

IRE201: CULTURE, SOCIETY AND POLITICS IN THE GERMAN-SPEAKING COUNTRIES

Maya Hadar, PhD

Fall 2019

Session 9: Switzerland II

On the Agenda for Today

2

- **Federalism and Confederalism**
- **The Swiss Political System**
- **Power Sharing**
- **The Multicultural State**
- **Proportional Representation**



Democracy 1.0



- “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 are put together by a **popular assembly**



Democracy 2.0

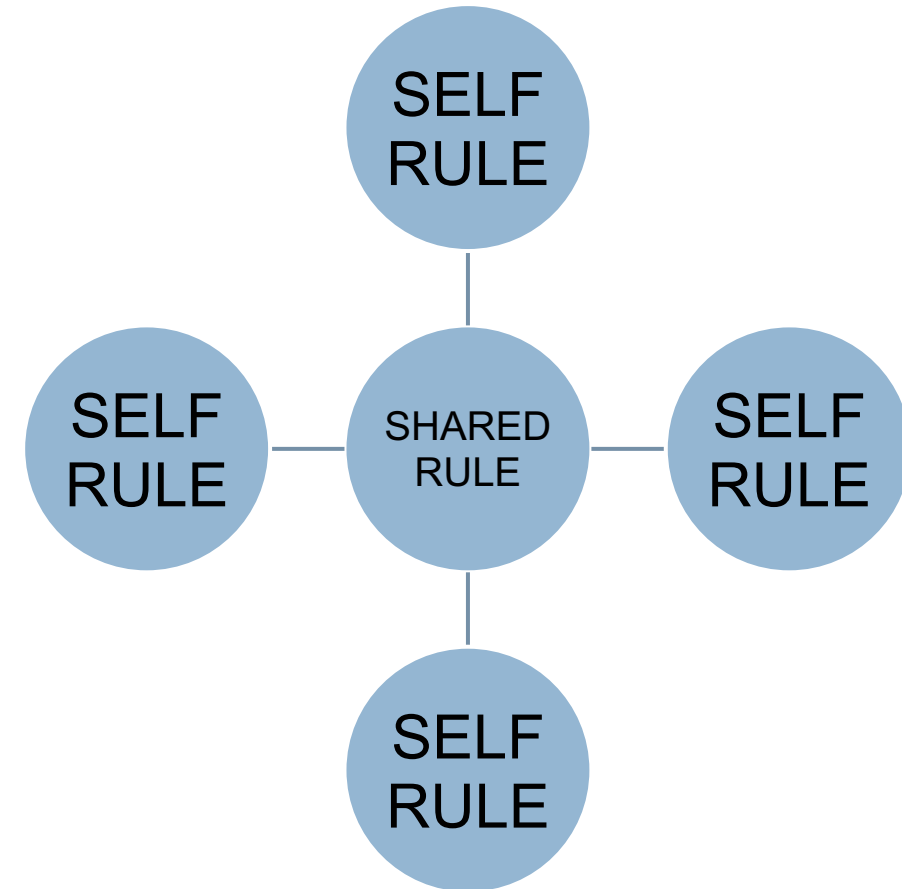
- **Modern Democracy;** two channels:
 - Representatives => Parliament: permanent decision making forum
 - Direct-democratic
- Direct Democracy: Basic notions
 - The most **important** decisions of the **parliament** are subject to the **people's vote (referendum)**
 - The **people** has the right to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



Federalism

5

- **Federalism** gives the Cantons **political autonomy**
- Allowed rural areas, different religious and language groups to **govern themselves** and to **influence federal decision-making**
- Requirement of **majority of Cantons** for constitutional amendments protects small rural (mostly Catholic) Cantons
- However, federalism only protects minorities **representing a political majority** in a sub-national unit



Federalism



- 1787 => The **US** adopted a federal constitution, often regarded as the **first modern federation**
- **Switzerland** transformed its confederation (which was founded in 1291) into a federation in 1848
- 1867 => **Canada** became the third modern federation
- 1871 => the **North German Federation** of 1867 was expanded to include South German States
- During the 19th century some Latin American republics adopted federal structures (**Venezuela, Mexico, Brazil, Argentina**) but these proved unstable

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 convenience. Can (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

