

World Political Science Review

Volume 4, Issue 2

2008

Article 1

Swiss Consensus Democracy in Transition: A Re-analysis of Lijphart's Concept of Democracy for Switzerland from 1997 to 2007

Adrian Vatter*

*Department of Political Science, University of Zurich, Seilergraben 53, 8001 Zurich, Switzerland, vatter@ipz.uzh.ch

Originally published as Vom Extremtyp zum Normalfall? Die schweizerische Konsensusdemokratie im Wandel: Eine Re-Analyse von Lijpharts Studie für die Schweiz von 1997 bis 2007, Adrian Vatter, (2008) *Swiss Political Science Review* 14(1): 1–47. Reprinted with permission from *Schweizerische Zeitschrift für Politikwissenschaft*.

Swiss Consensus Democracy in Transition: A Re-analysis of Lijphart's Concept of Democracy for Switzerland from 1997 to 2007

Adrian Vatter

Abstract

The present article addresses the question of whether Switzerland can continue to be seen as an extreme case of federal consensus democracy, as illustrated by Arend Lijphart (1999). A re-analysis of Lijphart's (1999) study of the Swiss political system from 1997 to 2007 clearly demonstrates that due to recent political-institutional changes (a decreasing number of parties, growing electoral disproportionality, increasing decentralization and deregulation of the relationship between the state and interest groups), a consensus democracy with strong tendencies toward adjustment and normalization of the original exceptional Swiss case to meet the rest of the continental European consensus democracies has emerged. This development has been further strengthened by intensified public political contestation, rising polarization between the political camps in parliament, and the weakening of the cooperative search for consensus as the dominant mode of negotiation within the government. From the perspective of international comparison, Switzerland can thus be seen henceforth as a typical example, not an extreme case, of consensus democracy.

KEYWORDS: Switzerland, consensus democracy, consociational democracy, political institutions, political change

1. Introduction

In international comparison, Switzerland is seen as the prime example of a consensus democracy with extensive elements of power-sharing on both the horizontal and vertical levels. In his innovative study, Lijphart (1999: 249) even describes Switzerland as “the clearest prototype” of a consensus democracy, which comes extremely close to the consensus model. Following the considerable political upheaval of recent times, however, the question that is being asked increasingly often is whether Switzerland can still be described as “the best example” (Lijphart 1999: 33) of this type of democracy. What is exemplary of the political change of the last few years is “the dramatic changes in the party-political landscape” (Klöti 2004: 6), which manifested themselves in the advancing triumphs of the Swiss People’s Party (*Schweizerische Volkspartei*, SVP) in parliamentary elections since the beginning of the 1990s. The massive increase in votes for the SVP also had a direct effect on the composition of the government. In December 2003, for example, the parliament elected Christoph Blocher (SVP) to the Federal Council in place of Ruth Metzler (CVP), whereby the SVP opposition leader’s entry into government was only of a temporary nature. After just one term in office, in December 2007, Eveline Widmer-Schlumpf (SVP) was elected in place of the SVP leader. Thus, within a very short period of time, the legislature not only altered the party political distribution in the federal government (which had been the same since 1959), but also, for the first time in more than 130 years, excluded a member of the government from re-election, twice. The voting-out of Christoph Blocher in December 2007 ultimately also led the SVP to feel that it was no longer represented in the government, causing it to declare its advance to the opposition.

In addition to these changes to the party-political composition of the parliament, the government and its members, there were also considerable changes at the institutional level. Thus, for the first time since 1874, the federal constitution was completely amended; the voters approved these amendments in 1999. The approval of the new fiscal equalisation scheme (2004), which represented the greatest reform to Swiss federalism since the creation of the federal state, was also of exceptional importance. In addition, over the last few years the electorate voted on a series of important institutional reforms. In 2000, the justice system was revised at the federal level and in 2004 a revision of popular rights, with the expansion of the referendum on state treaties (*Staatsvertragsreferendum*), was approved. The first use of the cantonal referendum since its introduction in 1874 also proved to be particularly important. It was used by several cantons to force a popular vote on a proposed extensive redistribution of revenue from tax, which

they went on to win in May 2004. Switzerland's accession to the UN in 2002 and the bilateral agreements I and II with the EU were of critical importance in foreign policy terms. Overall, Klöti (2004: 4) states that, recently, the Swiss system of government has been subject to a "process of creeping institutional change" and Linder (2005: 9) refers to a large number of important political events and changes since 1999. Table 1 summarises the important changes in the last decade.

Table 1: Important events and reforms in the political system in Switzerland 1997-2007

Year	Reforms and Changes	Last change
1999-2007	Major electoral gains for the SVP in the parliamentary elections	
1999	Complete revision of the Federal Constitution	1874
1999/2004	Bilateral Agreements I and II with the EU	
2000	Reform of the justice system	
2002	Full membership of the UN	(1921)
2003 2003/2007	New party-political composition of the government (Federal Council) and governing Federal Councillors not re-elected	1959
2003	Reform of the popular rights	1977
2004	First resort to the cantonal referendum (Federal tax package)	1874
2004	New division of powers between the federal authorities and the cantons and new fiscal equalisation scheme (Federal reform)	

The present article examines the issue of whether, following the changes of the last few years, some of which were drastic, Swiss democracy can still be seen as an extreme example of a federal consensus democracy as defined by Arend Lijphart (1999), or whether it has recently moved more towards becoming an "average" consensus democracy. There are opposing views on this matter in comparative democracy research. On the one hand, Vergunst (2004) and Studlar/Christensen (2006) conclude, for recent times also, "(that) Switzerland is the most typical case of a consensus democracy" (Vergunst 2004: 39); according to Möckli (2007: 17) too, Switzerland still corresponds to "the perfect consensus-based model". On the other hand, various observers find that in the last few years Switzerland has been on the way to becoming a more competitive democratic system, aimed less at consensus and compromise and more toward the contraposi-

tion of the government and the opposition. Batt (2005), Church (2000, 2004a, b) and Rose (2000) point out that the heightened polarisation within the party system and the creeping institutional change are threatening the functioning of the consensus system and that, nowadays, Switzerland is increasingly also displaying elements of majoritarian democracy. Bolliger (2007: 473ff.) also talks about a continual decline and partial debasement of practical concordance at the beginning of the 21st century. What is lacking, however, is an up-to-date placement, based on empirical findings, of Swiss democracy on the continuum of consensus and majoritarian democracies. The present study aims to bridge this gap in the research by examining a leading hypotheses, which can be summarised as follows: *The considerable political changes and institutional reforms of the last decade lead to expectations that the Swiss democratic structures have changed in the direction of a government-opposition model and Switzerland therefore no longer corresponds to the extreme example of a consensus democracy.*

The article is structured as follows: In the next section, Lijphart's (1999) concept of majoritarian and consensus democracy will be presented. Section 3 explains the research design and re-analyses Arend Lijphart's study for Switzerland for the period from the beginning of 1997 to the end of 2007. In Section 4, Switzerland's new position on Lijphart's democracy map will be located and compared with its earlier positions. Section 5 summarises the results and draws conclusions based thereon.

2. The theoretical concept of consensus democracy

While until the late 1960s the "majoritarian winner-take-all" Westminster-Model with a parliamentary character was seen in political science as the most highly-developed form of democracy (Powell 1982), it was only the consociational theory put forward by Lehmbruch (1967, 1975) and Lijphart (1968, 1977, 1984), (which was developed independently but for the most part in parallel), with the development of a prototype consociational democracy¹, that facilitated a theoretically convincing and empirically productive description of a multitude of smaller continental European countries (Cf. Schmidt 2000).² The further development of

¹ The older term "proportional democracy" was later replaced with the term "concordance democracy", which, in German-language political science research is seen as equivalent to "consociational democracy" (Lehmbruch 1996: 20). Lijphart's distinction between "consociational" and "consensus democracy" is discussed in the next section. Further differentiation between the terms consensus democracy and consociational democracy can be found in Lijphart (1989: 41) and Schmidt (2000: 241 f.).

² Among the early works in "consociational democracy" research are the studies by Daalder (1971), McRae (1974) and Steiner (1974). For Switzerland see also Bolliger (2007), Linder

this theory carried out by Arend Lijphart (1999) through the comparison and systematic evaluation of two ideal types of democracy - majoritarian and consensus democracy - is still seen as one of the most innovative contributions in comparative political research and according to Mainwaring (2001: 171) constitutes “the single most influential typology of modern democracies”.

Ideally, the two models of democracy are diametrically opposed primarily with regard to the central issue of the distribution of political power, whereby Lijphart (1999) draws a distinction between horizontal (executives-parties) and vertical power-sharing (federal-unitary) dimensions. In a majoritarian democracy - with a one-party cabinet, the dominance of the executive over the legislative, a plurality or majority electoral system, the unitary state structure, the unicameral system, a central bank that is dependent on the executive and a number of other elements - the concentration of power is the core principle. In contrast, consensus democracy emphasises the diffusion of power (power-sharing) through a multi-party government, balance of power between the executive and legislative, PR electoral system, a federal structure, bicameralism, an autonomous central bank and a number of other structural features. “The consensus democracy (...) aims to divide power, to create checks and balances against the majority in the legislative and against the executive state authority” (Schmidt 2000: 340). Furthermore, it aims to provide minorities with an opportunity to participate in politics, which leads to a restriction of the powers of the government and the parliamentary majority in each case. The prominent achievements of consensus democracy are seen in the attainment of political stability, its pronounced ability to integrate various societal groups and the consideration of minority interests in segmented and pluralistic societies (Lijphart 1999).

Over the last forty years, Arend Lijphart has attempted in great depth and at great length to operationalise the original concept of “consociational democracy” and the further developed variant of “consensus democracy” using individual indicators, with the objective not only of finding the theoretical basis for these new models of democracy, but also of carrying out an empirical study thereon. A comparison of his various attempts to create definitions since the 1960s up to the present day (Lijphart 1968, 1977, 1984, 1997, 1999, 2003, 2007) makes clear that he considers “consociational democracy” to be the core model³, which can be

(1998), Sciarini/Hug (1999), Steiner (2002). The application of Lijphart’s concept to the Swiss cantons can be found in Vatter (2002, 2007).

³ Lijphart (1994: 3) describes “consociational democracy” or “power-sharing democracy” as “a strong form of consensus democracy”. Elsewhere, Lijphart (1989: 41) points out that consensus democracy strives for power-sharing while consociational democracy, in contrast, requires it and prescribes that all important groups be taken into account (Cf. also Schmidt 2000: 340). In the course of the paradigm change in comparative political science, however, Lijphart thereby simultaneously effected a change from a behaviouralistic to an institutionalistic concept.

defined using just four criteria, while consensus democracy is the broader variant of the new concept of democracy, needing a total of ten features to describe it. While the broadly supported multi-party government, cultural autonomy or federalism, the proportionality and the minority veto are the central defining criteria of his primary concept of democracy (Lijphart 1977: 25ff), the balance of power between the legislative and the executive, bicameralism and the multiparty system, for instance, are additional features of consensus democracy (Lijphart 1984, 1999).⁴

Table 2: Characteristics and indicators of the concept of consensus democracy and reforms in Switzerland from 1997 to 2007

Feature	Operationalisation	Changes and Reforms in Switzerland
1. Degree of division of executive power	Average term of office of minimal winning cabinets (in % of the overall period)	New composition of the government (2003)
2. Balance of power between executive and legislative	Average duration of cabinets in months	New Federal Constitution (2000), new Parliament Act (2003), new composition of government (2003)
3. Degree of fragmentation in the party system	Laakso-Taagepera-Index of the number of parties in the Legislative ("People's Chamber")	Large electoral wins of SVP and disappearance of small right-wing parties (1999-2007)
4. Degree of disproportionality between votes and seats in parliament	Gallagher-Index (root of the sum of the share of the vote and proportion of seats in parliament difference for all parties in the legislative, squared, then divided by two)	Adjustment of the number of seats in the National Council to reflect the growth in population (2003)
5. Degree of pluralism or corporatism	Corporatism index pursuant to Siaroff with additions (Scale of 0 to 4).	Deregulation and decentralisation of working relationships
6. Degree of division of power in state structure	Degree of federalism and decentralisation (Scale of 1 to 5).	New fiscal equalisation scheme and equalisation of burdens
7. Degree of division of legislative power	Scale of concentration of legislative power (Scale of 1 (unicameralism) to 4 strong (bicameralism)).	New Parliament Act (2003)

⁴ Bogaards (2000) provides a detailed analysis and criticism of Lijphart's various typologies of democracy.

