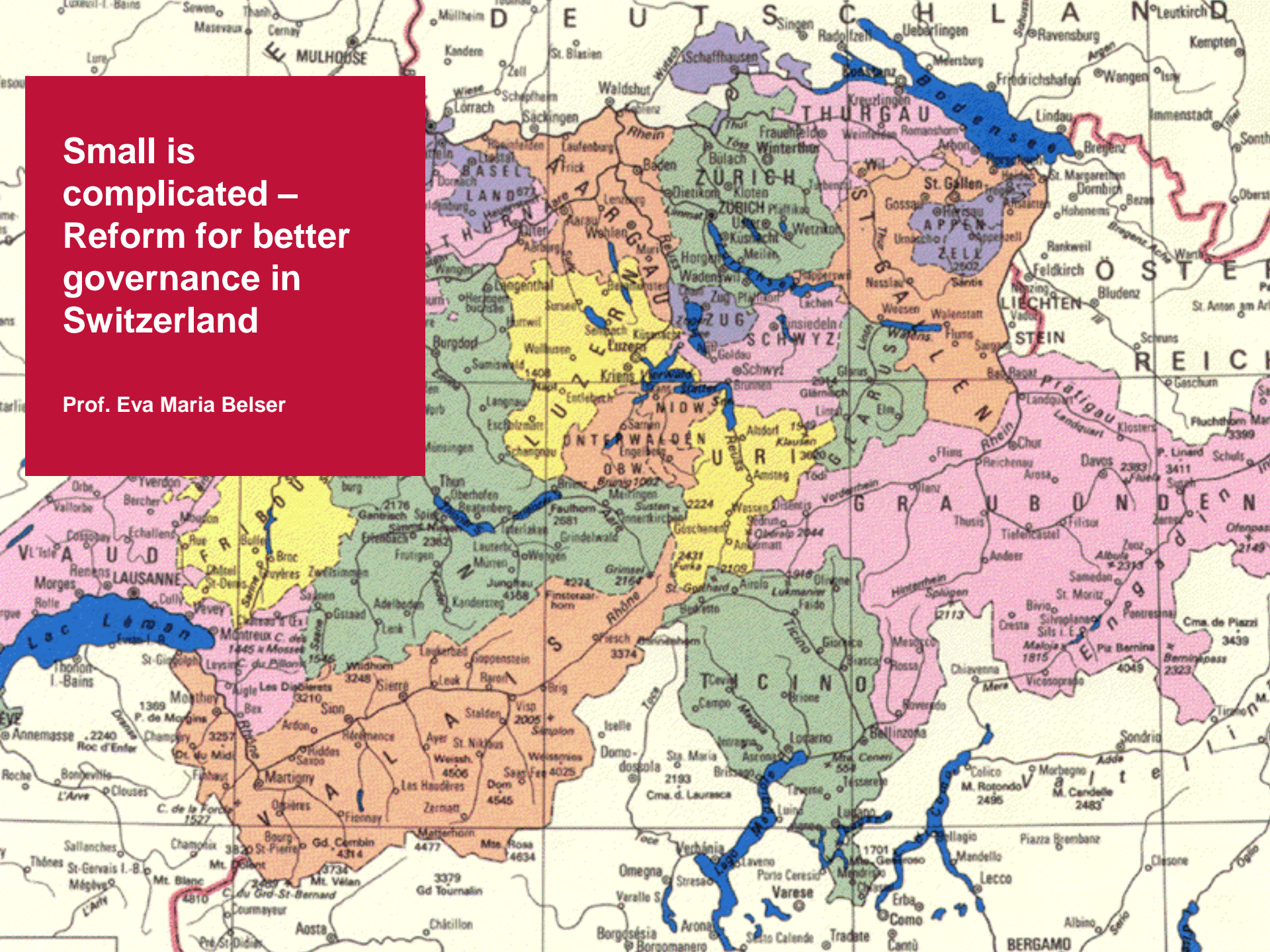


# Small is complicated – Reform for better governance in Switzerland

Prof. Eva Maria Belser

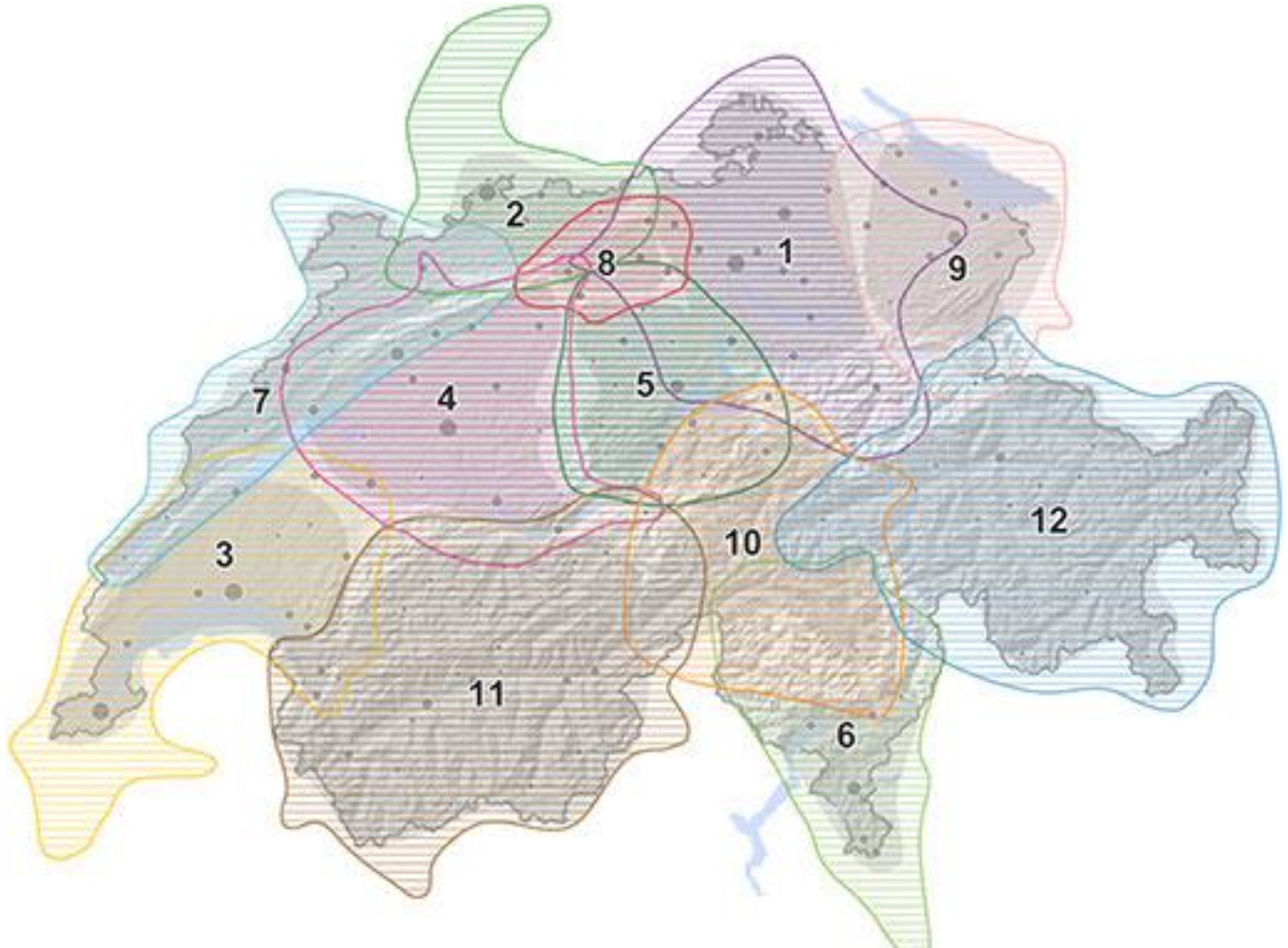




# The 26 Cantons

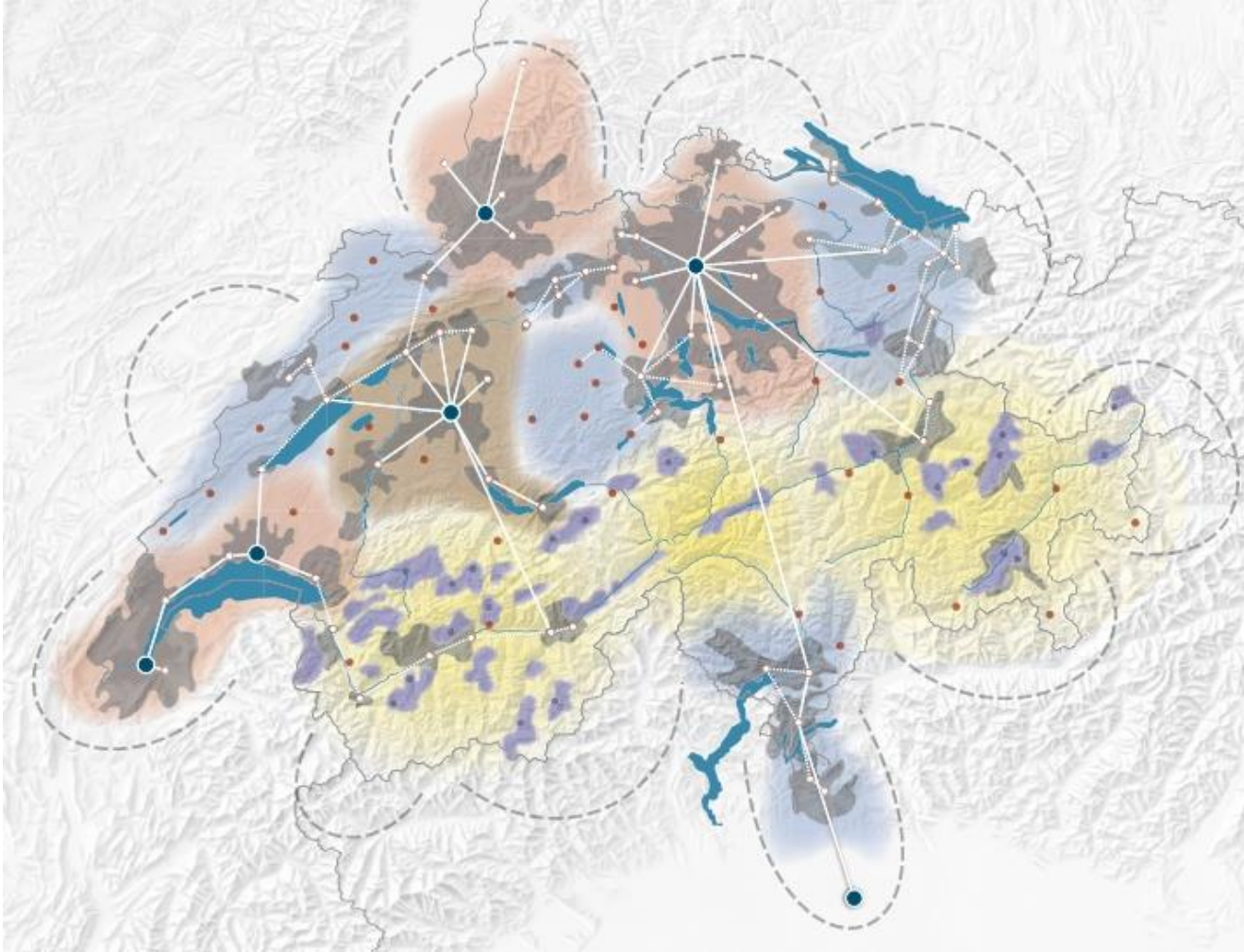


# The 12 Areas of Life





# 3 plus 1 plus 4, and the rest...



# Reforming the Cantons: The Constitutional Rules

- **Article 53 Existence and Territory of the Cantons**

(1) The Federation protects the existence and the territory of the Cantons.

(2) Modifications of the established Cantons require the assent of the population affected, of the Cantons affected as well as of the Swiss People and the Cantons at large.

(3) Territorial modifications between Cantons require the assent of the population affected and of the Cantons affected as well as the approval of the Federal Parliament in the form of a federal decree.