The Swiss Political System

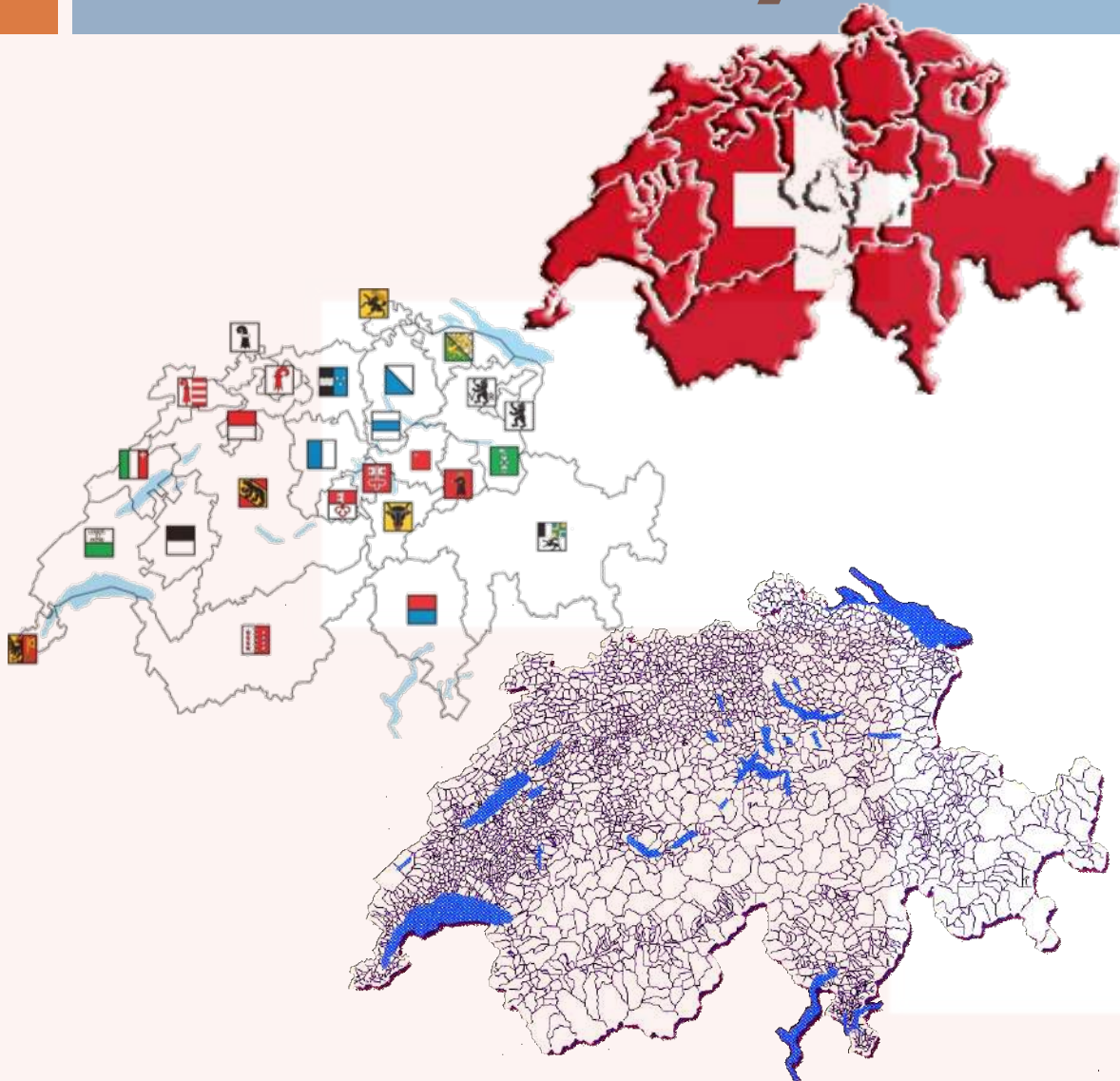
- Multiparty System, minority representation
- Proportional representation
- Federalism and decentralisation
- Written constitution
- Direct democracy: a system of **initiative** and **referendum** => a modern form of the popular assembly, suitable for **large** number of **people** and **decisions**

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



Political System

9



Federal Government
Conceptual work and legislation
Supervision of implementation

Cantons (26)
Implementation of federal regulations

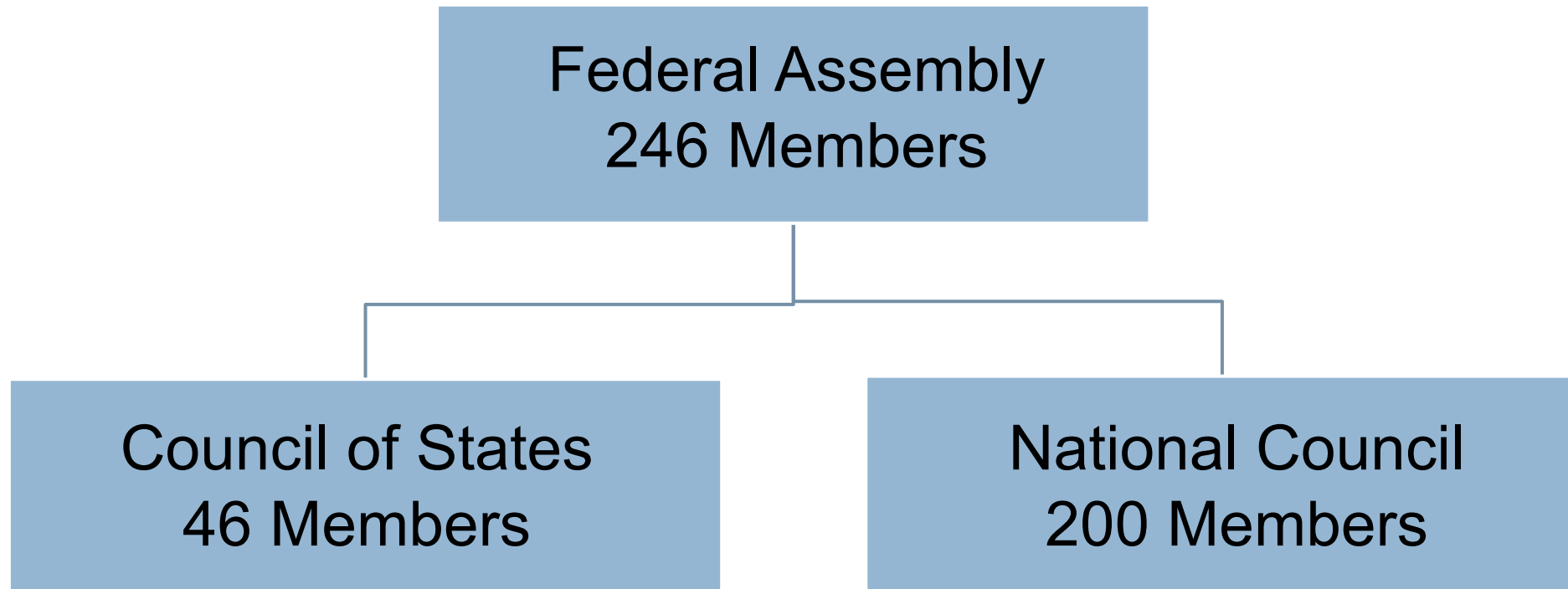
Municipalities (< 3000)
Implementation of federal
and cantonal regulations



