

## Stjórnmálafræðideild

## **BA-Ritgerð**

Rational Choice and Consensus: Switzerland as an Empirical Case

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#### **Abstract**

The Rational Choice theory has been one of the dominating theories in political science over the years since its apparition in the 1960. However this theory lacks empirical evidence in general and tends to define what is right by oversimplifying human relation and social interests. Even if the Swiss case is really interesting, studies of Swiss politics are still sparse. Therefore this thesis will focus on Switzerland and the relation with rational choice and see if rational choice can be used to explain consensus which is one of the most important characteristics of the Swiss political system. Also this work will look at the Swiss institutional and political particularities, such as direct democracy, consociational democracy and federalism, and how consensus is shaped through them. The analysis of Switzerland will support both the strengths and the limitations of rational choice theory. Self interest seems to be at the origin of the participation in the consensus, but it cannot be considered as the only element. Altruism solidarity and cultural matter also play an important role.

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### 1. Introduction

The subject of this thesis will be rational choice and consensus. As to explain consensus the example of Switzerland will be regarded. The main question will be to know if rational choice can explain consensus and/or more particularly consensus and cooperation in Switzerland. What is interesting to note is that the rational choice theory lacks empirical testing. Most of the rational choice theorist assume a model and forget external aspects and are focused on their precepts without really looking at actual examples to confirm it. As Tolstoy noted: "The most difficult subjects can be explained to the most slow-witted man if he has not formed any idea of them already; but the simplest thing cannot be made clear to the most intelligent man if he is firmly persuaded that he knows already, without a shadow of doubt, what is laid before him" (Rudolph and Rudolph 2010, 747). The rational choice theory can be symbolized as the intelligent man. The theory has already "formed ideas" on what the best outcomes are.

Rational choice theory is one of the most important theories in political science. The main claim of the theory is that when individuals are facing with several courses of actions people will do what provides them the best overall outcome. Rational choice theory sought to analyze individuals' comportment while using different methodology than the behaviouralist theory. As Ward notes rational choice "draws the methodology on economics where behaviouralism draws it on sociology and psychology". Over the Years rational choice theory has been the dominant theory in political science, or at least in the USA (Ward 2002, 65). Also this theory was initiated as an economic vision of the political science as illustrated in the title of Anthony Downs' book: "An economic theory of democracy". In this case the word rational has an economic and egoistic sense. The main goal for people should be the individual interest and the highest expected utility of an outcome. Rational choice does not leave much place for altruism in politics and does not incorporate themes such as social structure, norms, ideology or history. These topics are going to be the main base for the critics of the theory. One of the interesting aspects of the rational choice theory is that it has seemed to be able to explain some social interaction through the cost benefit assumption and why for example people participate in politics even if their own voice or vote does not have a significant influence in comparison to the overall result or outcome. Also rational choice seems much stronger and is much more legitimate in theoretical aspect rather than in "real world observation" and social phenomena. Therefore it will be interesting to see if the theory of rational choice permits to explain consensus.

The Swiss political life is characterized with consensus, cooperation, and compromise. These words can almost be used interchangeably and lead to what is known as the political concordance system. Other major specificity of the Swiss politics are the direct democracy principle or to be accurate the semi-direct democracy principle, the Swiss federalism and power-sharing. The population can, for example, participate in the lawmaking process "from below" (Papadopoulos 2001). One of the main question here and concerning Switzerland in general will be to see how the direct democracy is shaping the consensus and how the governmental coalition can be explained through institutionalized direct democracy. Also what are the risks at stake and the evolution of the concordance democracy in Switzerland? The main goal in the related chapter will be to give an overall image of Swiss politics and to show the interaction and obvious links between different institutionalized entities. The thesis will show the importance of direct democracy, the "magic formula ideal" and the federalism that take place in Switzerland and also how these entities are inevitably linked together and create the specificity of Swiss politics and the "Swiss consensus". In the conclusion the question of whether rational choice theory is sufficient on its own to explain consensus will be regarded alongside with a general critic of rational choice.

The first part of the thesis is dedicated to the rational choice theory and some of the most famous rational choice theorist such as Anthony Downs, Mancur Olson, Jon Elster and William Riker. It will present the general aspect and also a few more technical precisions about the theory. The second part will concern Switzerland and the particularity of its political system and institutions. The references for Swiss political literature seem quite limited, nevertheless the political analyzes of famous Swiss authors such as Wolf Linder, Pascal Sciarini, and Yannis Papadopoulos will be presented and used as references since they give the most accurate image of Swiss politics and emanate from the best universities in Switzerland.

#### 2. Rational Choice

Rational choice can be considered as a normative theory and an empirical theory. The core objective is to tell us what we "ought to do" in order to achieve our goals as well as possible (Buckley 2002, 175). This basic definition has to be considered as true for the standard version of the theory of rational choice (Elster 1986, 1). Rational choice is based on the methodology of economics and has become one of the dominant approaches in politics, especially in the United States where it actually emerged around the 1960. Many theories such as game theory and public choice theory are related to the rational choice theory, where different links are made between the individual aspect and the more collective interaction (Ward 2002, 65).

