CITIES IN THE SWISS FEDERAL SYSTEM

by Uwe Serdült

This paper gives an overview of the broader institutional background of cities in Switzerland with a particular focus on Swiss federalism. After introducing the institutional status of cities in the Swiss political system, I will reproduce some of my own and other Swiss scholar's research on city problems.[1]

1. Size and location of Swiss cities

Switzerland's territory is divided into 26 cantons and somewhat less than 3,000 communes.[2] The variation in size and number of inhabitants is considerable in both cantons and communes. The density of the population per square kilometer ranges from 26 in the rural and mountainous canton of the Grisons to 5,291 in the urban canton of Basle-City.[3] Territories and the relating political-administrative structures have hardly ever been changed. The topographical characteristics of the country with its valleys, mountains and plains as well as cultural differences (e.g. religion, language) are to a great extent responsible for the present small scale and heterogeneous administrative entities of Switzerland.

Compared to other countries in Europe, Switzerland's cities are small. Official statistics already consider places with more than 10,000 inhabitants as cities. Using this strictly quantitative criterion, at the end of 1997 116 communes qualified as cities. Some smaller places call themselves cities for historical reasons.[4] Only sixteen cities have more than 30,000 inhabitants. The cities with more than 100,000 inhabitants are: Zurich, Geneva, Basle, Bern (the capital) and Lausanne; Zurich with its 350,000 inhabitants is the biggest city of the country. About a third of the population lives within the agglomerations of these five big cities which stretch alongside the Jura Mountains from the East to the North and which find its natural delimitation in the South and East by the Alps (see Fig. 1).
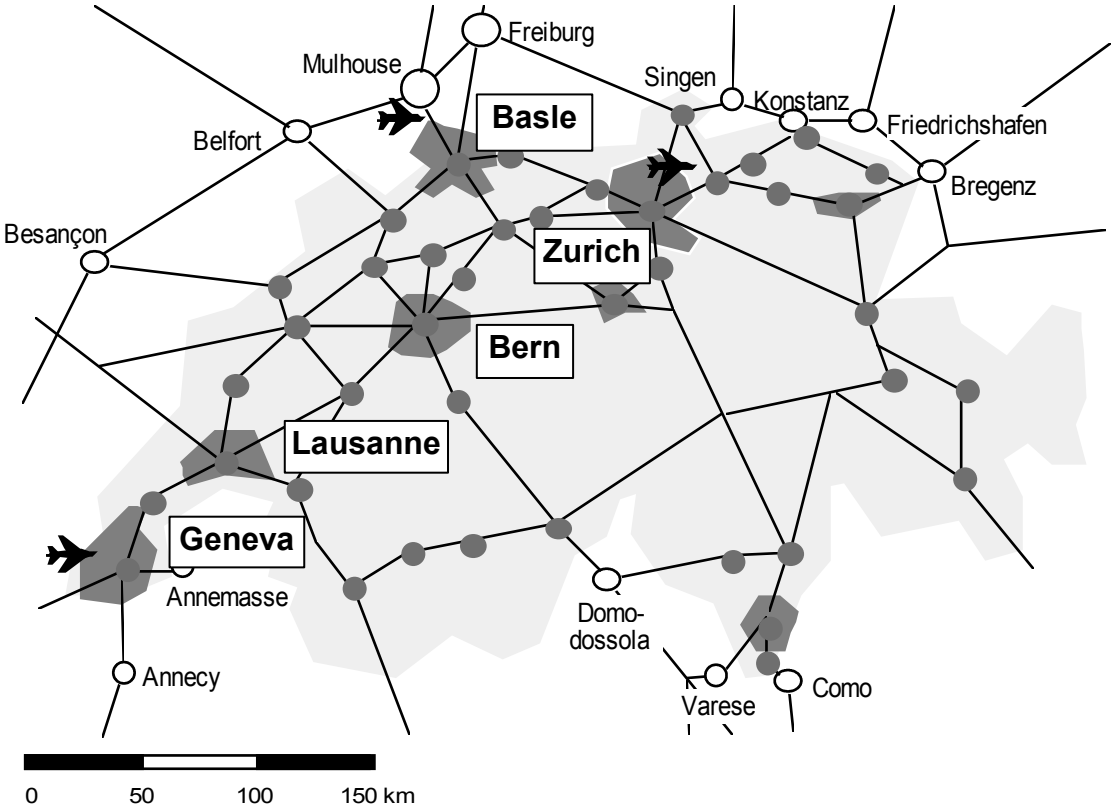
[2] To be precise 2'929 communes, 1.1.97. Source: Federal Office of Statistics.
[3] Based on permanent residents 31.12.97. Source: Federal Office of Statistics.
[4] For a history of Swiss cities see: Walter 1994.