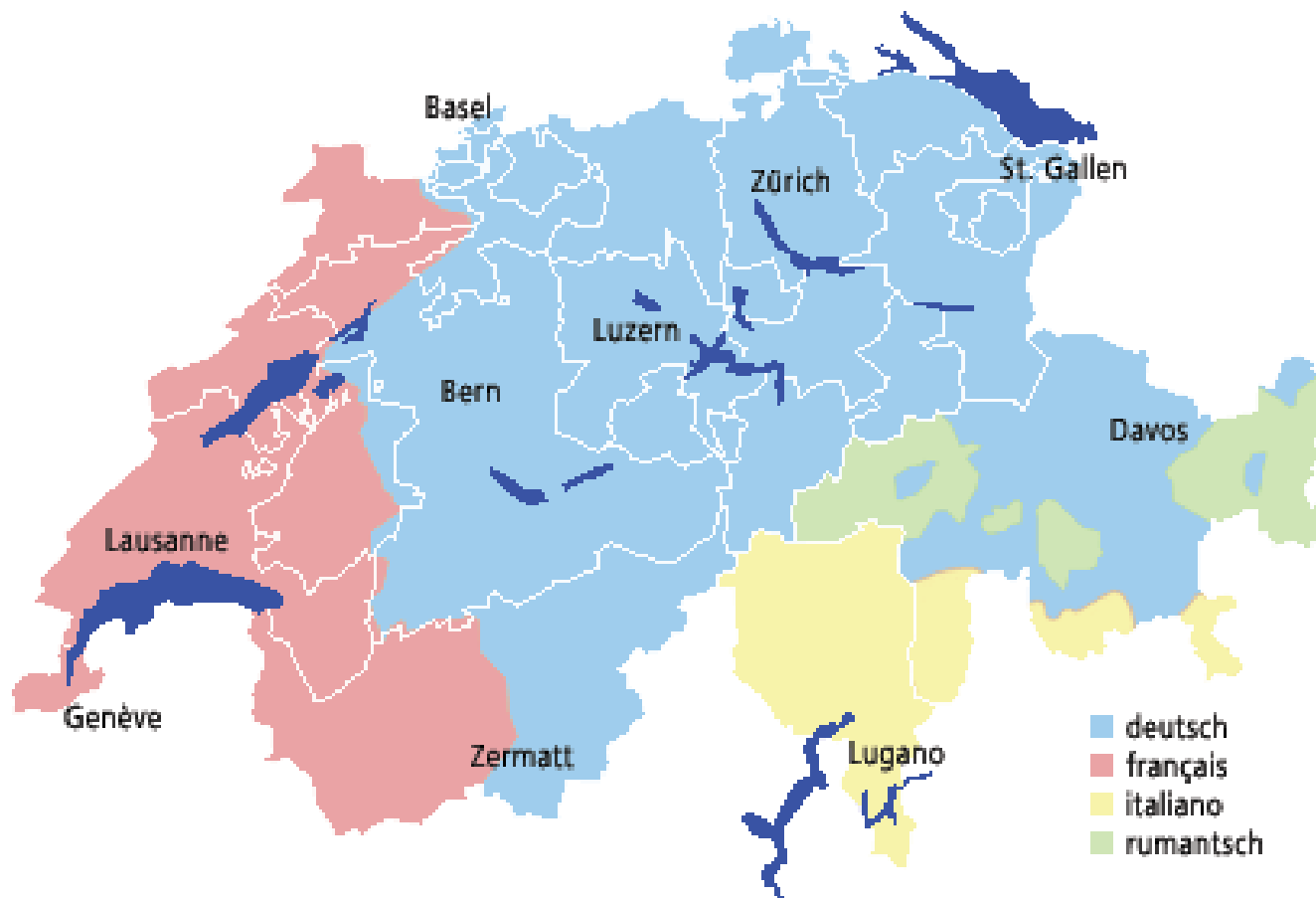
(4) Corrections of boundaries can be effected among the Cantons by intercantonal treaty.

# Small is complicated...

- But worth the trouble
  - In 1979, the Canton of Jura is created.
  - Laufental decides to adhere to the Canton of Basel (1994), Vellerat to the Canton of Jura (1996)
- Attempts to amalgamate Basel city and Basel landscape fail in the 1930ies and in the 1960ies and in 2014
