Parliament and Executive in Swiss Local Government: Lay People Politicians and Consociationalism

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Summary

The most outstanding facts about the political executives in Switzerland are their multi-party composition as well as the great extent to which lay people are engaged in policy making. Structurally, executives encounter difficulties in taking a strong political lead since they do not enjoy a guaranteed backing by the legislative and they also have to present important projects to the citizens. Local government reforms in Switzerland try to make local government work better without questioning the foundations of the Swiss political system.

Keywords

Local government, Swiss municipalities, institutional reforms, New Public Management

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1. Some general remarks about the local executive in Switzerland

Swiss municipalities enjoy a remarkable degree of freedom in the organisation of their political institutions and authorities. This has led to an *important number of distinct political systems* at the local level throughout the country (see Ladner 1991). The political organisation of a municipality is not governed by national but by cantonal legislation. Consequently there are 26 different laws telling the municipalities how to set up their political systems (see also Council of Europe 1998). However, there are quite a few *common characteristics* as well as *distinctive differences*.

The most outstanding common features are the *direct election of the executives by the citizens* and the *representation of all important parties in local government*. Important differences concern their *size* and their *degree of professionalism*. And a distinction has to be made between municipalities, where the local executive faces a *local parliament* and municipalities where the local executive faces a *municipal assembly*.

For a better understanding of the functioning of the Swiss municipalities and their governments it is crucial to keep in mind that their *size is very small*. Only four per cent of the municipalities have more than 10.000 inhabitants and about 10 per cent have more than 5.000 inhabitants (see Table 1). For our purposes this means that we have to concentrate on very few municipalities which can be compared to those in other countries. Nevertheless, the importance of the few big municipalities is emphasised by the fact that about 60 per cent of the population live in municipalities with more than 5.000 inhabitants.

Table 1:   Size of Municipalities in Switzerland

Size of municipality	Number	Number in percent	Percentage of total Population
up to 249	504	17.4	1.0
250-499	492	17.0	2.5
500-999	566	19.5	5.6
1.000-1.999	540	18.6	10.7
2.000-4.999	503	17.4	22.2
5.000-9.999	173	6.0	16.7
10.000-19.999	88	3.0	16.8
20.000-49.999	22	0.8	8.8
50.000-99.999	3	0.1	3.0
100.000 and more	5	0.2	12.8
All municipalities	2896	100	100

Number of Municipalities as per 12/31/2000 (SFSO 2000a)
Size of Municipalities as per 12/31/1999: 7 164 444 (SFSO 2000b)

Despite their small size, the Swiss municipalities play an important role in the Swiss political system. According to the subsidiarity principle, all activities which are not assigned to higher political levels remain within the municipal field. The activities of the municipalities include issuing the communal code, appointing the executive and the administrative authorities, administration and control of the communal finances, assessing the tax rate, care for elderly people (constructions of homes for the aged), social security and public health (hospitals), schools, education, waste, sewage, electricity, water and gas supply, local roads, culture, communal citizenship and maintaining municipal property.

The far-reaching fiscal autonomy makes the Swiss municipalities different from those in many other countries. They not only set up their own budget according to their financial needs, they also fix the tax rate. Transfers from higher political levels are comparatively very low with less than 20 per cent. Their main sources of funding are local taxes (46 per cent) and fees and charges (24 per cent). Local taxes paid by the citizens amount to about one third of the total individual taxation and are paid directly to the municipality. Accordingly taxes differ considerably between municipalities in different cantons and even within a canton.

Parliament or Assembly

In addition to the ballots taking place in the course of initiatives and referendums there are basically two different ways the legislative function is organized in Swiss municipalities. It is in the hands of either a *municipal parliament* or a *municipal assembly*. Whether a municipality has a parliament or an assembly depends on its *size* and on its *cultural background*. Bigger municipalities are more likely to have a parliament, and parliaments are more widespread in the French-speaking cantons. In the German-speaking part of Switzerland municipalities with 8.000 to 10.000 inhabitants and more have a parliament, whereas in the French and Italian-speaking municipalities this might also be the case in much smaller municipalities. In the cantons of Geneva and Neuchâtel all municipalities have a parliament, even those with fewer than 1.000 inhabitants. However, given the smallness of the Swiss municipalities and the larger number of municipalities in the German-speaking part, fewer than 20 per cent of the about 2.880 municipalities have a local parliament (see Ladner 1991: 81 ff.). And some municipalities with well above 10.000 inhabitants still have a local assembly, especially in the canton of Zurich, where about

half of the municipalities between 10.000 and 20.000 inhabitants have a municipal assembly.

