

Representation through empty seats? Parliamentary alternates in the light of different concepts of representation

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Abstract

In recent times, parliaments of all Swiss state levels have had to deal with demands for alternate members. The hope is that allowing alternate members will, on the one hand, make it easier for members of parliament to reconcile politics, family and work and thus ultimately save the militia system. On the other hand, it addresses the question of whether empty seats can represent at all and what can be done if elected representatives are frequently or long absent. In practice, parliaments allowing alternates are rather rare. Nevertheless, rules vary considerably with regard to the mode of selection and the rights and duties of the alternates as well as the conditions that allow alternation. Neither these rules as such nor the underlying concepts of representation have, however, been investigated in political science to date. This contribution uses a comparative case study approach to compare the regulations for parliamentary alternates in two Swiss cantons (Graubünden, Valais) and Liechtenstein, and creates a typology to show which concepts of representation they reflect and to what extent they contribute to the realization of the respective. Furthermore, this typology will enable the investigation of empirical questions relating both to the composition and functioning of parliaments and to the behavior and political positions of individual representatives.

Keywords: alternate members of parliament, descriptive representation, substantial representation, Swiss cantons, Liechtenstein, comparative case study

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1 Introduction

In recent times, representative democracy has been seen to stand increasingly under pressure. The more and more individualistic society can hardly be represented in a way that takes into account all possible life circumstances. As a result, many people do not feel represented in politics and complaints are being voiced that the will of the people is not respected (Rosanvallon 2015; Dalton 2004; Pitkin 2004). In this respect, it does not exactly foster trust in representative democracy when elected members of parliament (MPs) stay away from parliamentary sessions, be it for professional, private or other reasons. This is exemplified by the recurring newspaper headlines about which member of the Swiss Federal Assembly currently holds the slightly dubious title “absentee king” (e.g. Braun 2019; Marjanovic 2019; NZZ 2019; Züriost 2019; Renz 2014; 1815.ch 2013). In and of themselves, absences from parliament have the potential to decisively shift the balance of political power, raising doubts about the representativeness of decisions (Golder and Huth 2019). Especially in the context of the Corona pandemic, this aspect has lately received attention in the political debate.¹

At the same time, the militia system is reaching its limits. Difficulties in recruiting political personnel are common. The question arises as to who can afford to actively engage in politics at all and who succeeds in reconciling politics with family and professional career, respectively. What is more, the ongoing professionalization of parliaments along with the reduction in the number of seats – which has been implemented in several Swiss cantons over the past decades – has increased the workload for MPs significantly (Freitag et al. 2019; Bundi et al. 2018; Vatter 2002). Difficulties in reconciling politics, family and professional career also regularly cause MPs to resign, increasing the need for political personnel even further (Feh Widmer 2015).

The possibility that an alternate can take the seat of an absent MP increases the flexibility of the parliamentary mandate and therewith has a twofold potential to take away pressure from representative (militia) democracy: On the one hand, democratic representation is vulnerable when parliamentary seats remain empty because one or more MPs (have to) stay away from a session. Supposedly, an absentee does not represent their voters in parliament, resulting in a perceived representation deficit. Moreover, the inherent potential for decisive shifts in political power cause decisions to be mistrusted. Allowing alternates can *directly* alleviate these symptoms by raring empty seats. On the other hand, the militia system is under pressure because high barriers in terms of accessibility and reconcilability of a parliamentary mandate with professional and family responsibilities block the way to parliament for a non-negligible part of the population, thereby shrinking the pool of potential candidates. Allowing alternates can *indirectly* break down these barriers, partly at least, and make it easier or even possible for people from various social groups to sit in parliament. This in turn can be conducive to the parliament’s perceived

¹ The argument has been made, for example, by the National Council’s Political Institutions Committee as justification for allowing National Council members who are in quarantine or isolation to cast their vote from home. See Pa.Iv. 20.483 (SPK-NR) “Nationalratsmitglieder, die wegen der Covid-19-Krise verhindert sind. Teilnahme an Abstimmungen in Abwesenheit”.

representativeness, strengthening trust in the system (Rosanvallon 2015; Dovi 2002; Mansbridge 2016). Can alternate members of parliament thus revitalize representative (militia) democracy?²

This paper makes a first step towards answering this question. Of course, it is a long way to go and the first step is small but fundamental. In that sense, the paper examines the theoretical relationship between different implementation options for parliamentary alternates and representation. Hence, it focuses the following research question: *How are existing regulations for parliamentary alternates designed and which concepts of representation do they reflect?* By means of a comparative case study, a typology of such regulations and their representation-specific features shall be elaborated.

To this end, the paper proceeds as follows: Section 2 provides a definition of parliamentary alternates along with an overview of the ongoing discussion about alternate MPs on all Swiss state levels as well as in the literature. Section 3 sheds light on representation theory and explains the relevant concepts, before the selected cases are described in Section 4. The resulting typology that connects the described alternates systems with their underlying representation concepts is presented in Section 5. The paper concludes with a discussion and further research agenda.

2 Parliamentary alternates: an ongoing debate but scientific blind spot

In the first place, it must be clarified how alternate members of parliament are defined for the purpose of this study. The aim of alternate MPs is to *temporally* replace a regular MP, whereby the regular MP in principle keeps the mandate. The alternate takes over in case the regular MP is unable to attend one or more parliamentary sittings. After the end of the absence, the regular MP resumes their seat in parliament, with the alternate again leaving the chamber. In contrast, “permanent” replacement, i.e., moving up after a MP has definitively resigned from office, is outside the scope of this paper.