8. Degree of difficulty of constitutional amendment	4-stage scale of majority required for constitutional amendment.	No reforms
9. Judicial review	4-stage scale of the degree of revisibility of laws by constitutional judge.	Judicial reform (2000)
10. Degree of autonomy of the Central Bank	Average of various indices of Central Bank autonomy pursuant to Cukiermann et al., Grilli et al. and Francis et al.	New National Bank Act (2003)

Sources: Lijphart 1999 (3ff.), Schmidt (2000: 341) and various editions of *Année politique suisse*.

3. A re-analysis of Lijphart's concept of democracy for Switzerland from 1997 to 2007

3.1 Research design and methodical approach

The approach for the empirical examination of the central hypothesis is as follows: in the first step, Lijphart's concept is re-analysed using the case study Switzerland. This is done by collating and coding the ten structural features used to differentiate between majoritarian and consensus democracies for the period of 1.1.1997 to 31.12.2007, using documents, studies, primary and secondary data. The new indicator values for the individual variables, which were allocated according to estimates, were additionally validated by interviews with experts.⁵ In the second step, the indicator values were standardised using a z-transformation and allocated to the two dimensions of power-sharing. In the third step, the standardised factor values for the two dimensions were entered onto Lijphart's two-dimensional map of democracy, in order to localise the position of the Swiss political system on the axis of majoritarian and consensus democracies.

3.2 Description of the features of democracy and codification of indicators

3.2.1 Party System

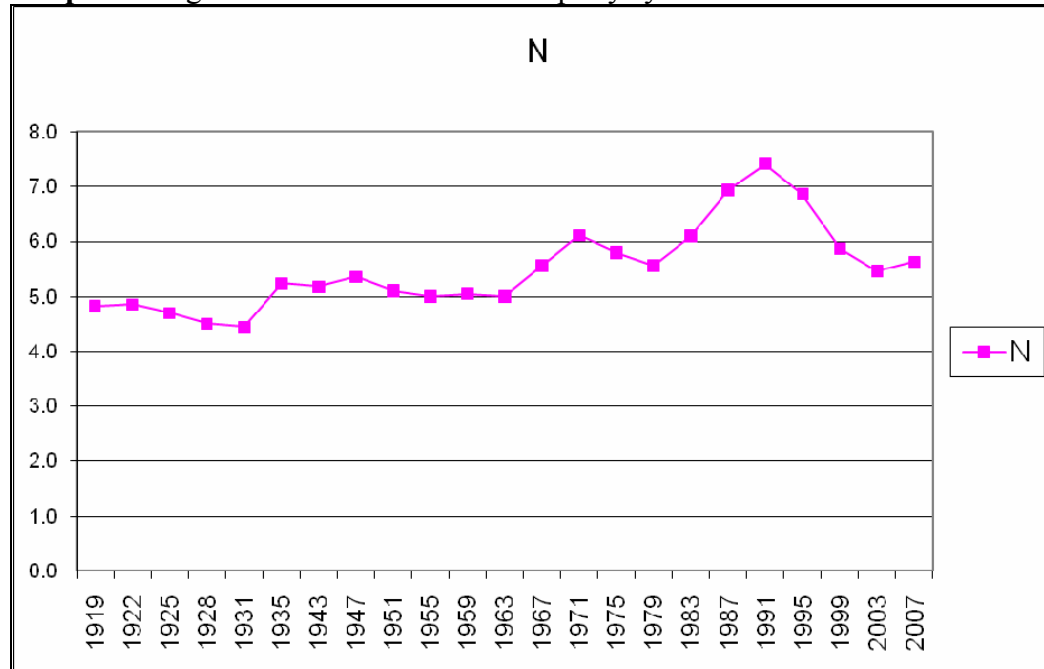
The first feature used to distinguish between majoritarian and consensus democracies is the degree of fragmentation in the party system, whereby pronounced

⁵ Experts were additionally interviewed regarding the following features: executive-legislative relations, corporatism/pluralism, system of constitutional review and the central bank (see list of experts in the Annex).

fragmentation of parties is typical of a consensus democracy. International comparison shows that with an effective number of parties between 5 and 6, Switzerland – measured on the Laakso-Taagepera index – is one of the countries with the greatest number of parties (Armington 2003, BFS 2007, Ladner 2006). Among the developed democracies, only Belgium in the 1970s and 1980s shows a greater degree of fragmentation than Switzerland. While splintering within the Swiss party system increased throughout the 1980s, reaching its highpoint in 1991 with an effective number of parties of 7.4, party fragmentation decreased again in the last four national elections between 1995 and 2007. With a value of $N = 4.97$, the effective number of parties in the parliament of 2007 (on the basis of the share of the seats) even sank again to the level of the 1960s. However, it must be said that, despite recent consolidation, in international comparison the extent of party fragmentation in Switzerland is still high. The reasons for the peak values at the beginning of the 1990s were the gain in seats of small right-wing populist parties such as the ‘Freiheitspartei’ (“Freedom party”) and the ‘Lega dei Ticinesi’ (“Tessin League”), as well as a few splinter parties (CSP, the Greens/alternative parties). The consolidation observed since then is attributable above all to the triumph of the SVP and the subsequent disappearance of small right-wing parties (FPS, SD, Republikaner) as well as the break-up of small moderate parties (LdU). While the share in the vote of the four largest parties did “not change materially” between 1945 and 1995 (Ladner 2006: 57), since the mid-1990s unusually pronounced changes in voting behaviour have been observed. The SVP more than doubled its share in the vote between 1991 and 2007, and in 2007, with a share of 28.9 %, it was the unchallenged leader in terms of votes. “An increase of this kind is unique in the history of the National Council elections since the first proportional votes in 1919. Furthermore, with the newly-achieved strength of 28.9 %, the SVP surpassed the best electoral result ever achieved in a Swiss proportional vote (FDP 1919: 28.8 %)” (BFS 2007: 7). At the same time, in the elections in 2003 and 2007, the FDP (17.3 %/15.8 %) and the CVP (14.4 %/14.5 %) suffered the worst election results since 1919. Through the massive increase in votes the SVP achieved a hegemony within the conservative camp and shifted the ‘bourgeois block’ as a whole to the right. In the left-wing camp, the Greens in particular gained a considerable number of votes in the elections in 2003 and 2007, gaining the best electoral result in their history. The huge strengthening of the right-wing camp on the one hand, and the gains of the left-wing Swiss Green Party (GPS) on the other have led, overall, to a more pronounced polarisation and increasing instability in the Swiss party system. Accordingly, Ladner (2006: 74) concludes with regard to the new developments that the successes of the SVP in the Swiss party system are likely to leave a lasting impression and “in fact amount to a general change or even a transformation of the Swiss party system”. In summary, the effective number of parties pursuant to the Laakso-Taagepera index,

based on the proportion of seats in parliament, has sunk for Switzerland from 5.57 (1971-1996) to 5.17 (1997-2007).

Graph 1: Fragmentation within the Swiss party system between 1919 and 2007



Source: Ladner (2006: 325) and personal update based on BFS data. Note: N = effective number of parties pursuant to Laakso-Taagepera on the basis of the parties' *share in the vote*.

3.2.2 Government Formation

The second variable is the division of power within the executive, which can vary from one-party majority cabinet to broad-based multi-party coalitions (Lijphart 1999: 110ff.). In Switzerland since 1959 the four largest parties have been represented in government according to their share in the vote, which is expressed in the so-called party political “magic formula” (Klöti 2006). In 2003, the doubling of the SVP share in the vote within the space of two elections led the SVP to demand a restructuring of the government and one of the weakened CVP's two seats in government. In December 2003, the parliament conceded and elected a second SVP representative, Christoph Blocher, to the government, at the cost of the CVP (Ruth Metzler). This changed the party political distribution of the cabinet seats for the first time since 1959, and for the first time in over 130 years, an acting member of the government was not re-elected. This did not, however, do anything

to alter the principle of concordance in terms of the involvement of the four major parties in governmental power. Rather, the new magic formula (2 FDP, 2 SP, 2 SVP, 1 CVP) adjusted the representation of the parties in terms of numbers in the government to reflect their increase in votes, thereby placing new importance on the principal of proportional division of power (arithmetical concordance). At the same time, however, the weakening of the political middle in government led to a strengthening of the left-wing and right-wing poles within the executive, leading broad sections of the media to assert a crisis in the Swiss consensus system. The main target of criticism was the SVP, with its pronounced dual role as a party both in government and in the opposition, its provocative political style and the federal councillor Blocher, who was accused, among other things, of contravening the principle of collegiality and failing to observe the division of powers. It was nevertheless surprising that in the Federal Council election in December 2007, the Federal Assembly elected not the official SVP candidate and acting Justice minister, Christoph Blocher, but rather Eveline Widmer-Schlumpf (SVP). Thus, not only was an acting member of the government not re-elected, but the model in place since 1959 - that of a broad-based concordance government - was also called into question, since the SVP party leaders declared following the voting out of Christoph Blocher, that the SVP would step down from government and take up the opposition position. Accordingly, both SVP members of government were excluded from the SVP faction. In this way, the term "opposition" was to this extent given a new meaning in Switzerland, since the largest party no longer felt that it belonged to the government. While, since 1959, those parties that were not represented in the Federal Assembly always accounted for less than a total of 20 % of the vote, following the National Council elections in 2007, the three remaining governing parties (CVP, FDP and SP) have a share of the vote of 49.8 % in total. However, the SVP's role as the opposition must be qualified at least in one respect: it is not possible to make any clear distinction between the governing party and the opposition party in the non-parliamentary referendum democracy of Switzerland, since from case to case each governing party can be in the opposition in popular votes.

However, none of these changes are reflected in Lijphart's government cabinet indicator for the period from 1997 to 2007, since both the long-term government (1959-2003) and the successor four-party government (2003-2007) were characterised by a broad-based multi-party executive ("oversized coalition"), which did not at any point constitute a minimal winning coalition (0 %). A re-evaluation of the type of government is likely in the coming years, since the newly composed Federal Council from 2008 will only have a slight majority in the National Council of 105 (of 200) MPs from the CVP, FDP and SP, which is why the Federal Council, in this context at least, would constitute a minimal winning coalition.

3.2.3 Executive Legislative Relations

The third feature examines the power relationship between government and parliament, whereby the distinction between parliamentary and presidential systems is also seen here. On account of the fact that the two powers act relatively independently of one another in the Swiss political system, members of the government are not allowed to be part of parliament, and government cannot dissolve the legislature, Lijphart (1999: 35) talks with regard to Switzerland of a balanced power relationship between government and parliament. Lijphart (1999) uses the duration of the cabinet in years as the central indicator of the relationship between the executive and the legislative. However, he himself states that this indicator is unsuitable for Switzerland as a non-parliamentary system. “The Swiss average of 8.59 years – based on only three different party compositions from 1947 to 1996 but a change in the chairmanship of the Federal Council every year – is obviously completely unsuitable as a measure of executive dominance because Switzerland is a prime example of executive-legislative balance. Hence, I assign it a nominal value of 1.00 year” (Lijphart 1999: 134).