The *municipal assembly* is considered to be a genuine form of direct democracy. It is a local gathering of the citizens entitled to vote three or four times a year. Among these citizens the decision-making takes place. Despite the decisional power of the municipal assembly the rate of participation is rather low. The average participation in municipalities with fewer than 250 inhabitants is about 30 per cent. This figure constantly falls when the size of the municipality increases. In municipalities in the size bracket 10.000 to 20.000 inhabitants the average rate of participation is below 5 per cent (see Ladner 2002: 823).

In all Swiss municipalities, regardless of whether they have a parliament or an assembly, there are also other forms of direct democracy like referendums and initiatives (see Ladner 1999, 2002) which affect the functioning of the local executive and the local parliament.

In comparative terms, the Swiss local governments – at least those having a parliament – belong to the continental group described by Hellmut Wollmann (2003: 19). On one hand there is an elected council as the supreme local decision-making body and on the other a local executive in a collegial form, which is also directly elected by the citizens.[1]

Electoral System

About 70 per cent of the Swiss municipalities elect their *executive* through *majority systems*, compared to 30 per cent using *PR*. Under the former the voter casts up to as many votes as there are seats. To allocate the seats the majority system takes two different forms: if the candidates winning a plurality of the votes are elected, it is called a 'relative majority' or single-ballot system, because it always produces winners. In the second form, the 'absolute majority system', a candidate needs a minimum percentage of the votes in order to be elected, equivalent to 50 percent plus 1 of the votes cast per seat. If the first ballot does not fill all the seats a second ballot based on a relative majority takes place to fill the remaining ones. In proportional elections the votes go not to candidates but to political groups (parties) or lists. The seats are allocated to the different groups according to the percentage of the votes obtained. Majority voting favours personalities and the big parties; PR fosters the representation of smaller parties.

Even though the majority system is the rule there are hardly any single party governments. In accordance with the principles of *consociational democracy* ("Konkordanzdemokratie") a "voluntary proportionality" ("freiwilliger Proporz") is practised. The leading party often abstains from presenting a full slate of candidates to make room for opposition party candidates to win seats. In smaller communities, of course, abstaining from running for all seats is not always voluntary, as it can be difficult to find suitable candidates for each available seat. It is sometimes better to present fewer candidates and thus avoid the risk of possible defeat, especially when running against current office-holders. One common strategy for the leading party is to abstain from running for all seats under certain conditions. The smaller parties are offered a number of seats in accordance to their strength when and if their candidates are approved by the governing party.

With the exception of the municipalities in the French-speaking canton of Neuchâtel, where every municipality has a local parliament and where it is the parliament that elects the executive, the *mayor* is *directly elected by the citizens*, usually together with the executive but in a special ballot. Unlike the executive at the national level ("Bundesrat", federal council); the mayor ("Stadt-/Gemeindepräsident") is more than a primus inter pares (Geser et al. 1987). He enjoys special powers and he is the one who represents the municipality. When it comes to a professionalisation of the executive body it is usually the mayor who is the first to become a full-time employee.