Today in Switzerland, five cantons (Graubünden, Valais, Neuchâtel, Geneva, and Jura) allow alternates in the above sense to their cantonal parliaments, as does the small neighbor state Liechtenstein to its national legislative. Although subject of an ongoing debate, particularly with regard to female MPs and maternity, this is not at all a new idea. Already in the 19th century, the Swiss cantons Graubünden and Valais had regulations concerning alternate MPs (Vuignier 2011). Generally, these are still in force today. Liechtenstein adopted a system of alternates for its national parliament in 1939, at the same time as it changed to proportional representation (Beck 2013). To this day, the Swiss cantons of Jura (1977), Neuchâtel (2000) and Geneva (2012) have followed suit in introducing alternate MPs (Vuignier 2011; Assemblée constituante de la République et Canton de Genève 2012).

² This hope has also been used as justification in parliamentary initiatives to introduce an alternates system for the Swiss National Council. See for example Pa.Iv. 07.466 (Markwalder) “Suppleantensystem für den Nationalrat”; Pa.Iv. 19.492 (Fiala) “Milizsystem unter Druck. Tragfähige Lösungen finden”.

During the past decade, demands for alternate members accumulated in parliaments of all Swiss state levels. In addition to the Federal Assembly³, the cantonal legislatures of Zurich⁴, Bern⁵, Lucerne⁶, Glarus⁷, Basel-Stadt⁸, Basel-Landschaft⁹, and Aargau¹⁰, as well as the communal legislatures of Zurich¹¹, Bern¹², Lucerne¹³, and St. Gallen¹⁴ had to deal with corresponding requests. Apart from the canton of Aargau, where the cantonal parliament charged the government with elaborating a legal basis for alternate MPs in cases of maternity (Mo. [AG] 19.118), however, no concrete steps towards the introduction of an alternates system have resulted from this so far. In all other cases, the requests were rejected, are still pending or merely initiated investigations on the subject.

Recent developments include the new cantonal constitution of Geneva, approved in a popular vote in 2012, introducing, inter alia, a regulation for alternates in the cantonal parliament (Assemblée constituante de la République et Canton de Genève 2012). Also the new city charter of Biel/Bienne, on which the people will presumably vote in 2021, contains a system of alternate members for the city council (Stadtkanzlei Biel 2020).

Even though such systems are long established in some places and subject of an ongoing debate in others, they have not been investigated in political science to date. Literature on parliamentary alternates in the above sense is scarce and mostly shallow. Vuignier (2011) has studied the system of alternate MPs in Valais, tracing its origins, reviewing the recurrent debates on its reform, and pointing out persisting practical problems. He does though not make systematic comparisons with other systems of alternate MPs, nor does he address in depth the opportunities and risks of such a system for democratic representation. Those have been explored by Golder et al. (2018), and Golder and Huth (2019), however, on the case of the new city charter of Biel/Bienne. In a representative survey as well as in focus group discussions, the population was given the opportunity to comment on the idea (still new in Biel/Bienne) of an alternates system for the city council, to address hoped-for advantages and feared risks, and to express wishes for the concrete design of

³ Po. 18.4370 (Kälin) “Ersatz für Parlamentarierinnen und Parlamentarier bei Mutterschaft, Vaterschaft und längerer Krankheit”; Pa.Iv. 19.492 (Fiala) “Milizsystem unter Druck. Tragfähige Lösungen finden”.

⁴ Be.Iv. [ZH] 354/2020 “Schaffung einer kantonalen Rechtsgrundlage für eine Stellvertretungsregelung in den Gemeindeparlamenten”; Pa.Iv. [ZH] 420/2020 (Marti) “Stellvertretungsregelung für Zürcher Parlamente”.

⁵ Mo. [BE] 310-2015 (Dunning) “Stellvertretungsmodell für Kantonsparlamentarierinnen und Kantonsparlamentarier”; Mo. [BE] 071-2020 (Ammann) “Stellvertretungssystem für den Grossen Rat”; Mo. [BE] 183-2020 (SP-JUSO-PSA) “Mutterschaftsvertretung für Grossrätinnen ermöglichen”.

⁶ Mo. [LU] 699 (Estermann) über die Einführung einer Stellvertretungsregelung im Kantonsrat.

⁷ Mo. [GL] 2020-32 (Vuichard) “Schaffung einer gesetzlichen Grundlage für die Stellvertretung im Landrat”.

⁸ An. [BS] 17.5400 (Wegmann) betreffend Stellvertretungssystem im Grossen Rat; An. [BS] 18.5043 (Wegmann) betreffend Stellvertretungssystem bei Elternschaft; Mo. [BS] 18.5437 (Wanner) betreffend Stellvertretungsregelung für Mütter während der Zeit des Mutterschutzes.

⁹ Vpo. [BL] 2019/477 (Steinemann) “Stellvertretung für Parlamentarier/innen während längerer Abwesenheit”.

¹⁰ Po. [AG] 19.105 (Mallien) betreffend Wahl von Suppleanten (Verminderung von Zufallsentscheiden des Parlaments wegen Abwesenheiten von Grossräten); Mo. [AG] 19.118 (Schweri) betreffend Stellvertretungsregelung im Grossen Rat für Mütter während der Zeit des Mutterschutzes und während der Stillzeit, sowie weiteren, beispielsweise unfall- oder krankheitsbedingten längeren Abwesenheiten; Mo. [AG] 20.58 (Marclay-Merz) betreffend Schaffung einer gesetzlichen Grundlage für die Stellvertretungsmöglichkeit in den Einwohnerräten.