Irrespective of the fact that the validity of this indicator has been criticised frequently (Schmidt 2000, Taagepera 2003, Tsebelis 2002),⁶ there are obvious reliability issues with regard to Lijphart’s placement of Switzerland. Thus, the justified question is whether Lijphart’s impressionistic allocation, which describes Switzerland (together with the USA and Costa Rica) in international comparison as the country with the most balanced power relationship between government and parliament (i.e. the most powerful parliament vis-à-vis the government), actually corresponds with the most recent findings in parliamentary research. In order to answer this question it is necessary first to distinguish between the position of the Swiss parliament pursuant to the constitution on the one hand, and the effective influence and resources available to the legislature on the other.

Seen in constitutional law terms, the Federal Assembly has a strong, independent position in the power structure (Lüthi 2006a). Thus, in Switzerland, in contrast to parliamentary democracies, not only is the division of power in terms of members realised, but, furthermore, the government is elected not by the voting population but by parliament and the government does not have a veto right vis-à-vis the parliament’s decisions. In addition, both chambers and their members have extensive information rights, petition rights and the right to initiate legislation (Lüthi 2006a). Thus, overall, the parliament has legal supremacy over the government; this is also expressed in the federal constitution, where the Federal Assembly is described as the “highest power” in the state. This strong legal position

⁶ Accordingly, Lijphart (2003: 20) later admits: “(T)he variable that gave me the most trouble (...) was executive dominance”.

has been extended further (Lüthi 2006b) over the past 15 years with the reform of the parliamentary commission system (1991), the participation of the parliament in foreign policy through new consultation rights (1991), the modernisation of the parliamentary rights at the constitutional level (1999) and the new Parliament Act (2003). In this way, the Federal Assembly not only strengthened its legal influence, but also made sure, by way of structural adjustments (reform of the commission system, streamlining council debates, strengthening council committees), that it is also able to exercise its rights in a more effective manner. Thus, for recent times, Lüthi (2006a) concludes that, overall, the parliament has at its disposal a range of differentiated legal instruments that enable it to effectively participate in the legislative process and exercise its supervisory function. The current findings of Swiss parliamentary research are confirmed by international comparative studies. In his studies on the relationship between the executive and the legislature in 18 western European states, Döring (1995, 1996) allocates Switzerland in most cases to the group of countries characterised, from a comparative perspective, by the lowest level of governmental control and simultaneously the most developed powers of parliamentary committees and individual MPs. An additional allocation (carried out in addition by myself) of Switzerland in Siaroff's (2003) "executive dominance over the legislature" index, which encompasses all 11 indicators, also makes clear that among the OECD-States the Swiss parliament has a leading position in terms of its position under constitutional law and its participation rights and, like the Nordic countries, it belongs to the group in which the government has only weak control rights (see below).

But is the legislature's supremacy reflected in its actual political influence? While for decades complaints were made regarding the weak position of the Swiss '*Milizparlament*'⁷ in the political decision-making process, empirical studies indicate that, nowadays, the Federal Assembly plays a crucial role in the legislative process and can be seen overall as an active legislative body: "If, in their opinion, the situation so demands, the Council of States and the National Council assume the control as regards the contents and policy in legislation" (Jegher/Lanfranchi 1996: 75; Cf. also Jegher 1999). A new study confirms this view and concludes that in the years 1996-2004, parliament amended around 39 % of government drafts; this roughly corresponds to the rates of change in the 1990s (Schwarz et al. 2008). Furthermore, today the Federal Assembly exercises qualitatively greater influence than in the 1970s. This increased influence is attributed on the one hand to the professionalisation of the permanent parliamentary

⁷ As opposed to the majority of parliaments, the Swiss Federal Assembly is not made up of professional parliamentarians. The members of both chambers exercise their mandates as an accessory activity in addition to their chosen profession. This is why the Swiss parliament is referred to as a '*Milizparlament*' (literally, 'militia government')

commissions, and on the other hand to the modernisation of the parliamentary rights on the constitutional and legislative levels, which have clarified the relationship between government and parliament and led to a strengthening of parliamentary information and initiative rights. It must, however, be taken into account that the parliament's influence continues to be selective (Jegher 1999, Lüthi 2006a). This, in turn, is linked with the low level of resources available to the Swiss parliament, which is not composed of professional politicians. This is why it is still described as 'weak' by certain authors (Kriesi 2001: 61). Unsurprisingly, new international comparative studies make clear that, in terms of resources, Switzerland's legislature is well below-average. By means of a comparison of several OECD countries, Z'graggen/Linder (2004) show that Switzerland's parliament has the least financial resources and takes the second-last place with regard to the degree of professionalisation; US Congress, meanwhile, has the most developed professionalisation structures. The broad study on parliamentary information and control resources in 22 western democracies by Schnapp/Harfst (2005) allocated Switzerland the last position and describes the Swiss National Council, together with the French and Irish parliaments, as those legislative bodies with the lowest levels of parliamentary control capacities, while the US Congress again takes the leading position.

In summary, it is apparent that in constitutional law terms the Swiss Federal Assembly has a very powerful and independent position vis-à-vis the government; in international comparison, its legislative participation rights (agenda-setting, rights of the parliamentary commissions) are far-reaching and have been extended further over the last 15 years; the parliament's actual influence on the legislative process is crucial, but selective. At the same time, the Swiss legislature stands out in international comparisons due to its lack of resources in terms of staff, finances and infrastructure, which inevitably allows only weak controls by the parliament vis-à-vis the government and the executive. Schwarz et al. (2008: 24) therefore correctly speak in the case of Switzerland of a "formally strong and informally weak parliament".

In order to allow these differentiated and at times contradictory findings to flow into an overview, a method of allocating Switzerland was chosen which, on the one hand, takes into account both the legal position and the developed participation instruments of the legislature as well as, on the other hand, its actual information and controlling resources. The indicator chosen to define the power relationship between the executive and the legislature is a combined index, which pools the eleven indicators of Siaroff's "executive dominance" index (2003) and Schnapp/Harfst's indications of parliamentary controlling capacities (2005). The combined index to define the power relationship between government and parliament is thus based on a total of 14 criteria, whereby, in accordance with Siaroff (2003), a value for each variable of between 0 (balanced executive-legislative

relationship) and 2 points (executive dominance) can be allocated.⁸ Switzerland is given 6 of a possible total 28 points, which indicates a relatively balanced power relationship between the two powers. On the Lijphart-scale from 1 (balanced executive-legislative relation) and 5.52 (executive dominance) this results in a value of 1.95. It must, however, be taken into account that in a non-weighted combination of Siaroff's executive-legislative indications under formal law (2003) and of Schnapp/Harfst's parliamentary resources indicators (2005), the value for Switzerland on the Lijphart-scale rises to 2.84. The survey of experts additionally carried out to validate the findings resulted in an average value of 2.06, which comes very close to the weighted value and lies between the two calculated values. For reasons of plausibility, the allocation is supported by "the combined wisdom" (Lijphart 1999: 177) of the surveyed experts.

3.2.4 Electoral System

The fourth criteria relates to the distinction between majority electoral system and the proportional representation (PR). Lijphart uses Gallagher's (1991) disproportionality index, which measures the differences between votes and proportion of seats in parliament of the parties in the legislative as an operable factor. The PR system has applied in Swiss National Council elections since 1919, whereby the cantons form the constituencies and the mandates are distributed among the cantons proportional to their resident population (Lutz 2004).⁹ Each canton has a right to one seat at least and in the five cantons in which only one National Council mandate is available, the majority system applies. However, due to the number of National Council seats available, which is often very low, the federal electoral system, pursuant to which the cantons form the constituencies, leads to a critical restriction of proportional representation (Poledna 1988). Thus, in 15 cantons, where there are less than ten seats available, the parties theoretically would need to achieve more than a 10% share in the vote in order to win just one seat (Linder 2005). Thus, the district magnitude in the small cantons has the effect of a threshold, and the proportion of the seats gained often differs considerably from those of the list votes, while in the large cantons the proportion of votes and seats approximately match. Using a comparison of the number of seats actually achieved

⁸ Since Siaroff (2003) did not include Switzerland in his study, the points awarded to Switzerland on the Siaroff-scale were calculated on the basis of the Parliament Act, the Rules of Procedure of the National Council and the Council of States and Lüthi (2006a, b). As Siaroff's criteria (2003) are mainly formal legal criteria, there are no problems in terms of the categorisation. The award of points for Switzerland on Schnapp/Harfst's index (2005) is based on Switzerland's ranking in each of the three partial indices (controlling structures, controlling resources, controlling rights).

⁹ The seats are distributed according to the Hagenbach-Bischoff procedure, in which the parties are to be awarded as many mandates as possible in the first division (Poledna 1988).

and the notional number of seats (i.e. corresponding to the strength of the party at the national level) Seitz (1993: 25) shows that the federal electoral system with 26 constituencies of different sizes for the most part favours the large parties and penalises the small parties – with the exception of the Liberal Party. “If Switzerland were one single constituency, the parties in the government would have received on average 7.8 seats less overall per election in the National Council elections from 1971 to 1991” (Seitz 1993: 25). Accordingly, Linder (2005: 96) reaches the conclusion in his evaluation of the National Council electoral system that “the idea of proportional representation cannot be fully realised in Switzerland, because the population size of the cantons, and thus the number of mandates of one canton, varies greatly. (...) This penalises the small parties, and the electoral system is coming closer to that of majority voting”. With a disproportionality degree of 2.53 % for the period from 1945 to 1996, Switzerland ranks in Lijphart’s analysis in the first quarter of the 36 electoral systems examined, without, however, taking a leading position. For the period from 1971 to 1996, the degree of disproportionality increases further to 2.98 %, and for the most recent period (1997-2007) it has the comparatively high value of 3.51 %. Thus, the disparities between the number of votes and the number of seats have increased further in the most recent decade. As a result, in the international comparative context, Switzerland has an above-average disproportionate PR system.¹⁰

3.2.5 Interest Group System

The fifth and final criteria of the first dimension relates to the interaction between interest groups and the government. The placement of Switzerland in the post-war period on the corporatism-pluralism scale was the subject of dispute among experts for a long time (Siaroff 1999). While Blaas (1992: 369) did not categorise Switzerland as corporatist for the post-war period, Lehmbruch (1979) classified it as one of the “medium corporatist” countries. Finally, Katzenstein (1985) described Switzerland as a paradigmatic case of the liberal corporatism variant. The placement in each case is connected with the differing weighting of individual aspects of corporatism, in particular the features of industrial relationships on the one hand and the state/interest group feature on the other. Using his concept of integrated economies, Siaroff (1999) attempted to overcome the difficulties of classifying countries such as Switzerland and Japan. Using eight criteria, summarised in a general index, he classifies the countries on a scale ranging from integrated (corporatist) to pluralist economies. On a scale of 1 (pluralistic) to 5 (integrated) Siaroff (1999: 317) for the post-war period places Switzerland, with

¹⁰ “Most of the PR countries have average disproportionalities between 1 and 5 percent” (Lijphart 1999: 163).

4.375, among the highly integrated countries, “despite the fact that (Switzerland) may not be corporatist in the traditional sense”. Lijphart (1999: 177) takes Siaroff’s (1999) country values and, accordingly, gives Switzerland the value 1.0 (corporatist) in his “index of interest group pluralism” (0-4).