The *local parliament* is in general elected in a PR system. Again, there are a few exceptions. About 25 per cent of the municipalities elect their parliament with a majority system (see Ladner 1991: 88). It is usually the cantons making use of a parliament in smaller municipalities which also provide a possibility for majority voting. In municipalities with more than 10.000 inhabitants there is hardly any majority system to be found.
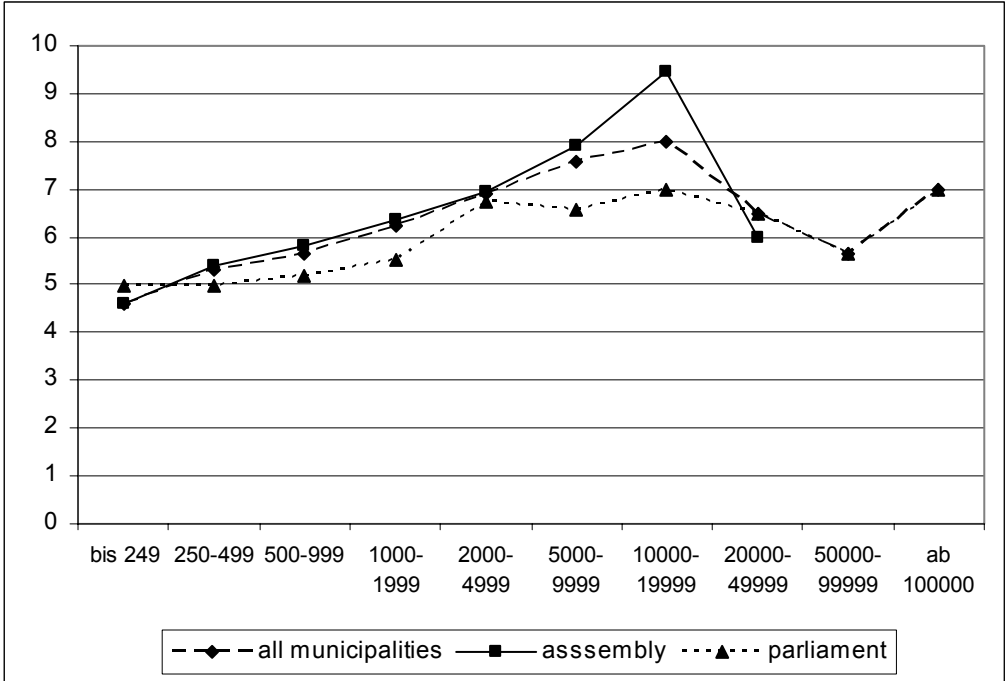

Size of the executive

The size of the local executives varies between three and 30 members with an average of fewer than 6 seats. Figure 1 shows that the size of the executive increases with the increasing size of the municipalities and reaches its peak in municipalities with between 10.000 and 20.000 inhabitants. In cities with more than 20.000 inhabitants the size of the executive is lower again. This effect is due to the professionalisation of the executives. In

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[1]   Historically this dual form goes back to the French Revolution (see Wollmann 2003: 19).

medium-sized municipalities the increasing workload is divided among a bigger number of lay people executive members, whereas in bigger municipalities their part- or full-time employment allows a reduction of the number of seats. The figure also shows that the number of executives is slightly lower in municipalities with a parliament.

Figure 1: Size of the local executives, all municipalities, assembly and parliament only

There has been a *slight tendency to smaller executives* in recent years. In 1998 about 7 per cent of the municipalities reduced the number of seats for the executives (see Ladner et al 2000). This trend is a little bit stronger in the municipalities with an assembly, but there are also municipalities where the number of seats has been increased. The reasons for smaller executives are attempts to make them more efficient and reducing costs as well as problems to find enough candidates. In smaller executives it is on the other hand more difficult to meet the demands for an adequate representation of the different groups and parties in the municipalities, the smaller parties find it more difficult to be repre-sented in local government and the workload for each member of the executive increases.

Size of the local parliament

The size of the local parliament varies between 9 in some municipalities in the cantons of Geneva and Neuchâtel and 125 (Zürich) or 130 (Basel) elected representatives. The average size of the local parliament increases with the size of the municipalities (Figure 2). A crucial threshold seems to be 100.000 inhabitants, where the size doubles compared to the lower size bracket. The figure also reveals that if we exclude the cantons where local parliaments are very widespread (TI, VD, NE and GE), the number of seats is slightly lower.