Figure 1: Swiss cities, agglomerations, regional centers and the transport system

Source: Rossi (1997: 37)

As in many other countries, within the last four decades Swiss agglomerations[5] have grown substantially (see Table 1). Whereas in 1930 only 28.5 percent of the population lived in agglomerations, nowadays about 70 percent dwell in cities and suburbs. In general the spread of agglomerations is explained by the growth of the service sector and the increasing mobility of individuals. During the last few years the population in peripheral communes circumscribing the agglomerations of the big cities grew faster than the population in the urban centers. In 1997 the five big cities lost 0.7 percent of its inhabitants, whereas in the surrounding communes the population grew by 0.5 percent. At the end of 1997 Switzerland counted about 7 billion residents.

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[5] I will use the word agglomeration in order to denote urban areas comprising cities and suburbs. The size and location of agglomerations is defined by the Federal Office of Statistics (see Schuler/Joye 1997).

Table 1: Evolution of Swiss agglomerations since 1930

Year	Number of communes in urban areas	Population living in urban areas	Part of population living in urban areas
1930	74	1,160,309	28.5%
1941	86	1,356,881	31.8%
1950	121	1,677,175	35.6%
1960	255	2,462,609	45.4%
1970	355	3,257,587	52.0%
1980	502	3,674,201	57.7%
1990	795	4,629,308	67.3%

Source : Rossi (1997: 30).

2. The Swiss version of Federalism

Along with direct democracy, federalism is one of the key principles of the Swiss political system. The actual form of Swiss federalism must be interpreted in the light of historical developments rooted in the 19th century. Switzerland is the product of the integration of loosely linked sovereign territories - called cantons. The cantons were bound by multilateral treaties (*Konkordat*). Decision-making was a quite cumbersome procedure at that time. The cantons sent out their delegates to a diet called *Tagsatzung*. Decisions could only be taken by the unanimity rule. Apart from the diet, most decisions were taken by correspondence.

Over a relatively short period of roughly fifty years, this confederation of cantons integrated towards the foundations of the modern Swiss Federation. Seen from today's perspective, the history of these fifty years represents a nation building process one would not expect to come to a peaceful ending. Within two generations the *Eidgenossenschaft* (the traditional name for the Swiss Confederation) lived through more constitutional changes than in the two centuries before. First, an attempt by France between 1798 and 1803 to transform the cantons into a unitary state similar to the example of other European countries failed. Napoleon had to restore the old order and power of the cantons in 1803. At that time the federal government had only minimal competencies. After the victory of the Austrians and the European coalition against Napoleon, the Austrians helped the traditional elite restore the old order of oligarchic governments in the cantons (de Capitani 1983: 164-172). From 1830 on, independence movements and nationalization processes in Europe led to a regeneration of representative democracies within several cantons of Switzerland. Between 1831 and 1848 many of the cantons established modern forms of direct and representative democracy based on a constitution and elections. Between the cantons not much had changed. However, on the

territory of the old Confederation two modes of government existed at the same time: The conservative oligarchic cantons, which joined later in a pact called the *Sonderbund*, and the radical democratic ones. The tensions between these cantons plus the religious quarrels between Catholics and Protestants culminated in the short civil war of 1847 (called the war of the *Sonderbund*). Although the Protestant radical cantons won on the battlefield, they had to take into consideration the loosing conservative Catholic cantons if they wanted to establish a sustainable peace. The constitution of 1848 was a compromise between a stronger unification and the former system of a loose confederation of sovereign cantons. The cantons maintained their constitutions (Linder 1994: 38). Without this compromise and the adequate representation of the religious, cultural and linguistic[6] minorities in the Constitution of 1848 the hostilities would probably have continued (Andrey 1983: 271-280).

