - 192 popular initiative
- Average turnout > 50% (elections: 40%!)



Parliament and Referendums

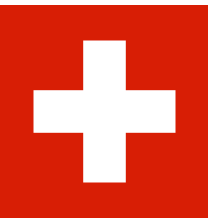
- Citizens are cautious:
 - Popular initiatives: 10% adopted
 - Rejective referendums: 50% of laws adopted
 - Obligatory referendums: 73% of constitutional change/treaty adopted
- 2-4 national voting days/year
- Postal voting
- Political radio/tv advertising banned



Parliament and Referendums

- Referendum may be about any issue the parliament is competent on
- Binding vote
- Normal majority decides
- Citizens can launch their own proposals (popular initiative)
- **Obligatory referendum** => constitutional changes, treaties
- **Rejective referendum** => all laws, 50.000 signatures
- **Popular initiative** => all topics except some fundamental human rights, 100.000 signatures





The Popular Initiative

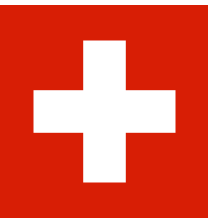
- With their signatures, **100,000 people** can hand in a **proposition** to amend the constitution
- **The Federal Council + parliament advice** whether to refuse/accept the proposition
- The proposition has to be accepted by the majority of the **people** and the **Cantons** to become valid
- *1874-2006: 214 popular initiatives 254 handed in, 161 voted upon, 15 accepted, 146 rejected*



Power Sharing (Consensus Democracy)

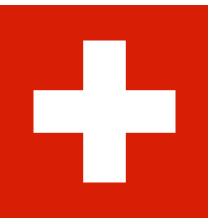


- **Proportional representation:** language, culture, religious minorities are not left out but **integrated** by ways of **participation** and **representation** in the government
- The **symbolic value of participation** and representation => social & political integration
- Permanent **negotiation**, changing coalitions
- Tensions between base and elites?



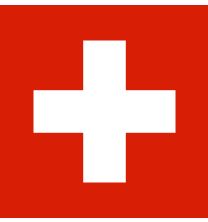
Multicultural Concept of the State

- 1848 => The Constitution states that **Switzerland** consists “of the **peoples of the cantons**”:
 - ‘Swiss’ people are **not** defined by a common language, ethnicity, history or religion, but only by formal citizenship
 - **A political, rather than a cultural nation** => The State is **neutral** with regard to religion, language, and other cultural characteristics
- **Minorities** are **protected** through human rights



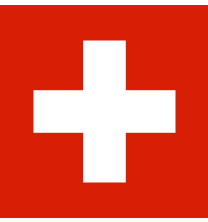
Federalism

- **Federalism** gives the **Cantons political autonomy**
- **Self governing of:**
 - Rural areas
 - Different religious and language groups
 - + influence deferral decision-making
- In order to **amend the constitution** => A **majority of Cantons** is needed
=> **protects small** rural (mostly Catholic) **Cantons + inclusion**
- However, federalism **only** protects minorities representing a **political majority in a sub-national unit**



Multidimensional Proportional Representation

- Language, political party, region of origin & gender are **relevant** for:
 - Federal Council
 - Supreme Court
 - Parliamentary Committees
 - Federal Committees of Experts
 - Nomination of senior positions in bureaucracy
- Similar practice of **proportional representation** in the cantons + in **civil society** (Ex. national sports associations)

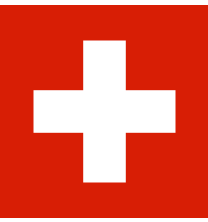


Proportional Rule for Elections

- 19th century => Liberal majority secured by electoral system based on **majority rule**
- 1918 => **General strike** by the Socialist Party provokes intervention of the army. Some workers are shot
- 1919 => Elections based on **proportional rule** are introduced