Figure 2:   Size of the local parliaments
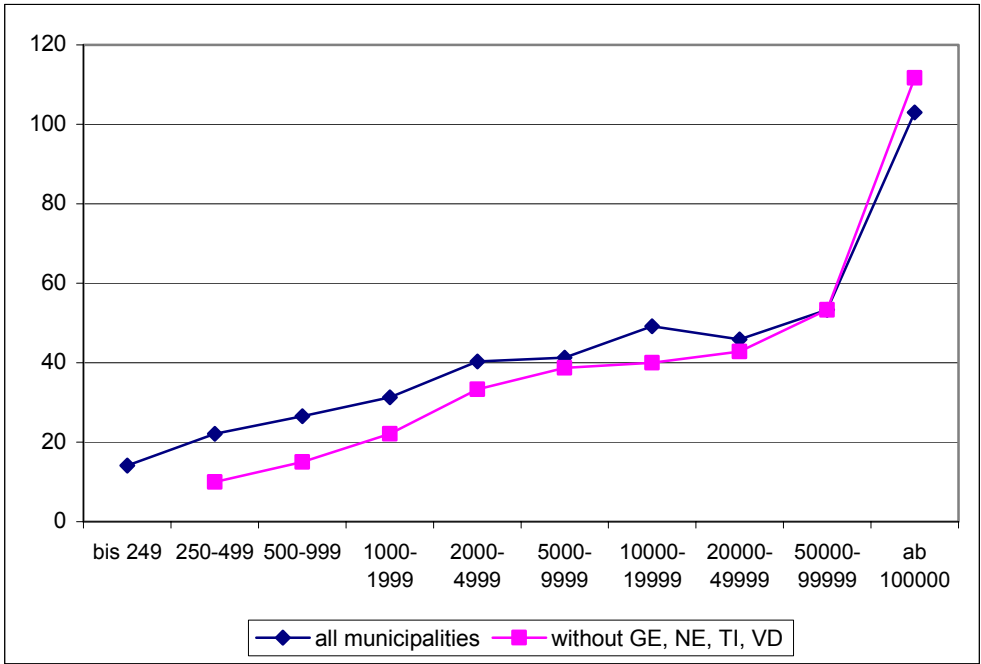
2.   Involvement of lay people in local government - professionalism in local government

Politics in Switzerland strongly relay on lay people and the so-called "*Milizsystem*" (militia system) is an important pillar of the Swiss political culture. Even the members of the national parliament are not considered to be full-time politicians and are comparatively poorly remunerated.[2] In small municipalities there is no need for full time politicians and, as there is hardly any administration apart from a local secretary, the members of the lo-

cal executive not only interact directly with the local administration but are also engaged in operational routines and everyday policy tasks, for example social security benefit claims or decisions on construction permits.

With the increasing size of the municipality the administration grows and becomes more professional. Each member of the executive is head of a department ("Ressortsystem"). The City of Zurich, for example, has an executive with nine members, consisting of the following departments: Presidential Department (Mayor), Finances, Police, Health and Environment, Road Construction and Waste Removal, Building, Public Utilities (water, gas, electricity, public transport), School and Sports, and Social Services.

There is no official data available concerning the *degree of professionalism in local government* as far as the executive is concerned and once again we have to rely on our survey results. In 1994 the local secretaries provided us with some information about the degree of professionalism in their local executives (see Geser et al 1996):

More than 90 per cent of the municipalities have no fully employed (or full-time politicians) politicians in their local executive. If the local executives happen to have one it is in most cases the mayor. Only in the big cities do all members of the executives receive a full-time salary. In quite a few municipalities there is an elaborate mixture of honorary, part- and full-time executives.

If we turn our attention to the municipalities with a local parliament there is hardly any difference as far as the municipalities with fewer than 10.000 inhabitants are concerned. In the bigger municipalities, however, it can be shown, that the degree of professionalisation is higher in municipalities with a parliament. The size bracket 10.000 to 20.000 inhabitants is fully comparable. The 16 municipalities in our sample which have an assembly have an average employment rate of 55 per cent, which means that on average one member of the executive, usually the mayor, has a part-time job. Responsible for this low figure is partly the canton of Zürich, where all members of the executive are lay people. In the 28 municipalities with a parliament in this size bracket there is an average employment rate of 115 per cent.

Professionalisation in the Swiss case, and especially at the local level, has more to do with the question whether they get paid for their political work to the extent that they do not need another job to make a living. It does not mean that these politicians have en-


2　　Many of the national MPs, however, nowadays make their living in jobs closely related to their political

joyed a special training or that they have ever been assessed. The most common pattern is that citizens start with a seat in one of the numerous commissions and then get elected for the local executive. A lot of them withdraw from politics after two or three legislatures. In recent years, however, there have been a few cases of municipalities looking for a mayor by means of an advertisement in the newspapers. The open question here is whether there can ever be a market for politicians in Switzerland or not.