Political System

10

- The **Legislative** (Bicameral parliament)
- The **Executive** (Federal Council, a collegial government)





Political System

11

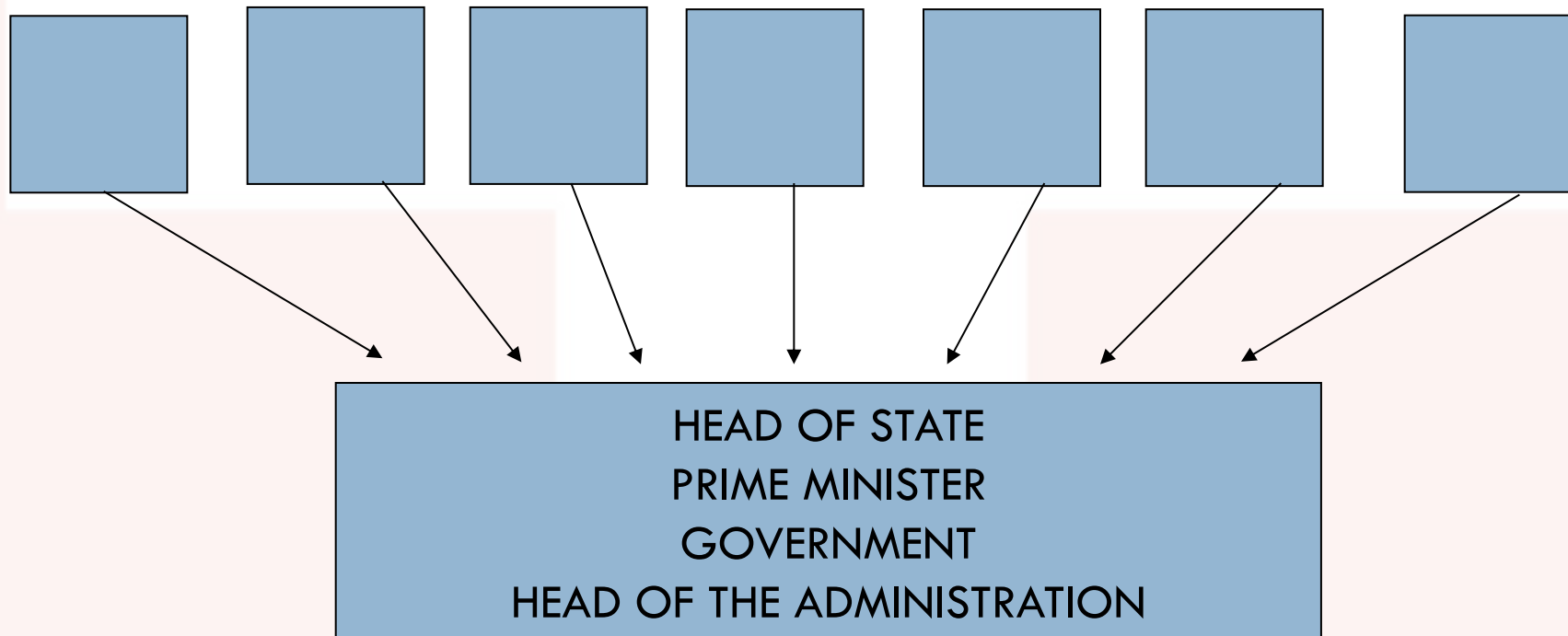
- **National Council** => 200 deputies are elected according to a standardized procedure, each canton representing an electoral district. The largest cantons have many deputies (ZH with 34 and BE with 26), whereas the smallest cantons have only one
- **Council of States** => Over time, there have been changes to how the 46 deputies are elected. Gradually been taken from the cantonal legislatures and given to the people
 - **Popular election:** they are not “real” cantonal representatives
 - Need for greater cantonal representation => 1993: **Conference of Cantonal Governments**



Political System

12

- The Federal Council, the executive => a collegial government of 7 members
 - Derives from the French First Republic, more precisely the “Constitution de l’An III”





Political System

13

- Cantons are not directly represented in the Federal Council
 - ‘The Council represents the geographical and linguistic diversity of the country’
- 1959 => the Federal Assembly opted for a political composition, known as the “**magic formula**”
 - Zaubersformel, formule magique
 - Arithmetic formula for dividing the seven executive seats of the council between the four ruling parties
- Its collegial nature allows minorities to be represented in the highest bodies of the Swiss polity



The Political System

14

- **Direct Democracy**
- The system of **initiative and referendum** is a **modern** form of **popular assembly**, suitable for a large number of people and decisions
- Laws are created in four steps:
 1. **Draft** by the **administration**
 2. **Consultation** of federal **states**, political **parties**, entrepreneurs, unions, other interested groups
 3. **Parliamentary debate** and final version passed
 4. Possibility of a **referendum**