- In 2002, the amalgamation of Geneva and Vauds fails.
- In 2014, the amalgamation of the two Basel fails a third time.

# «Requiem for cantonal amalgamations»

- «It's the identity, stupid!»



# Living with Unequal Units

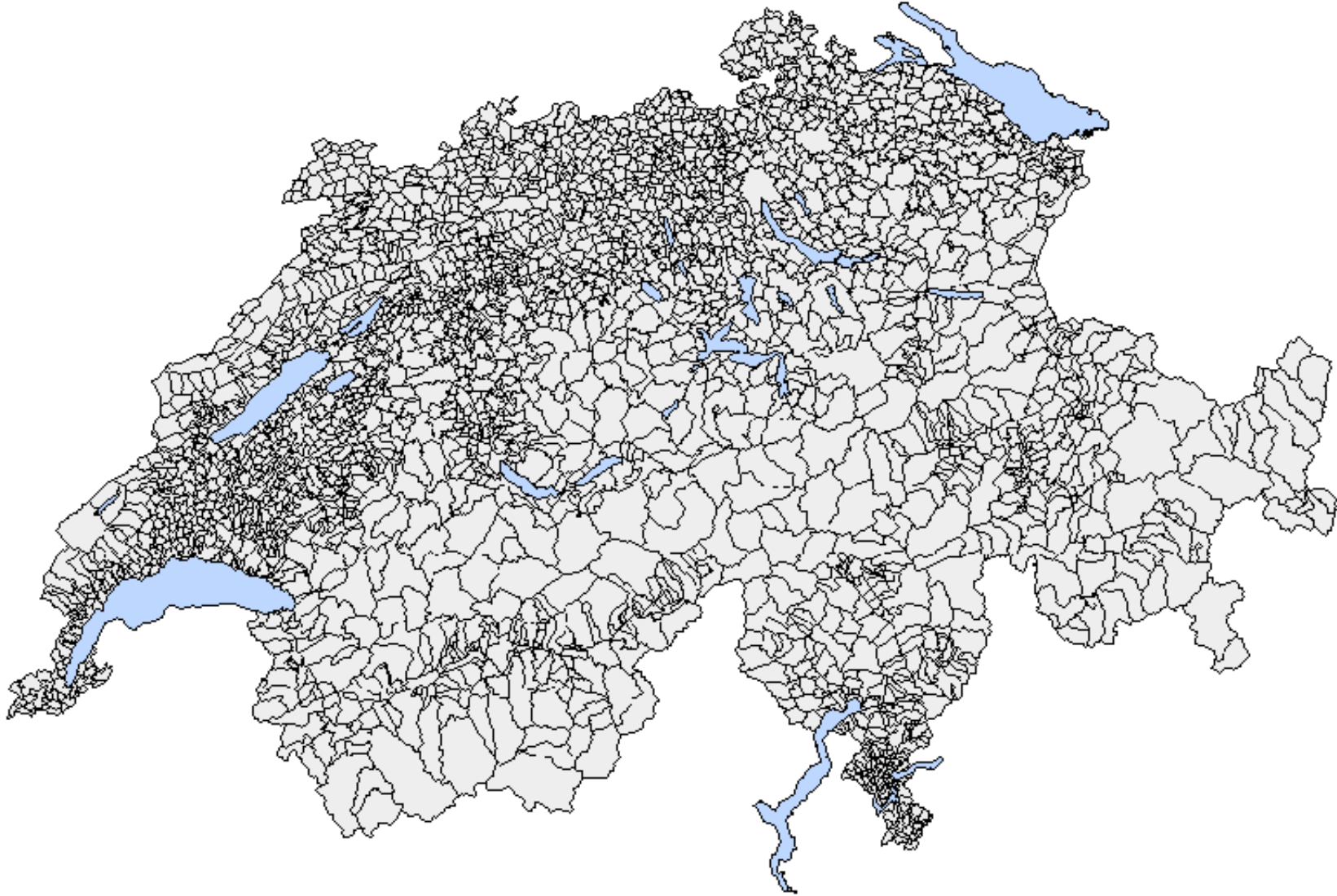
■ Zurich	1'446'000
■ Bern	1'009'000
■ Vaud	761'000
■ Geneva	477'000
■ Appenzell a.Rh.	15'800
■ Uri	36'000