The basic rational choice theory assumes that individuals are self-interested, and have all the "rational capacity, time and emotional detachment to choose the best outcome of actions" (Ward 2002, 68). This argument is also going to be one of the critics of this theory and the basis for its evolution toward bounded rationality (Ward 2002, 65-68). It is interesting to note the fact that rational choice theorists assume that political and economic decisions are guided by "fiduciary morality" and that rational behavior is desired in the public society. Further, as Riker notes, where rational choice is discredited, it seems that individuals act "wholly" for themselves independently of what is best for them. Therefore these situations can be isolated and considered as irrelevant for decisions in politics or economics and the rational choice theory precepts can still be true. This affirmation will be important in countering the critics who will emerge about the more social aspect of the choice process. As will be shown later on in the discussion a variation can be made to the very original statement and new acceptations of rational behaviour can be emphasized where the original self-interest shift from the purely monetary aspect to other things (Riker 1968, 27-28).

#### 2.1 Particularities and Precisions about Rational Choice

Jon Elster notes that rational choice theory has to be completed with the notion of rational belief. The rationality of belief focuses on the kind of relation the agent has toward "the evidence available to him". Where, the rationality of belief ultimately represents the *right kind of relation* (Elster 1986, 1) between the agent and the evidence. This leads us to the question of knowing how much evidence it is rational to

collect (Elster 1986, 1-2). During the whole process of making choices, rational choice theory appeals to three main points in the whole choice situation. First is the feasibility, which means the actions which are satisfying logical physical and economic constrains. Second is the causal structure of the situation which determines what actions are leading to what outcomes. The last is a subjective ranking of the feasible alternatives which can be seen as a ranking of the outcomes. Therefore to act rationally means then simply to choose the highest rated situation or solution (Elster 1986, 4-5).

More generally this means that the individual is able to "rank-order" outcomes. Therefore for any alternative x or y he can say which one is better or if they are equally rated. Rational choice also assumes the "transitivity property" which means that if the alternative x is better than y and y is better than z, than x is better than z (Ward 2002, 68). The interesting point here is to see the subjective aspect of the whole choice situation. For example, if the agent has no rational reason to believe that options/choices are available, than they can't be considered while analyzing his behavior and the agent won't be able to take them into consideration. This argument can be applied to the outcome as well. If the agent has no reason to believe that his action will lead to a certain outcome it can't be considered neither. This fact shows us the importance of knowing how much information to collect and economically speaking, how one can know the value of the information he does not yet have, sometimes if the information is acquired at a too high cost it might be irrational (Elster 1986, 4-5). Also all different choice situations can be classified into two main streams, perfect information and imperfect information about the varying outcomes. Where imperfect information is present we can observe two cases, risk and uncertainty (Heath 1976, 13).

#### 2.2 The Notion of Risk

Regarding risk, numerical probabilities can be attached to the outcomes. In the case of uncertainty this is not possible. With risk situations the damage or gain can be foreseen, and one can be aware of the risk that is present in the situation. The decision relies on a personal choice/decision even if the results may depend on an action from another. It is not the choice of another actor that is involved but the outcome, in the sense of a result of an action realized by another party independent from personal choice. A good

example to illustrate a risky choice is someone betting money on different sports. If the person has a budget of 50\$ he can either keep his money or bet it on a football team. For him the best issue (if he gambles) is that his team wins and he gets 100\$ back, which is the most desirable outcome for him (win 50\$). But his team could also loose, which is the least desirable outcome, and he would then lose his initial 50\$ and get nothing back. The question for the person is now to know "whether the risks are worth it" (Heath 1976, 13). You might not like taking risks but still, you can be compensated for doing it. Laver notes the interesting fact that one always has to evaluate the costs and benefits. He talks about trading one risk against another and evaluating the present against the future. For instance paying scholar fees now and (vs.) getting a better job in the future (Laver 1986, 30). One answer would be to calculate the *expected value* that is to compare the money gains or losses with their "probability of occurrence". If the expected outcome is higher than the action of keeping your money, then it is worth it (Heath 1976, 14).

As Jon Elster notes after observing a given example of risky choices; "Rationality dictates the choice of the option with the largest expected utility, and this needs not to be the option with the largest expected income" (Elster 1986, 6). This can also be called *risk aversion*. This distinction seems really fundamental because it brings more subtlety to the original statements of rational choice theory and shows that the economic and monetary factor is not always, or should not always prevail (Elster 1986, 6). Nevertheless utility is an ambiguous concept because it is varying and covers many issues. For example a worker might use more money in working extra hours but at one point he would get more utility from vacation and more rest time. As said above rational decision-making involves the maximization of utility, and this maximization is made by calculating the *cost and benefits* of the action that is supposed to provide the greatest "net utility income". Here the important distinction is the notion of "net", which can show the different and varying definitions of the term utility which can change from one person to another (Laver 1986, 31-32).