The economic downturn at the beginning of the 1990s and the subsequent unusually sharp increase in the unemployment figures triggered a controversial debate in Switzerland about the existing system of collective bargaining. Above all, the employers’ associations demanded that the branch agreements be made flexible and decentralised. While Armingeon (1997: 176) still concludes for the first half of the 1990s that the institutions of corporatist arrangements in Switzerland are surprisingly stable, Mach/Oesch (2003: 5) point out the process of change in recent times: “Although the degree of coverage only decreased slightly with collective agreements, the Swiss social partnership has come under a lot of pressure over the last decade. In important branches of industry, collective negotiations on wages and working hours shifted from the branch level to the level of individual businesses, inflation adjustment was abolished and annual working time was introduced. However, the general trend toward decentralisation and deregulation had widely differing effects in the various branches of the economy. While in several branches the negotiating logic was altered fundamentally, stability dominated in other branches”. Häusermann et al. (2004) in particular appear to be convinced that there is a general weakening of corporatist negotiating processes in the sphere of Swiss social policy. They attribute the reduction in corporatist consultation processes in the course of the 1990s to three factors: firstly, the great financial pressure on the social welfare system and the increased ideological polarisation; secondly, the emergence of new social demands, which question the legitimacy of the umbrella organisations and, thus, these organisations’ power to act; and thirdly, increasing media pressure in political decision-making processes, which makes the traditionally closed sphere of corporate negotiations more difficult. For recent times, Oesch (2007: 362) favours a differentiated assessment of weakened corporatist arrangements: “In the field of industrial relationships the decentralisation of wage negotiations from the branch level to the level of the individual business, as well as the individualisation of wage policy, has led to working conditions being defined solely by the companies in a growing sector of the economy. However, what speaks against a general reduction in supra-company coordination is that, with regard to the introduction of the free movement of persons with the EU, collective agreements have been rediscovered as a means of regulating”.¹¹

¹¹ Armingeon (by e-mail, 20.9.2006) shares Oesch’s view insofar as he would, in the international comparative context, still place Switzerland at the pinnacle in terms of the concertation of private and public policies. At the same time, however, he is convinced that the trade unions and

The classification of Switzerland undertaken here for the period 1997 to 2007 according to the three dimensions and eight indicators of Siaroff (1999) makes clear that some individual features have remained stable, while others have changed and the ongoing controversy among Swiss corporatism researchers is obviously linked with the varying weighting of individual aspects. The first area, “social partnership”, is characterised by relatively high stability with the three indicators “number of strikes, objectives of the trade unions, statutory and state support for interest groups”. While the readiness to take strike action increased slightly during the 1990s, in international comparison it is still very low (Armington/Emmenegger 2006: 12). Little has changed in the fundamental objectives of the Trade Unions either and the formal involvement of the professional associations in the pre-parliamentary consultation procedure, which, following the complete revision of the Federal Constitution, is now anchored in Art. 147 of the Constitution. In contrast, in the second area, “industrial relationships” (strength of the economic ties between businesses, involvement at work), there has been an obvious process of change. The study by Schnyder et al. (2005: 40) points out that between 1990 and 2000, there was a marked decrease in relationship networks within Swiss companies. “The very clear decline in (Swiss company) network integration from 1980 on, and especially from 1990 onwards, is to a considerable extent due to the decreasing involvement of banks in industrial companies, an involvement that had constituted the backbone of the Swiss company network for the greatest part of the 20th century. However, the altered position of banks in the network does not fully explain all the changes. In fact, the number of ties between industrial companies also declined”. Schnyder et al. (2005: 53) describe the significant manifestations of decline in general as “the harbinger of a more general revolution in the Swiss company, i.e. the emergence of a liberal, exit-based, rather than a voice-based, corporate governance system”.

Certain changes have also taken place in the third area, which encompasses the general pattern of policy-making between state players and social partners in the national arena in issues of national economic policy and wage-fixing. Thus, for recent times, the findings of Häusermann et al. (2004: 51) in particular indicate that, despite the constitutional standing of the consultation procedure, involving the interest groups in Swiss social policy, the decisive phase of policy formulation has shifted more from the pre-parliamentary arena of interest groups to the parliamentary arena of the parties. The authors see a general weakening of the concerted practice mechanisms on the national level in Switzerland since the 1990s and point out that parliament has thus assumed the role played in the past

the corporate associations have lost the power to integrate and disputes in the media now more controversial than was previously the case.

by the corporatist players at the policy-formation phase (Häusermann et al. 2004: 51).

The placement of Switzerland (1997-2007) on the Siaroff index (1999) based on eight indicators, results in a value of 3.375 in comparison to 4.375 for the period from 1971 to 1996. On the (inverse) Lijphart-scale (0-4), this results in a shift of 1.0 (respectively 0.625) to 1.625. Overall, the moderate liberal-corporatist interest groups system in Switzerland thus displays more pluralist features, in particular with regard to the high degree of decentralisation and deregulation in industrial relationships, as well as the dilution of the normative character of collective agreements. The formal integration of interest groups into the political decision-making process continues to be widespread, although its actual influence in individual policy fields has recently decreased slightly.¹²

3.2.6 Centralization of Authority

The vertical division of power between the central state and the member states constitutes the sixth criterion and the first feature of the federal-unitary dimension. In international comparison, Switzerland is seen as one of the most federal countries, whose sub-national entities are among the most influential member states in relation to the central state (Armingeon 2000, Elazar 1997, Vatter 2006a, Watts 1999). Rentsch (2002: 403) even describes Switzerland as an exemplary representative of developed “bottom-up federalism” and “an extreme case of federalism in international comparison”. The broad autonomy and the equality of the cantons, as well as their involvement in the decision-making of the Federal Authority and the obligation for the two levels to cooperate constitute the most important core elements of the Swiss Federal State. These features are afforded a prominent position in the Swiss Constitution (Art. 1 and 3). The guiding principle of cantonal autonomy is set forth in Article 3 of the Swiss Constitution. Proceeding from the basic principle of cantonal sovereignty, this subsidiary blanket clause states that all state tasks that are not explicitly allocated to the federal authority automatically fall within the ambit of the cantons. New powers for the federal authority can only be established through a revision of the Federal Constitution and are subject to the “double majority requirement”, necessitating a majority both in a popular vote and a cantonal vote. With the acceptance of the new arrangements for fiscal equalisation and the equalisation of burdens in the popular vote of November 2004 an important step towards a more pronounced division of tasks between the federal authority and the cantons and the financing thereof was

¹² The majority of the experts interviewed confirm this evaluation, whereby they do not make specific placements on the Lijphart scale (or, as the case may be, on the Siaroff scale).

finally taken. The objective of this measure was to further strengthen cantonal independence (Vatter 2006a).

A series of vertical institutions facilitate the cantons' influence in the federal authority, strengthen their autonomy and shift the power relationships in the political decision-making process in favour of those cantons with smaller populations. The two most important of these institutions are the requirement of a cantonal majority for constitutional amendments, and certain state treaties, as well as the Council of States, the second chamber of the federal parliament, which has equal rights. The cantons are furthermore involved in the entire political cycle: they participate in policy formulation (consultation process) and are essential to the implementation of policy.

On the whole, the institutional architecture of federalism and the allocation of areas of competence have changed little in the history of the Swiss federal state, in contrast to the actual social and economic conditions. Relevant cleavages no longer follow the boundaries between cantons and the cantons have become even more pronouncedly diverse than they were at the time of the establishment of the federal state (Vatter 2006a). Despite current difficulties, the state structure, based on the basic organisational principle of the independence of the 26 cantons, today continues to be one of the central features of the political system in Switzerland, whereby some observers even see federalism as *the* central element of the Swiss political system and in particular *the* identity-giving political structure as protection of their multicultural society (Neidhart 2002a: 124, 2002b).

In international comparison, Switzerland is seen not only as a perfect example of a particularly federal state, but also a prime specimen of a state with a particularly strong degree of decentralisation. Rodden (2004: 483ff.) shows in his international comparative study for the 1990s, that – measured using a number of indicators – Switzerland is still one of the most decentralised countries. The most commonly used indicator – that of fiscal decentralisation¹³, even places Switzerland first among around 40 countries. Furthermore, as Linder (2005: 154) points out, of the federal states, Switzerland has the most decentralised income and expenditure structure. This position is also apparent in the long-term – after all, the degree of decentralisation in Switzerland has increased even more in the last few decades. “None of the indicators (...) indicates centralisation in the period since 1950. On the contrary: the share of the Federal Authority in overall revenue of the public authorities fell from 47 percent to less than 40 percent, primarily in favour of the cantons, which today, with almost 50 percent, claim the largest share of public income and expenditure” (Linder 2005: 152). The most recent developments on the whole make clear that no change to the placement of Switzerland on

¹³ Fiscal decentralisation is measured in terms of the relationship between public spending and revenue, or taxes, between the central state and the member states (Rodden 2004).

Lijphart's (1999: 188) federalism index is appropriate. Switzerland therefore also takes the value 5.0 on the index, which ranges from 1 (unitary and centralised) and 5 (federal and decentralised), for the period from 1997 to 2007.

3.2.7 Legislative Chambers

The second feature of Lijphart's (1999) federal-unitary dimension is the division of power within the parliament. While the Westminster model is characterised by the concentration of power in a unicameral system, the consensus model has a bicameral system with two parliamentary chambers with equal rights but varying composition. Lijphart's (1999) two criteria for categorising the cameral structures of a country into one of four categories are, firstly, the extent of powers pursuant to the constitution (symmetry) and secondly the design of the procedure by which members of the second chamber are elected (congruence). Lijphart (1999: 206) assumes that the influence of the second chamber is greatest where it has the same constitutional powers as the elected chamber, but differs markedly from the first chamber in terms of composition. Conversely, weak second chambers are characterised by restricted powers and a similar composition to the first chamber. Overall, Lijphart (1999: 200ff.) differentiates between unicameral systems and between weak, moderately strong and strong bicameral systems. Accordingly, his index encompasses values from 1 to 4.

The Swiss federal state has a bicameral system with a chamber representing the electorate (the National Council) and a chamber representing the cantons (Council of States). The two chambers are equal in terms of their powers, which is one of the core features of the cantons' influence on decision-making in the federal authority (Vatter 2006a, b). While until into the 1970s the Councillors of State in individual cantons were elected by the cantonal parliament, today they are elected directly by popular vote. In contrast to the National Council, whose representatives are appointed according to the PR system, the majority system applies in all cantons with the exception of Jura. Unlike Germany, for instance, where the Chamber of States is composed of representatives of regional government with a fixed mandate, the Swiss Council of States vote as delegates of the cantons, like the senators in the USA, without a mandate and represents the population of the member states (so-called '*senate model*'). Accordingly, empirical studies (Wiesli/Linder 2000) point out that the interests of the cantons in the Council of States are hardly expressed differently than in the National Council, and for this reason the Council of States fulfils its function of member state representation to a limited extent only. In practice, cooperation between the two Councils has proved relatively free of conflict and holds only a slight potential for blockades. According to evaluations of the reconciliation of interests proceedings between 1875 and 1989 (Huber-Hotz 1991), in the great majority of cases the

National Council and Council of States were able to reach agreement after just one meeting in each case. Even if the proportion of proposals in which both councils reached different decisions has continued to decrease since 1972, the behaviour of the two chambers differs in several points. The Council of States acts more as the “legal conscience” and in economic issues decides in a more liberal fashion than the National Council. On the basis of various studies (Jegher/Lanfranchi 1996, Vatter 2006b, Wiesli/Linder 2000) it can be concluded that while in the Council of States the central function of member state representation has increasingly taken a back seat, at the same time, in case of doubt amendments with a federalist motivation are more likely to originate from the council chamber, which in the majority of cases decides less centralistically than the National Council. Furthermore, some observers confirm that it exercises other second-chamber functions, such as ensuring “technically” correct legislation and strengthening consensus politics through the double consultation procedure (Huber-Hotz 1991).

Even if, in practice, the second chamber of parliament only indirectly contributes to the strengthening of the representation of cantonal interests, taking into account the two criteria put forward by Lijphart (1999), i.e. on the basis of the legal equality of the two chambers (symmetry) and the differing electoral systems in the first and second chambers (incongruency), Switzerland can still be described as a very pronounced bicameral system (4.0). Recent international comparative studies (Vatter 2005) confirm this view.