In the last years there has been a very slight trend towards more professionalized executives. The result from our 1998 local secretary survey (Ladner et al 2000) show that municipalities have changed a little more often to a system with a more professionalized mayor than assembly municipalities, and that municipalities with an assembly a little more often raised the degree of employment of their executive members (see Figure 3). But the figures also reveal how slight this trend is. Only a very few per cent of the municipalities undertook reforms in this direction. And even if we look at bigger municipalities (more than 5.000 inhabitants), where such reforms would make more sense, only one out of ten municipalities has professionalized the function of the mayor in the last ten years.

Figure 3: Professionalisation of the Executive
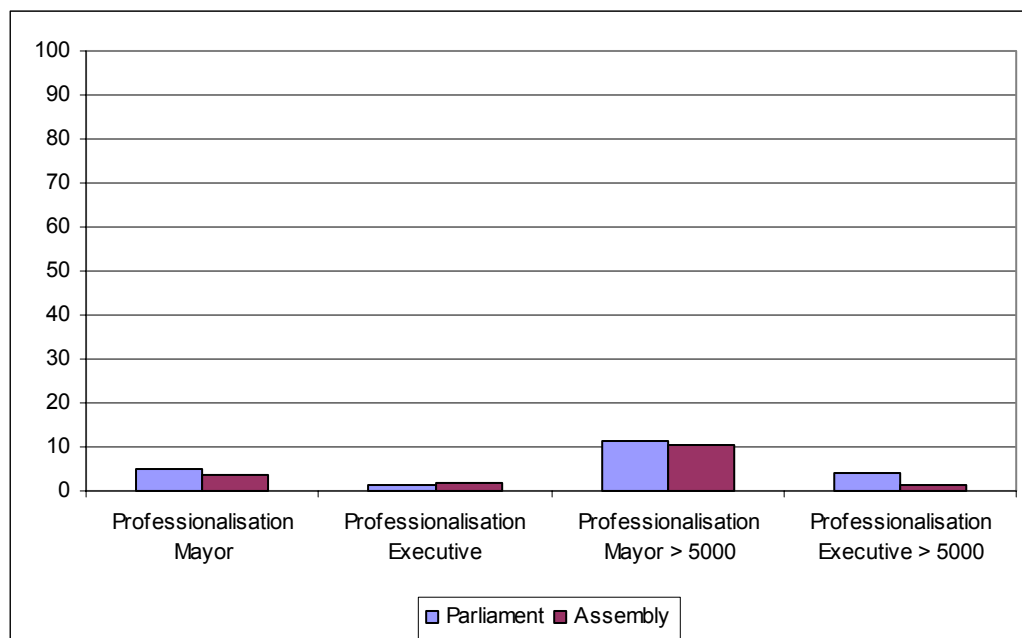
Source: Local secretary survey 1998.

work (for example in unions, interest associations) and cannot be considered as laymen either.

The *size of the municipal administrations* is generally and according to the small size of the municipalities very small. For the core administration, which covers tasks like administration of the citizens, finances, tax, building and planning, and social assistance, the figures range between two full-time jobs in municipalities with fewer than 500 inhabitants and 3.800 in the big cities (see Table 2). To this can be added the municipal employees in the different public utilities and services where the range is between about one and 3.420 employees (without teachers). It is interesting to note the u-type curve in the number of employees per 100 inhabitants. It is in the medium-sized executives where economies of scales seem to work whereas in bigger municipalities the administration becomes more complex and covers more different tasks.

Table 2:   Size of the Administration and Size of the Municipality

	Administration (limited)			Administration (extended)		
	No. of Employees	Employees per 100 Inhabitants	N=	No. of Employees	Employees per 100 Inhabitants	N=
-500	1.8	1.01	751	0.8	0.36	679
501- 1000	2.4	0.33	380	2.4	0.34	361
1001-2000	3.5	0.25	346	4.1	0.29	339
2001-5000	8.1	0.26	319	11.0	0.35	313
5001-10'000	21.1	0.31	119	30.6	0.45	116
10'001-25'000	67.4	0.45	68	90.6	0.62	63
25'001-50'000	219.6	0.65	5	194.0	0.66	5
50'000-	3800.0	1.72	5	3420.0	1.68	5

Source: Local Secretary Survey 1994, Höpflinger (http://www.socio.ch/gem/hoe02.htm)

3.   Intra-governmental relations

Having described the main characteristics of the Swiss local government, we can now turn our attention to the relations between the different parts of the government, especially between the executive and the legislative and between these two and the local administration.