William H. Riker also brings some contrast to the purely economic (monetary) concept of utility maximization. For him, a person who might be labeled as an irrational actor regarding to the original statement could in fact be considered as rational on other basis. The conflict is "simply" arising between the utility of money

and the utility of other things such as friendship for example. We might buy something that is more expensive because we know the seller and because we want to encourage his business over another or a supermarket for instance. The reformulation states that *if* a person can decide what action fits him best, then he will choose that action (Riker 1968, 19). By pushing the analysis theoretically we could find that all choices leading to an action are rational and that irrationality would be equivalent to non-action. Even if we can see the weakness of such an affirmation it brings a great argument against the general critics about rational choice (see conclusion) and justifies a larger understanding of what is meant by rational behaviour (Riker 1968, 19-20).

## 2.3 The Notion of Uncertainty

Anthony Downs defines uncertainty as "any lack of sure knowledge about the course of past, present, future or hypothetical events" (Downs 1957, 77). Also uncertainty may vary in removability, intensity and relevance. What can be noted here is that uncertainty can be diminished or even removed by the acquisition of information, if available. This is a theoretical affirmation, which means that it is theoretically possible to remove uncertainty but "rarely have we enough data to eliminate all uncertainty" (Downs 1957, 77). Here is one distinction with risk (discussed above) where the risk is known and can't be diminished with information and can be calculated from the beginning. The main distinction occurs with the notion of information where in the case of uncertainty it is much more important and can lower the uncertainty. Risk as explained is something you can get to know and further information will not change it, which is not applicable to uncertainty (Downs 1957, 78-79).

Regarding uncertainty we have to take into account the situation of subjective probabilities. It could be argued that we always have some kind of information and once we establish them we can use them to determine the probabilities (subjective) of the outcomes. The "principle of maximizing expected utility will then be used as before" (Elster 1986, 6-7). Furthermore studies seem to show that it is irrational to use subjective probabilities as given probabilities. The question here is to know if real uncertainty exists or if it is always possible to get some sort of information about a situation where a choice has to be made. Examples of decisions that will have a great impact in the far future seem nevertheless to present some real uncertainty such as

scientific development and how to find alternative energies to oil for example. Rational choice theory for the case of uncertainty tells us very little, but it assumes the best and the worst case to be sure, these are given (Elster 1986, 7).

While making decisions under situation that seem to present uncertainty the *minimax* rule of game theory is often used. This rule consists in setting our preferences choice on the case where the worst consequence (of this option) is better than the worst scenario in any other case. The point is that the "better consequence is better and the worst consequence is worse than the status quo" (Heath 1976, 15). This theory is taken from the two-person zero-sum game. This supposed initially that two players are directly opposed; one person winning at the expense of the other and the more one wins the more the other looses. In this example the actors are supposed to be rational players and are trying to get the best result for themselves. Also they know that the other player knows and is willing to do the same (Heath 1976, 15). One principle noted by Heath, while analyzing the well known war-invasion example, is that each player will, if the players are rational, select the outcome that minimizes his loss. Reformulation the original statement would be to say that each actor looks at the worst outcomes of the different actions and selects the one that has the "least ill effects if the worst outcome should occur". Without making generalities, one of the greatest achievements in game theory in analyzing choice under uncertainty is to show that it might be rational to follow the minimax rule in the sense that the players have no real advantages in going another way. It is important to note that this concerns only some specific type of game and further game theory analyses show for example that it is "irrational to minimax against an irrational opponent" (Heath 1976, 16-17).

Furthermore the *minmax* example has to be balanced. The "maxi-max" situation and situations in between can also be regarded as rational in given cases and situations (Elster 1986, 7). The important thing observed here is the fact that if players are rational the minimax rule seem to be rational, but as Heath notes at the end of his chapter, "I think it is fair to say that to follow the minimax in *all* situations of uncertainty is an unduly conservative strategy and cannot be accounted rational" (Heath 1976, 18). Here it is important to note the notion of "*all*" because in the purely ideal-type theoretical world the minimax rule would be approaching to rationality. As we can see game theory in the case of uncertainty cannot provide any general rule on how

people behave and neither on rationality in general. Scholars note that game theory in this case can be viewed as a normative theory "telling people what they ought to do in situation described" (Heath 1976, 18).

## 3. The Importance of Consensus and Cooperation in Politics and Social Life

Consensus can be understood as an action resulting from the fact that a conflict or a diverging opinion arises about a dilemma, which can be defined in many different ways such as social or political issues for example. Consensus is more simply necessary when people seek to associate together. Different parties are then confronting alternatives to find a solution for the same matter. Consensus has many effects; it does for example force the "majority to converge towards a social representation" and initiates or reinforces social ties (Moscovici and Doise 1994, 171-172). It is also interesting to note that consensus can't be limited to the agreement itself but what really matters is the participation by the actors who have arrived at it. Everyone participating is aware of having given his consent to a decision. Moscovici and Doise (1994) affirm that consensus is much more than the use of "a discussion as serving to resolve conflicts". It is in fact a type of institution, the work of a whole accepted by everyone. Also the more people participating in a consensus the stronger process is, while it eliminates the tyranny of the majority and/or different manipulations in the political area (Moscovici and Doise 1994, 1-2).

