

Cambridge University Press

978-0-521-60631-8 - The Politics of Switzerland: Continuity and Change in a
Consensus Democracy

Hanspeter Kriesi and Alexander H. Trechsel

Excerpt

[More information](#)

1 *The development of the modern Swiss nation-state*

1.1 State formation

Until the French Revolution, the Swiss Confederation remained no more than a loose alliance of thirteen cantons with strong ties to allied territories such as Geneva, Grisons or Valais, plus subject territories (e.g. Vaud, Argovia, Thurgovia, Ticino or Valtellina) of their component units or of the federation as a whole. The Confederation exercised only limited governmental capacity. The only stable institution that the Thirteen and their allies maintained was a permanent assembly of delegates – the Diet, which met regularly in order to discuss matters of common interest, especially of war and peace. Together with the ancient pact from the thirteenth century and some other agreements, the national peace treaties, concluded after the religious civil wars in the sixteenth and seventeenth centuries, constituted the fundamental law of the Confederation (Körner 1986: 398). Most importantly, in the first peace of Kappel in 1529, which had put a temporary end to the war between the cantons that had converted to the new Protestant creed and the cantons that remained Catholic, the belligerents had promised to no longer interfere in each other's religious affairs. The formula chosen already stated the principle of what would later become a 'defensive' kind of federalism. The second peace of Kappel confirmed the preceding formula in 1531: each camp promised to respect the religious choices made by the other one. As far as common affairs were concerned, the first national peace treaty introduced one more innovation: the powerful Protestant canton of Zurich obtained agreement from the majority of the Catholic cantons that, for common affairs, future decisions would no longer be taken by majority vote but by a procedure called 'amicabilis compositio' (amicable agreement) at the time, i.e. by a consensual mode which gave every canton a right of veto. The contrast with the surrounding absolutist monarchies was striking. Christin (1997: 203f.) concludes that the federalist

Cambridge University Press

978-0-521-60631-8 - The Politics of Switzerland: Continuity and Change in a
Consensus Democracy

Hanspeter Kriesi and Alexander H. Trechsel

Excerpt

[More information](#)

structures such as the ones adopted by the Swiss Confederates or the Dutch Republic were better able than the absolutist monarchies to deal with the challenge of religious confrontation and to find compromises which allowed very diverse territories to coexist peacefully over a long period: the weakness of the central state, the sovereignty of the member states in religious affairs and the institutionalization of procedures for negotiation and arbitration opened the way to political equilibria and complex pacification systems which combined the recognition of cantonal peculiarities with the preservation of the common interest.

The old regime of the Swiss Confederation collapsed when Napoleon's troops swept through the Jura and conquered its territory. During the French occupation (1798 to 1802) the basic principles of a modern state, modelled after the highly centralized French pattern, were introduced, just as elsewhere in the occupied territories in Europe. But, contrary to the Netherlands, where the French occupation replaced the existing underdeveloped central state with a durable unitary structure, the centralized state did not last for very long in Switzerland. Upon the withdrawal of the French troops in 1802, multiple rebellions broke out. Only Napoleon's intervention and the imposition of a new constitution in 1803 kept the country together. With this so-called 'Mediation act', Napoleon restored considerable autonomy to the cantons. After the defeat of the French, the Swiss returned almost completely to the old confederate order in 1815. The subsequent drive for Swiss unification led by the Radicals (the liberals) was opposed by seven Catholic cantons – Lucerne, Uri, Schwyz, Unterwald, Zoug, Fribourg and Valais – who wanted above all to defend their cantonal autonomy and who eventually formed a mutual defence league (*Sonderbund*) to protect their interests. The conflict ended in military confrontation – first in a kind of guerilla warfare (1844–5) and then in a short, unbloody civil war (1847) between the radical majority of cantons and the cantons of the *Sonderbund*. The war lasted for twenty-six days and left hardly more than a hundred dead (Andrey 1986: 590). Following the defeat of the conservative forces, the Diet of the Confederation elaborated the first federal Constitution in 1848, which represented a cautiously liberal compromise between the victorious Radicals and the Catholic Conservative losers of the war. Ratifying the new Constitution proved to be a difficult endeavour. While in some cases (Fribourg and Grisons) the cantonal Parliaments decided, most

Cambridge University Press

978-0-521-60631-8 - The Politics of Switzerland: Continuity and Change in a Consensus Democracy