Relation between the members of the local executives and the local bureaucrats

Most outstanding in the relation between the members of the local executive and the local administration is the somewhat paradoxical situation that professional administrators, being very familiar with their policy areas, are subordinate to lay people politicians who are responsible for the activities undertaken by the bureaucracy. Whereas the bureaucrats

very often remain in their job for a lifetime and, at least the younger ones, have enjoyed special training, the members of the executives envisage a political career of limited durability and start their political job sometimes without any relevant preparation.

The bigger the municipalities are, and especially in those municipalities with a parliament, the more likely is it that the newly elected members of the executives look back on previous political experience in a parliament or in any of the innumerable commissions. This comparative advantage however is countered by a bigger and more complex administration.

Recent reforms, especially those based on the principles of New Public Management, try to clarify the relation between the members of the executive and the administration, giving the former a stronger strategic orientation and the latter more operative freedom.

Relations between the members of the parliament and the bureaucrats

The members of the local parliaments are much more distant from the members of the local administration than the members of the local executives, and the differences between the professional administration and the lay people politicians are even more accentuated than in the case of the members of the local executive. Traditionally they interact with the administration through parliamentary instruments (demands, interpellation, postulate) and the members of the executive are placed between them and the administration.

Personal links between members of parliament and chief bureaucrats which are known to play an important role at the national level are considered to be of lesser importance at the local level. This is not only due to the fact that politics at the local level does not reach the same degree of politicisation, but it is also due to the fact that political reasons are of lesser importance when it comes to the selection of local bureaucrats.

Parliamentary reforms in the course of NPM reforms try to strengthen the structural deficit of the lay people politicians in the local parliaments by according them professional support, by introducing standing commissions to increase continuity, and by giving them the right to address members of the administration directly or invite them to report in their meetings.

Relations between the members of the executive and the legislative

The balance of power between the executive and the parliament, the question what kind of decisions fall in the realm of the parliament, and how these decisions can achieve the status of a long-lasting binding character are also addressed by the parliamentary reforms.

In general, the members of the local executive are in a much stronger position than the members of the local parliaments, since they are much better informed and have direct access to the administration. But since the local executives are multi-party executives their power vis-à-vis the parliament is somewhat counterbalanced.

Being a member of a multi-party government combined with the standard practice that decisions of the executive are taken jointly and controversial positions within the executive are not to be made public ("Kollegialitätsprinzip") makes the relation between party fellows with legislative or executive responsibility sometimes rather problematic. As soon as a parliamentary group turns against the government it at least formally turns also against its party members in the executive.

As in other countries, members of the executive have a more general orientation by trying to put public interests before party interests, whereas members of the legislative are supposed to defend the interests of their party.

4. Political leadership and political accountability

The Swiss political system does not favour *strong political leaders*. At the local level, however, the direct election of the executive and of the mayor gives them a stronger position vis-à-vis the parliament. Nevertheless, their power is controlled by the means of direct democracy. For bigger and more expensive projects they have to consult the citizens first. And the fact that the government unites different parties without them having to agree on a joint political programme places limits on any attempt to take a strong political lead.

Our 1998 local secretary survey reveals that there is hardly any difference between smaller and bigger municipalities and between those with a local assembly and those with a local parliament as far as the quality of political leadership as judged by the local secretaries is concerned.

In the course of recent reforms there have been attempts to bring more continuity into local policies by setting up plans and programmes linking political goals with the financial resources for the years to come. These attempts are usually initiated by the administration or by the executive. An open question is, however, to what extent the parliament can be integrated in this form of planning. The more these plans receive a binding character the less the members of the parliament are inclined to accept them.

Compared to the 1970s and 1980s, when particularly younger and left-wing people felt that the political elite has lost touch with the citizens, the *responsiveness of the local governments* no longer belongs to the most important reform claims. Although there have been different attempts in the 1990s to increase citizens' involvement in local political decisions, especially by means of information at an earlier stage or by letting the citizens take part in the development of projects, it would probably be misleading to locate the most serious shortcomings in this area. The intensive culture of direct democracy fosters a closer contact between the members of the local government and the citizens, and local politicians holding office for an untimely long period have almost become an exception.