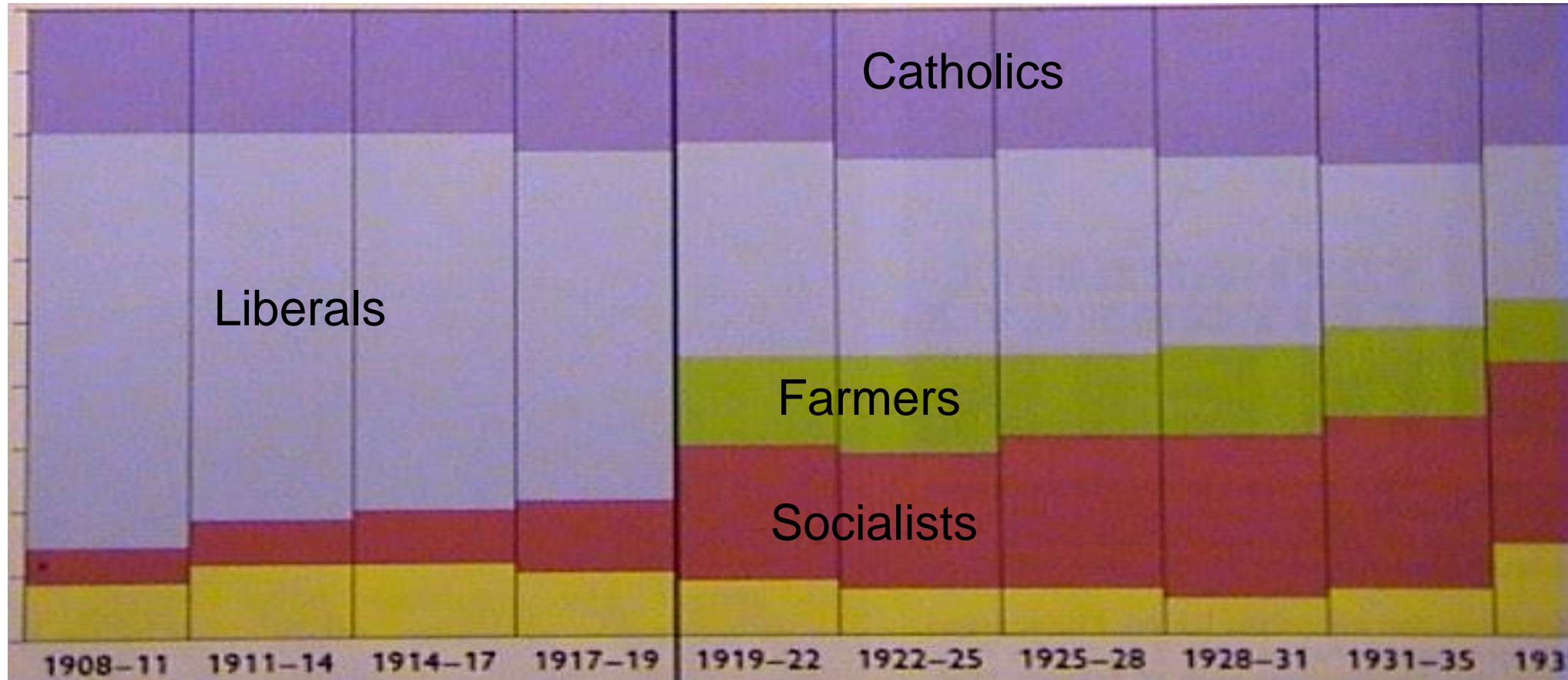


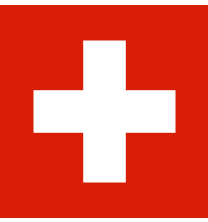
1918: The Army takes control of Zurich



Effects of the Proportional Rule

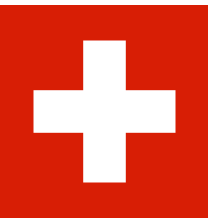
Seats in the **National Council** 1908 - 1939





Positive Effects of Direct Democracy

- More debate, (assumed) more knowledgeable citizens
- More social capital, less tax evasion
- Better policy, higher economic growth
- More efficient government, lower budget deficits
- People have the last say in many important (not all) issues
- A way to restrain the political elites
- Led to slow (but steady) innovation
- Evidence that people are capable to participate in questions of “high” politics



Challenging Direct Democracy

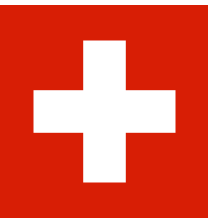
- Theory of motivation => an individual is motivated primarily by **self interest**; society is a jungle dominated by the strong (social Darwinism)
 - Distrust of other people
- People will use DD to crush minorities, to make irresponsible decisions which are bad for the general interest
- The “jungle” view is not substantiated by evidence
 - Blood donation, tax evasions, minority rights



