

24. Switzerland: real federalism at work

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EXPLANATION OF SWISS FEDERALISM

While the Swiss may be famous for their watches, chocolate, scenic mountains, and banks, they are also well known for their distinct political system that unites federalism, direct democracy, and consociationalism. These three intertwined political institutions serve one overarching purpose: to involve as many people as possible in policymaking (power-sharing). Each of the four official language groups (German, French, Italian, and Romansh) should have their say. The people living in the Alps should express their views on an equal footing with the growing, cosmopolitan, three-quarters-majority in urban areas. Each of Switzerland's 26 constituent units (cantons) should have the same constitutionally enshrined 'access points' at the federal level, although six cantons contribute half a cantonal vote only and delegate only one instead of two Councilors of States each. Finally, both Protestants and Catholics sit at the table; as do the growing number of non-Christians and residents with no religious affiliation.

Landlocked at the confluence of Western, Central, and Southern Europe, Switzerland often presents as a 'paradigmatic case of political integration' (Deutsch 1976). The country is seen as 'one of the few examples of real federalism in the world' (Lane 2001, 7); admired as a federal model (Vatter 2018); and it serves as inspiration for a 'possible solution to conflict' (Linder and Mueller 2021) in multicultural societies worldwide.

For non-Swiss, it may be tempting to portray Switzerland as an island of bliss, where democratic stability prevails and the people are economically well-off. To be sure, the country has seen no military invasion for over 224 years, and it was not formally dragged into the world wars that devastated Europe. However, '*Sonderfall* rhetoric' that think of Switzerland as an 'exceptional country' that is 'more prosperous, more harmonious, more democratic, more self reliant, more able to solve its problems and more moral than most other states' (Church and Head 2015, 227) overlook two essential points.

First, *Sonderfall* rhetoric is usually blind to Switzerland's checkered history. Starting in the late medieval period, the Old Confederacy (late thirteenth

century to 1798) faced, throughout the centuries, numerous threats of dissolution. The Swiss Reformation, which began in 1523, questioned the very existence of the loose, confederal ‘league’. Two of its 13 original members were split amid the confessional divide. Multiple inter-cantonal religious wars followed (*Kappeler Kriege*) because each canton usually declared the opposing religion illegal. The only nationwide institution, the Swiss Diet (*Tagsatzung*), barely functioned, as the unanimity requirement posed a major hurdle, and the most important (pre-)decisions were taken at the newly founded separate Protestant and Catholic diets. Later, when the European powers negotiated the post-Napoleonic order at the 1815 Congress of Vienna, the cantons’ discordant, undetermined representatives could not decide on the Swiss Confederation’s future either. It was the foreign powers’ preference for a neutral buffer state in the heart of Europe over common borders of France with Austria–Habsburg that guaranteed Switzerland’s place in history. Finally, when aspiring liberals set to establish a modern federation in the 1830s and 1840s, the Gordian knot could only be undone by a short, yet, in its legacy, long-lasting civil war (the 1847 *Sonderbund* war). Still, in 1848, six rejected the new Federal Constitution in a ballot. They were forced to join the federation – henceforth named Swiss Confederation (*Confoederatio Helvetica*) – against their will.

This short outline of Switzerland’s history lays bare the stark contrast to what often is assumed: the survival of this small country in the center of a belligerent continent is all but obvious. Accordingly, political integration and a distinct, inclusive political system with three pillars – federalism, direct democracy, and consociationalism – was not something the Swiss embraced on principle. Rather, it was the only feasible option to manufacture peace and democratic stability against the odds of a plural, deeply fragmented society.

Second, exaggerating *Sonderfall* rhetoric is dangerous because it misses the huge potential and many possibilities Switzerland has as an object of study. The Swiss experience can be related to broader debates in comparative politics and federalism. Hence, this chapter invites international students and teachers to engage with Switzerland as ‘a case of’ rather than a ‘deviant or special case’. It allows them to appreciate the specific and current answers Switzerland offers to major questions raised by wider federalism research – and sensitize students and teachers to the many challenges facing Swiss federalism (Freiburghaus and Mueller 2023).