¹¹ Beschlussantrag [Stadt Zürich] 2020/256 “Behördeninitiative zur Schaffung einer kantonalen Rechtsgrundlage für eine Stellvertretungsregelung in den Gemeindeparlamenten”.

¹² Mo. [Stadt Bern] 2020.SR.000233 (Esseiva) “Stellvertretungsregelung im Stadtrat”.

¹³ Mo. [Stadt Luzern] 82 (Bucher) “Stellvertretungssystem im Grossen Stadtrat einführen”; Po. [Stadt Luzern] 262 (Studhalter) “Parlamentarische Arbeit auch während Mutterschutz ermöglichen”.

¹⁴ Ip. Yvonne Joos [Stadt St. Gallen] “Urlaub mit Vertretung bei Mutterschaft und anderen längeren Absenzen”.

the regulation. Comparisons of the existing regulations for alternates in Swiss cantonal parliaments hitherto limit themselves to listing a few key values, are not systematic, and refrain from drawing any conclusions regarding representation (Assemblée constituante de la République et Canton de Genève 2010; Golder and Huth 2019; Präsidium Stadtparlament Stadt St. Gallen 2013; Ratsbüro des Grossen Rats des Kantons Basel-Stadt 2019; Regierungsrat des Kantons Basel-Stadt 2019; Schiess Rütimann 2016; Stadlin 1990; Tschirren 2019).

3 Theoretical background: different concepts of representation

Representation literature is very broad and offers myriad definitions, perspectives, and explanations. There are no short and simple answers to questions like: What is (good) representation? What does representing mean? Who must a representative be and what must they do in order to represent well? Yet these are the issues that must be addressed when investigating the relationship between parliamentary alternates regulations and representation.

This paper uses Hanna Pitkins “Concept of Representation” (1972) as a baseline. It distinguishes four understandings of representation that will be shortly described in the following. Generally, Pitkin (ibid.: 8) defines representation in the literal sense (from latin: *re-praesentare*) as “making present again”. This making present of something or someone absent is the core, spirit and purpose of representation and can be achieved in different ways. *Formally*, representation can be established through authorization (i.e., a transfer of decision-making power or “the giving of authority to act”, ibid.: 11) and through imposing accountability (i.e., the possibility to terminate this relationship). What is more, to represent can mean to *stand for* something or someone, either through objective resemblance (i.e., the idea of mirroring or “reflecting without distortion”, ibid.: 60) or through subjective responses like “being-believed-in or accepted-as a symbol” (ibid.: 104). Lastly, to represent can be understood as a substantial activity, as “an *acting for* others” (ibid.: 12). Turning to the research question of which understandings of representation underlie the given regulations for parliamentary alternates, two of the four concepts of Pitkin’s are of particular relevance.

First, **descriptive representation** addresses the question what somebody or something *has to be like* in order to be considered representative. From the descriptive point of view, representing means “giving information about the represented” (ibid.: 83). A representative has to be “sufficiently like” (ibid.: 80) the represented. This encompasses for instance the notion “that a legislature is like a map or mirror, [...], that it reflects or resembles the nation by its composition” (ibid.: 81). Accordingly, *good* representation means “giving *accurate* information” (ibid.: 83, author’s emphasis) and in this sense, representation can be better or worse, as the reflection can be more or less accurate. For example, a young woman can represent “the young women” because she is a young woman herself, or a farmer represents “the farmers” because he is one himself. Yet the averagely educated young woman or the farmer with an averagely large farm

are probably seen to be more representative of their respective group as the young professor (of all young women) or the hobby farmer who keeps five goats (of all farmers). Thus, from a descriptive perspective, whether a representative is a good or legitimate representative is measured by who they are or what characteristics they have. It matters first and foremost who is present or participating in political processes (Dovi 2015; Phillips 1998).

Second, **substantial representation** addresses the question what someone *has to do* in order to represent. From the substantial point of view, representing means acting for the represented in the sense of “to act in the interest of” or “to act according to the wishes of” the represented (Pitkin 1972: 208). As long as the representative acts “on behalf of” (Dovi 2015) the represented, it is irrelevant for representation who the representative is. It is understood that a man can also substantially represent “the women” as long as he acts in their interest and advocates for women’s rights, for example. It follows, of course, that substantial representation can also be better or worse, depending on how well the representative promotes the interests of the represented. From a substantial perspective, it matters first and foremost “whose preferences and whose interests are advanced” (ibid.).

In contrast, formal representation concerns when or under what conditions something is considered representation, representative or representing at all. A representation relationship requires that the representative is authorized to act in the name of the represented and that they can be held accountable for their actions by the represented. In this respect, representation cannot be assessed as good or bad, because either these conditions are met or they are not. In the context of representative democracy, formal representation can therefore rather be seen as a precondition for (democratic) legitimacy, which is typically guaranteed through elections (Pitkin 1972; Dovi 2015). Naturally an on/off feature, it cannot provide guidelines for how a system is to be designed in order to implement a specific idea of representation at the best. The formalistic view is therefore not taken into account for the typology of parliamentary alternates systems.

Neither is symbolic representation because it cannot be legally guaranteed, as it depends entirely on the “emotional, affective, irrational psychological responses” (Pitkin 1972: 100) of the represented. In other words, symbolic representation is accomplished when “a person *feels* represented” (Dovi 2015). This feeling is based on “the beliefs, attitudes, assumptions of people” (Pitkin 1972: 100) and cannot be evoked by institutional design. “Perhaps symbolic representation can be brought about by propaganda or coercion”, Pitkin (ibid.: 109) argues, but then it is no longer democratic but “fascist” (ibid.: 107). Nevertheless, “it is important to ask when people are satisfied by their representatives, and under what circumstances they feel they are not being represented” (ibid.: 110). Yet assessing this lies beyond the scope of this paper and requires additional research first, which is planned to be conducted in the future.