3.2.8 Constitutional Rigidity

The eighth criterion set by Lijphart (1999) deals with how difficult it is to amend the constitution. If the constitution can be amended by way of a simple majority decision in parliament, this is an indication of a majoritarian democracy. If, on the other hand, qualified majorities are needed for a constitutional amendment, this denotes a rigid constitution with developed minority rights, which is seen as an indicator of a consensus democracy. Lijphart’s (1999) index of constitutional rigidity features four basic types, based on the majorities required for a constitutional amendment, with the value 1.0 for the group of particularly flexible constitutions (simple majority), 2.0, which requires the agreement of more than a simple majority but less than two thirds, 3.0, in which a two-thirds majority is needed and 4.0 for constitutional amendments that demand majorities of more than two thirds (Lijphart 1999: 219).¹⁴

¹⁴ Lijphart makes certain adjustments to this classification. Thus, he argues that the majorities required for a constitutional amendment in majority systems are more easily attained than in proportional electoral systems due to the electoral disproportionality found in such systems. This is why Lijphart (1999: 220) in each case classifies the countries with majority systems on a level lower in each case. Insofar as a constitution provides for various methods of constitutional

Since 1874 in Switzerland, the agreement of both the majority of the voting population and a cantonal majority have been necessary to amend the constitution (so-called popular and cantonal majority). Due to these high hurdles for constitutional amendments Lijphart awards Switzerland the maximum value of 4.0. Even in the course of the complete revision of the federal constitution, this consent requirement was not altered in any way, despite the fact that the increasing disparity in population between the small cantons and the large cantons in the course of the 20th century had led to the number of no-votes capable of defeating a constitutional amendment due to the double majority requirement, to fall. This so-called “smallest theoretical barring minority”, today lies – insofar as the no-votes are distributed optimally throughout the small cantons – at around nine percent of those entitled to vote; the actual barring minority is between 20 and 25 percent (Germann 1994). A further reason for the increasing risk of collisions between the electorate and the cantons is the steady rise in double majority votes. While from 1951 to 1969 only 46 constitutional referenda were held, between 1970 and 1990 there were 113. This trend has continued over the last few years. Thus, the voting population were faced with around 70 double majority votes between 1991 and 2000 alone.

Since 1848 a total of eight constitutional reforms were defeated by the double majority requirement, six of them in the last 35 years. With the areas tenant protection, finances, education, economic situation, energy, cultural and immigration policy these related to important issues of Swiss politics in the post-war period, whereby the most recent cases concerned important articles of the constitution. While at the end of the 1980s Wili (1988: 240) concluded that an exclusive cantonal veto for constitutional amendments usually develops a delaying effect but not a permanent effect, because in most cases the rejected proposals were re-submitted to the electorate and the cantons in a modified form a relatively short time later and, mostly, were successful, following the constitutional referenda of recent times this view appears too optimistic (Vatter 2006a).

More recent studies analysing the conditions and consequences of constitutional amendments in an international comparative context are based in part on personal quantitative indices of constitutional rigidity (e.g. Lutz 1994), whereby the most differentiated and up-to-date index is that put forward by Lorenz (2005).¹⁵ In contrast to Lijphart (1999), Lorenz (2005) takes into account not only the majority requirement in each case, but also the various voting arenas and the

amendment, Lijphart in his classification follows the most flexible alternative. If, in contrast, for various sections of the constitution different majorities are required for amendments, Lijphart considers the majorities for the amendment of the most fundamental constitutional provisions to be decisive.

¹⁵ Lorenz (2005) discusses the strengths and weaknesses of the existing concepts for measuring constitutional rigidity and, based on this, develops a new index.

different players necessary for a constitutional amendment to be approved; that is, for instance, the need for double votes in bicameral parliaments or the need for an additional referendum. The index value of the respective country is the result of adding the points awarded for the individual votes (Lorenz 2005: 346). For the study period 1993-2002 Switzerland is given 7 of a maximum of 9.5 points and thus, among 39 democracies, takes joint eighth place with Canada and Chile. Only in the USA, Belgium, Bolivia, Australia, Denmark, Japan and the Netherlands is it more difficult, according to Lorenz (2005: 358), to amend the constitution. While this result is more differentiated than that reached by Lijphart (1999), it confirms that for recent times also Switzerland belongs to the leading group of countries with the highest barriers to constitutional amendments. Accordingly, on the Lijphart-scale of constitutional rigidity, Switzerland still takes the value 4.0.

3.2.9 Judicial Review

Lijphart's (1999: 216ff.) ninth variable deals with the issue of whether the constitution of a country is subject to judicial examination, i.e. whether there is a court with legislative supremacy regarding the constitution, or whether this power lies with parliament itself. The existence of a judicial review instance, such as an independent constitutional court, is an indicator of a consensus democracy, while the lack of a non-parliamentary instance of this kind is seen as a feature of a majoritarian democracy. On the basis of the two criteria "existence or lack of constitutional judicial review" and "active or passive constitutional judicial practice", Lijphart's (1999: 225ff.) index on judicial review distinguishes four categories. The minimum value of 1.0 is awarded to countries with no constitutional court system, while states with an active constitutional court system with far-reaching powers are given the maximum value of 4.0. Due to the lack of a constitutional court system, Lijphart (1999: 230) awards Switzerland the value 1.0: "(T)he absence of judicial review is the only majoritarian feature in an otherwise solidly consensual democracy".

For recent times the question is whether, following the reorganisation of the federal justice system and the practice of the last few years, the political system in Switzerland still lacks a system of constitutional review. The judicial reform, accepted by the electorate in March 2000 with a large majority (84 % yes-votes), resulted in a restructuring of the court system at the federal level and made a crucial contribution to the autonomisation, simplification and differentiation of federal court organisation (Kälin/Rothmayr 2006). The creation of a federal administrative court, which has been reviewing the decisions of the federal administration since 2007, and a federal criminal court, which has had competence in the first instance for criminal cases since 2004, are particularly noteworthy. Both are allocated to federal jurisdiction by statute. "Through the creation of new instances

on the federal level two central targets of judicial reform were implemented: the relief of the strain on the federal court and thus the maintenance of its ability to function as the highest court and the expansion of legal protection” (Kälin/Rothmayr 2006: 181). However, even in the course of the most recent constitutional and judicial reforms, no formal constitutional court system was introduced. It continues to be the case that the federal court cannot revoke laws passed by the parliament, but rather is required to apply them (Art. 191 Swiss Constitution). This is in spite of the fact that the parliamentary commissions that provided advice in advance of the complete revision of the constitution proposed the introduction of a concrete review of federal laws and both parliamentary chambers originally also approved this suggestion. Fears of the rejection of the entire judicial reform in a popular vote, however, led in the National Council and the Council of States to the suggestion of the introduction of a constitutional court system being seen as a restriction of direct democratic popular sovereignty, or of parliamentary supremacy, and the proposal was withdrawn as a result.¹⁶ Nevertheless, Kälin/Rothmayr (2006) point out that the constitutional jurisdiction in respect of federal laws to some extent is already a reality. Since 1991, the federal court has been prepared to review the ECHR-compatibility of federal statutes (Rothmayr 2001). This means that in the area of basic rights, a considerable degree of constitutional judicial review in fact exists with respect to federal laws, because the guarantees set forth in the ECHR overlap extensively with the basic rights anchored in the constitution. However, Kälin/Rothmayr (2006: 186) conclude that although “limited scope for review by a constitutional court” cannot, in general, be equated with a low level of political influence, from a comparative perspective, the typical features of the Swiss political system suggest a modest level of judicial activism, albeit that a growing influence of the federal court on political decisions¹⁷ and in general “a trend of judicialisation in Switzerland” (Rothmayr 2001: 91) has recently become apparent. In summary, today, Switzerland is characterised by limited judicial review (Kälin/Rothmayr 2006). While, on the one hand, the federal court lacks the important power to prohibit the application of federal laws that do not comply with the constitution, on the other hand it has various options for constitutional judicial review. For example, since 1874 the federal court has been able to abolish cantonal laws (formal laws, ordinances, communal decrees) and ordinances of the Federal Council (and the Federal Assembly) on

¹⁶ While for a long time the Council of States supported a concrete right of review by a constitutional court in the course of judicial reform, the National Council resisted even at the beginning of the parliamentary debate (Rothmayr 2001: 81).

¹⁷ “The discussion of the influence of the Court has so far revealed that it played an active role in interpreting fundamental rights, generally broadening the access to the court and in reinterpreting the constitutional provision which obliges it to apply federal and international law” (Rothmayr 2001: 88).

grounds of breach of the constitution and has often made use of this power (Kälin 2001). For several decades it has also examined whether federal laws are unconstitutional, although it is nevertheless required to apply these laws, even in the event that they are in breach of the constitution (Art. 190/191 Swiss Constitution).¹⁸ Finally, since the beginning of the 1990s it has examined federal laws in terms of their compliance with the ECHR and can prohibit their application in the event that they do not comply with the ECHR, meaning that due to the far-reaching (but not complete) conformity of the ECHR with the basic rights set forth in the Swiss constitution, has led to a certain extent to the introduction of constitutional judicial review. International comparative studies confirm the existence of a limited but rudimentary constitutional court system in Switzerland. Accordingly, Alivizatos (1995: 575) in his index, which is similar to Lijphart's, with the same range of values from 1 to 4, gives Switzerland the value 2¹⁹ and Lhotta (2001), taking into account the decentralised judicial review, classifies Switzerland as having a mid-range constitutional court system. Based on the explanations set forth above and the independent assessment given by the experts questioned on this issue, for the most recent period on the Lijphart-scale Switzerland is a country with a weak form of judicial review, which corresponds to the value 2.0 (weak judicial review).

3.2.10 Central Bank

Lijphart's (1999: 232ff.) tenth feature deals with the central bank and the degree of its independence vis-à-vis other state players, in particular the government and the parliament. A central bank that acts autonomously corresponds to the power sharing logic of a consensus democracy, while an issuing bank that is influenced to a considerable degree by the executive follows the principle of the concentration of power in a majoritarian democracy. To measure central bank autonomy, Lijphart (1999: 233) brings in three quantitative indicators, whereby he considers the "index of legal central bank independence" developed by Cukiermann et al. (1994) in particular as valid for the period from 1950 to 1989.²⁰ On the basis of

¹⁸ Experts do not in this connection speak of a prohibition on review, but rather an application instruction. The federal court can by all means hold that there have been breaches of the constitution, yet it cannot prohibit use and can at most hope that the legislature will take action.

¹⁹ Alivizatos (1995: 574) justifies the value classification for Switzerland as follows: „Although judicial review of federal legislation is constitutionally prohibited, the Swiss Federal Tribunal has developed important constitutional jurisprudence through the control of cantonal legislation and administrative action (...); in this sense, it functions as a quasi-constitutional court”.

²⁰ The second indicator is that put forward by Grilli et al. (1991) regarding the political and economic independence of central banks in 18 countries. The third indicator is the average period of office of the president of the central bank, which is used for those countries for which no other

the mid-range values of the three (respectively two) indicators, he categorises the 36 democracies for the period. According to both Cukiermann et al. (1994) and Grilli et al. (1991), Switzerland has one of three most independent issuing banks in democratic states in the post-war period. Accordingly, for Lijphart (1999: 236) in terms of its degree of autonomy the Swiss National Bank (*Schweizerische Nationalbank*, SNB) takes second place behind the German Federal Bank.

With regard to recent developments, the issue is whether the complete revision of the Swiss National Bank Act, which entered into force in 2004, has led to a strengthening or weakening of the independence of the SNB vis-à-vis the Federal Council and parliament. The objective of the new National Bank Act was primarily to define the National Bank's duties in more detail and to clarify unresolved issues, such as formally establishing the Bank's independence, formulating its mandate in concrete, precise terms and regulating the distribution of profits and gold reserves. In addition to clarifying these issues, the revision also dealt with the adjustment of monetary policy instruments available to the central bank for its currency and monetary policy, as well as with the reform and streamlining of the internal organisational structure.²¹ Another factor was that the old National Bank Act from the year 1953 was seen as outdated and no longer corresponded with the new articles on monetary policy in the constitution. The more detailed definition of the SNB's independence in the new Act, specifically that it is prohibited from accepting instructions from third parties, is particularly relevant in the present connection. The corresponding article in the new National Bank Act (Article 6) states: "When exercising monetary policy tasks (...) the National Bank and the members of its governing bodies may not seek or accept instructions from the Federal Council or from the Federal Assembly or from other bodies". As a counterpart to this independence, the new act (Art. 7) requires that the SNB provide an annual report and information on its monetary policy to the Federal Council, the parliament and the public.