REASONS FOR STUDYING SWITZERLAND

Why should we care about such a small country with only 8.7 million inhabitants, spread over a mere 41,285 square kilometers that further divides its small population into 26 cantons and some 2,100 municipalities differing widely in size, from the canton of Zurich with over 1.5 million inhabitants to the

canton of Appenzell Inner-Rhodes with just 16,000? One answer would refer to Switzerland's distinct political system – one that accommodates diversity with allegedly great success. This answer is backed by literature that interprets Switzerland's historical development as an 'organic', 'bottom-up' nation state eventually manufacturing democratic stability despite its plurilingual and multicultural society. For example, Rokkan (1974, xi) called Switzerland a 'microcosm of Europe' due to its cultural, religious, and regional diversity. He and other scholars have recommended that anyone wishing to understand European politics should study Switzerland (e.g., Church and Dardanelli 2005; Linder and Mueller 2021). This advice is relevant today, given the multifaceted challenges to European Union integration. Many insights can be gained from the workings of Swiss federalism, namely, the realization of an equilibrium between centrifugal and centripetal forces, unity and particularity, as well as between constituent units and 'the center'. Similarly, Switzerland should interest anyone pondering peaceful visions for conflict-ridden or post-conflict societies. The disintegration of the Eastern Bloc, a new wave of regionalization, virulent minority conflicts, and the emergence of regionalist, openly secessionist parties, triggered a burgeoning debate on alternatives to the (supposedly) homogeneous, symmetric nation state. This debate has brought Switzerland to the fore once more. Here, neither the 'nationality principle' nor the 'language principle' amounted to the quasi-natural ground of the modern multicultural federation. This was illustrated by Renan (1882, 20): 'The will of Switzerland to be united, in spite of the diversity of her dialects, is a fact of far greater importance than a similitude often obtained by various vexatious measures.'

It is safe to conclude that Switzerland, as a possible solution to conflict in multicultural societies, is a 'federation of particular interest', although 'small in terms of population and area' (Watts 2008, 32). However, we encourage international students and teachers not to content themselves with appraisal and dangerous *Sonderfall* rhetoric. Despite the many advantages and accommodation mechanisms that make Switzerland appear a success, 'there remains room for improvement' (Linder and Mueller 2021, 4; cf. Freiburghaus and Mueller 2023). If the country can offer a model of political integration, it also offers insights into precursors of inevitable tensions that might arise – and how they could be lessened. One lesson from the Swiss case is that 'finding the right institutional structure takes time and will never be finished once and for all' (Linder and Mueller 2021, 4).

HOW THE SWISS CASE FITS INTO FEDERALISM RESEARCH AND STUDY

The Swiss case study speaks to two major theoretical debates in federalism research.

Shared Rule: What It is Conceptually and How It Works in Practice

Together with ‘self-rule’, ‘shared rule’ is one of the two defining aspects of federalism (e.g., Elazar 1987). However, albeit equally important, shared rule can be seen as the neglected twin of self-rule. One main reason why scholars have devoted less attention to shared rule is the conceptual ambiguity that comes with it (Mueller 2019). While the most recent literature tends to equate it with subnational influence in federal policymaking (e.g., Hooghe et al. 2016), it is still highly contested whether ‘only institutions classify as shared rule or also procedures’ (Behnke 2018, 36). Studying Switzerland as a case of shared rule helps clarify shared rule’s conceptual and empirical scope. The Swiss federation features ‘classical’ vertical institutions (e.g., bicameralism) but the cantons also use a myriad of more procedural ‘new, informal channels’ (Vatter 2018, 247). They started lobbying the federal level by, for example, using the regional media, participating in a long-standing, dense network of regional, nationwide, policy-specific, and/or generalist intergovernmental councils, and hiring professional PR agents (Freiburghaus et al. 2021; cf. Freiburghaus forthcoming). Hence, Switzerland offers insights into how constituent units flexibly combine traditional vertical institutions and subnational lobbying in order to, among other things, fend off central encroachment into subnational areas of power and/or seek policy rewards.