# Small is complicated but flexible



# The Myriad of Municipalities



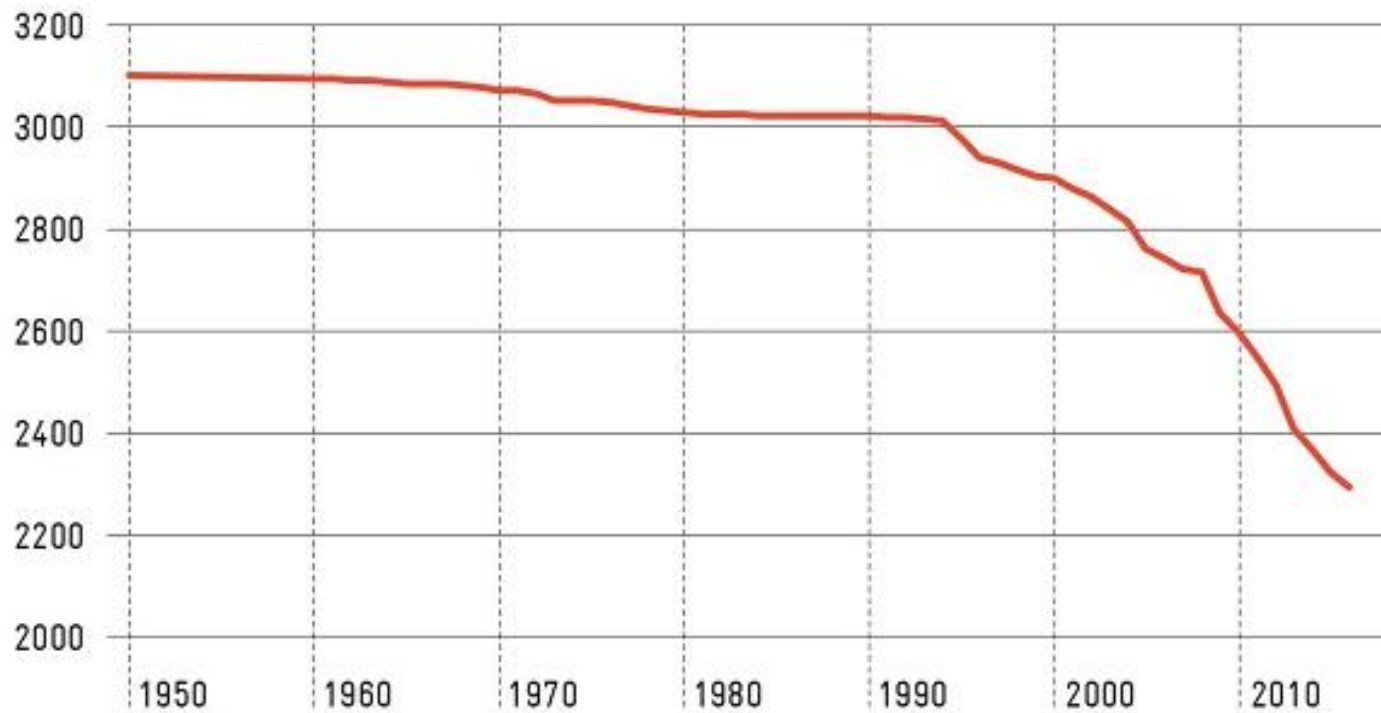
# Reforming Municipalities

- 1848: 3203 municipalities
- 2003: 2842 municipalities
  - Between 1953-2003: reduction by 7% (compared to 59% in Germany and 42% in Austria)
  - Since 2003: strong increase in amalgamations
- 2012: 2495 municipalities
- 2016: 2300 municipalities