Hanspeter Kriesi and Alexander H. Trechsel

Excerpt

[More information](#)

cantons had to refer to a popular vote. Nine out of the twenty-five cantons rejected the Constitution by majorities reaching up to 96 per cent (Kölz 1992: 609). In the canton of Lucerne, the Constitution was only adopted because the persons not voting were counted among its supporters. In spite of this opposition, the Diet adopted the new Constitution in the autumn of 1848. As observed by Tilly (2004: 197), '[m]ilitary, diplomatic, and popular confrontations from 1830 to 1847 came close to shattering the Swiss federation forever. Switzerland could easily have split into two separate countries, one mainly Protestant, the other almost entirely Catholic. It could also have split into multiple clusters of cantons . . . But Switzerland survived as a direct result of its war settlement.'

The hard-won new Constitution established a federal system, not a unitary state. The cantons lost their sovereignty, but they retained important powers. The price the victors paid for the acceptance of the new state by their adversaries was a far-reaching decentralization of political authority. The new centre was to be weak: the essence of political power rested with the cantonal authorities, which allowed the Catholic losers a large measure of control over their own territories. For many Radicals, the number of concessions that had to be made was too great and they subsequently pressed for a more centralized state. But they met with great resistance: a first reform package containing no less than nine proposals dealing mainly with questions of citizenship and civil liberties was rejected by a popular vote in 1866. Similarly, a first attempt to totally revise the Constitution was rejected in 1872. It failed because of joint opposition from the Catholic cantons and the French-speaking Protestant cantons. The attempt to unify the civil and penal codes proved to be the main obstacle. Two years later, a modified proposal, which took into account the critique of the French-speaking Radicals with respect to the unification of the two legal codes, was adopted by a majority of the population and all cantons except for the seven Catholic cantons of the former *Sonderbund* and the equally Catholic Appenzell Inner Rhodes and Ticino. As in 1848, the population was once again divided between a Radical part and a Catholic Conservative part (Kölz 2004: 624).

The new Constitution of 1874 definitively broke down the economic boundaries between the cantons. Among other things, it introduced the freedom of commerce and trade and improved the freedom of residence. Overall, the new Constitution was business-friendly and

Cambridge University Press

978-0-521-60631-8 - The Politics of Switzerland: Continuity and Change in a
Consensus Democracy

Hanspeter Kriesi and Alexander H. Trechsel

Excerpt

[More information](#)

in favour of progress. It was also a democratic Constitution, since it introduced the institution of the optional referendum. Calls for more direct democracy had been made in Switzerland since the 1830s, when the veto was first introduced in Saint Gall and Basle-Country. Several cantons followed these examples in the early 1840s, but the wave was quickly stopped after the cantons dominated by Radicals realized that the use of the veto (an early version of the popular referendum) could contribute to the fall of a Radical government, as it did in the case of Lucerne in 1841. A motion demanding the veto thus was turned down in Zurich in 1842. It was only in the 1860s that the democratic movement, a broad coalition of farmers, artisans and workers, gained more momentum. After its initial success in the canton of Zurich in 1867–9, the paradigm of direct legislation spread decisively to other cantons and was also introduced in the new Federal Constitution. However, the new Constitution did not usher in a centralized state. It also did not fundamentally change the statute of the cantons. The dream of many a German-speaking Swiss Radical to create a national unitary state following the French example had been frustrated (Kölz 2004: 625).

The Constitution of 1874 still provides the fundamental framework for the Swiss federal state. The basic federalist structure remains the same, the only change concerns the numerous shifts of competences from the cantons to the federal government which took place in the course of the following 125 years. Although numerous, these shifts were by no means guaranteed in advance, and always implied intense political struggles between the centralizing reformers and the defenders of the cantonal prerogatives. As Lüthy (1971: 31) pointed out, Swiss federalism has always been an ‘anti-centralism’, which considered the federal government if not an enemy, then at least a necessary evil which one had to live with but not give in to. From then on, the federal government had to play the role of a stop-gap, i.e. it had to assume all those tasks which the cantons were no longer capable of assuming, but would still cede only reluctantly to the problem-solver of last resort. Chapter 3 will follow these shifts in more detail.