Referendums

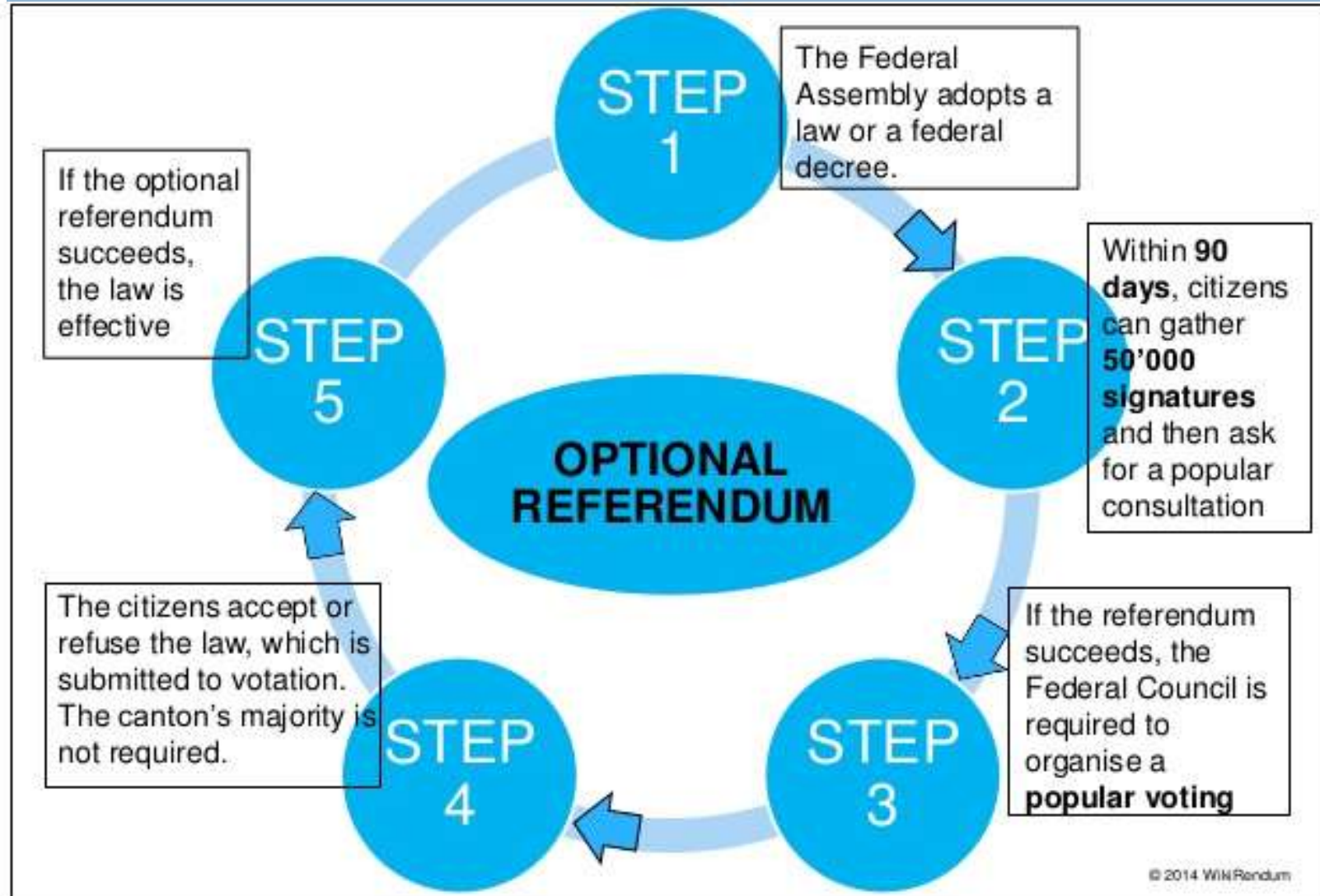
16

- Referendums have the effect of **safeguarding** the political process by **blocking/delaying** amendments adopted by parliament
- A referendum is only called if enough **signatures** are collected, unless the legislation involves an **amendment to the constitution initiated by the government**, or a proposal for Switzerland to sign a **major international agreement**





Referendums



Referendum:
Maximum amount of time for collecting signatures
➤ **100 days**
Required number of signatures
➤ **50 000**