Choice and consensus are intimately linked. In every social situation where consensus develops the source is choice. "The strength of a choice depends upon the existence of a consensus that eliminates the danger of error" (Moscovici and Doise 1994, 3). Consensus is meant to be used to overcome different doubts that will emerge when the different agents are comparing opinions, ideas and solutions. The choice of one party is going to be counterbalanced by the argument of the other party or/and will make the other party reflect on his own opinion (Moscovici and Doise 1994, 3). In more general terms and as accepted by many great philosophers such as Hobbes, Spinoza and Rousseau, "a principle of intelligence exists whereby people associate together and attribute to themselves a form of power" (Moscovici and Doise 1994, 5). They believe in the harmony of goals once they are known. This is reinforced by trust

and reason that people have to have in order to achieve consensus. Consensus therefore permits the political life to be softened and diminish conflicts in the society through compromise among different actors. It is interesting to see how different theories and empirical examples show/explain and materialize consensus, and which the premises for consensus are (Moscovici and Doise 1994, 5).

## 4. Consensus in the Frame of Rational Choice

Another aspect of rational choice that should be regarded is the question of many people interacting and the case of groups or collective action. These examples and explanations lead us to a wider concept of consensus and in a broader understanding, to cooperation. Another distinction that has to be made in rational choice theory is the distinction between parametric and strategic decisions. In the first case the agent faces external conditions that are given to him. In the case of strategic decisions we are in presence of interdependent decisions. Each agent has to anticipate what the others are going to do before making his own decision. This gives us a good starting point while looking consensus and cooperation in regard to rational choice. Strategic decisions are a theme of game theory and imply an equilibrium point. The element that is brought up here is that "the reward of each depends on the reward of all" and by extend "the choice of all depends on the choice of all" (Elster 1986, 8). It can be noted that individual rational choices (non-cooperative game theory) can lead to outcomes that are worse off for everybody than if other solutions would have been chosen such as cooperation between different agents. This tends to show us that rational choice can not only be individualistic since situations where individual and egoistic behaviour is rejected can lead to situations where all the actors are better off (Elster 1986, 8).

For strategic decisions in political life, time can play an important role also. The argument developed here by Jon Elster is really interesting. He states that "In repeated play between the same individual, however, cooperation may become the rational choice". He continues by saying that "repetition creates the possibility of using implicit threats and promises so that cooperation is motivated by fear of retaliation, hope of reciprocation or both" (Elster 1986, 12). This argument is major in the analysis of consensus because clearly it shows that political actors (individuals in the example) have to act together in order to be rational and that this cooperation can be seen as

rational and increase their self interest. Also for the example of political life or political action the play is clearly repeated between the same political parties or actors during a period of time. So this shows us why consensus and cooperation is needed and why choices can't always be self oriented. Individual acting might see immediate gains but will miss future gains from cooperation (Elster 1986, 12).

In the same line as the example above, Anthony Downs, in his book "An Economic Theory of Democracy" makes a similar observation. He asks how social goals can be developed from varying individual values? As noted with other scholars, for him, individual rationality means the pursuit of one's own goal in the most efficient manner. But he is also aware of the problem of scarce recourses for example and that everybody can't pursue his own goal without respect to the other. The different actors don't always have the exactly same goals and therefore conflicts arise in the society. He notes "Politics is the system of settling conflicts so that each individual may achieve some of his goals" (Downs 1957, 161). This is another definition that can be applied to the political consensus needed in a society in order to manage conflicts that inevitably arise. The nature of society implies limits on individual rationality, not every individual can achieve "pure rationality" at once (Downs 1957, 160-161).

## 4.1 A General Overview of Olson's Theory on Collective Action

Olson's theory on collective action brings us also some new elements in understanding social interactions, cooperation and collective actions. He analyzes the participation in trade unions and asks himself whether or not it is rational (on the economic accepted notion) to participate in trade unions. The observation he makes and unlike what has been discussed before is that the decision to participate in trade union does not come from a group acting as one entity and rationally. It is the benefits that each member gets in participating that motivates them. So the basic theory of rational choice is respected, each person chooses what is best for himself. Olson writes: "If the members of a large group rationally seek to maximize their personal welfare, they will not act to advance their common or group objectives unless there is coercion to force them to do so, or unless some separate incentive, distinct from the achievement of the common group interest, is offered to the members of the group individually on the condition that they help bear the costs or burdens involved in the achievement of the group objectives"

(Olson 1971, 2). This could be seen as some sort of counter argument of what has been said before in the redaction. The consensus for him becomes true through personal interest in the outcomes. Individuals will always act rational as understood by the initial statement, although it might lead to some altruistic and common interest (Olson 1971, 59-60).