In the aftermath of 1874, the political climate deteriorated, since the Catholic Conservatives did not accept the progressive, centralizing and secular goals of the new Constitution. With the optional referendum, they now had obtained a powerful weapon to mobilize against the radical legislation which attempted to implement these goals. Until

Cambridge University Press

978-0-521-60631-8 - The Politics of Switzerland: Continuity and Change in a
Consensus Democracy

Hanspeter Kriesi and Alexander H. Trechsel

Excerpt

[More information](#)

the partial revision of the Constitution in 1891, no less than nineteen proposals were attacked by optional referendums, of which two-thirds were successful (Kölz 2004: 633). In 1891, a partial revision introduced the popular initiative into the Constitution. This revision was a reaction to the grievances of the Catholic Conservatives. At the same time, their first representative was elected to the Federal Council. These concessions allowed for the integration of the Catholics into the Swiss nation-state, which led them to abandon their obstructionist use of the optional referendum.

Until World War II, the continuous modifications of the distribution of competences in the federalist state as well as the numerous popular initiatives led to 140 partial revisions of the Constitution of 1874. The key ideas of the Constitution were no longer recognizable, the language appeared outmoded and several of its elements out of date, while there remained glaring omissions in other respects, for example with regard to the bill of rights (Kölz 2004: 906f.). The general sentiment that there was need for a new Constitution grew stronger in the 1960s, and after thirty years of tinkering a new text was adopted by popular vote in 1999. The new Constitution brought the old text formally up to date, but included only a few substantive changes. A total revision in the classic sense would have had little chance of success. To avoid a cumulation of oppositions, the government chose a 'modular system' of reform: as a first step, the old Constitution was to be rewritten to bring it formally up to date; subsequent steps would revise those chapters that were most in need of reform – popular rights, the Federal Court and the system of government, to mention but the most obvious ones. Since then, only the reform of the Federal Court has been adopted, in a popular vote in March 2000.

According to the French standards of Badie and Birnbaum (1982: 212), Switzerland has 'neither a real centre, nor a real state'. Although they exaggerate somewhat, there is a kernel of truth in their quip. One and a half centuries of stepwise centralization of legislative competences have reinforced the federal government, but it still has to confront powerful cantons who jealously guard their prerogatives. Not least among these is the power to tax. There is probably no better indicator of the continuing weakness of the Swiss central state than the distribution of public revenues over the three levels of the federal state: the federal government gets only about one-third of this revenue, while the municipalities obtain somewhat more than a quarter and the

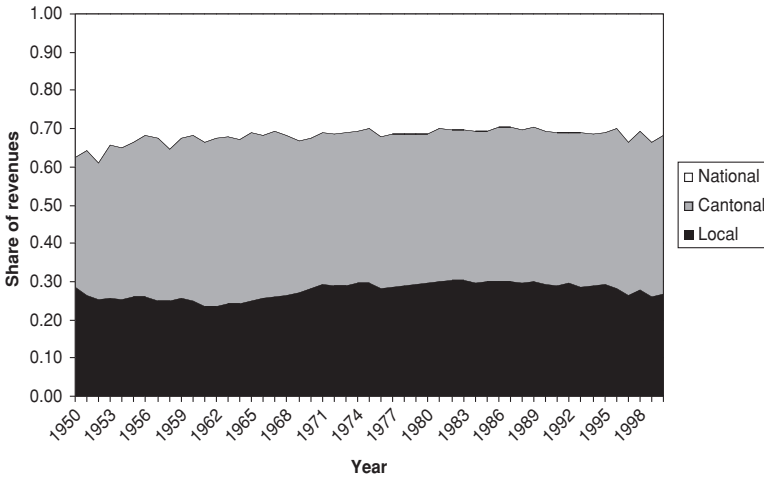


Figure 1.1 Shares of public revenues obtained by the three levels of government (percentages)

Source: Federal Ministry of Finance, Berne, 2004.

cantons 40 per cent. As shown by figure 1.1, this distribution of fiscal power has hardly changed at all over the post-war period.

1.2 Nation building

Religion mattered in the process of European nation building, and the Reformation constituted a first major step in that direction. However, language, as the most obvious and pervasive expression of identity and distinctiveness, became even more important for nation building in Europe and elsewhere. Switzerland is one of the few European countries where *religion* constituted the crucial issue for the formation of the modern Swiss nation, while language hardly mattered at all, despite the fact that the Swiss are divided into four different language communities (speaking, respectively, French, German, Italian and Romansch). In 1848, the new Radical state elite came from all language communities, and the main criterion used in recruiting them was their participation in the Radical movement. Wimmer (2002: 246) argues that when they founded the modern Swiss state of 1848, the elites from all parts of the small country knew one another rather well thanks to the activities of an associational network in which they were embedded: ‘After