Referendums

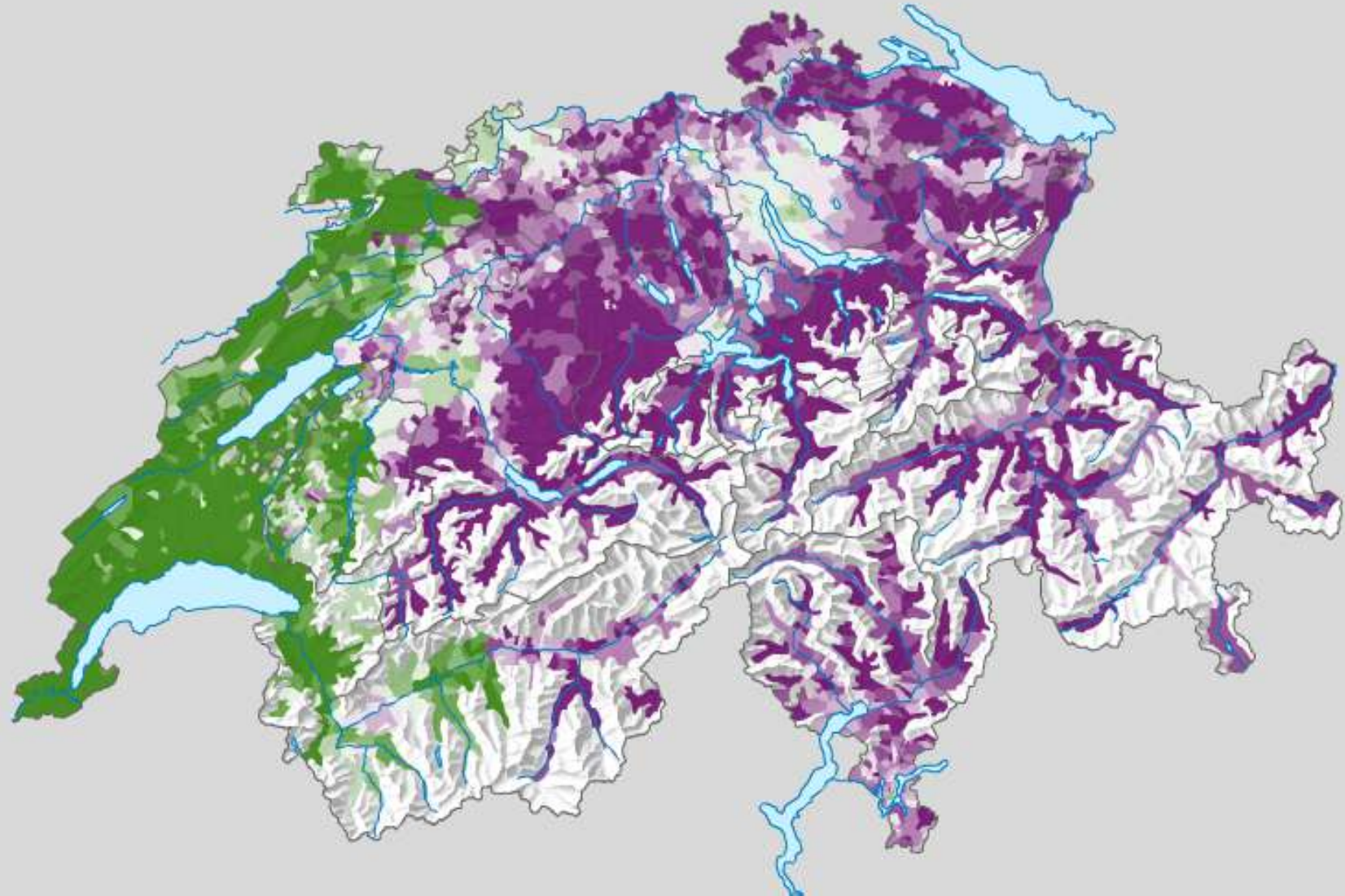
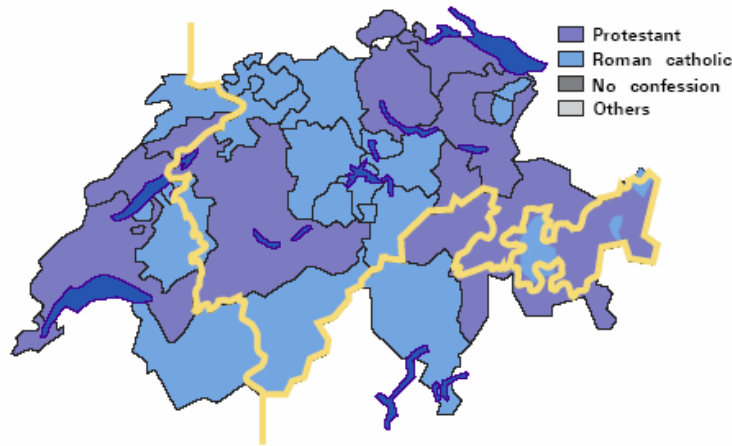
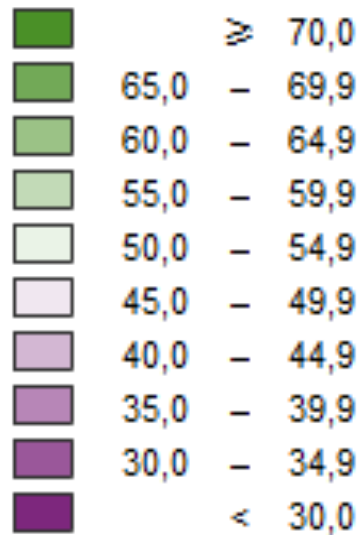
- **Constitutional amendments + international treaties => Mandatory referendum**
 - Require a **double majority**: National popular vote at the polls + win most of the cantons
- **Amendments to legislation => Optional referendum** (the proposition of parliament has to be accepted by the majority of the people) if a vote is demanded by 50k people
- Referendum as **pressure for compromise**: Accommodation necessary with all groups strong enough to organise referendum

1992: Joining the European Economic Area

19

Bundesbeschluss über den Europäischen Wirtschaftsraum (EWR), Abstimmung vom 06.12.1992