In summary, it is apparent on the one hand that the new act has strengthened the formal independence of the SNB, since the previous act did not explicitly refer to this at all, although, in fact, the SNB's position was extremely independent even then, as international comparative studies confirm (Cukiermann et al. 1994, Eijffinger/de Haan 1998, Freitag 1999, Grilli et al. 1991). On the other hand, the SNB's independence was also restricted by the new three-part accountability and information obligations, as well as the through the much more precise definition of the SNB's duties, as set forth in the fully revised Act. However, categorising Switzerland for the period 1997 to 2007 in terms of the four dimensions of Cuk-

values are available. Lijphart (1999: 235) considers this indicator to be particularly suitable for developing countries and does not use it when examining Switzerland.

²¹ Thus, for example, the number of Bank Council members was reduced from 40 to eleven.

iermann et al. (1994)²² for measuring the “legal independence of central banks” and the 16 variables derived therefrom, as well as the “index of political and economic independence” developed by Grilli et al. (1991), clarifies that, according to these indicators, little has changed in the SNB’s degree of independence. Pursuant to the new statutory provisions, the SNB is given the maximum value for the majority of the variables. The bank’s independence is still most likely to be affected by the fact that the Federal Council elects the majority of the Bank Council members²³ and all of the members of the Management Committee. The difference from the earlier provisions is primarily that both the formal independence of the SNB and the restrictions on this independence are explicitly governed and defined in detail in the new National Bank Act, which was not the case previously. The calculated averages of the two very similar indices for measuring central bank independence by Cukiermann et al. 1994 and Grilli et al. 1991 results for the SNB for the new research period (1997-2007) - and transformed into the Lijphart-scale – in exactly the same value as Lijphart (1999: 314) calculated for the period 1971-1996, namely 0.63. In addition, the present value was validated by calculating the degree of independence of the SNB on the basis of Sousa’s (2003) “alternative legal independence index”, which is based on nine indicators concerning staff-related, political, economic and financial dimensions of central bank independence. The value calculated here, following the necessary transformation to fit the Lijphart-scale, also results in the value 0.63. Finally, Sousa (2003), other recent studies (Arnone et al. 2006, Baltensperger et al. 2007, De Haan et al. 2003, Freitag 2001, Schweizerische Nationalbank 2007) and the experts interviewed all confirm that in an international comparative context, the SNB is still one of the most independent central banks.

4. Switzerland’s altered position (1997-2007) on Lijphart’s map of democracy

One of the strengths of Lijphart’s (1999) concept of democracy is that the democracies are depicted on the majoritarian-consensus axis and, thus, can be located empirically. On the basis of the ten main features of consensus and majoritarian democracies, Table 3 shows the new values for Switzerland for the period from 1997 to 2007 and compares these to Lijphart’s (1999: 312ff) two earlier periods.

²² The four dimensions for measuring the degree of central bank independence are a) the provisions on the appointment, dismissal and period of office of the president of the central bank, b) the rules on conflict resolution and participation (policy formulation), c) the criteria for setting objectives and d) the criteria on taking on debt.

²³ The Federal Council appoints six of the members of the Bank Council (including the president and the vice president). Five members are appointed by the general meeting.

The values for the first (executives-parties) and second (federal-unitary) dimensions of democracy are shown in italics. The executives-parties factor constitutes a standardised average value of the standardised values of the first five indicators in each case, while the federal-unitary value represents the corresponding average value of the remaining five variables. The data was standardised using a z-transformation, as performed by Lijphart (1999), so that the information can be compared.

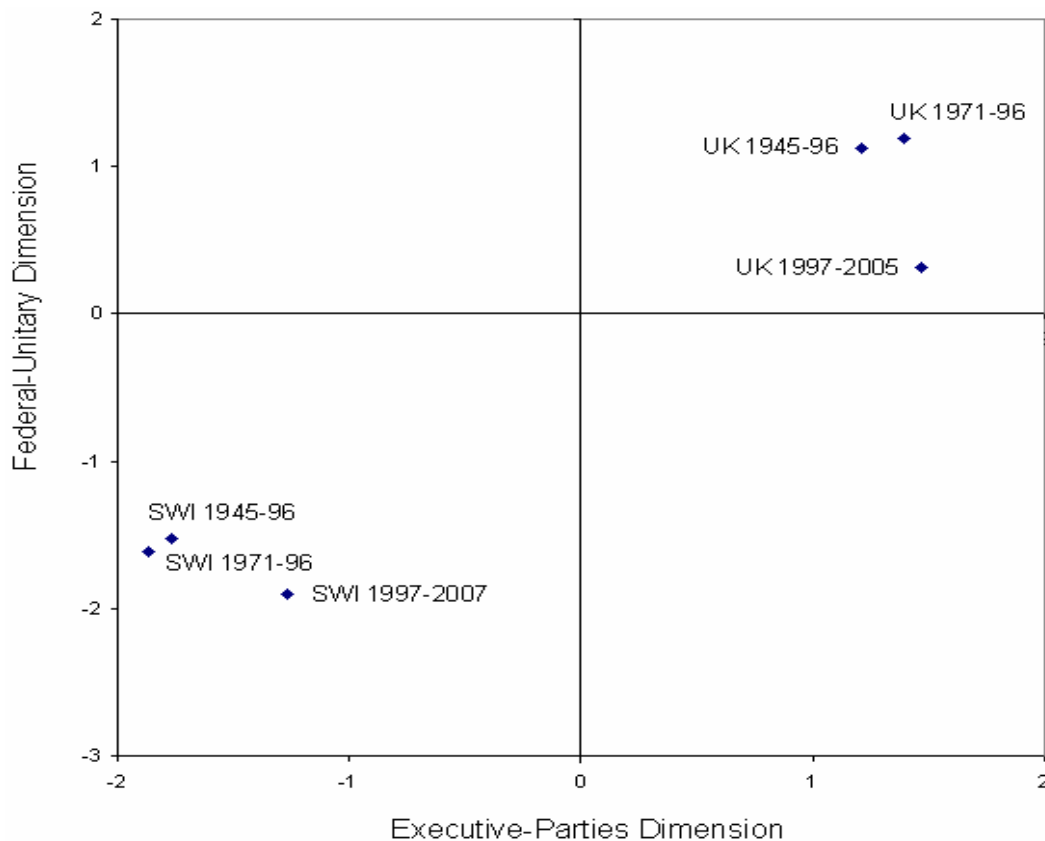
Table 3: Swiss Democracy 1997-2007: A classification according to Lijphart

Feature	Form of Consensus	1945-1996	1971-1996	1997 - 2007	Conclusion
Party system	Multi-party system	5.24	5.57	5.17	Slightly more majoritarian
Government formation	Multi-party coalition	4.1	0	0	No change
Executive-legislative relation	Balanced E-L relationship	1.0	1.0	2.06	Slightly more majoritarian
Electoral system	Proportional representation	2.53	2.98	3.51	Slightly more majoritarian
Interest group system	Corporatist interest group system	1.0	1.0	1.63	Slightly more majoritarian
1st Dimension	<i>Executive-parties (divided power)</i>	<i>1.77</i>	<i>1.87</i>	<i>1.39</i>	<i>Slightly more majoritarian</i>
Central state-member states	Federal and decentralised	5.0	5.0	5.0	No change
Legislative chambers	2 nd chamber with equal rights	4.0	4.0	4.0	No change
Constitutional amendments	Qualified majority required for constitutional amendment	4.0	4.0	4.0	No change
Judicial review	Constitutional judicial review	1.0	1.0	2.0	Slightly more consensual
Central bank	Independent Central Bank	0.60	0.63	0.63	No change
2nd Dimension	<i>Federal-unitary (joint power)</i>	<i>1.52</i>	<i>1.61</i>	<i>1.81</i>	<i>Hardly any change</i>

In a next step, Switzerland's change in position can be shown on a diagram using the two basic political-institutional dimensions in the form of a two-dimensional system of co-ordinates on Lijphart's (1999: 248) map of democracy. The two power-sharing dimensions are recorded using the two additional index values (see

Tab. 3), which are entered on the political-institutional system of co-ordinates. For the purposes of comparability and illustration, Figure 1 also shows the shift in position for Great Britain, the prime example of a majoritarian democracy, on Lijphart's (1999) map. The values for Great Britain are based on an in-depth case study by Flinders (2005), which, analogously to the present case study of Switzerland, re-coded Lijphart's (1999) ten features of democracy for the period from 1997 to 2005.

Figure 1: The changes in position of Switzerland and Great Britain on Lijphart's (1999) map of democracy



In summary, with regard to the period directly preceding (1971-1996) two different developments in the Swiss model of democracy can be seen for the last decade.²⁴

- In the horizontal dimension of power division (executives-parties) overall, a move away from the extreme type to the normal case of a consensus democracy is apparent. Four of the five indicators display slightly more majoritarian features than in the period from the 1970s to the mid-1990s. Although the changes in the indicator values are not very pronounced in individual cases, the overall concerted movement of the individual power-sharing features has led Switzerland to lose its former lead-position as an extreme example of a consensus democracy (see also conclusions). The increased degree of disproportionality in the PR electoral system, the decreasing fragmentation of the party system, the stronger position (according to new measurement) of the executive vis-à-vis the legislative and the increasingly pluralistic features of the interest group systems mean that, today, Switzerland falls behind Belgium, Denmark and Finland of the 1970s to 1990s in terms of the first dimension. The extent of the transformation in the first dimension also becomes clear in the fact that the change between the two periods 1971-1996 and 1997-2007 is considerably greater than between the longer periods 1946-1971 and 1971-1996.
- Another development can be seen in the vertical dimension of power-sharing, which overall is characterised by high stability. For recent times also, Switzerland corresponds to a developed federal state with a powerful second chamber, high hurdles for constitutional amendments and a very independent Central Bank. The development of the limited constitutional court system in the course of the 1990s furthermore strengthened the dispersion of power in the second dimension. While Switzerland does not reach the top values of Germany and the USA of the 1970s to 1990s here, with regard to the federal division of power it is on a par with Canada during the 1970s to 1990s.

²⁴ In methodical terms there are two problems when analysing changes in position. First, it cannot be excluded that the shifts are influenced not only by the actual political-institutional change but also by the new measurement of the executive-legislative relationship. Second, due to a lack of up-to-date data for the other states (which are not shown here) it is implicitly assumed that their positions on the map have not changed.

5. Conclusions

Comparative democracy research has shown Switzerland, at the latest since the analyses by Lehmbruch and Lijphart to be a paradigmatic case of a power-sharing democracy. For years, Switzerland has occupied the top place, unchallenged, among consensus democracies, thereby representing one extreme on the continuum of majoritarian and consensus democracies (Lijphart 1984, 1999, Vergunst 2004). The present re-analysis of Lijphart's (1999) seminal study for Switzerland from 1997 to 2007 leads to the conclusion that the described changes on the political-institutional level have led recently to the formation of a consensus democracy, which, from a comparative perspective, shows pronounced elements of assimilation and normalisation of the original special case of Switzerland, to come in line with the other continental European negotiating democracies. The direct comparison with Belgium, which, according to Lijphart (1999: 34ff.) is the other prime example of a consensus democracy, clarifies this development (see also Deschouwer 2006). In Belgium from 1971 to 1996, the degree of fragmentation in the party system was slightly lower than in Switzerland - the average (effective) number of parties in the most recent decade increased from 5.49 to 8.16, but in Switzerland it decreased slightly from 5.57 to 5.17.²⁵ The relative increase, in comparison to earlier periods, in the number of coalition parties in the Belgian government, the smaller degree of disproportionality in the electoral system, and the ongoing high level of interest group corporatism ultimately led to Belgium replacing Switzerland in the position of a prototype of a consensus democracy on the horizontal power-sharing dimension. The simultaneously diminishing number of parties in Switzerland, the increased disproportionality of the electoral system and the growing decentralisation and deregulation in the state-interest group relationship make it clear that Switzerland is on the way to becoming a "normal" consensus democracy. This development is accompanied by more critical political disputes in public, increased polarisation between the political camps in parliament and a weakening of cooperative striving for consensus as the traditionally dominant method of negotiating in government. The self-declared exit of the SVP from government and its move to parliamentary opposition after its leader Christoph Blocher was not re-elected in December 2007 in particular has led many different observers to claim the destruction of the foundations of Swiss consociational democracy, with its well-balanced compromise-seeking processes.