Cambridge University Press

978-0-521-60631-8 - The Politics of Switzerland: Continuity and Change in a
Consensus Democracy

Hanspeter Kriesi and Alexander H. Trechsel

Excerpt

[More information](#)

their rise to power, they were able to rely on this densely woven network of relations stretching all over the country, penetrating deeply into the society, and transcending class and linguistic boundaries.’ For Wimmer, Switzerland is a perfect illustration of his thesis that ‘nation-building takes an inclusive, trans-ethnic form when the networks of civil society organisations are dense enough to allow the new political elites controlling the modern nation-state to legitimise their rule and to mobilise political support without having to resort to an ethnic constituency and the practice of ethnic favouritism and clientelism’ (2002: 241).

These networks of civil society were, however, essentially elite networks and did not integrate the population at large consisting of the different language communities. Moreover, Wimmer overestimates their integrative character since they did not extend to the Catholic Conservatives, who essentially withdrew into their cantonal ‘homelands’ where they kept an independent power base. The federalist structure of the country allowed for a large degree of self-regulation of the different cultural communities. In Switzerland, federalism constituted a functional equivalent to ‘pillarization’, i.e. the formation of separate organizational infrastructures by each culturally defined community, in other culturally divided European societies such as Austria, Belgium and the Netherlands. Federalism and pillarization not only create culturally segmented communities but also contribute to their peaceful coexistence in the new nation-state. Lehmbruch (1967: 33ff.) has already observed the analogy between these two mechanisms in his comparison of Switzerland and Austria, where he compared the Swiss ‘sectionalism’, i.e. the territorial and horizontal integration of federalism, with the formation of ‘*Lager*’, i.e. the pillarization or vertical integration of Austria.

However, under the impact of the process of industrialization, the territorial segmentation of religious groups started to break up. In Switzerland, industrialization gave rise to the emigration of hundreds of thousands of Catholics from their ‘homelands’ in the Catholic cantons to the new industrial centres in predominantly Protestant regions. In the diaspora, these Catholics made direct contact with other religious communities and with socialism. As shown by Altermatt (1991) and, in a comparative perspective, by Righart (1986), it was at this point that the process of pillarization, i.e. the construction of the Catholic organizational structure, began. Both authors point out that this

Cambridge University Press

978-0-521-60631-8 - The Politics of Switzerland: Continuity and Change in a
Consensus Democracy

Hanspeter Kriesi and Alexander H. Trechsel

Excerpt

[More information](#)

process was mainly driven by Catholic elites in the diaspora of the predominantly Protestant cantons, whereas the traditional elites in the Catholic ‘homelands’ long resisted the formation of a Catholic organizational infrastructure in the union movement and in party politics. The traditional elites were sceptical of the constitution of a mass party because this would imply an extension of political participation and a certain democratization of decision making. To some extent, the pillarization process was also a democratization process, which explains this resistance. To the traditional elites, pillarization seemed to be only a second-best solution which they adopted once their traditional strategy of building up their regional power bases had lost its meaning in a transforming society.

Some authors (Siegenthaler 1993: 323; Ernst 1998: 234) maintain that the successful national integration at the federal level was in fact a precondition for the regional decentralization of the state. Such authors not only overestimate the success of the nation-building effort by the Radicals but also tend to entertain a much too harmonious conception of the resulting state. Although the mechanisms of territorial and social segmentation allowed for the appeasement of the religious conflict, they nevertheless at the same time imposed serious constraints on national integration at the mass level. This is not to say that the process of federal nation building did not continue parallel to the stepwise expansion of the federal government’s legislative competence. The industrialization process and the rise of nationalism in neighbouring countries – German and Italian unification, and the establishment of large continental and colonial empires – reinforced the process of federal nation building in Switzerland (Froidevaux 1997: 35). The new nationalism of the late nineteenth century had interconfessional characteristics, which now appealed to the Catholics too (Siegenthaler 1993: 325; Jost 1998: 67). Thus, the year 1891 not only marks the important partial revision of the Constitution and the entry of the first Catholic Conservative into the Swiss government, but also the creation and institutionalization of the Swiss national holiday (1 August), commemorating the anniversary of the original pact between the Confederates of 1291.