Consensus among the group or society can't be the only factor which is determinant for the group cohesion. Perfect consensus inside a group cannot always lead to a perfect result in the outcome. For Olson one of the point is, as said before, the agent involved also needs "personal incenctives" in order to participate in a group or a collective action. This point is really interesting because it underlines the importance of the individual factor. Also we can see here the fact that even if there is a benefit in participating in a group as a whole, this will not be the factor that motivates the individuals but rather the personal, the "costomized", reward they get from participating in the collective action (Olson 1971, 59-60). This is known as the "selective incentives" which are benefits that members will get in participating in the trade union and that non participant will not be able to enjoy or profit (Barry 1970, 26). Continuing on the same path, this argument leads to the fact that even if one would not only consider the selfish "profit maximizing" aspect of his choice, it would not be rational to participate in some sort of union, one explanation beeing the fact that the individuals own contribution would not be perceptible. Olson takes the example of a farmer who would be 100% altruistic and priviledge the interest of the other farmers over his own. Then if this farmer would lower his production in order to raise the prices for all the farmers, his action would not have any impact on the prices, since his personal production would be too small to influence the whole market and therefore his action is not rational at all (Olson 1971, 64).

#### 4.2 A Critic on Olson's View

This vision above is painting some kind of dark image and states that social participation is only achieved in order to reach personal goals and benefits, this is, as Barry notes, the destructive part of Olson's theory. The only question therefore is to know whether the contribution the individual makes increases the benefit *he* obtains enough to be worth participating. This is a really cold statement and does not really

take into account the moral and social aspect of the whole interaction/participation in a society (Barry 1970, 26-27). One can note that other observations have been made and that it can be said that "similar positions of a large number of workers" can lead them to see a "betterment by unionism". This aspect is neglected by Olson, since he puts the the main importance on selctive incentives (Barry 1970, 29). Regarding the fact that even if the members where to neglect their own profit their contribution would not be perceptible and therfore not rational (devlopped by Olson and explained above), Barry takes Olson at his own game and argues that each person alone can't be worth nothing (not perceptible) since when you add everybody together the outcome is perceptible. Zero plus zero plus zero etc. can't be equal to something positive. He states, mathematically, if 20'000 are worth something then one person is worth 1/20'000 of that something. This is countering the argument that people are only joining the unions for their own benefits and that its total benefit can be greater than the cost to participate. Here it would then mean that anyone who wished purely to maximize the gains of workers in the industry would join the union. It seems interesting to report this argument further in the following thesis and adapt it to more broader groups or social entities and see the global benefits that political consensus could bring to a civil society. Here after we will take a look at an illustration of political consensus with the example of Switzerland (Barry 1970, 32).

The following chapters will present an overall view of the "Swiss political game" starting with the basic characteristic first observed by Liphart and ending with more specific details. The analyse of the executif power, the direct democracy and the Swiss federalism will help to understand how the consensus takes place and which the institutional foundations are. Chapter 9 will focus less on the mechanism but will provides some precisions on the general mentality and illustrate the political landscape.

## 5. Consociational Democracy

The characteristics of consociational democracy are discussed by Arend Lijphart. He departs from the original distinctions between political systems made by Gabriel A. Almond's famous typology of political systems. Almond distinguishes three political systems, the Anglo-American, the Continental European political system such as Italy, Germany or France for example and the third political system which is not given a

name but represents the political systems somewhere in between. Lijphart is going to depart from that point and give a definition to what is not well described by Almond. The Anglo-American model is characterized by homogenous and secular political culture while Continental European model is characterized by a "fragmentation of the political culture" and with "separate political sub cultures" (Lijphart 1969, 207). Lijphart regroups the missing countries which are the Scandinavian Countries, the Low Countries (Belgium, Netherlands, and Luxembourg) and Switzerland, in the distinction made by Almond initially. The Scandinavian countries will be in the Anglo-American model, and the Low Countries and Switzerland in the Continental European model (Lijphart 1969, 211)

Lijphart notes that the second group needs to be specified because of the presence of unstable countries and other countries much more stable such as Switzerland. The interesting point made by Lijphart is that one would expect countries like Switzerland or Belgium with different cultures inside the same country to be highly instable politically. The observation proves that they are not; these cases are countries with fragmented but stable democracies, known under the name of Consociational Democracies. Lehmbruch notes that this form of democracy was "essentially an institutional response to the challenges that industrialization and social mobilization constituted for the political organization of culturally segmented societies" (Lehmbruch 1993, 44). Minority groups developed an organizational structure that lead to cohesive segmented lagers or pillars. These segments were networks generally composed of political parties, youth organizations and professional interest groups. This definition is regrouped under the term of "segmented pluralism". Consociational democracy was formed "when these vertical segments were coopted into the governmental structure" (Lehmbruch 1993, 45).

### 5.1 The Characteristics of Consociational Democracy

These "deviant" case lead to the observation of a new variable which matters in the analysis and that is the behavior of the political elites. As one might think and in the regard of rational choice, every leader would like to maximize his self-interest or the interest of his particular group and this would lead to political immobilism and instability. But as Lijphart notes this comportment is not the observed and necessary

behavior. Instead of creating mutual tensions they may also make "deliberate efforts to counteract the immobilizing and unstabilizing effect of cultural fragmentation" (Lijphart 1969, 211-212).