Ja-Stimmenanteil, in %

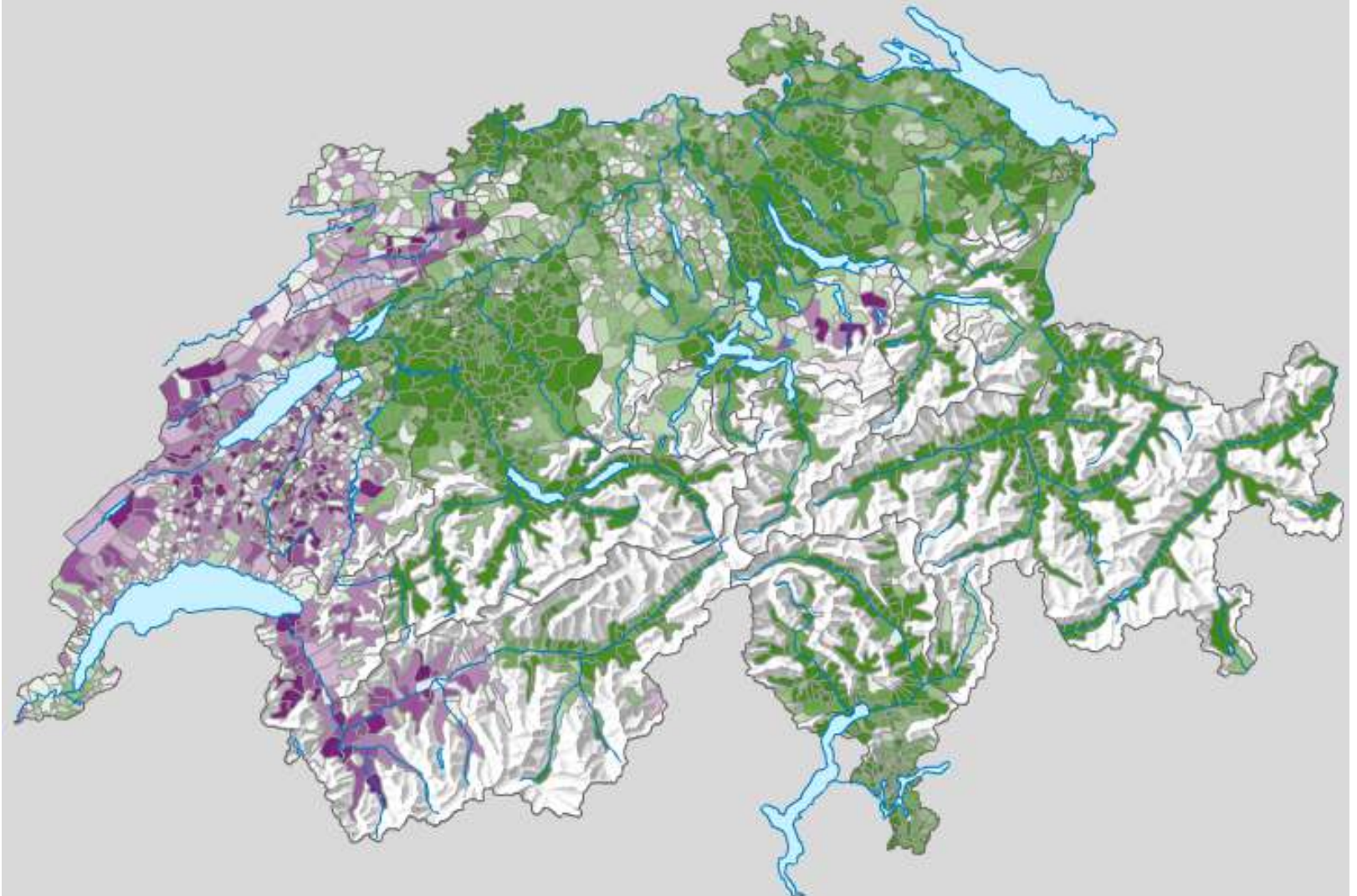
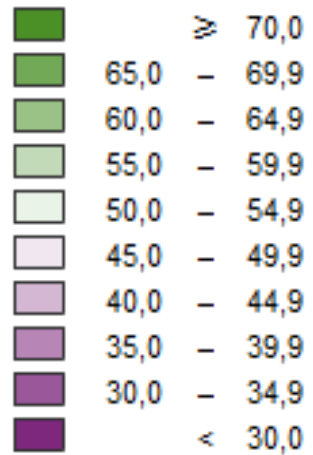


1994: Toll Motorway

20

Bundesbeschluss über die Weiterführung der Nationalstrassenabgabe, Abstimmung vom 20.02.1994

Ja-Stimmenanteil, in %



Popular Initiatives

- 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, 161 voted upon, 15 accepted, 146 rejected*





Initiatives

22

- Federal popular initiative (*Eidgenössische Volksinitiative, Initiative populaire fédérale*) is an instrument of **direct democracy** in Switzerland
- Allows citizens to propose changes to the **Swiss Federal Constitution**
 - Must be launched by a group of at least seven citizens
 - Require a double majority
- 1893 => First initiative under the current system was accepted

Initiative:

Maximum time for collecting signatures

➤ **18 months**

Required number of signatures

➤ **100 000**

Initiatives

23

- Popular initiatives are often the most controversial, headline-making referendums
- Recent initiatives:
 - A proposal to introduce a **universal basic monthly income** of around \$2,000 per person (rejected)
 - **Cutting military spending** (rejected)
 - **Limiting the foreign population to 18%** (rejected)
 - Banning the production and sale of absinthe (accepted)