5. Recent reforms

Swiss local governments, like local governments in other countries (see Wollmann 2003: 18), have undergone certain reforms in recent years. More important than political accountability and responsiveness has been the rethinking of the relation between the people executive members and the professional administration, and between the local parliament and the executive.

Our nationwide survey among local secretaries in 1998 took a closer look at different institutional reforms in local government adopted by Swiss municipalities in the 1990s. Out of a list of 24 possible reforms ranging from changes in the electoral system to shifts of power to administrative or executive bodies, municipal secretaries were asked to state which of these reforms were undertaken successfully and subsequently implemented within 10 years and where such reforms failed.[3]

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[3]   Surprisingly there were many more successful than failed attempts. Either municipalities are generally open to reforms or - more likely - authorities avoid risky projects and start reforms only once they are certain to bring them to a successful end. The well-expected bias that failures are simply not admitted is

As a general trend, municipalities tried to make decision-making easier and more efficient by shifting more powers to the different bodies (executive, commissions, administration), by reducing their size or by reducing the number of commissions. In some cases they extended their administration or transferred services and tasks to the private sector. Reforms of the political system are rarer. As far as the electoral system for the local executives is concerned, there is a slight tendency to replace majority voting by PR voting (however, there are also shifts from PR to majority voting).[4] Also, municipalities with rather large executive bodies tend to reduce the number of seats. All these changes can be considered as minor reforms, hardly capable of increasing the overall performance of the municipalities.

Even though there has been a shift in responsibilities and powers towards the various parts of local government (executive, commissions, administration), Swiss municipalities are by no means governed by entrepreneurial majors or city managers. As we have seen above, there are only very few full-time members in local executives, mainly in very large municipalities and cities.

Nevertheless, the concepts and ideas of New Public Management have influenced the reorganisation of local government considerably, especially in the bigger municipalities. Figure 4 shows that about two thirds of the municipalities with more than 5.000 inhabitants stated that they had already undertaken first steps within the area of New Public Management reforms. A closer look at the different elements of these reforms reveals that the hardcore elements of NPM like product definitions, performance agreements and global budgets are rarer in municipalities with an assembly than in those with a parliament.
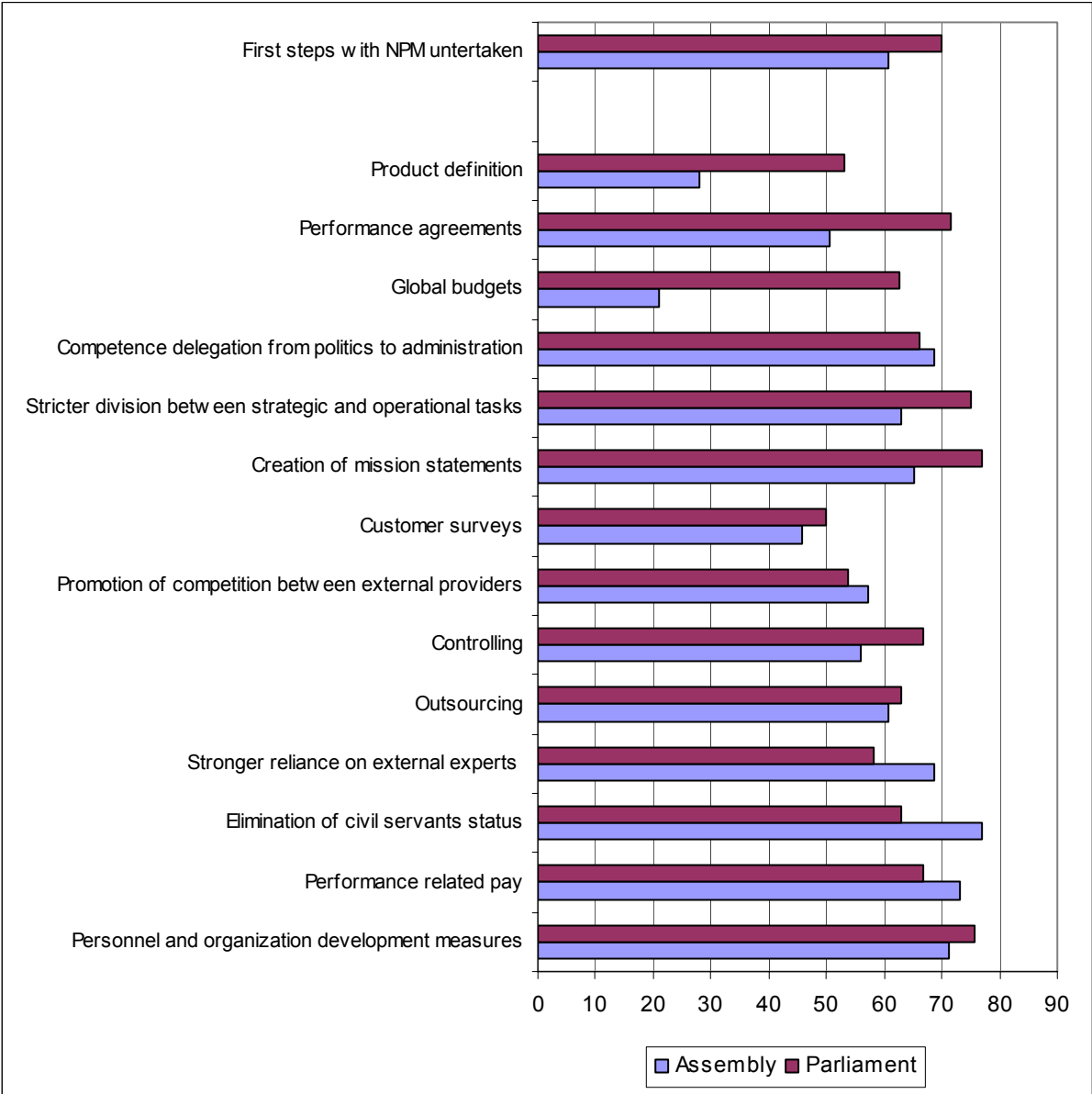
Among the other NPM-reforms, which are less related to a new NPM-like form of political steering, the differences between the two groups of municipalities are of lesser importance. A delegation of powers to the administration, the promotion of competition between external providers, a stronger reliance on external experts, the elimination of the civil servant status and performance-related pay is even more widespread among municipalities without a parliament.