- 2017: dozens of amalgamations planned



# Reforming Municipalities

Zahl der politischen Gemeinden in der Schweiz



Quelle: BfS (historisiertes Gemeindeverzeichnis)

# Reforming the Municipalities: The Constitutional Rules

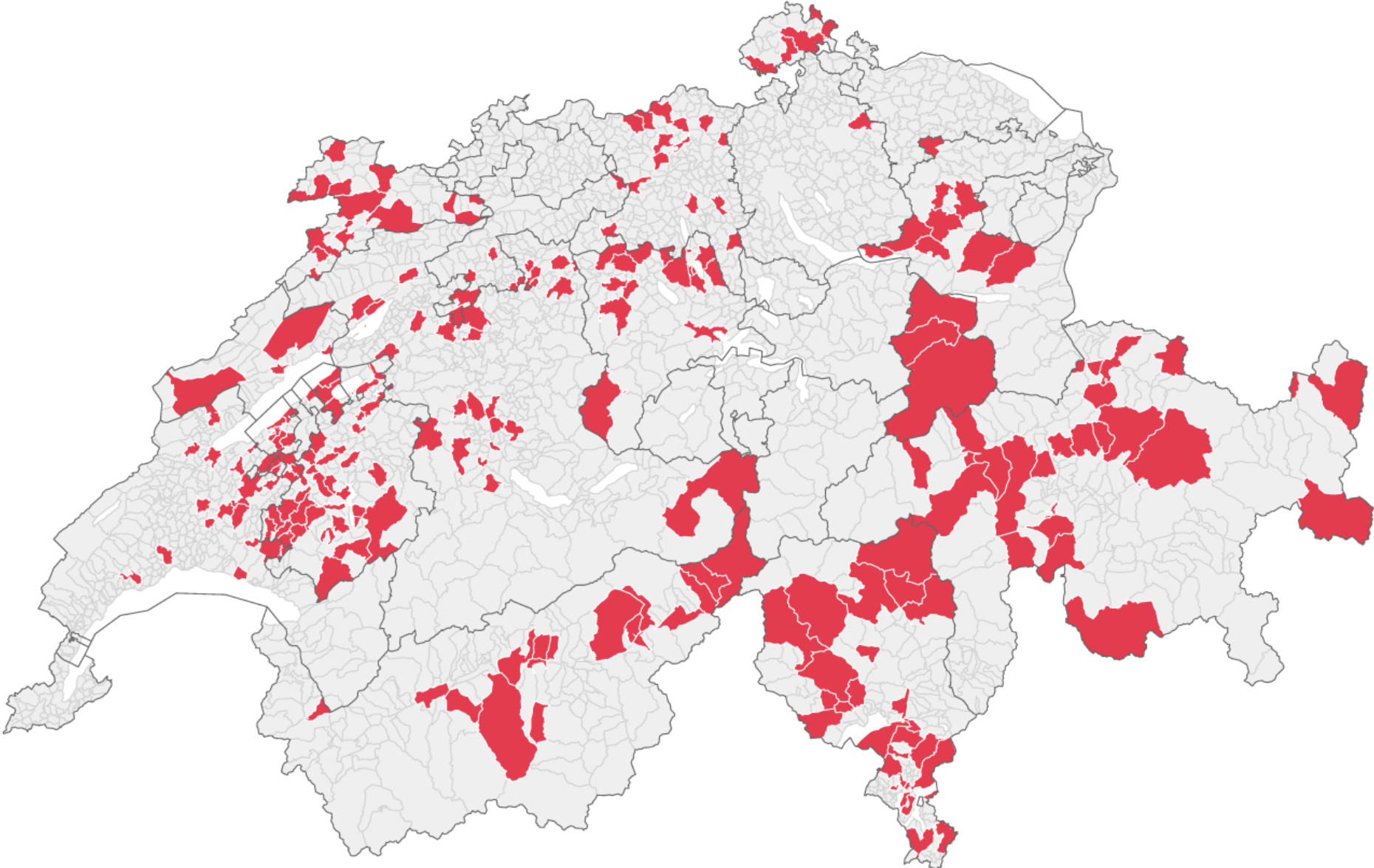
- **Article 50 General Provisions**

- (1) The autonomy of Local Communities is guaranteed according to cantonal law.