From a political-institutional point of view, these doubts appear unwarranted. Obvious changes have taken place in the political institutional structures over the last decade - as expressed in the decreasing fragmentation and increasing

²⁵ Paying particular attention to the party structure is an option because the number of parties is often seen as "(...) a proxy for the feasibility of majoritarian politics" (Armingeon 2004: 219).

polarisation in the party system; in the rise of the SVP, acting in the classic oppositional style as the most powerful party; the government acting less and less like a cooperative body; and in the increasingly pluralistic interest group system. At the same time, however, the present analysis clearly demonstrates that the Swiss democracy is by no means about to become a classical majoritarian democracy. Switzerland is still a long way away from this and, furthermore, the barriers to any change towards a Westminster system are, as is generally known, high and multi-faceted in the Swiss referendum democracy, in which, due to way the system is designed, the voting public takes on the role of the opposition (Germann 1975, 1994). Instead, it is apparent that at the beginning of the 21st century Switzerland is on the way to becoming an average consensus democracy, which, while it is increasingly subject to competitive democratic framework conditions, such as growing political polarisation and a more confrontational style of conflict resolution in government and parliament, in essence still displays the central defining features of a *consociational democracy*, such as a multi-party government, developed regional autonomy, the crucial importance of the proportional division of power and a strong minority veto in the form of the Council of States and the double majority. Although consociationalism, with more developed competitive conditions, may be a new and unusual experience for Switzerland, from an international comparative perspective this represents nothing more than a convergence with the other continental European negotiating democracies, so that in the future Switzerland will be seen more as a standard example – rather than as an extreme special case – of a consensus democracy.

What remains to be seen in the future, however, is how Swiss politics will deal with the challenge of two increasingly different approaches – on the one hand, bipolar competition between parties, with the aim of conflict and the more plural interest-group structures; and on the other, the institutions of consociationalism and federalism, which traditionally aim for consensus and cooperation. These two approaches are clearly at odds. But here, also, Switzerland is not a special case. More than thirty years ago, Gerhard Lehmbruch (1976) identified obvious shifts in the institutional structure of the Federal Republic of Germany between its federal structures, characterised by pronounced negotiating logic of cooperating, and the bipolar logic of competition, which had asserted itself in the party system. For future research into Swiss politics it will therefore be helpful to look at the German experiences in this area of conflict.

Annex 1: List of experts interviewed

Legislative-executive relationship:

Martina Flick, Ruth Lüthi, Daniel Schwarz, Reto Wiesli

Interest groups:

Klaus Armingeon, Sven Jochem, André Mach, Daniel Oesch

Constitutional judicial review:

Walter Kälin, Christine Rothmayr Allison

Central bank:

Ernst Baltensperger, Markus Freitag

Bibliography

- ALIVIZATOS, Nicos C. (1995). Judges as Veto Players, in: DÖRING, Herbert (ed.). *Parliaments and Majority Rule in Western Europe*. New York: 566-589.
- ARMINGEON, Klaus (1997). Swiss Corporatism in Comparative Perspective. *West European Politics* 20 (4): 164-179.
- ARMINGEON, Klaus (2000). Swiss Federalism in Comparative Perspective, in: Ute Wachendorfer-Schmidt (ed.). *Federalism and Political Performance*. London: 112-129.
- ARMINGEON, Klaus (2003). *Das Parteiensystem der Schweiz im internationalen Vergleich. Eine Studie mit Daten der Nationalratswahlen 1971-1999*. Neuenburg: BBL.
- ARMINGEON, Klaus (2004). Institutional Change in OECD Democracies, 1970-2000, *Comparative European Politics* 2: 212-238.
- ARMINGEON, Klaus and EMMENEGGER, Patrick (2006). *Wirtschaftspolitik in der Schweiz, Die Erosion eines Modells*. IPW: Bern.
- ARNONE, Marco, LAURENS, Bernard; SEGALOTTO, Jean-François (2006). Measures of Central Bank Autonomy: Empirical Evidence for OECD, Developing, and Emerging Market Economies. *IMF Working Paper* 06/228.
- BALTENSPERGER, Ernst; FISCHER, Andreas M. and JORDAN, Thomas J. (2007). Strong goal independence and inflation targets, *European Journal of Political Economy* 23 (1): 88-105.
- BATT, Helge (2005). Die Transformation der Konkordanzdemokratie. Der Schweizerische Bundesrat nach der Modifikation der Zauberformel, *Zeitschrift für Politikwissenschaft* 15 (2): 345-371.
- BLAAS, Wolfgang (1992). The Swiss Model: Corporatism or Liberal Capitalism?, in: Pekkarinen, Jukka, Matti Pohjola, and Bob Rowthorn (eds.). *Social Corporatism. A Superior System?* Oxford: Clarendon Press: 363-376.

- BOGAARDS, Matthijs (2000). The Uneasy Relationship between Empirical and Normative Types in Consociational Theory, *Journal of Theoretical Politics* 12 (4): 395-423.
- BOLLIGER, Christian (2007). *Konkordanz und Konfliktlinien in der Schweiz, 1945 bis 2003*. Bern, Stuttgart and Wien: Haupt.
- BUNDESAMT FÜR STATISTIK (2007). *Nationalratswahlen 2003. Der Wandel der Parteienlandschaft seit 1971*. Neuenburg: Bundesamt für Statistik.
- CHURCH, Clive H. (2000). Switzerland: A Paradigm in Evolution, *Parliamentary Affairs* 53: 96-113.
- CHURCH, Clive H. (2004a). The Swiss Elections of October 2003: Two Steps to System Change?, *West European Politics*, 27 (3): 518-534.
- CHURCH, Clive H. (2004b). *The Politics and Government of Switzerland*. Houndsmill. Basingstoke. Hampshire.
- CUKIERMAN, Alex; WEBB, Steven; NEYAPTI, Bilin (1994). *Measuring Central Bank Independence and Its Effects on Policy Outcomes*. San Francisco: ICS.
- DAALDER, Hans (1971). The Consociational Democracy Theme, *World Politics* 26: 604-621.
- DE HAAN, Jakob, LEERTOUWER, Erik, MEIJER, Erik and WANSBEEK, Tom (2003). Measuring Central Bank Independence: A Latent Variables Approach, *Scottish Journal of Political Economy* 50 (3): 326-340.
- DESCHOUWER, Kris (2006). And the Peace Goes on? Consociational Democracy and Belgian Politics in the Twenty-First Century, *West European Politics* 29 (5): 895-911.
- DÖRING, Herbert (1995). Time as a Scarce Resource: Government Control of the Agenda, in: Herbert Döring (Hg.). *Parliaments and Majority Rule in Western Europe*. Frankfurt am Main: Campus: 223-246.
- DÖRING, Herbert (1996). Parlamentarische Kontrolle in Westeuropa. Strukturen, Probleme und Perspektiven, *Aus Politik und Zeitgeschichte* B27: 42-55.
- DUCHACEK, Ivo (1987). *Comparative Federalism: The Territorial Dimension of Politics*. Lanham.
- EIJFFINGER, S. and DE HAAN, J. (1998). The Political Economy of Central Bank Independence. *Princeton Special Papers in International Economics*, No. 19.
- ELAZAR, Daniel J. (1997). Contrasting Unitary and Federal Systems, *International Political Science Review* 18 (3): 237-251.
- FLINDERS, Matthew (2005). Majoritarian Democracy in Britain: New Labour and the Constitution, *West European Politics* 28 (1): 61-93.
- FREITAG, Markus (1999). *Politik und Währung. Ein internationaler Vergleich*. Bern, Stuttgart and Wien: Haupt.

- FREITAG, Markus (2001). Politische Grundlagen glaubwürdiger Wirtschaftspolitik: Österreich und die Schweiz im internationalen Vergleich, *Österreichische Zeitschrift für Politikwissenschaft* 30 (3): 275-290.
- GALLAGHER, Michael (1991). Proportionality, Disproportionality and Electoral Systems, *Electoral Studies* 10 (1): 33-51.
- GERMANN, Raimund (1975). *Politische Innovation und Verfassungsreform: Ein Beitrag zur schweizerischen Diskussion über die Totalrevision der Bundesverfassung*. Bern/Stuttgart and Wien: Haupt.
- GERMANN, Raimund (1994). *Staatsreform. Der Übergang zur Konkurrenzdemokratie*. Bern/Stuttgart and Wien: Haupt.
- GRILLI, Vittorio; MASCIANDARO, Donato; TABELLINI, Guido (1991). Political and Monetary Institutions and Public Financial Policies in the Industrial Countries, *Economic Policy: A European Forum* 6 (2): 342-392.
- HAEUSERMANN, Silja, MACH, André, PAPADOPOULOS, Yannis (2004). From Corporatism to Partisan Politics: Social Policy Making under Strain in Switzerland, *Schweizerische Zeitschrift für Politikwissenschaft* 10 (2): 33-59.
- HUBER-HOTZ, Annemarie (1991). Das Zweikammersystem: Anspruch und Wirklichkeit, in: Parlamentsdienste (Hg.). *Das Parlament - Oberste Gewalt des Bundes*. Bern/Stuttgart: Haupt: 165-182.
- INSTITUT FÜR POLITIKWISSENSCHAFT DER UNIVERSITÄT BERN (Hg.) (1965ff.). *Année politique suisse/Schweizerische Politik*. Bern.
- JEGHER, Annina (1999). *Bundesversammlung und Gesetzgebung. Der Einfluss von institutionellen, politischen und inhaltlichen Faktoren auf die Gesetzgebungstätigkeit der Eidgenössischen Räte*. Bern/Stuttgart: Haupt.
- JEGHER, Annina and LANFRANCHI, Prisca (1996). *Der Einfluss von national- und Ständerat auf den Gesetzgebungsprozess. Eine Analyse quantitativer und qualitativer Aspekte der parlamentarischen Gesetzgebungstätigkeit in der 44. Legislaturperiode (1991-1995)*. Bern: IPW.
- KÄLIN, Walter (2001). Verfassungsgerichtsbarkeit in: Jean-François AUBERT, Jörg Paul MÜLLER, Daniel THÜRER (Eds.). *Handbuch des schweizerischen Verfassungsrechts*. Zürich: Verfassungsrecht der Schweiz: 1167 – 1181.
- KÄLIN, Walter and ROTHMAYR, Christine (2006). Justiz, in: Ulrich Klöti et al. (Ed.). *Handbuch der Schweizer Politik*. 4th edition. Zurich: NZZ Verlag: 177-199.
- KATZENSTEIN, Peter (1985). *Small States in World Markets. Industrial Policy in Europe*, Ithaca/London: Cornell University Press.
- KLÖTI, Ulrich (2004). Dauer-Wahlkampf und Wandel der Institutionen, *NZZ Dossier* 17: 4-6.
- KLÖTI, Ulrich (2006). Regierung, in: Ulrich Klöti et al. (Ed.). *Handbuch der Schweizer Politik*. 4th Edition. Zurich: NZZ Verlag: 151-175.