Consociational democracy means "government by elite cartels designed to turn a democracy with a fragmented political culture into a stable democracy" (Lijphart 1969, 216). Lijphart enumerates conditions necessary to Consociational democracy. They are listed as follows:

- 1) The elites must have the ability to accommodate the different demands and interests of the subcultures.
- 2) The elites must be able to overcome the cleavages and instigate a common effort with rival sub cultures
- 3) Point 1 and 2 will depend on the elite's commitment to the safeguard of the system and to the amelioration of its cohesion and stability
- 4) The entire cited elements above imply that the elites understand the dangers and subtilities of political fragmentation.

The success of these conditions will depend on factors such the "inter-subcultural" relation at the political elite level, the "inter-subcultural" relations at the mass level and the "elite-mass" relation within each of the subcultures. (Lijphart 1969, 216).

Lijphart notes that in Consociational democracies the inter-subcultural relation between the elites has been reinforced by the existence of external threat to the country. This affirmation can be particularly well observed in the times of the First and the Second World War and especially in countries such as Holland or Belgium (Low Countries) and even in Switzerland regarding the Italian and Romansch cantons against fascist Italy. The external threats urged the elites for internal unity and cooperation. Another important aspect is that there has to be a "multiple balance of power between the subcultures" (Lijphart 1969, 218). One (or two) subculture can't be overdominating or in a hegemonic position. This has to be seen in contrast to a society with two subcultures where the shift from coalition to competition is greater while one group, by winning the elections, can dominate the other one. The stability that is created in Switzerland comes from the fact that no subcultural group (linguistic region) is trying to be in a dominating position and the country has a moderated multiparty

system. Low constrains on the decision making appartus is another conditions that favors inter elite relations and cooperation. This implies that Consociational democracy is more likely to survive in small states where for example the foreign policy factor is not too heavy. Gerhard Lehmbruch a German political author notes that the inner equilibrium preservation "presupposes a reduction of external demands to the political system" (Lijphart 1969, 217-219).

Inter-subcultural relations at the mass level presuppose some "distinct lines of cleavage" (Lijphart 1969, 220). This differentiation appears to engender political stability. The point here is that the subcultures can co-exist without being in conflict. It will only be the close contact between them that will engender conflicts. Therefore there is a creation of a form of "voluntary apartheid" between the different subcultures only without any racist feelings. Good social boundaries may make good political neighbors as Easton stated. Hence it might seem desirable to keep the relations between different subcultures at a minimum level in a divided society. This tends to be confirmed in Switzerland (Lijphart 1969, 220-221).

At the Elite-mass relation level within subcultures there has to be a strong degree of political cohesion among the subcultures. This has to be put in relation with the previous precept of distinct cleavages. There must be distinct cleavage between subcultures, and very strong cohesion within them. This also implies that the elites are representing the interests of a given subculture and therefore the mass can identify itself to the elites. Political parties and the interest groups have to be representative of the interests of the subcultures. In Switzerland it is interesting to observe a sort of double layer where the political parties are not representing a linguistic zone or community, but rather the religious or the ideological groups although most of the political life takes place at the Cantonal level (districts) which are delimited by linguistic boundaries. Finally a last argument states that the final factor that favors Consociational democracy is the "widespread approval of the principle of government by elite cartel" (Lijphart 1969, 221-222).

The Table 1 represents a simplified view of the theory developed by Lijphart. The term of Centripetal Democracies is used instead of the Anglo-American model and the term of Centrifugal Democracies instead of the Continental European model.

#### Table 1. Models of Democracy

#### **Mass Level**

		Cross-cutting Cleavages	Segmented
Elite Level	Cooperation	Depoliticized Democracy	Consociational Democracy
	Competition	Centripetal Democracy	Centrifugal Democracy

(Source: Andeweg 2000, 511)

#### 6. The Swiss case

The Swiss case presents a particular form of Consociational democracy where the minority groups, who are represented by Catholics and the Socialists, are fragmented by regional and linguistic cleavages. This is crystallized in the "cantonal organization of the Swiss federal system" (Lehmbruch 1993, 45). The modern form of Konkordanzdemokratie (Consociational) is the result of institutional innovation dating from the second wave of democratization in Switzerland in the mid 1860. The Consociational democracy emerged against the new liberal elites who had replaced the traditional oligarchies of the cities. In the different Swiss cantons the main institutional result was the creation of direct democracy instead of representative, parliamentary government. The innovations were the popular elections of the executives, the introduction of popular initiative and the referendum for cantonal legislations and for important budgetary decisions. In the long run this forced governing coalition to admit by collegial choice major minority parties into the federal executive, known as the collegial "Bundesrat". After the introduction of the modern Constitution of Switzerland in 1848 it can be argued that there was no opposition to the government who at that time was the liberal radical party. And given the fragmentation of Switzerland on the linguistic, geographic and the religious level the majority party was more a "broad alliance" of cantonal parties. This diversity made the government look as a coalition government rather than a "homogenous executive" (Lehmbruch 1993, 48-49).