As a protection for small cantons and the minorities, the Swiss Constitution requires a double majority for constitutional amendments and certain international treaties, the majority of the people and the majority of the cantons, notwithstanding size and population. This gives a citizen living in one of the cantons with a small population, such as Uri, about thirty times as much voting power as a citizen in a canton the size of Zurich.

This short introduction to the history of Swiss federalism has demonstrated that in Switzerland the federal and the cantonal level are the most important ones. But also the lowest, the communal level, has the right to levy and spend taxes like the two higher levels. Though, financial sovereignty is practically rather restricted. A large part of the budget is predefined by laws and decrees of the Federation or the canton (up to 80 percent).

Because Swiss Federalism emerged out of a Confederation of almost sovereign cantons, each with its own constitution, in many policy domains implementation of policies is executed by cantonal or communal authorities. Although socio-economic developments after 1945 have brought to the fore the creation of economic spaces, regions and urban agglomerations, the structures of the Swiss state have remained almost the same since 1848 (Haldemann/Klöti 1996: 41). Territorial changes were politically unfeasible. The antagonism between the rigid, small scale territorial structure and the increasing number of tasks of a modern welfare state in the second half of the 20th century is the main reason why, from the 1960s on, the Swiss political system has been repeatedly busy with reforming itself (Haldemann/Klöti 1996).

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[6] Linguistic partition of Switzerland: 64% German, 19% French, 8% Italian and 1% Rumantsch speaking; 8% other languages.

3. Institutional status of cities

The Swiss Constitution only mentions the federal and cantonal level as the constituents of Switzerland. Communes belong to the cantons. Cities have the same status as communes and thus are situated on the lowest level of the hierarchy in Swiss Federalism. In particular, urban centers are increasingly dissatisfied with their institutional status because of an overload of social and financial problems.

In Switzerland horizontal and vertical forms of cooperation are bound to relatively rigid procedural norms. The implementation of policies follows a hierarchical top-down principle. In particular vertical cooperation between all the three levels could be intensified. Often, direct communication channels between the three state levels are lacking. At the most, the principle of subsidiarity is respected between the federation and the cantons. For the communes and cities access and active participation to decision-making bodies of the higher levels are restricted or even impossible. Horizontal cooperation, on the other side, is often characterized by an exaggerated autonomy and competition (Horber-Papazian/Soguel 1996: 160). Horizontal cooperation between cities and communes of the same agglomeration (not to speak of cities and communes situated in different cantons) lacks efficient institutions with the necessary competencies as well. Under high pressure sometimes ad-hoc solutions are possible. But they tend to address the problem in the last minute (or later). The result is short term oriented crisis management (Klöti 1997: 65). Last but not least, cooperation between urban communes, cantons and the federation is also impeded by party politics. The bigger cities are dominated by socialist and green parties, peripheral communes, cantons and the federation by conservative or liberal political forces.

The most important principle regarding the distribution of tasks and competencies in Switzerland is that the Federation is only competent if explicitly put in charge by the Constitution. In cases where a constitutional norm is missing, the cantons are in charge automatically.

The distribution of competencies among the three levels of the state (federal, cantonal and communal) is not easy to handle anymore (see Tab. 2). The enumeration presented in Table 2 serves much more as an illustration of the interweaving of competencies than a definitive and exclusive classification. On the federal level, for some of the classic spheres like the central bank with the privilege to issue money it is still possible to speak of an undivided competence. But 150 years of Swiss federalism with its strong component of subsidiarity have

left traces in the laws and decrees of the lower or upper level even in areas that, at the beginning of this century, could clearly be attributed to one of the three state levels. For example in the realm of foreign policy, which is largely determined by the Federal Council (*Bundesrat*), nowadays the cantons want more say and partly make their own foreign policy with the neighboring regions of the neighboring countries (Lombardi 1994; Schönenberger 1998).