Challenging Direct Democracy

“Citizens aren’t capable”

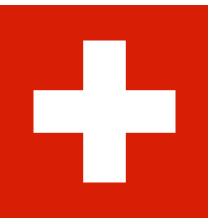
- How can 'stupid citizens' make smart decision?
 - Rising education; modern work life requires much skills
- Parliamentarians and citizens are both generalists – both use information shortcuts (NGO endorsements, media)
- People are sovereign – 'I have the right to waste my own money'



Challenging Direct Democracy

“Citizens are selfish – abolish taxes but raise expenditures”

- DD lead to higher state expenditure before WW II and lower state expenditure after WW II
- Tax raises are sometimes approved, sometimes blocked



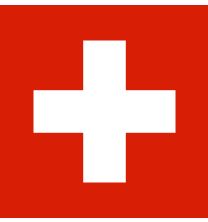
Challenging Direct Democracy

“Special interests win because of money”

- Ban on political TV/radio ads

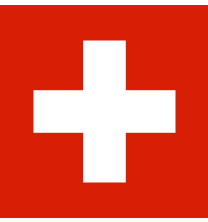
“Minority rights will be threatened”

- Polls: minorities support DD
- When examining attitudes towards minorities a similar internal division between members of ethnic minority and majority is observed
- No evidence for destruction of minority rights through DD



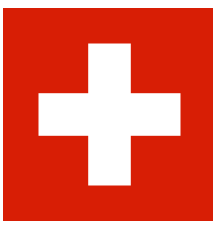
Why does it work in Switzerland?

- Switzerland is virtually the only country in the world where the people have such **extensive decision-making powers**
- Longstanding **democratic tradition**
- Comparatively **small size** of the population and country
- **High literacy** rate



Institutional Competition

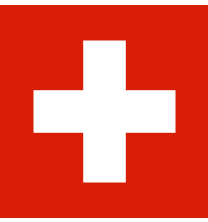
- Swiss federalism allows each small group to remain sovereign, resulting in extreme diversity
- This diversity has led to an exceptional level of institutional competition between Cantons
- Result (*inter alia*): public administration is efficient, public expenditure is contained, taxes are low (but far from zero)
- Institutional competition produces diversity, innovation and efficiency, not uniformity, and certainly not a race to the bottom



Power Sharing and Cleavages

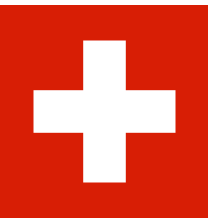
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Power sharing element accommodates cleavage of:	Multi-cultural State	Federalism	Referendum	Proportional electoral system	Proportional representation
Religion	X	X	(X)	(X)	X
Language	X	X	X	(X)	X
Rural/urban		X	X		X
Class conflict			X	X	X
Gender				X	X



Important to Remember

- **Majoritarian democracy** is the **dominant** model stemming from the Anglo-Saxon world, but most probably only the **second-best** model for **multicultural** or **divided** societies
- In cases of **segmented** or **divided societies**, **Consensus democracy** is a **better** institutional **fit** but by no means a guarantee for conflict prevention or peaceful conflict resolution



Important to Remember

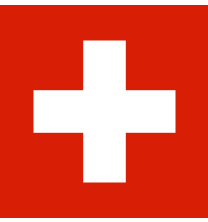
- In the ideal vision of the democratic state, elected representatives make collective decisions which reflect the general will, and it is the duty of every citizen to contribute to public works according to the law of the land
- In reality, collective decisions may be a result of lobbying & logrolling (exchanging of political favors): If the government thus breaks the social contract, it cannot expect the public to maintain their side of the bargain



Important to Remember

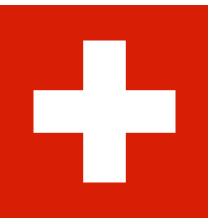
- The Swiss consider that their social contract (with public authorities) intact, maintain the system (voted to not enter the EU)- legitimacy (EU suffers from a legitimacy deficiency)
- And it is even questionable whether the Federal Government can negotiate much in tax matters with the European Union: they could very easily face a referendum if the EU were to drive too hard a bargain

Next Session...



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- **Comparative Analysis**



Thank You For Your Attention!

Questions???