# The Role of the Federal Supreme Court

- 2005: Forced amalgamation do not violate the federal constitution when they are based on cantonal law (Ausserbinn)
- 2016 The parliament of Ticino did not violate the federal constitution when it nullified a cantonal initiative on amalgamations (violation of the European Charter of self-government)





■ Fusionierte Gemeinden in der Schweiz 2001–2014

Quelle: Studie Studerus/Schaltegger, 2016

# Living with Unequal Units

- The largest municipalities
  - Zürich ( $\approx 345'000$ )
  - Genf ( $\approx 178'000$ )
  - Basel ( $\approx 164'000$ )
  - Bern ( $\approx 122'000$ )
- The smallest municipalities:
  - Corippo (12): amalgamation planned
  - Martisberg (24)

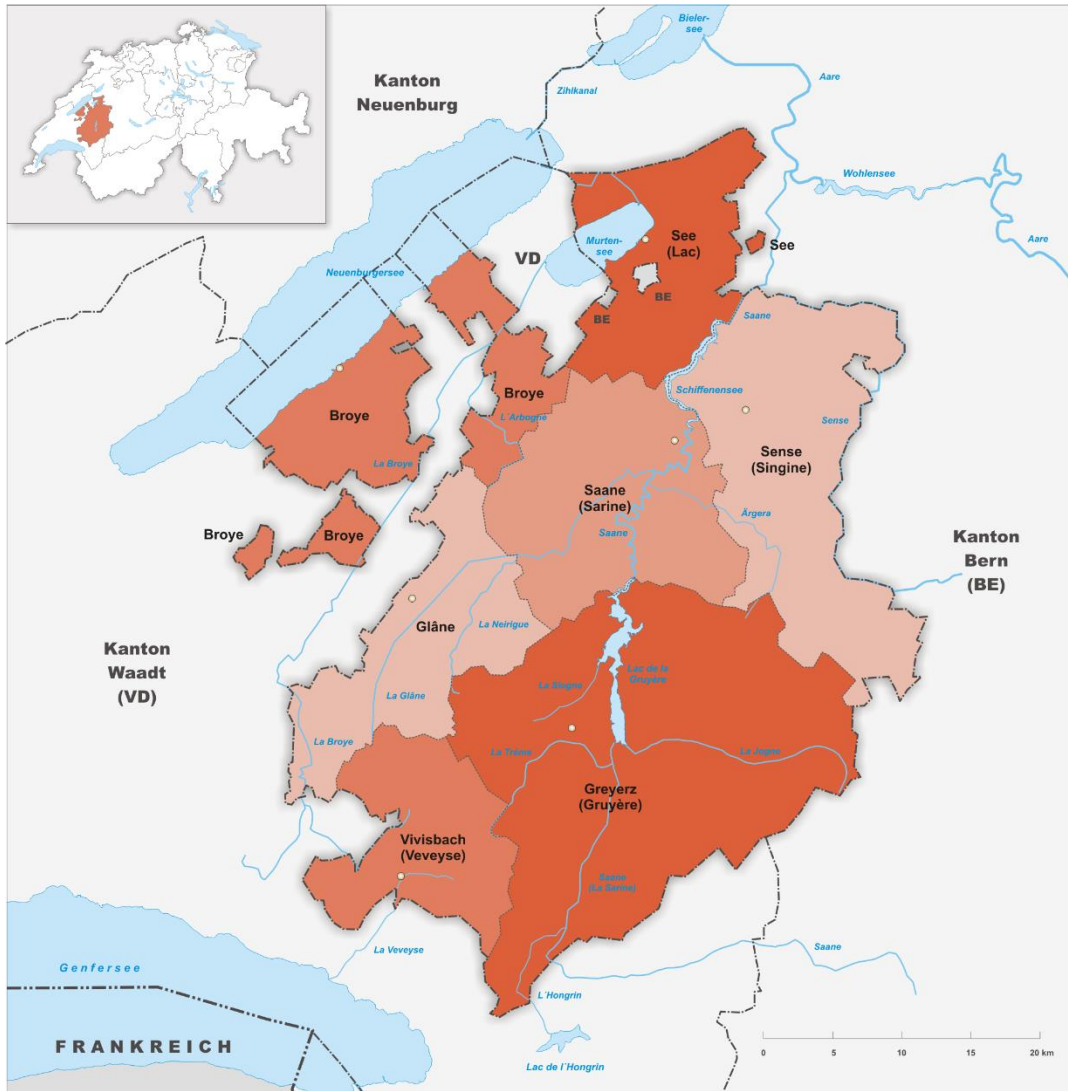
**Average population: 2700**

# Driving forces for territorial reform

- Better governance in urban areas
- Governance in rural areas
- Savings in economic resources and personnel
- Shortcomings of horizontal cooperation
- Federal planning and federal incentives
- Cantonal planning and cantonal incentives
- Forced amalgamations