Tab. 2: Distribution of tasks and competencies between the three levels of the state

	Competencies	*Examples*
1.	*mainly federal*	Central bank; military; customs; postal services; federal administration; aviation; railroads; international treaties; regulation of TV and radio; nuclear energy; penal law; polytechnics; vocational education; research
2.	*mainly cantonal*	Police; churches; hospitals and health care; energy industry; grants; higher education; cantonal administration; penal institutions
3.	*mainly communal*	Public transport (in urban communes); gas, electricity and water supplies; waste disposal; taxes; social welfare; culture; local planning; community administration
4.	*federal and cantonal*	Area development planning; agriculture; environmental protection; civil defense; work related matters; civil and penal laws; road construction; old age pensions; trade and industry; health insurance
5.	*cantonal and communal*	Cantonal roads; health care; schools; environmental protection; local and regional planning; sports

Sources: Häfelin/Haller 1988: 81.; Linder 1994: 41; Meylan 1986; Kriesi 1995: 57; Thürer 1986: 220.

In many areas of public policy, tasks and competencies of the three state levels interlock. Especially when it comes to relatively recent tasks such as environmental protection both the Federation and the cantons, but also communes and cities, are concerned and in charge at the same time (Nüssli 1985: 283; Klöti et al. 1993; Knoepfel et al. 1995). Also in traffic, social and education policy we can find legal norms about the distribution of tasks on all three levels. Considering that in many policy domains non-governmental organizations are involved as well, it becomes clear how complex the rules about the distribution of tasks and competencies in Switzerland must be.

Although communes and cities are not mentioned in the Constitution as constituent elements of the Federation, decisions on the federal level not only have implications for the cantons but also directly impact communes and cities. In reality, there is an interweaving of tasks and competencies throughout the three levels. Although legislation on the federal level that is directed toward communes represents a disruption of cantonal sovereignty (Fleiner-Gerster

1986: 73; Thürer 1983), the Federation has had a direct influence on communes by means of laws (in the realms of civil protection, military, food laws, immigration, social security insurance, regional planning, traffic) and subsidies (in the realms of the prevention of water pollution, civil protection, local planning) (Bassand et Perrinjaquet 1986: 210-212; Thürer 1995: 6-8). Because the competencies of communes are usually defined in the cantonal law on communes, generalizations over all communes about communal autonomy are not adequate. Communal autonomy is different from canton to canton, whereby city cantons like Geneva and Basle-City have never attributed far reaching competencies to the communes on their territory.

4. City problems

Centralization processes in the last thirty years have limited the maneuverability of cities. In many policy fields, federal and cantonal legislation have expanded. Nowadays, urban communes can hardly make their own policy choices but have to implement an ever increasing amount of cantonal and federal laws (Klöti et al. 1993). Therefore, Swiss cities have at least partly lost their leading role to counter new social and ecological problems. Consequently, cities can no longer solve the problems concentrating in urban areas on their own.

On the occasion of its 100th anniversary the Association of Swiss Cities published a *festschrift* presenting problems, scenarios and policies as regards urban development from the viewpoint of the member cities (Schweizerischer Städteverband 1997).[7] The Association of Swiss Cities includes almost all communes with more than 10,000 inhabitants and functions as a service center and lobbying organization; the number of members totals 121.

Today's problems of the member cities are mainly characterized by financial and economic worries. 31 percent of the received answers relate explicitly to financial difficulties (see Table 3). Earnings based on taxes have been decreasing due to the economic recession at the beginning of the 90s. The fast rise of unemployment rates and the increasing number of people depending on social welfare have had an alarming effect on most city budgets. Whereas the Federation and the cantons are transferring parts of their financial burden down to the communal level, financial equalization or compensation payments for urban centers are lacking or not sufficient (Haldemann 1997).