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not relevant here since our respondents were generally not the ones who carried the responsibility for the reform projects.

[4] Regardless of the voting system adopted all important parties are usually represented in the executives due to the so called „freiwilliger Proporz" (voluntary proportionality). A shift from majority to PR voting cannot necessarily be considered a shift from a "concentration of power" to "power sharing" but rather a formalisation of an informal rule for power sharing.

Figure 4: NPM-Reforms in Municipalities with more than 5.000 inhabitants (municipalities with an assembly and municipalities with a parliament

Chart with two series: Assembly and Parliament

Category	Assembly	Parliament
First steps with NPM undertaken	61	70
Product definition	28	54
Performance agreements	51	72
Global budgets	21	63
Competence delegation from politics to administration	69	66
Stricter division between strategic and operational tasks	63	75
Creation of mission statements	65	77
Customer surveys	46	50
Promotion of competition between external providers	57	54
Controlling	56	67
Outsourcing	61	63
Stronger reliance on external experts	69	59
Elimination of civil servants status	77	63
Performance related pay	73	67
Personnel and organization development measures	71	76

6. Concluding remarks

The way Swiss local government is organised undoubtedly helps in finding policy solutions which are acceptable to a majority of parties and citizens. Compromises or political packages are needed to reach a decision and to take different interests and demands into account. The main problem local governments actually face is the recruitment and selection of willing and capable citizens to do a time-consuming job on a voluntary basis. To

this have to be added the increasing difficulties in keeping the lead vis-à-vis a more pro-fessionalized administration needed to govern in a complex environment. And finally, the executives find it difficult to put forward sustainable concepts in a long-term perspective, facing citizens unwilling to give them decisional power and facing a parliament with changing majorities and a similar reluctance.

Despite the shortcomings there are no fundamental changes in local government in sight. Power sharing, direct democracy and lay people politicians will continue to determine the functioning of most of the executives at the local level and all the recent reforms in local government only aim at making them work better rather than differently.

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