Federal Dynamics: How Federations Emerge and Develop Over Time

Federal systems develop by simultaneously exhibiting continuity and change. Accordingly, the study of federalism necessitates the study of federal dynamics (e.g., Benz and Broschek 2013; Broschek et al. 2018). Being the world’s second oldest federation, Switzerland is an enormously rich and ‘unique case study’ (Vatter et al. 2020, 973) to explore how federations emerge and develop. At the surface, the institutional architecture of Swiss federalism looks stable. Taking a closer look, however, there has been a wide-ranging process of legislative centralization. At the same time, the cantons have retained considerable administrative and, especially, fiscal autonomy (Dardanelli and Mueller 2019). Tracing the Swiss federation over time thus offers lessons on how federal systems deal with such contradictory forces. Moreover, long-term

analyses of the Swiss case provide empirical answers on whether landmark federal reforms such as the 2004/08 revision of the national fiscal equalization scheme and the division of tasks between the federation and the cantons really make a difference (e.g., Wasserfallen 2015; Mueller and Vatter 2017).

LEARNING OBJECTIVES

Students will:

- Become familiar with timeless classics, key literature, and recent scholarship on Swiss federalism, enabling them to study Switzerland as ‘a case of’ rather than a ‘deviant’ or ‘special case’ by relating the Swiss experience to broader comparative politics debates.
- Become aware of the availability and usability of the many (often public-funded), user-friendly, and free-of-charge online platforms and comprehensive datasets from which comprehensive, up-to-date information on Swiss federalism can be retrieved.
- Learn to critically evaluate the many challenges of Swiss federalism regarding its territorial structure, its processes, and the political dynamics it is embedded in by drawing on general, well-established terminology borrowed from federal theory and/or comparative federalism (e.g., ‘self-rule’ and ‘shared rule’).
- Be enabled to propose, elaborate, and present potential, well-grounded solutions for Swiss federalism that address the real-world need for reform.
- Develop a critical understanding of how, and to what extent, a comprehensive academic assessment of Swiss federalism is often complicated by still prevalent, often exaggerated *Sonderfall* rhetoric that is blind to the many challenges facing Swiss federalism (and the broader Swiss political system).

HOW TO STRUCTURE AND TEACH SWISS FEDERALISM

Teaching Switzerland as an important case is most effective by drawing on core principles of experimental (or hands-on) education, practiced through problem- and/or project-based learning (PBL; e.g., Dewey 1938; Wood 2003). We suggest imparting knowledge on Swiss federalism through the analytical and inherently coupled lenses of ‘need for reform’ and ‘reform ideas’ (or policy briefs) anchored in real-world problems. Letting students explore the challenges and potential solutions for Swiss federalism helps avoid the fallacy of *Sonderfall* rhetoric. We encourage teachers to assist, guide, and coach students in cooperative teams, and focus on three phases of learning.

In a first *preparatory phase*, teachers should present the Swiss federal system at a glance. A helpful resource is the annually updated brochure ‘The Swiss Confederation – A Brief Guide’, issued by the Swiss federal authorities. It can be freely downloaded or installed as an app on tablets and smartphones in English and Switzerland’s four official languages. It contains a concise history of Switzerland and essential information about the workings of the Swiss political system in general, and about the functioning of Swiss federalism in particular. Moreover, Swiss federal authorities offer a ready-to-use master program through which students can work independently on the topics covered by the brochure. A version with solutions is provided for teachers. Again, the master program is available in English and can be downloaded free of charge. (All teaching resources can be freely downloaded at <https://www.bk.admin.ch/bk/en/home/dokumentation/the-swiss-confederation--a-brief-guide.html>. Teachers may check for annual updates.)

In-person lectures as well as remote explanatory videos (e.g., tutorials) or podcasts are fruitful methods to introduce first-year students to the basics step-by-step. Teaching in this phase should focus on the following: How did modern Switzerland transition from the loose, Old Confederacy into a modern federation founded in 1848? What are the vertical institutions of Swiss federalism foreseen by the 1848 Federal Constitutions and to what extent do they differ from ‘shared rule’ found elsewhere? Which horizontal institutions developed over time, meant to facilitate and/or foster intergovernmental cooperation? What are the essential principles of Swiss federalism (e.g., far-reaching autonomy of, and equality between, the cantons, their rights to participate in federal decision-making, their veto powers, and their duty to cooperate)?