Consequently, this paper intends to distinct regulations for parliamentary alternates in terms of whether they primarily aim for descriptive or substantial representation. It will be shown in the following, how the intention to fulfill the one or the other is anchored in the design of the

respective institutions, or rather how the implementation of a specific concept of representation follows from institutional design choices.

4 Case description

Five Swiss cantons (Graubünden, Valais, Neuchâtel, Geneva, and Jura), and only these five, allow alternate members to their cantonal parliaments. This is why they are investigated. The case of Liechtenstein is added, because it has also a long tradition of parliamentary alternates that rests on a well-established regulation. Furthermore, Liechtenstein's alternates system conceptually differs from the long-established ones in Graubünden and Valais. It has clearly reflected the idea of keeping the political power balance constant and preventing "random decisions" caused through absences from the beginning (Schiess Rütimann 2016; Beck 2013; Batliner 1981), whereas the systems in Graubünden and Valais follow a mostly regionalist approach. In the future, all six cases (i.e., five cantons and Liechtenstein) shall be integrated into the comparative case study. So far, only Graubünden, Valais, and Liechtenstein have been investigated, the others (Neuchâtel, Geneva, and Jura) are still to follow. Yet also the comparison of the three promises interesting results.

For each case, numerous criteria have been assessed by means of document analysis, which group into the following four categories: (1) context, e.g., number of seats in parliament, electoral system; (2) *modus*, e.g., determination of the alternates, number of alternates; (3) the conditions under which an alternate is appointed, e.g., initiation, duration of the replacement; and (4) rights and duties of the alternates, e.g., parliamentary initiatives/requests, commissions. The most distinctive features of each case in each category are described in the following.

Liechtenstein

Context: The parliament of Liechtenstein ("Landtag") consists of 25 members, which are elected by proportional representation in two electoral districts (art. 46 LV). The militia parliament meets in nine sessions per year of three days each (Schiess Rütimann 2016: 116). It has a quorum if at least two thirds of the members are present (art. 58 LV).

Modus: The number of alternates varies between legislative periods and is tied to the respective election result (Schiess Rütimann 2016: 115). Each party list that wins at least one seat is entitled to an alternate, to two alternates with at least six seats and to nine alternates with at least nine seats, that is, one alternate per three regular MPs (art. 46 LV; art. 46 VRG). Determined as alternates are the first candidates after the elected on the party list, i.e., the candidates that received the most votes among the ones not having won a seat (art. 60 VRG).

Conditions: An alternate is appointed when a MP is exceptionally hindered from attendance, whereby the absence has to be announced and justified in advance (art. 53 LV; art. 23 GOLT;

Beck 2013: 144). The alternate has to attend at least one whole sitting (i.e., half a day; art. 49 LV; Bussjäger 2016: § 36; Schiess Rütimann 2016: 117). A maximum number of sittings is not defined, but there must not be a “permanent impediment” (art. 53 LV). Lawful reasons for absence that entail the attendance of an alternate are only “important” reasons, either health-related or as a result of other “unforeseen and unavoidable” events (art. 22–23 GOLT). In practice, no evidence of the reason of absence is required, however (Beck 2013: 141; Schiess Rütimann 2016: 118). The speaker of the parliament could though deny to accept a reason put forward, thereby denying the attendance of an alternate in place of the absent MP (Beck 2013: 146; Schiess Rütimann 2016: 118). If a party list has more than one alternate MP, their parliamentary group decides which of the alternates is going to take the place of the absentee (art. 23 GOLT).

Rights and duties of the alternates: Alternates replace an absentee MP in the plenum “with seat and vote” (art. 49 LV), that is, they take part in the debate, can ask questions and make proposals, and cast their votes (Bussjäger 2016: § 41; Wille 2015: 508). However, they cannot submit nor co-sign parliamentary initiatives or requests (art. 38 GOLT). Alternates receive the same documents as the regular MPs and usually attend parliamentary group meetings as well (Schiess Rütimann 2016: 118). They are obligated to keep themselves informed about the (current) parliamentary affairs as well as about documents, reports and motions in order to be able to intervene appropriately in the case of their appointment (Beck 2013: 141). For being on standby, alternates are compensated with half the fee of regular MPs. In addition, they receive the regular meeting fee for each meeting they attend (Schiess Rütimann 2016: 118). Like regular MPs, alternates are granted immunity and open mandate, i.e., they vote without instructions (Bussjäger 2016: § 41; Allgäuer 1989: 44; Schiess Rütimann 2016: 119). Alternates can be directly elected to all parliamentary committees, although they must not be a majority and they cannot chair them (art. 71 GOLT; Wille 2015: 480).

Graubünden

Context: The cantonal parliament of Graubünden (“Grosser Rat”) consists of 120 members, which are elected by majority vote in 39 electoral districts (art. 27 KV GR). The militia parliament meets in six sessions per year of three days each (art. 1 GGO GR). It has a quorum if at least half of the members are present (art. 41 GRG GR).

Modus: The number of alternates is tied to the number of seats in each electoral district. Each district is entitled to as many alternates as regular MPs, although not more than ten. The alternates are directly elected on separate lists in an election held in parallel and analogous to the election of regular MPs (art. 4 GRG GR; Brunner 2006: § 17; Schuler 2006: § 13; Vuignier 2011: 7).