- KRIESI, Hanspeter (1998). *Le système politique suisse*. 2nd Edition. Paris: Economica.
- KRIESI, Hanspeter (2001). The Federal Parliament: The Limits of Institutional Reform, *West European Politics* 24 (2): 59-76.
- LADNER, Andreas (2006). Politische Parteien, in: Ulrich Klöti et al. (Ed.). *Handbuch der Schweizer Politik*, 4th Edition, Zurich: Neue Zürcher Zeitung: 317-343.
- LEHMBRUCH, Gerhard (1967). *Proporzdemokratie: Politisches System und politische Kultur in der Schweiz und in Österreich*. Tübingen.
- LEHMBRUCH, Gerhard (1975). Consociational Democracy in the International System, *European Journal of Political Research* 3: 377-391.
- LEHMBRUCH, Gerhard (1976). *Parteienwettbewerb im Bundesstaat*. Stuttgart: Kohlhammer.
- LEHMBRUCH, Gerhard (1979). Consociational Democracy, Class Conflict, and the New Corporatism, in: Schmitter, Philippe C. and Gerhard Lehmbruch (Eds.). *Trends Toward Corporatist Intermediation*. London: 53-62.
- LEHMBRUCH, Gerhard (1993). Consociational Democracy and Corporatism in Switzerland, *Publius: The Journal of Federalism* 23 (2): 43-60.
- LEHMBRUCH, Gerhard (1996). Die korporative Verhandlungsdemokratie in Westmitteleuropa, *Schweizerische Zeitschrift für Politische Wissenschaft* 2 (4): 19-44.
- LIJPHART, Arend (1968). *The Politics of Accommodation: Pluralism and Democracy in the Netherlands*. Berkeley/Los Angeles.
- LIJPHART, Arend (1977). *Democracy in Plural Societies*. New Haven/London.
- LIJPHART, Arend (1984). *Democracies. Patterns of Majoritarian and Consensus Government in Twenty-One Countries*. New Haven/London.
- LIJPHART, Arend (1989). Democratic Political Systems, Types, Cases, Causes, and Consequences, *Journal of Theoretical Politics* 1: 33-48.
- LIJPHART, Arend (1994). Democracies: Forms, performance, and constitutional engineering, *European Journal of Political Research* 25: 1-17.
- LIJPHART, Arend (1997). Reflections: Dimensions of Democracy, *European Journal of Political Research* 31 (1-2): 195-204.
- LIJPHART, Arend (1999). *Patterns of Democracy. Government Forms and Performance in 36 Countries*. New Haven/London.
- LIJPHART, Arend (2003). Measurement Validity and Institutional Engineering – Reflections on Rein Taagepera's Meta-Study, *Political Studies* 51 (1): 20-25.
- LIJPHART, Arend (2007). *Thinking About Democracy. Power Sharing and Majority Rule in Theory and Practice*. New York: Routledge.
- LINDER, Wolf (1998). *Swiss Democracy. Possible Solutions to Conflict in Multicultural Societies*. 2nd Edition. London/New York. MacMillan.

- LINDER, Wolf (2005). *Schweizerische Demokratie. Institutionen, Prozesse und Perspektiven*. 2nd Edition. Bern/Stuttgart. Haupt.
- LINDER, Wolf (2007). Political Culture, in: Ulrich Klöti et al. (eds.). *Handbook of Swiss Politics*. 2nd Edition. Neue Zürcher Zeitung: 16-34.
- LORENZ, Astrid (2005). How to Measure Constitutional Rigidity. Four Concepts and two Alternatives. *Journal of Theoretical Politics*, 17 (3): 339-361.
- LÜTHI, Ruth (2006a). Das Parlament, in: Ulrich Klöti et al. (ed.). *Handbuch der Schweizer Politik*. 4th Edition. Zurich: NZZ Verlag: 125-149.
- LÜTHI, Ruth (2006b). Die Schweizerische BUNdesversammlung: Mit kleinen Reformschritten zu einer unabhängigeren, starken Institution? *Paper presented at the DVPW congress*, Münster September 25-29, 2006.
- LUTZ, Donald (1994). Towards a Theory of Constitutional Amendment, *American Political Science Review* 88 (2). 355-370.
- LUTZ, Georg (2004). Switzerland. Electoral reform from below. The Introduction of Proportional Representation in Switzerland 1918, in: Josep M. Colomer (ed.). *The Handbook of Electoral System Design*. London: MacMillan: 275-290.
- LHOTTA, Roland (2001). Verfassungsgerichte im Wandel föderativer Strukturen – eine institutionentheoretische Analyse am Beispiel der BRD, der Schweiz und Österreichs. *Paper for the joint conference of the DVPW, ÖGPW and SVPW "The changes in federal structures" on June 8/9, 2001 in Berlin*.
- MACH, André and OESCH, Daniel (2003). Collective Bargaining between Decentralization and Stability: A Sectoral Model Explaining the Swiss Experience during the 1990s, *Industrielle Beziehungen* 10 (1): 160-182.
- MAINWARING, Scott (2001). Two Models of Democracy, *Journal of Democracy* 12 (3): 170-175.
- MCRAE, Kenneth (1974). *Consociational democracy: political accommodation in segmented societies*. Toronto.
- MÖCKLI, Silvano (2007). Politische Stabilität als Standortvorteil. Konkordanz umfasst mehr als nur die Regierungszusammensetzung, *Neue Zürcher Zeitung* of December 6, 2007: 17.
- NEIDHART, Leonhard (2002a). Elementare Bedingungen der Entwicklung des schweizerischen Föderalismus, *Sonderheft Politische Vierteljahresschrift* 32: 111-132.
- NEIDHART, Leonhard (2002b). *Die politische Schweiz – Fundamente und Institutionen*. Zurich: Verlag Neue Zürcher Zeitung.
- OESCH, Daniel (2007). Weniger Koordination, mehr Markt? Kollektive Arbeitsbeziehungen und Neokorporatismus in der Schweiz seit 1990. *Schweizerische Zeitschrift für Politikwissenschaft* 13 (3): 337-368.
- POWELL, Bingham G. Jr. (1982). *Contemporary Democracies: Participation, Stability, and Violence*. Cambridge: Harvard University Press.

- RENTSCH, Hans (2002). Sonderfall Schweiz – Blinde Flecken in der Föderalismusforschung, in: WAGSCHAL, Uwe and RENTSCH, Hans (ed.). *Der Preis des Föderalismus*. Zurich: Orell Füssli: 401-413.
- RODDEN, Jonathan (2004). Comparative Federalism and Decentralization: On Meaning and Measurement, *Comparative Politics* 36 (34): 481-500.
- ROSE, Richard (2000). Trouble in the Advanced Democracies? The End of Consensus in Austria and Switzerland, *Journal of Democracy* 11 (2): 26-40.
- ROTHMAYR, Christine (2001). Towards the Judicialisation of Swiss Politics? *West European Politics* 24 (2): 77-94.
- SCHMIDT, Manfred G. (2000). *Demokratietheorien*. 3rd Edition. Opladen.
- SCHNAPP, Kai-Uwe and HARFST, Philipp (2005). Parlamentarische Informations- und Kontrollressourcen in 22 westlichen demokratien, *Zeitschrift für Parlamentsfragen*: 348-372.
- SCHNYDER, Gerhard; LÜPOLD, Martin, MACH, André and DAVID, Thomas (2005). The Rise and Decline of the Swiss Company Network during the 20th Century. Université de Lausanne: *Travaux de Science Politique* No. 22.
- SCHWARZ, Daniel, BÄCHTIGER, André and LUTZ, Georg (2008). Switzerland: Agenda-Setting Power of the Government in a Separation-of-Powers Framework, in: Rasch, Bjørn Erik and Tsebelis, George (eds.), *The Role of Governments in Legislative Agenda Setting*. London: Routledge.
- SCHWEIZERISCHE NATIONALBANK (ed.). (2007). *Die Schweizerische Nationalbank 1907-2007*. Zurich: Verlag Neue Zürcher Zeitung.
- SEITZ, Werner (1993). *The Nationalratswahlen 1991. Übersicht and Analyse*. Bern: BFS.
- SIAROFF, Alan (1999). Corporatism in 24 Industrial Democracies: Meaning and Measurement, *European Journal of Political Research* 36 (2): 175-205.
- SIAROFF, Alan (2003). Varieties of Parliamentarism in the Advanced Industrial Democracies, *International Political Science Review* 24: 445-464.
- SCIARINI, Pascal and HUG, Simon (1999). The Odd Fellow: Parties and Consociationalism in Switzerland, in: Luther, Kurt R. and Deschouwer, Chris (eds.). *Party Elites in Divided Societies: Political Parties in Consociational Democracy*. London: Routledge: 134-162.
- SOSA, Pedro A. B. (2003). *Central Bank Independence and Democratic Accountability*, Universidade Portucalense, Departamento de Economia.
- STUDLAR, Donley T. and CHRISTENSEN, Kyle (2006). Is Canada a Westminster or Consensus Democracy? A Brief Analysis, *PS: Political Science & Politics* 39: 837-841.
- STEINER, Jürg (1974). *Amicable Agreement versus Majority Role: Conflict Resolution in Switzerland*. Chapel Hill. University of North Carolina Press.
- STEINER, Jürg (1990). Power-Sharing: Another Swiss “Export Product”?, in: Joseph V. Montville (ed.). *Conflict and Peacemaking in Multiethnic Societies*.

- Toronto. Lexington Books: 107-114.
- STEINER, Jürg (2002). The Consociational Theory and Switzerland – Revisited Thirty Years Later, *Acta Politica* 37 (1): 1-21.
- TAAGEPERA, Rein (2003). Arend Lijphart's Dimensions of Democracy: Logical Connections and Institutional Design, *Political Studies* 51 (1): 1-19.
- TAAGEPERA, Rein and SHUGART, Matthew S. (1989). *Seats and Votes: The Effects and Determinants of Electoral Systems*. New Haven.
- TSEBELIS, George (2002). *Veto Players: How Political Institutions Work*. Princeton: Princeton University Press.
- VATTER, Adrian (2002). *Kantonale demokratien im Vergleich. Entstehungsgründe, Interaktionen und Wirkungen politischer Institutionen in den Schweizer Kantonen*. Opladen: Leske + Budrich.
- VATTER, Adrian (2005). Bicameralism and Policy Performance: The Effects of Cameral Structure in Comparative Perspective, *Journal of Legislative Studies* 11 (2): 194-205.
- VATTER, Adrian (2006a). *Föderalismusreform. Wirkungsweise und Reformansätze föderativer Institutionen in der Schweiz*. Zurich: Verlag Neue Zürcher Zeitung.
- VATTER, Adrian (2006b). Der Ständerat: Wirkungsweise und Reformansätze, in: Adrian Vatter (ed.). *Föderalismusreform. Wirkungsweise und Reformansätze föderativer Institutionen in der Schweiz*. Zurich: Verlag Neue Zürcher Zeitung: 40-71.
- VATTER, Adrian (2007). Lijphart goes Regional: Two Different Patterns of Consensus in Swiss Democracies, *West European Politics*, 30 (1): 148-171.
- VERGUNST, Noel (2004). *The Institutional Dynamics of Consensus and Conflict*. Department of Political Science. Vrije Universiteit Amsterdam.
- WATTS, Richard (1999). *Comparing Federal Systems*. Kingston: Institute of Intergovernmental Relations.
- WIESLI, Reto and LINDER, Wolf (2000). *Repräsentation, Artikulation und Durchsetzung kantonaler Interessen in National- und Ständerat*. IPW: University of Bern/Parlamentsdienste.
- WILI, Hans-Urs (1988). *Kollektive Mitwirkungsrechte von Gliedstaaten in der Schweiz und im Ausland: Geschichtlicher Werdegang, Rechtsvergleichung, Zukunftsperspektiven. Eine institutsbezogene Studie*. Bern: Stämpfli.
- Z'GRAGGEN, Heidi and LINDER, Wolf (2004). *Professionalisierung der Parlamente im internationalen Vergleich*. IPW: University of Bern/Parlamentsdienste.