Once students are familiar with the basics of Swiss federalism, they should read (some of) the essential readings listed below focusing on the major challenges confronting Swiss federalism nowadays. If only a few of these readings are assigned, they should be selected to cover timeless classics as well as recent scholarship. To facilitate the understanding of students and interaction between peers, the required readings may be discussed using online social learning platforms (e.g., *Perusall*).

Phase two consists of *group work*, the hallmark of PBL. During this phase, groups of three to five students should develop a comprehensive written and/or oral product (e.g., a short report, an interactive presentation) that addresses one major challenge of Swiss federalism and proposes possible solutions. The first, and possibly most crucial, phase is to collaboratively identify the major challenge to Swiss federalism they want to tackle (based on the readings). Once the challenge has been identified, students move into the second PBL step: information gathering. Students need to collect relevant information to explain, argue, and outline their major challenge for Swiss federalism. Besides schol-

arly literature, they may explore the many (often public-funded), user-friendly, and free-of-charge online platforms. For example, e-newspaperarchives.ch provides access to an unparalleled collection of some 70 million fully digitalized newspaper articles. While the platform offers English-language menu tabs, the digitalized newspaper articles are only available in the four official languages. Still, keyword searches (e.g., ‘*Föderalismus*’, ‘*fédéralisme*’, ‘*federalismo*’) and online translation tools will enable students to gain relevant information. The official webpages of the 26 cantons also provide valuable insights.

Students particularly interested in the current challenges of the 26 cantons’ unique political systems can delve into the openly available dataset ‘Patterns of Democracy in the Swiss Cantons’ (Vatter et al. 2020b), which comprises annual panel data on the political institutions of all 26 cantons from 1979 to 2018 and covers aspects like cantonal electoral systems, direct democracy, as well as parliamentary and governmental elections. In the same manner, students need to obtain information on two to four potential solutions – reform ideas that directly address the identified challenge.

The final PBL phase is a joint closing session involving a (*public*) *project presentation*. Students need to state the ‘need for reform’ and their ‘reform ideas’ clearly, convincingly, and by using presentation technology to an expert public. ‘World cafés’ (i.e., structured conversational processes for knowledge sharing) are particularly suitable for hosting and organizing the closing session. While peers might critically discuss (or even rate) their fellows’ performance, we encourage teachers to reach out to Swiss cantonal politicians, staff of intergovernmental councils, and/or early career researchers at Swiss universities. The Swiss are usually friendly, open-minded, and (quite) fluent in English – and it is relatively easy to get in touch with people who might be ready to (remotely) join the class.

QUESTIONS FOR CLASS DISCUSSIONS OR ESSAYS

In order to facilitate lively, engaging in-class discussions, stimulating essays, and/or research papers, students might consider three types of questions:

1. *A normative question:* Almost 30 percent of the roughly 8.7 million people living in Switzerland have no political rights at the national level. They are neither entitled to vote in country-wide elections and/or referenda nor allowed to sponsor ballots. Switzerland is thus a two-tier democracy that excludes, for example, non-Swiss residents, minors under 18 years old, and severely physically and mentally disabled people. How should Swiss federalism support, foster, and further develop democracy from below?
2. *A hypothetical question:* The 1848 Federal Constitution incorporated key elements of the 1787/89 U.S. Constitution such as the separation of

powers and the bicameral system (Vatter et al., 2020). Imagine the Swiss founding fathers were inspired by your own country's federal architecture instead. How differently do you think the long-term transformation of Swiss federalism would have looked like? And why?

3. *An empirical question:* Switzerland's 'federal model' (Vatter 2018) keeps inspiring scholars and practitioners alike, attracting wide interest from within as well as outside its borders. Self-perceptions and external assessments do, however, often diverge. To what extent, and in what respect, are the challenges of Swiss federalism assessed differently by scholars who work and live in Switzerland and by foreign experts?