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[7] The Department of Political Science at the University of Zurich has conceptualized the *festschrift* and done an expert survey (two wave delphi) among all members. In the first round 85 out of 121 members (70%) answered the questionnaire. In the second round 79 out of the responding 85 (93%) answered.

Table 3: Urban problems (in percent of responses, multiple responses possible)

Problem group	Answers of 85 members
Finance	31
Economy	21
Traffic	14
Social matters	12
Environment	8
Politics	6
Population	5
Law	2
Urban planning	1
Total	100 (n=366)

Source: Serdült/Klöti (1998: 17).

Strongly related to financial problems, 21 percent of the answers mention economic difficulties; followed by traffic with 14 percent (especially: commuter traffic, transit, traffic jams in urban centers) and social matters with 12 percent. Community specific deviations from the average do occur: For the five big urban centers social problems rank at the top of the list and not on fourth place. Not surprisingly, for rich cities economic problems are less important, and cities largely depending on tourism report traffic as the most problematic issue. When grouped by their location in a particular linguistic part of the country (German-, French- or Italian-speaking) no significant difference among the cities concerning the three most important problems (finance, economy, traffic) could be discerned. However, French-speaking cities report slightly more economic, Italian-speaking cities more financial, and German-speaking cities more social problems compared to the average of all the responses.

In order to react against undesirable scenarios the member cities have proposed concrete policies. I regrouped their answers after the first wave of the survey and prepared a catalogue of possible policies for the second wave. City officials reported whether a policy had been adopted and whether they had a positive, neutral or negative attitude towards it. Since financial problems seemed to be the most worrying, and due to the lack of space I will concentrate on them (see Table 4).

Table 4: Most common strategies to counter financial problems (in percent; n=79)

Policies	Application			Evaluation			
	yes	no	n.a.	pos.	neutral	neg.	n.a.
Specific budget cuts	95	03	03	80	10	01	09
Increase user fees	90	09	01	61	28	05	06
Reduce spending on supplies	84	14	03	73	14	03	10
Hiring freeze	70	29	01	48	28	16	08
Defer maintenance	62	33	05	15	19	52	14
Contracting out of services	57	39	05	52	25	06	16
Increase borrowing	51	49	00	27	20	47	06
Salary freeze or reduction	51	48	01	37	37	23	04
New management techniques	49	49	01	46	28	04	23

Source: Serdült/Klöti (1998: 19).

Specific budget cuts belong to the repertoire of nearly all members of the association. Eighty percent assessed this strategy as having positive effects. The reduction of costs for supplies is also a very common and widespread strategy. Savings in personnel costs were mostly effected by imposing hiring freezes. For obvious reasons, cities decided to avoid more difficult means, such as salary freezes or reductions, and used them only in the second place. Although many members of the Association of Swiss Cities tended to evaluate the deferral of maintenance as a negative policy measure, 62 percent apparently had no other choice and made use of this strategy. Contracting out services and using new public management techniques are becoming more important. A considerable number of members is already applying these strategies in order to work towards a customer-oriented, efficient public administration and, eventually, in order to balance their budgets.

5. Integration of foreigners as an example of a city problem

The separation of the workplace from the place of residence is one of the problematic developments in Swiss urban areas. Besides this *functional* separation there is also a process of *social* segregation going on (see chapter 4 in: Eisner 1997). The social structure of the big Swiss cities is starting to resemble their American counterparts. Zurich is no exception. More and more middle class families move out of the urban center. They live in the „green belt„ around Zurich or reside along the shores of the Lake of Zurich called the „gold coast„. In 1950 around 70 percent of the population of the greater Zurich area resided within city limits. Today this figure has shrunk to 36 percent. Since the year 1964, the city has lost about a fifth

of its inhabitants, which corresponds to the population living in the Canton of Zug. However, the number of inhabitants has stabilized within the last few years. But migration *into* the city can be traced back almost exclusively to the increasing number of immigrants. In the City of Zurich inhabitants with a foreign passport (without counting seasonal workers and persons seeking asylum) account for about 28 percent of the total resident population (about 18% in the rest of the canton). A third of the schoolchildren in primary schools go to schools in which a majority of the children are foreign. Swiss parents fear the loss of quality of their school or - at least in some areas - don't feel safe anymore. More often, Swiss parents can't find appropriate and affordable housing for their families. Plus, taxes in the surrounding communes (and cantons) are lower than in the City of Zurich. As a consequence, more than one thousand families per year are leaving the city, 90 percent of them are Swiss (Neue Zürcher Zeitung 12 May 1998; Estermann 1997: 99).