Conditions: An alternate is appointed when a MP is hindered from attending a parliamentary session (GRG GR: art. 40). The absence of the MP and the attendance of the alternate must be announced in advance (GGO GR: art. 3). An alternate can only be appointed for a whole session (i.e., three days) and not for single sittings (art. 40 GRG GR). There is no maximum number of

sessions an alternate can attend in a row. An objection may be raised against the admission of an alternate, whereupon the Council shall decide on the matter (art. 40 GRG GR). In case a regular MP cannot attend the session, the first alternate (i.e., the one with the most electoral votes) of the respective district is appointed, and that independently from their party affiliation (Stadlin 1990: V).

Rights and duties of the alternates: Alternates replace a regular MP in plenary sessions with all their rights and duties (art. 40 KV GR; Vuignier 2011: 7). They receive the same documents as the regular MPs (art. 4 GGO GR). Alternates are not admitted to standing committees, but only to ad hoc committees (Vuignier 2011: 7).

Valais

Context: The cantonal parliament of Valais (“Grand Conseil” or “Grosser Rat”) consists of 130 members, which are elected by double proportional representation (“Doppelter Pukelsheim”) in six electoral districts, that are divided into a total of 14 sub-districts (art. 136–136a kGPR VS). The militia parliament meets in six sessions per year of four days each (art. 62 GORBG VS). It has a quorum if the majority of the members are present (art. 47 KV VS).

Modus: The number of alternates (“suppleants”) is fixed at 130, i.e., there are as many alternates as regular MPs (art. 84 KV VS). The alternates are directly elected on separate lists in an election held in parallel and analogous to the election of regular MPs (art. 136 kGPR VS).

Conditions: An alternate is appointed when a MP is hindered from attending a parliamentary sitting (art. 15 GORBG VS). There are no limits to the duration of the replacement, neither in the minimum nor in the maximum. Although there is one alternate for every one regular MP, there are not necessarily MP-suppleant pairs. Rather, the absentee appoints an alternate of their choice (from the 130). Thereby, the appointed alternate need not be from the same district nor from the same party as the absentee, although the latter is supposed to be uncommon, as the alternates are usually organized by the parliamentary groups (Stadlin 1990: V; Vuignier 2011: 7).

Rights and duties of the alternates: Alternates replace a regular MP in plenary sessions and, if necessary, also in commissions. Principally, they have the same rights and duties as the regular MPs with the exception that they are not eligible for supervisory commissions and cannot chair a commission. They receive the same documents and the same fees as the regular MPs and vote without instructions (art. 15 GORBG VS; art. 24 RGR VS; Vuignier 2011: 19).

5 Results: towards a typology of parliamentary alternates systems

The comparison of the described cases leads to the following key findings:

Concerning the **context** criteria, the most important difference between the three cases is the

electoral system. The Liechtenstein parliament is elected in two – measured by the smallness of the entire political system – large electoral districts, ensuring the representation of all regions of the country only very roughly. In contrast, both the Graubünden majority vote system and the Valais double proportional representation system contain a distinctly regionalist component.

Also concerning the **modus** criteria, the Liechtenstein case differs significantly from the other two. In both Graubünden and Valais, a fixed number of alternates are elected in each district in a separate election that is held in parallel with, but otherwise independent of, the election of regular MPs. It would therefore be theoretically feasible for an alternate to be elected from a party that does not have a regular MP at all. In the proportional representation system in Valais, this may be rather unlikely because voters might largely favor the same party for the regular MPs and alternates lists. But in Graubünden, where the first-past-the-post electoral system accounts for far more personality elections, this is absolutely plausible. In the Liechtenstein system, however, the entitlement to an alternate lies with the party lists. Each list that wins at least one seat is entitled to one alternate or, if it wins more than three seats, to one alternate for every three seats. In this way, the alternates are practically an extension of the parliamentary groups respectively an expansion of the personnel pool of the parties.

Concerning the **conditions** under which an alternate is appointed, there are three striking differences: Firstly, in the Liechtenstein case, not all absences imply the appointment of an alternate. It is actually only permissible in the event that the regular MP is unavoidably physically prevented from attending and not, for instance, if a regular MP voluntarily stays away from the meeting because they do not want to conflict with their parliamentary group if they do not share the opinion on a particular matter. At least in law, this is a specificity of the Liechtenstein case, as the Graubünden and Valais systems do not impose any special requirements on the reason for absence. Secondly, in Graubünden alternates can only be appointed for a whole session, i.e., the full three days, while in the other cases they can also be appointed for a single meeting only. Thirdly, in Liechtenstein and Graubünden it is possible that an alternate is not allowed to attend because the speaker of the parliament respectively the parliament rejects it. In contrast, such an objection is not possible in Valais.

Concerning the **rights and duties of the alternates**, it is to be noted that in none of the three systems alternates have exactly the same rights as regular MPs. However, the rights and duties are incongruent in different ways. On the one hand, there are differences in whether and how alternates are allowed in commissions. On the other hand, the systems differ on the question of whether alternates can submit or co-sign parliamentary initiatives and requests. The latter is the case in Graubünden and Valais, but not in Liechtenstein. In return, in Liechtenstein alternates can be directly elected to all parliamentary commissions, whereas in Graubünden and Valais they are not admitted to standing or supervisory commissions, respectively.

The comparative results show that different regulations for alternate MPs reflect different con-

cepts of representation. The Graubünden system is strongly regionalist, as alternates are tied to the electoral districts and party affiliations do not matter at all. It is decisive where a representative comes from, but not what party they belong to. The system ensures above all, that the alternate has the same origin as the absent MP they replace, and since districts are generally small, geographic origin is likely also an indicator of social origin in the sense of a common living environment. Origin can mean, for example, whether it is an urban or rural environment, whether it is located high on a mountain or in a valley, which language is spoken there, how the local society is composed demographically, and so on. These are external characteristics in the sense that they can be assessed without asking a person about their thoughts. So the system does not ensure that the alternate advocates the same interests and preferences as the absentee, but it rather assumes it based on the fact of their common origin. Consequentially, the Graubünden regulation reflects first and foremost a *descriptive* representation concept.