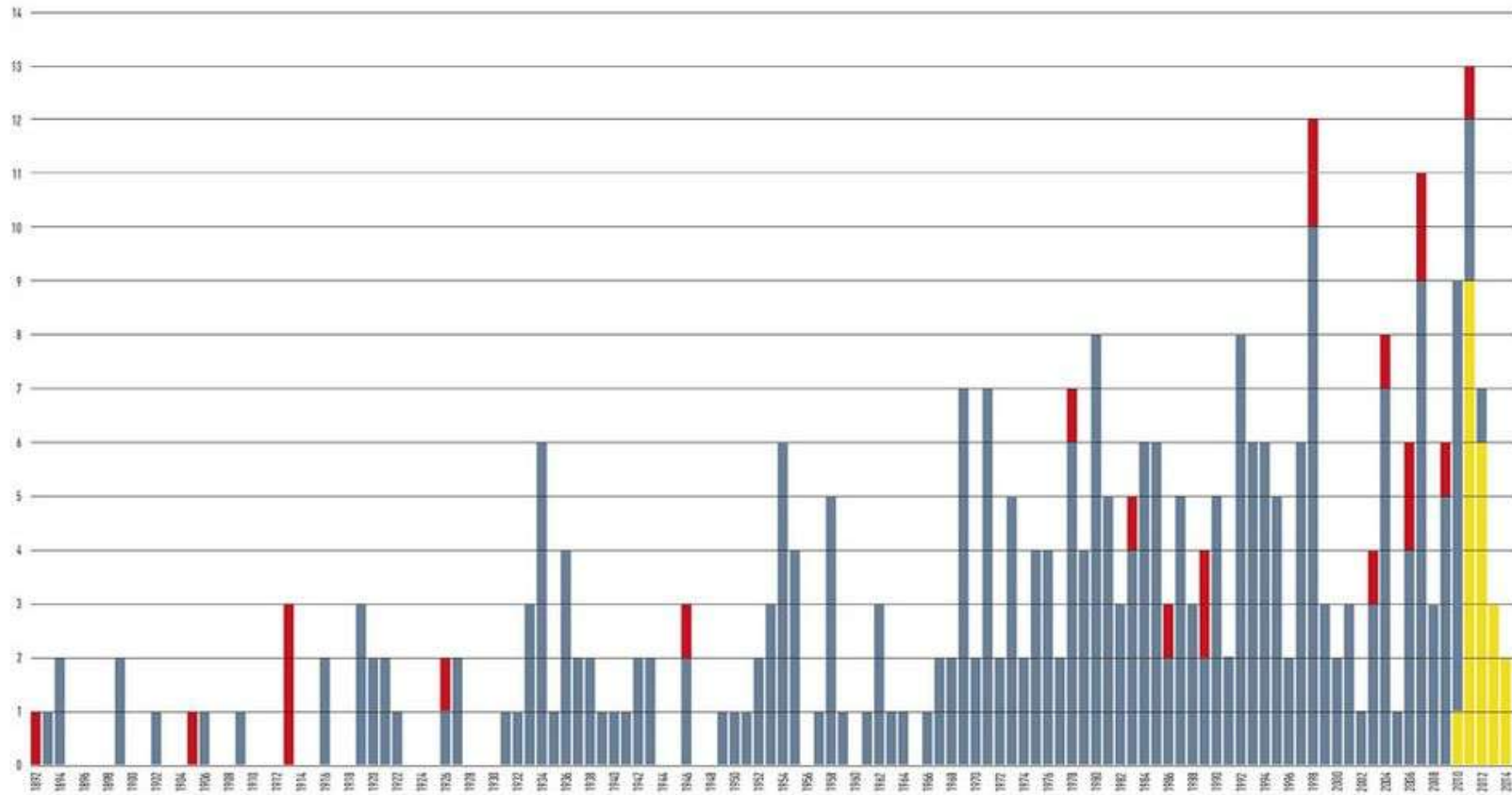


Initiatives

- Initiatives ‘open’ the political system => Any political **group** may **influence** the political **agenda**
- **Most** are rejected, **BUT**
- The concerns they address **give rise to broad debate**
- Sometimes are translated into **new legislation**

319 initiatives were submitted between 1892 and 2014

■ Successful submission ■ Unsuccessful, invalid, withdrawn or rejected ■ Accepted at referendum



Referendums & Initiatives

Election For	Date ▼	Votes	Registered Voters	Turn Out
Swiss National Council	2019-10-20	2,462,581	5,460,268	45.1%
Swiss Council of States	2019-10-20	2,462,581	5,460,268	45.1%
Referendum	2019-05-19	2,356,013	5,391,090	43.7%
Referendum	2019-02-10	2,028,734	5,428,531	37.37%
Referendum	2018-11-25	2,585,802	5,391,090	47.96%
Referendum	2018-09-23	2,004,433	5,391,090	37.18%
Referendum	2018-06-10	1,325,982	5,391,090	24.6%
Referendum	2018-03-04	2,904,047	5,391,090	53.87%
Referendum	2017-09-24	2,546,386	5,372,748	47.39%
Referendum	2017-05-21	2,297,296	5,356,538	42.89%
Referendum	2017-02-12	2,482,448	5,325,848	46.61%
Referendum	2016-11-27	2,399,984	5,325,848	45.06%
Referendum	2016-09-25	2,269,020	5,325,848	42.6%
Referendum	2016-06-05	2,465,868	5,325,848	46.3%
Referendum	2016-02-28	3,342,034	5,295,506	63.11%
Swiss National Council	2015-10-18	2,563,052	5,295,506	48.4%
Swiss Council of States	2015-10-18	2,563,052	5,295,506	48.4%
Referendum	2015-06-14	2,301,320	5,254,965	43.79%

- 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



Power Sharing

- Bicameral parliament called the **Federal Assembly**, composed of:
 - **The Council of States**/upper chamber (46 seats, 2 seats per canton, except for six cantons which only have 1)
 - **The National Council**/lower chamber (200 seats, split between the cantons based on population)
- This power-sharing system is aimed to **prevent monopolization of federal politics** by more **populated** cantons

Power Sharing & Cleavages

27

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

The Multicultural State

- 1848 => The Swiss Constitution states that Switzerland consists of “**the peoples of the cantons**”:
 - The **Swiss people** are **NOT defined** by a common language, ethnicity, history or religion, **but 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 & Multiculturalism