## 6.1 The Way to the Coalition Government

Constitutional provisions and conventions for the representation of all regions reinforced that diversity. Through the years different minority groups "gained" their seats in the Federal Council ("Bundesrat"), such as the Catholics and the Social Democrats. The Catholics were the firsts to join the "Bundesrat". They used the referendum to block executive decisions and therefore the majority governing parties (Radical democrats) decided to integrate the Catholics. In 1919 they had two elected members in the executive "Bundesrat". For the Social Democrats it took longer, but gradually they abandoned the Marxist theories in favor of reformist concepts and got closer to the other parties. The Second World War contributed to a further reconciliation with the majority parties. In 1943 the first Social Democrat was elected to the "Bundesrat". After a break in the 1950' there have been two Social Democrats in the "Bundesrat" since 1959. This political integration leads to the well known "magic formula" that is represented by the 2+2+2+1 system. Where the Radical democrats (Radicals) hold two seats, the Social Democrats (SPS) hold two seats, the Christian Democrats (former Catholics) hold/held two seats and the Swiss People's Party (former peasant party) holds/held the last seat. This distribution used to roughly correspond to the representation in the parliament. Nevertheless since 2003 this equilibrium has been disturbed by the growth in strength of the Swiss People's party (SPP) since 1999 (see below) (Lehmbruch 1993, 50-51).

A general critic and a case by case critic exist for the Consociational democracy theory. This critic can be theoretical or factual. One pattern that is emerging is that Lijphart is exaggerating the cleavages in the different countries. And that for example, in the Dutch society, the religion and the political cleavage were "cross-cutting", and that the risk to political stability was little. For the Swiss case the critics have found more acceptance. The critics claim that Switzerland is not the representation of a "deeply divided society", and that religious and class cleavage are stronger than linguistic cleavages and also that the linguistic groups had very few "conflicting ambitions". Another critique states that the "Bundesrat" or the executive power is not a

"grand coalition" because the members do not act as representatives of the sub-culture in particular. Also in Switzerland many decisions are made through referendum which is more seen as a "majoritarian instrument". The Swiss case has clearly the characteristics of a Consociational democracy even if the political flexibility makes one think about its ability to fit in the Consociational model perfectly (Andeweg, 2000, 517-518).

## 7. The Magic Formula, the Swiss Executive Power Coalition

The article 174 of the Swiss Constitution, states that the federal council is the directive and the executive power of the Swiss Confederation. The federal council is composed of seven members (art. 175.1) who are elected by the federal assembly (parliament) (art. 175.2) for a period of four years (art. 175.3) and the different regions and linguistic communities must be equitably represented (art. 175.4) As suggested before in Switzerland the Magic Formula regroups the three major political parties and the fourth most popular in the executive power. The term Magic Formula is given to the federal council because of its characteristics and it's lasting over the years. It is based on tacit arrangement between the political parties in order to give the greatest representation of the Swiss electorate and represent the different linguistic and religious regions. The three majors parties have for a long time (1959-2003) been the Radical Democrats, the Socialists and the Christian Democrats. The fourth party had always been the Swiss People's party. The three first ones get 2 seats (ministers) and the fourth gets one seat. This means that none of the parties can have a majority in the decision making process, and in order to obtain these majorities the different parties have to form coalitions (Burgos, Mazzoleni and Rayner 2009, 40).

What is interesting to observe here is the durability of the coalition in Swiss politics. Riker for example describes the much more momentary aspect of the coalitions when he notes that "coalition begins when a leader ... undertakes to form one (coalition) on a particular issue for decision" (Riker 1968, 103). Here the importance should be put on the term of particular issue, this shows that the coalition are then built in a specific moment or time and can change depending on the period (Riker 1968, 103). In Switzerland on the other hand what can be observed is a durable coalition that is reconducted the same way every four years during the whole period from 1959 to 2003.

Another particularity is that this governmental coalition has no common legislative program. This argument has led some scholars to think that Switzerland is not a coalition government. The parties are together in the executive power but there is no clear unified direction in regards to a political program. Also, many argue that Switzerland can't be defined as a parliamentary democracy and neither as a presidential democracy. These series of arguments stating that Switzerland does not fit the "official" definition of coalition tend to emphasize the particularity of the Swiss political system (Burgos, Mazzoleni and Rayner 2009, 42).

The Swiss "political game" is characterized by a consensus style rewarding the status quo and encouraging discrete manners. The decisions are almost always discussed behind closed doors between different political leaders and interest groups even before the parliamentary discussion starts. This "secrecy" and discussion procedures contribute to minimize the divergences and empower the executive power. The executive power in his whole can't be submitted to a confidence vote from the parliament, also a tacit rule states that the ministers stay in power (for their mandate and even after) even if they experienced a political failure. This gives the executive power more strength and allows a real form of autonomy toward the parliament. Burgos, Mazzoleni and Rayner suggest that it is possible to talk about a "sanctuarization" of the "Bundesrat" (executive power) and the political activities linked to it. Therefore this "santuarization" has participated in the sustainability of the "Magic Formula" (Burgos, Mazzoleni and Rayner 2009, 44).