In stark contrast, however, is the Liechtenstein system. It designs alternates as an entitlement of the parties respectively the parliamentary groups. The primary objective of this system is to keep the political power balance (i.e., the party strengths) constant. Moreover, it ensures that small parties do not entirely lose their voice when their only MP cannot attend a meeting. Thus, it aims at guaranteeing above all *substantial* representation by intending to ensure that all parties are present in the strength to which they are entitled. The crucial characteristic that the alternate has in common with the regular MP they replace is interests, preferences and opinions, which members of the same party are likely to share. Yet it does not matter what external characteristics the alternate has, i.e., who they are or where they come from.

Lastly, the Valais system is designed very freely and offers a wide margin of maneuver to absent MPs. Absentees can to some extent decide themselves which alternate they want to appoint and thereby which understanding of representation they follow. They can appoint an alternate from their district and/or their party, but they need not do so. Consequently, if the absentee chooses an alternate of their party, they probably want to ensure that their interests, preferences and opinions are represented. This corresponds to the realization of a *substantive* representation concept. However, they can just as easily opt for *descriptive* representation, either in choosing an alternate from the same district with whom they share their origin or even in choosing an alternate that shares certain socioeconomical traits with them. The latter would be the case, for example, if a young woman chooses another young woman to replace her or if a farmer chooses another farmer to replace him. In this respect, the Valais system does not determine a specific representation concept, but rather offers the opportunity to go for either one.

6 Conclusion, discussion and research agenda

By means of a comparative case study it has been shown that in the Swiss cantons and Liechtenstein three types of regulations for parliamentary alternates exist: The *substantial type* ensures

above all that the alternate has interests, preferences and opinions in common with the absent MP they replace. It does that by selecting the alternate depending only on their party affiliation. What external characteristics the alternate has, e.g., who they are or where they come from, do not matter for this type. The *descriptive type*, in contrast, guarantees above all that the alternate has certain external characteristics in common with the absent MP they replace. It does that by selecting the alternate depending only on a specified external characteristic, for example origin. What interests, preferences and opinions the alternate has, and therewith which party he belongs to, does not matter at all for this type. The third type is a *flexible type* that allows for ensuring substantial or descriptive representation either way. It is even thinkable that both or none of the two is realized, depending entirely on what criteria an absent MP takes into account when choosing their alternate.

This conclusion is a preliminary one, as the paper is the first step on the long way to investigate whether and how parliamentary alternates can take away pressure from representative (militia) democracy. The typology will in further steps be used to empirically analyze the direct and indirect effects of parliamentary alternates, both on representation and the militia system. In this respect, many pathways are still open, from analyzing parliamentary vote data to interviewing MPs.

At this point, the paper reflects the status quo of a work in progress. So far, only three of six cases have been investigated, which leaves three to do (Neuchâtel, Geneva, and Jura). What is more, data was generated entirely through document analysis, leaving many things unclear, as the documents do not explain how the rules work in practice. In a next step, more substantive value will be added thereto by conducting qualitative interviews with the relevant persons in the cantonal administrations. Furthermore, interviews with MPs and alternate MPs will shed light on how they perceive and/or assess the functioning of the system and the lived practice therein. This will allow to point out interesting as well as important differences between the rules in law and rules in use. In addition, the impacts of the latter will also be investigated quantitatively, for example with smartvote¹⁵ data from Valais, analyses of parliamentary vote data, and comparisons of the parliamentary activity of regular MPs and alternates. Moreover, comparing trust levels across cantons will make it possible to account for the *symbolic* representation concept, which has been omitted hitherto. This additional information will then in turn be used to further refine the typology.

References

1815.ch (2013). *Freysinger ist Absenzen-König*. 1815.ch. December 16, 2013. URL: <https://www.1815.ch/news/wallis/aktuell/freysinger-ist-absenzen-koenig-20131216200125/> (visited on 01/19/2021).