- **Federalism** allows the Cantons to be politically autonomous
- **Self governing of:**
 - Rural areas
 - Different religious and language groups
+ influence federal 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

- **Minorities** (language, culture, religious) are **NOT left out**, but **integrated** by ways of **participation** and **representation** in the government
- Language, political party, region of origin & gender are relevant for:
 - Federal Council
 - Supreme Court
 - Parliamentary Committees
 - Federal Committees of Experts
- Similar practice in society (e.g., national sports associations)

Proportional Rule for Elections

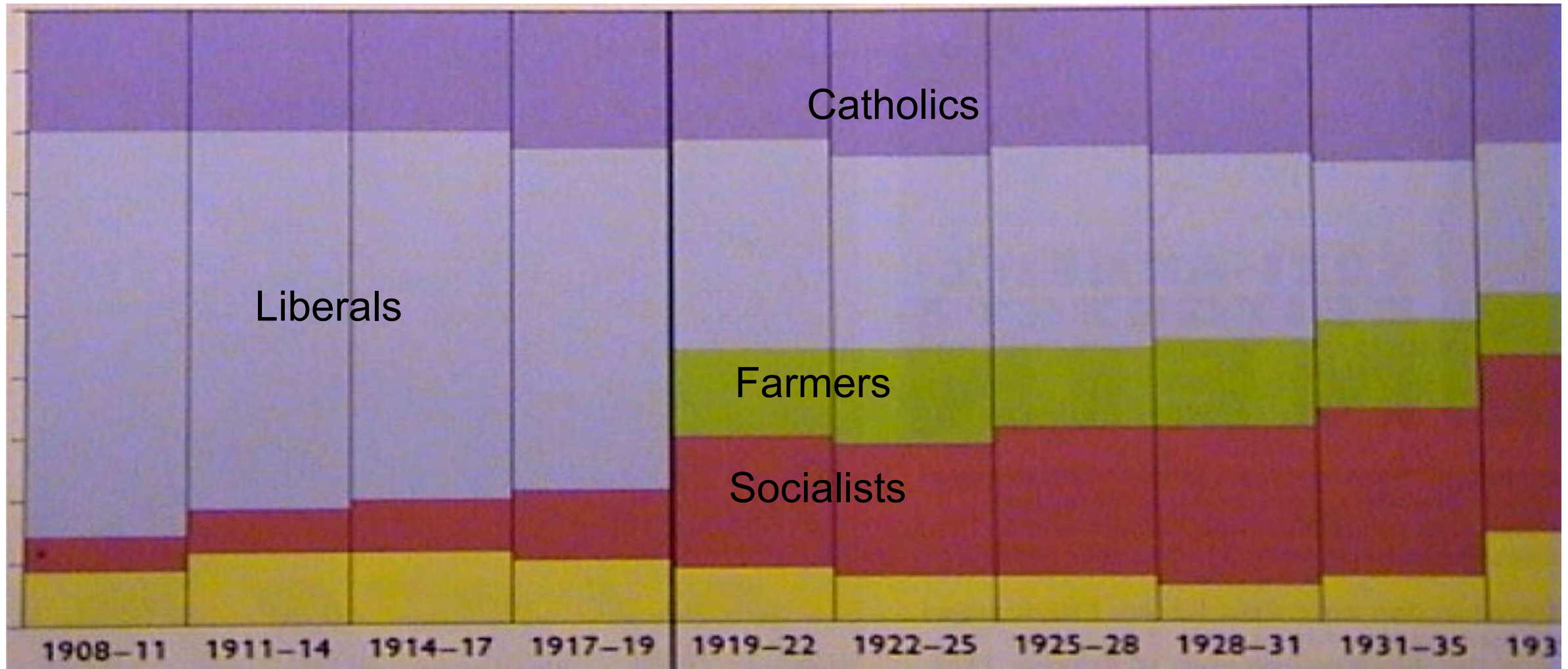
- 19th century => Liberal majority secured by electoral system based on **majority rule**
- 1918 => General strike organized by the Socialist Party provokes intervention of the army, some workers are shot
- 1919 => Elections based on **proportional rule** are introduced



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**
- Higher **social capital**, less tax evasion
- People have the last say in many important (not all) issues
- A way to **restrain the political elites**
- Evidence that people are capable to participate in questions of “high” politics

Challenging Direct Democracy

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

Challenging Direct Democracy

“Citizens aren’t capable”

- How can “stupid”/uninformed citizens make smart decisions?
 - Rising education; modern work life requires much skills

“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 and publicity”

- Ban on political TV/radio ads

“Minority rights will be threatened”

- Polls: minorities support DD
- Little 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 **small groups** to remain **sovereign**, resulting in extreme **diversity**
- This **diversity** has led to an exceptional level of **institutional competition** between Cantons
- Institutional competition produces diversity, not uniformity

Concluding Remarks

- In the **ideal vision** of the **democratic** state, **elected representatives** make collective **decisions** which **reflect the general will**, and it is the duty of citizens to follow the law of the land
- In **reality**, collective **decisions** may be a result of **lobbying, logrolling** and **politics** (exchanging political favors): If the government thus breaks the social contract, it cannot expect the public to maintain their side of the bargain
- The Swiss consider that their social contract with the public authorities intact and legitimate + maintain the system (voted to not enter the EU)

Next Session...

40

- Contemporary Development
- Comparative Analysis



Thank You For Your Attention!

Questions???

