

Zeitschrift: Helvetia : magazine of the Swiss Society of New Zealand
Herausgeber: Swiss Society of New Zealand
Band: 34 (1971)
Heft: [11]

Artikel: Local Government in Switzerland [continued and end]
Autor: [s.n.]
DOI: <https://doi.org/10.5169/seals-942273>

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LOCAL GOVERNMENT IN SWITZERLAND

THE COMMUNES

The difference between a Swiss canton and an English county is the most striking when one considers the existence of a stunning number of Swiss "communes", each enjoying a remarkable degree of autonomy. For a population of 5,429,000 in 1960, Switzerland had no less than 3095 communes and only 65 of these had a population greater than 10,000. The number of these units has been little reduced during the years and only six communes disappeared between 1950 and 1960.

The communes of Graubunden are particularly small and autonomous. This is partly a result of the 1854 cantonal constitution. It is a situation deeply rooted in history, as the canton was originally an alliance of forty-eight **Gerichtsgemeinden** before becoming a unitary state in 1854. There are now 221 communes in Graubunden, six fewer than in 1854, with an average population of 667 (1960 figure). Only 34 communes have over 1000 inhabitants. This situation is not particular to Graubunden, as two-thirds of the communes of Switzerland have fewer than 1000 inhabitants, and a further third less than 300.

The relations between canton and commune vary from one canton to another. Vaud and Fribourg have a more authoritarian approach and the communes of each prefecture are supervised by a prefect appointed by the canton. Berne has a **Regierungshalter** in each **Bezirk**.

According to Graubunden's constitution, each commune has a sovereign authority within its own area and the right to govern itself. Communes may legislate as long as their laws are not in contradiction to cantonal and federal law and they levy their own taxes and rates. The usual practice is to add a percentage to cantonal direct taxes. This commune is bound by the cantonal constitution to administer its affairs efficiently and appoint such officers as are necessary, and in particular to take in charge the care of the poor and primary education.

The functions of the communes of Graubunden necessarily depend on their size. The tiny commune of Mathon, with 73 inhabitants, cannot rival that of Chur, with a population of 30,000. In the latter case, the commune will undertake all the functions of a well-developed English county borough. At the other end of the scale a group of communes may combine to provide even a primary school. Besides the responsibilities of welfare and education, the communes must maintain minor roads, provide water and sewers, control streams and avalanches and regulate the communal pastures and forests. Subject to certain inter-cantonal agreements, communes can support their own citizens outside. Some communes have their own electricity undertaking, delimit their own nature reserves, promote railway

and ski-lifts or provide sites for industry. Historically, the strength of the small commune is due to the large amount of communal property, which not only provided revenue but ensured that able men took an interest in local government. Most of the forest and pastures of the Alps are communal property and there were still 29 communes able to cope without taxation in 1952. However, communes have open to them almost the whole range of taxes available to a state. They may introduce income tax, property tax, purchase tax, estate duty and even taxation on dog owners.

The communes of Graubunden enjoy considerable independence from the central cantonal government. It is in the sphere of finance that the cantonal government has most opportunity to influence a commune. Communes who neither qualify for a special equalisation grant nor run into financial difficulty remain immune from inspection or central audit. The cantonal Ministry of the Interior has an inspectorate consisting of a chief and two assistants easily accessible for informal advice. The Constitution provides the Kleiner Rat with one ultimate sanction: The communes whose administration is contrary to law may be placed under a custodian. Three communes were in this position in 1966. One of them was discovered to have raised no taxes and held no elections for ten years. The President had managed to carry on alone on a bank overdraft!

Direct Democracy in the Communes

The exercise of power in a commune varies from one part of Switzerland to another, but in 97% of cases in German-speaking Switzerland and in 75% of the Latin cantons the supreme authority is held by the communal assembly — what the Englishman might describe as a parish meeting. While the assembly has been given up in most large towns, it still meets in Olten. In some cantons, such as Solothurn, the communal assembly is forbidden to delegate a wide range of decisions, including not only legislation, but the grant of citizenship, the appointment of chief officers and the rate of taxation. Again in Solothurn, communes of over 5000 inhabitants are allowed to elect a Parliament, whose decisions must however be put to the people, including those on expenditure in excess of 100,000 francs. Although many Swiss may complain about the overabundance of purely formal referenda, many mayors take the **Versammlung** very seriously.

Most communes provide themselves with a collegiate executive, such as the **Rat**, the **Vorstand**, or the **Schulrat**, whose members (not exceeding four or five) are salaried in the more important communes. The ideal of the commune is to be a going concern, sufficiently democratic to involve its citizens and inspire them with a sense of belonging, and sufficiently organised on the executive sides so as to be efficient and respected. The system has worked

well and there is no question of altering it fundamentally. There are cases, however, where communes will be forced to merge because they have become too depopulated to achieve anything on their own. This is particularly true of the many mountain regions which have been abandoned. Cantonal governments would certainly like to facilitate the amalgamation of small communes — and there are very many with fewer than 100 inhabitants — because the planning objectives of a canton will be more readily achieved when there is less cantonal fragmentation. But whatever changes will be made in the communal map of every canton, they will be made in respect and reverence of a long tradition of autonomy.

The Difficulties of Communal Administration

The Valais is faced with the same kind of problems outlined in the above. It has no less than 167 independent communes, many of which are in serious financial difficulties. A seminary organised at Sion by the Swiss Association for National Planning discussed this problem and heard a conference by Mr Andre Arlettaz, financial controller of the Valais. He revealed that 93 out of these 167 communes were raising the maximum level of taxes allowed to them. The only possibility of their increasing their revenue lay in the increased income of their population. Mr Arlettaz said that many communes were responsible for the confusion and deficit of their finances by engaging in investments disproportionate to their resources. He cited the extreme examples of a commune of 270 inhabitants receiving 400,000 francs (or 148.3 francs per head) from an electricity company each year, and another with 60 inhabitants collecting 7200 francs (or 120 francs per person). What remained of this derisory sum once the school teacher, the village lighting and sundry expenses have been paid? Fortunately, there was a special cantonal fund to come to the aid of such dispossessed communities.

For Mr Arlettaz, the root of the trouble lay in the errors of communal administrators. They should learn to do their sums correctly and to programme the necessary but costly investments of their commune. There are many ways in which a canton can come to the aid of a poor commune. There are investment credits affecting agriculture and forestry. There is in the Valais an equalisation fund to which communes can participate if they can prove the public utility of their projected investments. The expenditure of this fund is currently 2 million francs a year.

There are also differential subsidies, whose rates depend on their objects. They may be of 50% in education, and 70% in public works. The problems of the Valais and its communes are particularly acute because the canton is under-industrialised and suffers from a widescale exodus from its upper valleys. Many communes could not maintain their barest amenities and remain habitable without substantial aid from the cantonal state.