¹⁵ <https://smartvote.ch>

- Allgäuer, Thomas (1989). *Die parlamentarische Kontrolle über die Regierung im Fürstentum Liechtenstein*. Liechtenstein politische Schriften 13. Vaduz: Verlag der Liechtensteinischen Akademischen Gesellschaft.
- Assemblée constituante de la République et Canton de Genève (2010). *Parlements cantonaux et députés suppléants*. Avis de droit n°9 demandé par la commission thématique 3: «Institutions: les trois pouvoirs». March 30, 2010. URL: https://www.ge.ch/constituante/doc/d12/AC_AV-DE-DROIT_Parlements-cantonaux-et-deputes-suppleants_2010-03-30.PDF (visited on 12/18/2019).
- Assemblée constituante de la République et Canton de Genève (2012). *Assemblée constituante – Projet de constitution soumis le 14.10.12*. République et Canton de Genève. URL: https://www.ge.ch/constituante/projet_constitution/projet_constitution_20121014.asp (visited on 12/19/2019).
- Batliner, Gerard (1981). *Zur heutigen Lage des liechtensteinischen Parlaments*. Liechtenstein politische Schriften 9. Vaduz: Verlag der Liechtensteinischen Akademischen Gesellschaft.
- Beck, Roger (2013). *Rechtliche Ausgestaltung, Arbeitsweise und Reformbedarf des liechtensteinischen Landtags*. Liechtenstein politische Schriften 53. Schaan: Verlag der Liechtensteinischen Akademischen Gesellschaft.
- Braun, Roger (2019). *Roger Köppel ist der Absenzenkönig im Parlament – der Abstimmungskampf geht bei ihm vor*. Aargauer Zeitung. July 3, 2019. URL: <https://www.aargauerzeitung.ch/schweiz/roger-koeppel-ist-der-absenzenkoenig-im-parlament-der-abstimmungskampf-geht-bei-ihm-vor-134703522> (visited on 11/11/2020).
- Brunner, Norbert (2006). “Art. 27 Zusammensetzung und Wahl.” In: *Kommentar zur Verfassung des Kantons Graubünden*. Ed. by BMT Bänziger, Mengiardi, Toller & Partner. Chur/Glarus/Zürich: Südostschweiz Buchverlag.
- Bundi, Pirmin, Daniela Eberli, and Sarah Bütikofer (2018). “Zwischen Beruf und Politik: die Professionalisierung in den Parlamenten.” In: *Das Parlament in der Schweiz. Macht und Ohnmacht der Volksvertretung*. Ed. by Adrian Vatter. Politik und Gesellschaft in der Schweiz. Zürich: NZZ Libro, pp. 315–344.
- Bussjäger, Peter (2016). “Art. 49.” In: *Kommentar zur liechtensteinischen Verfassung*. Ed. by Liechtenstein-Institut. BERN: Online-Kommentar. URL: https://verfassung.li/Art._49 (visited on 08/29/2020).
- Dalton, Russell J. (2004). *Democratic Challenges, Democratic Choices: The Erosion of Political Support in Advanced Industrial Democracies*. Oxford University Press.
- Dovi, Suzanne (2002). “Preferable Descriptive Representatives: Will Just Any Woman, Black, or Latino Do?” In: *American Political Science Review* 96 (4) (December 2002), pp. 729–743.
- Dovi, Suzanne (2015). “Hanna Pitkin, The Concept of Representation.” In: *The Oxford Handbook of Classics in Contemporary Political Theory*. Ed. by Jacob T. Levy. online publication. Oxford

- University Press, December 10, 2015. URL: <https://oxfordhandbooks.com/view/10.1093/oxfordhb/9780198717133.001.0001/oxfordhb-9780198717133-e-24> (visited on 01/13/2021).
- Feh Widmer, Antoinette (2015). *Parlamentarische Mitgliederfluktuation auf subnationaler Ebene in der Schweiz*. Politik und Demokratie in den kleineren Ländern Europas. Baden-Baden: Nomos.
- Freitag, Markus, Pirmin Bundi, and Martina Flick Witzig (2019). *Milizarbeit in der Schweiz: Zahlen und Fakten zum politischen Leben in der Gemeinde*. Politik und Gesellschaft in der Schweiz. Basel: NZZ Libro.
- Golder, Lukas and Petra Huth (2019). *Stellvertretende in den Parlamenten von Gemeinden, Städten, Kantonen – Eine Ent- oder Belastung für das schwächelnde Milizsystem?* DeFacto. July 4, 2019. URL: <https://www.defacto.expert/2019/07/04/stellvertreter-milizsystem/> (visited on 10/31/2019).
- Golder, Lukas, Petra Huth, Alexander Frind, Stephan Tschöpe, Nicole Calame, José Kress, Melanie Ivankovic, and Noah Herzog (2018). *Neue Brücken zu Bürgerinnen und Bürgern gewünscht, weitere Reformschritte weniger prioritär. Schlussbericht: Prioritäten der Bieler Bevölkerung zur neuen Bieler Stadtordnung*. Studie im Auftrag der Stadt Biel. Bern: gfs.bern, June 8, 2018.
- Mansbridge, Jane (2016). "A "Selection Model" for Political Representation." In: *Political Representation: Roles, Representatives and the Represented*. Ed. by Marc Bühlmann and Jan Fivaz. Routledge Research on Social and Political Elites 7. London, New York: Routledge, pp. 12–28.
- Marjanovic, Petar (2019). *Sie lassen sich fürs Schwänzen sogar belohnen*. Blick. October 13, 2019. URL: <https://www.blick.ch/politik/das-absenzenbuechlein-entlarvt-baeumle-koeppel-und-andere-nationalraete-sie-lassen-sich-fuers-schwaenzen-sogar-belohnen-id15564252.html> (visited on 01/19/2021).
- NZZ (2019). *Von der beliebten Parteisoldatin bis zum unbeirraren Exoten – die NZZ-Bilanz zu den Zürcher Nationalräten*. Neue Zürcher Zeitung. August 16, 2019. URL: <https://www.nzz.ch/zuerich/nationalrat-die-nzz-bilanz-zu-den-35-zuerchern-in-bundesbern-ld.1501304> (visited on 01/19/2021).
- Phillips, Anne (1998). *The Politics of Presence*. Oxford Political Theory. Oxford: Clarendon Press.
- Pitkin, Hanna Fenichel (1972). *The Concept of Representation*. Berkeley: University of California Press.
- Pitkin, Hanna Fenichel (2004). "Representation and Democracy: Uneasy Alliance." In: *Scandinavian Political Studies* 27 (3), pp. 335–342.
- Präsidium Stadtparlament Stadt St. Gallen (2013). *Vorlage Stadtparlament vom 9. September 2013: Interpellation Yvonne Joos: Urlaub mit Vertretung bei Mutterschaft und anderen längeren Absenzen; schriftlich*. September 9, 2013. URL: <http://ftp.sg.oca.ch/stadtparlament/45df8973b3f04bc19823bf5ca1c63792-332.pdf> (visited on 07/30/2020).
- Ratsbüro des Grossen Rats des Kantons Basel-Stadt (2019). *Bericht des Ratsbüros zum Anzug Barbara Wegmann betreffend Stellvertretungssystem bei Elternschaft (18.5043)*. Beschluss des Rats-