# Transcantonal Mergers?

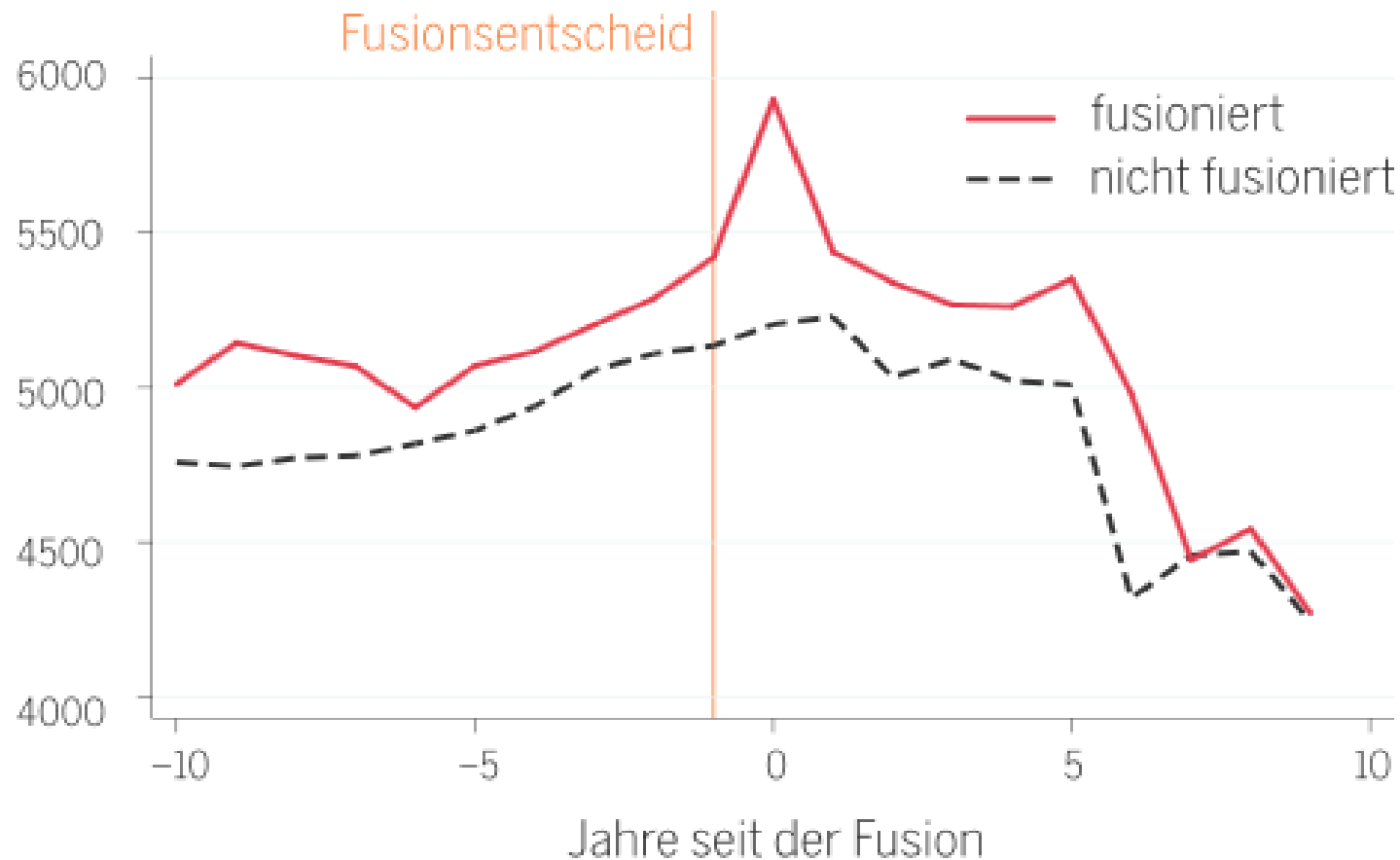


# Other open questions and controversies

- Effects of increased horizontal cooperation on democracy.
- Effects of inequality of units on representation and power-sharing (unreasonably small units “cause” centralisation).
- Governance of metropolitan areas
- Effects of new tiers and semi-tiers of government on the power-sharing arrangements.
  
- Effects of amalgamations on local identities and local democracy
- Economic effects of amalgamations

# Entwicklung der Gesamtausgaben pro Kopf

In Schweizer Franken



Quelle: Studie Studerus/Schaltegger, 2016