READINGS FOR STUDENTS

- Church, Clive H. and Randolph C. Head (2015), *A Concise History of Switzerland*, 4th edn., Cambridge: Cambridge University Press.
- Dardanelli, P. and S. Mueller (2019), 'Dynamic de/centralization in Switzerland, 1848–2010', *Publius: The Journal of Federalism*, **49** (1), 138–65.
- Freiburghaus, Rahel and Sean Mueller (2023), 'Switzerland *quo vadis?* Current challenges and potential solutions for Swiss politics', in Patrick Emmenegger, Flavia Fossati, Silja Häusermann, Yannis Papadopoulos and Adrian Vatter (eds.), *Oxford Handbook of Swiss Politics*, Oxford: Oxford University Press, pp. n/a.
- Freiburghaus, Rahel, Sean Mueller and Adrian Vatter (2021), 'Switzerland: overnight centralization in one of the world's most federal countries', in Rupak Chattopadhyay, Felix Knüpling, Diana Chebenova, Liam Whittington and Phillip Gonzalez (eds.), *Federalism and the Response to COVID-19: A Comparative Analysis*, New York: Routledge, pp. 217–28.
- Linder, Wolf and Sean Mueller (2021), *Swiss Democracy: Possible Solutions to Conflict in MultiCultural Societies*, 4th edn., Cham: Springer International Publishing.
- Mueller, Sean and Adrian Vatter (2020), 'Switzerland (Swiss confederation): governing with 26 cantons, 4 languages and frequent referendums', in Ann Griffiths, Rupak Chattopadhyay, John Light and Carl Stieren (eds.), *The Forum of Federations Handbook of Federal Countries 2020*, Cham: Palgrave Macmillan, pp. 341–52.
- Vatter, Adrian (2018), *Swiss Federalism: The Transformation of a Federal Model*, London and New York: Routledge.
- Vatter, Adrian (2023), 'Cantons', in Patrick Emmenegger, Flavia Fossati, Silja Häusermann, Yannis Papadopoulos and Adrian Vatter (eds.), *Oxford Handbook of Swiss Politics*, Oxford: Oxford University Press, pp. n/a.
- Vatter, Adrian (2023), 'Federalism', in Patrick Emmenegger, Flavia Fossati, Silja Häusermann, Yannis Papadopoulos and Adrian Vatter (eds.), *Oxford Handbook of Swiss Politics*, Oxford: Oxford University Press, pp. n/a.
- Vatter, A., R. Freiburghaus and A. Arens (2020), 'Coming a long way: Switzerland's transformation from a majoritarian to a consensus democracy (1848–2018)', *Democratization*, **27** (6), 970–89.

TEST/EXAMINATION QUESTIONS

The following exam questions may be considered for undergraduate students:

1. Why do people often conceive of Switzerland as a '*Sonderfall*' (special case)? Critically reflect on why such notions and rhetoric are potentially dangerous.
2. What vertical and horizontal institutions of Swiss federalism are constitutionally enshrined in the 1848 Federal Constitution? Enumerate them and explain how they are linked to the functioning and workings of the Swiss federal system.

For postgraduate students, the following questions may be suitable:

1. Which essential principles of Swiss federalism are the most challenged nowadays? Why?
2. To what extent can the vertical institutions of Swiss federalism (not) be seen as true reflections of shared rule, meant to ensure cantonal participation in federal decision-making?
3. Leading Swiss news outlets and politicians often speculate about the future of Swiss federalism (i.e., asking whether Switzerland will still be a federal country in, say, 50 years). (See, for example, the Federal Office of Justice [2017], 'Wird die Schweiz in 50 Jahren immer noch föderalistisch sein?', <https://www.bj.admin.ch/bj/de/home/aktuell/news/2017/2017-05-08.html> or the 'federalism section' in the *Neue Zürcher Zeitung*, <https://www.nzz.ch/schweiz/foederalismus>.)
4. Present two arguments why there are grounds to believe in Swiss federalism's longevity. The arguments should draw on relevant insights from federal theory (e.g., regarding federal dynamics and adaptability).