- büros vom 14. Oktober 2019. Basel, October 14, 2019. URL: <http://www.grosserrat.bs.ch/dokumente/100390/000000390602.pdf?t=159550925320200723150053> (visited on 07/23/2020).
- Regierungsrat des Kantons Basel-Stadt (2019). *Regierungsratsbeschluss vom 28. Mai 2019: Motion Aeneas Wanner und Konsorten betreffend «Stellvertretungsregelung für Mütter während der Zeit des Mutterschutzes» – Stellungnahme*. May 28, 2019. URL: <http://www.grosserrat.bs.ch/dokumente/100389/000000389906.pdf?t=159549845120200723120051> (visited on 07/23/2020).
- Renz, Fabian (2014). *Die Spuren eines Absenzenkönigs*. Berner Zeitung. May 10, 2014. URL: <https://www.bernerzeitung.ch/schweiz/standard/die-spuren-eines-absenzenkoenigs/story/20677180> (visited on 01/19/2021).
- Rosanvallon, Pierre (2015). *Das Parlament der Unsichtbaren*. Trans. by Jessica Beer and Irene Jancsy. Wien: Blinklicht Medienproduktions GmbH, Edition import/export.
- Schiess Rütimann, Patricia M. (2016). “Die Regelung der Stellvertretung von Staatsoberhaupt, Parlaments- und Regierungsmitgliedern in Liechtenstein – ein anregendes Vorbild?” In: *State Size Matters*. Ed. by Sebastian Wolf. Wiesbaden: Springer VS, pp. 99–130.
- Schuler, Frank (2006). “Art. 11 Wahlbefugnisse.” In: *Kommentar zur Verfassung des Kantons Graubünden*. Ed. by BMT Bänziger, Mengiardi, Toller & Partner. Chur/Glarus/Zürich: Südostschweiz Buchverlag.
- Stadlin, Paul, ed. (1990). *Die Parlamente der schweizerischen Kantone: Synoptische Tabellen über Organisation und Verfahren*. Les Parlements des cantons suisses = Die Parlamente der schweizerischen Kantone = I Parlamenti dei cantoni svizzeri. Zug: Kalt-Zehnder.
- Stadtkanzlei Biel (2020). *Totalrevision der Stadtordnung*. Stadt Biel / Ville de Bienne. URL: <https://www.biel-bienne.ch/de/totalrevision-der-stadtordnung.html/858> (visited on 11/11/2020).
- Tschirren, Martin (2019). “Stellvertreter-Regelung in der Politik: (Un-)Sinn und Verbreitung.” Vortrag des stellvertretenden Direktors des Schweizerischen Städteverbands. Volksvertreter auf Abruf? Stellvertretende Parlamentarierinnen und Parlamentarier im Realitätscheck, 29.08.2019 (Raiffeisen Forum, Bern). August 29, 2019.
- Vatter, Adrian (2002). *Kantonale Demokratien im Vergleich: Entstehungsgründe, Interaktionen und Wirkungen politischer Institutionen in den Schweizer Kantonen*. Forschung Politikwissenschaft. Opladen: Leske Budrich.
- Vuignier, Renaud (2011). *La problématique des députés-suppléants: le cas valaisan*. Working Paper de l’IDHEAP. Lausanne: IDHEAP.
- Wille, Herbert (2015). *Die liechtensteinische Staatsordnung. Verfassungsgeschichtliche Grundlagen und oberste Organe*. Liechtenstein politische Schriften 57. Schaan: Verlag der Liechtensteinischen Akademischen Gesellschaft.
- Züriost (2019). *Bäumle ist nicht mehr der Absenzen-König*. Züriost. July 8, 2019. URL: <https://zueriost.ch/politik/2019-07-08/baeumle-ist-nicht-mehr-der-absenzen-koenig> (visited on 01/19/2021).

Sources of Law

GGO GR. *Geschäftsordnung des Grossen Rates (GGO)* vom 8. Dezember 2005. BR 170.140.

GOLT. *Geschäftsordnung für den Landtag des Fürstentums Liechtenstein* vom 19. Dezember 2012. LGBI 2013 Nr. 9. LR 171.101.1.

GORBG VS. *Gesetz über die Organisation der Räte und die Beziehungen zwischen den Gewalten (GORBG)* vom 28.03.1996. SGS 171.1.

GRG GR. *Gesetz über den Grossen Rat (Grossratsgesetz; GRG)* vom 8. Dezember 2005. BR 170.100.

kGPR VS. *Gesetz über die politischen Rechte (kGPR)* vom 13.05.2004. SGS 160.1.

KV GR. *Verfassung des Kantons Graubünden* vom 14. September 2003. BR 110.100.

KV VS. *Verfassung des Kantons Wallis (KV)* vom 08.03.1907. SGS 101.1.

LV. *Verfassung des Fürstentums Liechtenstein* vom 5. Oktober 1921. LGBI 1921 Nr. 15. LR 101.

RGR VS. *Reglement des Grossen Rates (RGR)* vom 13.09.2001. SGS 171.100.

VRG. *Gesetz vom 17. Juli 1973 über die Ausübung der politischen Volksrechte in Landesangelegenheiten (Volksrechtegesetz, VRG)*. LGBI 1973 Nr. 50. LR 161.