Nationalist historiography blossomed, ‘portraying late medieval wars as episodes in an eternal fight for independence against the mighty evil lords of the surrounding empires’ (Wimmer 2002: 235). The myth of the heroic past of the Swiss was celebrated by the commemoration of historic battles such as the battle of Sempach of 1386,

Cambridge University Press

978-0-521-60631-8 - The Politics of Switzerland: Continuity and Change in a Consensus Democracy

Hanspeter Kriesi and Alexander H. Trechsel

Excerpt

[More information](#)

the erection of monuments, the organization of national exhibitions (Zurich 1883, Geneva 1896, etc.), the foundation of the national archives, the national library, a national commission for art and a national museum, and the displaying of historical paintings such as the famous Marignano frescoes of Hodler in the national museum. Additional icons of the new national myth included depictions of Alpine nature – the Swiss Arcadia in the Alps – the direct-democratic tradition and Helvetia, the Swiss version of the ‘maiden with the shield’ (Nagel 1999), who still today adorns the most frequently used Swiss coins. The ideologues of Swiss nationalism used existing customary practices – folksongs, physical contests, marksmanship – to construct an invented tradition of a novel type for the purposes of uniting the different component parts of the Swiss nation (Hobsbawm 1992: 6). Although it was a newly invented tradition, it gradually resonated with the Swiss public and served to forge a sense of ‘unity in diversity’. As pointed out by Smith (1991: 22), ‘it is myths of common ancestry, not any fact of ancestry (which is usually difficult to ascertain), that are crucial’. The question, of course – as Birnbaum (1997: 28) is careful to add – is why some myths and some dreams about common ancestors reinforce nationalist mobilization while others do not.

After the religious divide, it was mainly the *class conflict* that posed a problem for national integration. Swiss labour relations have not always been as peaceful as they were in the post-war period. Indeed, the strong polarization of classes before and during World War I culminated in the declaration of a general strike in 1918. The three principal demands of the strike were the introduction of proportional representation, the 48-hour working week in all public and private workplaces and the introduction of an old-age pension system. Faced with the challenge of the general strike, the government addressed the strike committee with an ultimatum and mobilized troops. The strike committee capitulated unconditionally and ordered the end of the strike. The government, in turn, answered this ‘sense of responsibility’ with the opening of negotiations about the three basic demands of the strike. Proportional representation was introduced immediately after the strike: in 1919, the new National Council, the lower chamber of Parliament, was elected according to the proportional system. The main beneficiaries of this new electoral system were the Social Democrats and, above all, the new Farmers’ Party – the precursor of today’s Swiss People’s Party (see chapter 6) – while the Radicals and Liberals lost almost half of

Cambridge University Press

978-0-521-60631-8 - The Politics of Switzerland: Continuity and Change in a
Consensus Democracy

Hanspeter Kriesi and Alexander H. Trechsel

Excerpt

[More information](#)

their seats. A reduction of working hours was also introduced in 1919, although this measure was later repealed during the economic crisis of the early 1920s. As for the old-age pension, this reform was technically adopted by means of a new article incorporated in the Constitution in 1925, but it took until 1947 to implement this most important pillar of the Swiss welfare state.

The other two crucial events for the integration of the labour movement into the Swiss nation were the conclusion of the peace accord in the metal industry in July 1937, which brought an ‘integral peace’ to Swiss labour relations, and the co-opting of the Social Democrats into the Swiss government in 1943. Faced with the fascist threat, national coalition governments including the Social Democrats had been formed in other European countries long before World War II. In Switzerland, however, the parties of the right were not ready to include any representatives of the left until late in the war. Only after the decisive turn in the war during the winter of 1942–3 – a turn marked by the German defeat at Stalingrad – was the governing coalition ready to accept the first Social Democrat into the government. After a brief interlude without a member from the left during the 1950s, the government in 1959 finally took the form of a long-lasting grand coalition according to the ‘magic formula’ which includes members of the four largest parties, including two Social Democrats (see chapter 5).

1.3 Switzerland: a nation-state?

Even in its sacralized and mythological form, the Swiss federal nation remained imbued with the spirit of *civic nationalism*. Thus, in 1875, the liberal Swiss constitutional lawyer Carl Hilty formulated the nature of the Swiss nation in these terms (quoted by Im Hof 1991: 169; authors’ translation):

Neither race, nor tribal cooperation, nor common language and custom, nor nature or history have created the state of the Swiss Confederation. It has been formed rather as a contrast to all these great powers, originating in an idea, in a political thought and a will of increasing clarity and is based on it still today after 500 years of existence, just as it was on the first day.

A nation based on political will – this was the voluntarist essence of the renewed federal nationalism. Moreover, the reference to a mythical past not only served to forge a community of sentiments between