POINTS FOR EVALUATION

Students might be evaluated based on a portfolio comprising:

- *Literature review on the challenges of Swiss federalism*: Does the literature review draw on a comprehensive basis of autonomously researched information, retrieved from the many (often public-funded), user-friendly, and free Swiss online platforms? Does the review systematize rather than merely summarize the gathered literature?
- *(Public) presentation (e.g., 'World café' methodology)*: Does the content of the presentation address the interests and/or needs of the expert or non-academic audience? Does the presentation follow a logical sequence and a semi-formal, natural-sounding presentation style that is both techni-

cal and accessible? Does the presenter fully use linking expressions and software navigation techniques to guide the audience through the presentation content? Do the slides demonstrate effective use of text, graphics, tables, and whitespace?

SUGGESTIONS FOR FURTHER READING

- Cappelletti, F., M. Fischer and P. Sciarini (2014), ‘“Let’s talk cash”: cantons’ interests and the reform of Swiss federalism’, *Regional & Federal Studies*, **24** (1), 1–20.
- Church, Clive H. (2004), *The Politics and Government of Switzerland*, Basingstoke: Palgrave.
- Church, Clive H. (2016), *Political Change in Switzerland: From Stability to Uncertainty*, London: Routledge.
- Füglister, K. and F. Wasserfallen (2014), ‘Swiss federalism in a changing environment’, *Comparative European Politics*, **12** (4/5), 404–21.
- Linder, W. and A. Vatter (2001), ‘Institutions and outcomes of Swiss federalism: the role of the cantons in Swiss politics’, *West European Politics*, **24** (2), 95–122.
- Mueller, Sean (2021), ‘The politics of compromise: institutions and actors of power-sharing in Switzerland’, in Soeren Keil and Allison McCulloch (eds.), *Power-Sharing in Europe: Past Practice, Present Cases, and Future Directions*, Cham: Springer International Publishing, pp. 67–87.
- Mueller, Sean and Adrian Vatter (2017), ‘Federalism and decentralisation in Switzerland’, in Ferdinand Karlhofer and Günther Pallaver (eds.), *Federal Power-Sharing in Europe*, Baden-Baden: Nomos, pp. 39–63.
- Vatter, A. (2005), ‘The transformation of access and veto points in Swiss federalism’, *Regional & Federal Studies*, **15** (1), 1–18.
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- Deutsch, Karl (1976), *Die Schweiz als paradigmatischer Fall politischer Integration*, Bern: Haupt.
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- Freiburghaus, Rachel (forthcoming). 'Subnational Lobbying in Switzerland', Ph.D. thesis, University of Bern.
- Hooghe, Liesbet, Gary Marks, Arjan H. Schakel, Sandra Chapman Osterkatz, Sara Niedzwiecki and Sarah Shair-Rosenfield (2016), *Measuring Regional Authority*, Oxford: Oxford University Press.
- Lane, J.-E. (2001), 'Introduction: Switzerland – key institutions and behavioral outcomes', *West European Politics*, **24** (2), 1–18.
- Mueller, Sean (2019), 'Federalism and the politics of shared rule', in John Kincaid (ed.), *A Research Agenda for Federalism Studies*, Cheltenham, UK and Northampton, MA, USA: Edward Elgar Publishing, pp. 162–74.
- Renan, Ernest (1882). *Qu'est-ce qu'une nation ?*, Paris: Calmann Lévy.
- Rokkan, Stein (1974), 'Foreword', in Jurg Steiner (ed.), *Gewaltlose Politik und kulturelle Vielfalt: Hypothesen entwickelt am Beispiel der Schweiz*, Chapel Hill: University of North Carolina Press, pp. xi–xii.
- Watts, Ronald L. (2008), *Comparing Federal Systems*, 3rd edn., Montréal and Kingston: McGill-Queen's University Press.
- Wood, D. F. (2003), 'Problem-based learning', *British Medical Journal*, **326** (7384), 328–30.