Now and then, immigrants can become an important political issue. Among the most prominent topics of the last few years in Zurich: crimes committed by foreigners already living here on a permanent basis or seeking asylum; the project of a cemetery for Muslims and the bill on facilitated naturalization of well integrated young immigrants. In particular, street crime in conjunction with the drug problem took on alarming dimensions during the period of the open drug scene and was mainly concentrated in the City of Zurich (Eisner 1997: 242). However, immigrants are not only offenders. Rates for homicide victims among immigrants coming from Turkey and the former Yugoslavia are significantly higher than among immigrants coming from Western European countries and among Swiss citizens (Eisner 1997: 209).

Within this context, for a city like Zurich, the integration of immigrants is of primary importance. The City of Zurich is undertaking efforts to stay in contact with the more than 350 clubs and associations of immigrant groups. In 1996 - and subsequently every second year - the Office for Intercultural Affairs of the City of Zurich has organized a forum (*Ausländersynode*) where delegates of immigrant groups can express their concerns about schools, social and cultural matters, and so forth.

A proposed law on the facilitated naturalization of young, well integrated immigrants was also expected to ameliorate the situation. But the citizens of Zurich rejected this proposal by means of a communal referendum organized by the conservative Swiss Peoples Party (*Schweizerische Volkspartei*). The clear rejection at the ballot box (62% voted no) led the executive of the city (*Stadtrat*) to reconsider its integration policy. With the help of scientists

at the University of Zurich they developed a strategy document on integration policy.[8] The document clearly states that immigration in urban centers will probably increase in the near future. Consequently, more of the problems among immigrants themselves will be transferred to Zurich. Therefore it must be a primary concern for the city to avoid social segregation. The integration of immigrants should be promoted through language courses, political participation, and contacts with well integrated foreigners and the Swiss (NZZ 12 May 1998).

6. Concluding remarks

On one hand, the administrative perimeter of Switzerland's cantons, communes and cities follows along natural, cultural and linguistic borders on a small scale. Whereas this situation might have been adequate for the last century, it has to be doubted whether this is still the case. However, within the last fifty years agglomerations kept growing and nowadays 70 percent of the population live in urbanized areas. Modern welfare policies, an increase in the mobility of goods, capital as well as reliable transport facilities have lead towards the situation that problem structures don't fit decision-making structures anymore.

On the other hand, in Switzerland historical circumstances have lead to a version of federalism with a strong emphasis on institutionalized minority protection concerning cultural, linguistic and religious differences within the country. Therefore, in Swiss Federalism the cantons have a strong position. As we have seen in the preceeding chapters, the financial relations and the distribution of tasks and competencies between all three state levels has become far too complex.

Ongoing reform projects try to address these insufficiencies. But the consequences of the Constitutional reforms are rather vague, and the project for a New Financial Equalization System was a complete failure in its first version. These traditional strategies of reform politics are projects with the spirit of the sixties and seventies. The reformers try to disentangle the interweaving of tasks and competencies between the state levels. Before other things, in order to solve the primary problem of small scale administrative entities, territorial reforms should be started. Communes and cantons with a small population have to merge. Of course this has to happen in a democratic way and not above the heads of the citizens. In this respect, direct democracy should be a guarantee for fair procedures.

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[8] Similar documents have been elaborated in Bern and Basel as well. At the moment there is a public debate about the strategy document going on. Labor organizations, as well as immigrants themselves, argue that immigrants have not been consulted beforehand. The Swiss Peoples Party, on the contrary, is not satisfied with the strategy document because it glorifies, in their view, the multi-cultural society.

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