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Swiss Federalism: Unus pro omnibus, omnes pro uno - One for all, all for one

Towards a New Localism, Panel Discussion, Wellington, 2 October 2013

By Dr. Marion Weichelt Krupski, Ambassador of Switzerland

I don't know whether you have read it in the papers: New Zealanders are a happy nation (13), but the Swiss are even happier: according to the latest UN World Happiness Report the Swiss are the third happiest nation in the world behind Denmark and Norway.

Now I am sure you wonder what happiness has to do with localism. One of the six indicators used for measuring happiness is the freedom to master one's life; a second one of these indicators is the real GDP per capita. In the next couple of minutes I will try to explain the Swiss model, an especially pronounced model of localism, and why localism or federalism, as we would call it, coupled with our system of direct democracy, contributes substantially to make the Swiss the third happiest nation in the world.

2'408 plus 26 equals 1

Our former State Secretary was a mathematician. He would always find a formula trying to explain a foreign policy issue. In the case of Switzerland, he would say: 2'408 plus 26 equals 1. 2'408 communes, the smallest political entity in Switzerland, make up 26 states, which we call cantons. And the 26 cantons make up for 1 Switzerland, the Confederation. So 2'408 plus 26 equals 1.

Federalism, with the three political levels: the communes, the cantons and the Confederation, is a key pillar of the Swiss system of government. Switzerland has evolved over the course of more than 700 years from an alliance of originally three cantons to today's federal state. So the Swiss system was not shaped by experts in constitutional law, it is not a theoretical system. The Swiss system rather results from an organic evolution of small independent states to a functioning modern state. It is a bottom up built federal system.

I mention this here because we cannot understand the role of the cantons if we don't understand their origins.

The Swiss Constitution says: "The cantons are sovereign except to the extent that their sovereignty is limited by the Federal Constitution. They exercise all rights that are not vested in the Confederation." In other words: competences that are not explicitly designated federal (national) matters are the responsibility of the cantons. So the default is the cantons. If a new task arises, it will automatically be within the responsibility of the cantons. To establish a federal (national) responsibility, the constitution needs to be changed. In Switzerland that means that a referendum needs to be held and only if a majority of the voters as well as a majority of the cantons agree to the constitutional change, a new federal (national) competence can be established.

One of the principles of the Swiss system of government is the **principle of subsidiarity**. It means that a higher regional authority should assume a task only if it is able to do so more effectively than a lower government level. That applies with regard to the relationship between the Confederation and the cantons, but equally to the relationship between canton and the communes. The Confederation should only undertake tasks that the cantons are unable to perform or which require uniform regulation by the Confederation. And the cantons only undertake tasks that the communes are unable to perform. Let's have a closer look at the three Swiss political levels, the communes, the cantons and the Confederation.

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The three Confederates at the Swiss Federal Palace (Bundeshaus)
www.swisstopo.admin.ch

Cantons

Cantons are the states that originally united in 1848 to form the Confederation, each relinquishing part of their sovereignty to the Confederation. All cantons have equal rights and they have a high degree of independence. Health care, education, culture and police are among the policy areas where they enjoy a large degree of latitude.

Communes

Roughly one fifth of the 2'408 communes have their own parliament, especially the communes that are towns or cities. Four fifths of the communes, however, still make direct democratic decisions at the communal assembly, where all inhabitants who are entitled to vote may participate. In other words, in those communes the People are not represented by councillors, but make decisions themselves and elect the communal council (executive).

Communes have their own responsibilities, like those relating to schools, social services, energy supplies, road construction, local police, local planning, local taxes, etc. The communes regulate these matters to a large extent independently. The communes' level of autonomy is determined by the individual cantons, and can therefore vary considerably from place to place. Each canton has its own parliament, government and courts. The size of the parliament varies between 58 and 180 members, who are all elected by the people. The 5-7 member cantonal governments are also all elected by the people.

Confederation

The Confederation has, as mentioned, responsibilities only in those areas where it is granted powers by the constitution. This is for example in foreign and security policy, in defense, in customs or highways. The confederation may only levy taxes where this is permitted under the constitution. Even today, the Confederation's power to levy direct federal (national) tax and value added tax is granted only for a limited period of time. To extend this authority, the constitution needs to be amended, which must be approved by the majority of the people and the cantons. The original taxing power lies with the cantons, not the Confederation. Federal (national) taxes make up only for a small proportion of the taxes, the bulk of taxes is owed to the cantons and communes.

Effects of Swiss federalism:

Federalism promotes competition among the cantons and communes. Let's take as an example taxes: Cantonal and communal tax autonomy leads to intense tax competition between the cantons and between the communes. Each entity wants to attract the best tax payers. How do they want to do that? Some woo with low taxes, others with excellent infrastructure, etc. The competition amongst the cantons and communes has proved very positive. Some feared a ruinous race to the bottom with tax rates, but that has not happened. All levels of government, the Confederation, the cantons and communes provide an excellent, high-quality infrastructure. And it is up to the people to decide on that infrastructure, as the people decide on the taxes needed to fund it. When the people of a commune intend to build a new school building, they can decide for themselves, but they will also have to pay for it. Tax competition ensures both diversity and efficiency as well as innovation.

Federalism offers a playground for experimentation. Ex. Electronic voting. A number of cantons introduced electronic voting, each using a different system. Those pilots helped to gain valuable insights; and there is quite some international attention. Federalism can provide a true laboratory for policy innovation.

Federalism diffuses power: in a federal state the power is shared between the federal government and the states. And it enables a more flexible, better-adapted implementation of federal policies at the cantonal level. What works in one canton or in one commune may not necessarily work equally well in another.

Federalism protects minorities. This is particularly important in the case of Switzerland with its multiple ethnic groups, languages and religions. Peaceful co-existence of diverse cultures can only be accomplished through granting autonomy and self-determination of those cultures.

Federalism brings citizens closer to the political authorities. Citizens have a more immediate access to administrative authorities, because they are closer. Local authorities are much more accessible than authorities far away in the capital. For the same reason federalism encourages citizens to get involved in politics, because more and closer authorities improve their chances e.g. to be elected. Sometimes people make fun of the different rules that apply depending on in which canton or commune you live. Federalism can block energies, but the debate over differing and conflicting interests can also generate energies. Federalism and the anchorage of politics on the local level has served Switzerland well. For the 5th year in a row Switzerland was ranked by the World Economic Forum as the most competitive and most innovative country in the world. And the third happiest.

Wellington, 30 September 2013