# 7.1 The Magic Formula after 2003, a new Redistribution among Political Parties

Throughout the years the magic formula has experienced highs and lows, for example with the reelection of socialist government members in 1993 and 1995. The other parties and notably the radical showed some strong opposition to candidates who were considered as to left situate on the political scale. More and more critics emerge on the magic formula in the late 90°. One of the problems is the lack of common legislative program among the government. Two general positions are in opposition here, one arguing against the immobilism and the partisan divisions and the others arguing for the stability and social peace (Mazzoleni and Rayner 2008, 24-25).

The radicalization of the Swiss People's party leads to the new political configuration of the 90'. The SPP is voting in a compact and stubborn way inside the parliament and especially on immigration issues. This parliamentary cohesion and ideological radicalization are contrary to the principle of compromise which is one of major rule "of the Swiss political game". The SPP is going to use political marketing and big political campaigns. The pragmatism, the search of compromise, "low profile" and modesty are no longer the rule (Mazzoleni and Rayner 2008, 29).

After having been the smallest party in the governmental coalition the SPP became the major political force in 1999 with 22,5% of the votes. Therefore they claimed the right to have a "double representation" in the governmental coalition. Since 2003 the "new" SPP obtained a second seat to the detriment of the Christian Democrats. This is the first fundamental change in seats repartition in the "Magic Formula" since its creation in 1959 (Mazzoleni and Rayner 2008, 31). With the stronger position of the SPP the political relations became more in conflict and are more competitive and some political actors are no longer playing the concordance game in particular while voting in governmental elections or re-elections of the executive power. The opposition is alternatively held by the far right (SPP) and the Social Democrat Party (PS). Mazzoleni and Rayner (2008), note that the competitiveness is decreasing the initial notion of government of all since it favors individual interests and diminishes the consensus among and between the parties. The new distribution is held by a strictly proportional distribution of the votes in opposition of the original ideology of consensus. This is considered as a "book keeping" definition of the magic formula and the future will have to decide if the magic formula has to be seen as purely numerical or more consensual. The Swiss People's party will also have to decide between the governmental coalition and the opposition which they are often using while being in the government (Mazzoleni and Rayner 2008, 31-33).

## 7.2 Difficulties and Different Alternatives

Pascal Sciarini notes that the political "concordance" is the most adapted governmental form for the institutional characteristics of Swiss political system and in particular for direct democracy. In fact the political integration permits to avoid the risk of the referendum contestation and to reinforce the loyalty toward the governmental politics.

This typical integration is referred to as the "Zemp effect". It defines the origins of concordance in Switzerland with the election of Joseph Zemp, conservative Catholic in an entirely Radical Democrat government. But Sciarini observes that "the Zemp effect" is decreasing in Swiss politics throughout the years with parties such as the Social Democrat Party and the Swiss People's party playing the double role of participating in governmental coalitions and in the opposition via the direct democracy institutions. If we look at the case where at least one is opposed to the government in obligatory referendum, initiative or facultative referendum then we can note that between 1993 and 2003, only one issue out of four submitted to popular (facultative referendum) vote has been supported by all the parties in the governmental coalition. If we look at the initiatives the percentage falls to one out of five (Sciarini 2004, 13).

Here we see that the constant opposition has "emptied the concordance of its substance" (Sciarini 2004, 13). The concordance is now also suffering from outside with the lack of loyalty from the SP and/or the SPP. This observation leads him to conclude that maybe Switzerland should try a reduced concordance with three parties governing instead of four which would strengthen the legislative direction and give greater political direction. Sciarini even argues in favor of a parliamentary system which he considers as the best to remedy the lack of political direction and the lack of efficiency. The "mutual sanction mechanism" would increase the decisional efficiency by forcing the government to cooperate. These are some ideas that are interesting to note in order to counteract the double game of the political parties (governmentopposition) even if they will most likely not be applied in the near future. The actual situation offers the chance to debate. For example if three parties are governing, one could suggest that the opposition party would use the referendum tool constantly. Nevertheless it can be noted that exhaustion might occur among opposition party and voters. Also no opposition party can afford to initiate, finance and manage dozens of referendums every year, plus the three parties would still have the majority in both parliamentary chambers. (Sciarini 2004, 13).

Also another solution that has arisen is the popular vote for the "Bundesrat" seats. This has been voted twice and rejected both times. First in 1900 and then in 1942. These initiative where brought up by the socialist party at that time. After the election of 1999 and the increased score of the SPP, they had re-envisaged the idea. But the

election of their second member in the government in 2003 made them abandon the idea. The argument here is to show that even if the actual system seems stable there are voices from political scientists that are questioning for reforms and proposing alternative systems for the government or the electoral system such as lists, or a reduced Council of three members, or as said before a parliamentary system (Delley 2006, 6-7).

## 8. Direct Democracy in Switzerland

Switzerland is the country with the largest numbers of referendum in the world. Referendum has been mandatory in Switzerland for any constitutional changes since 1848 (art. 140). The mandatory referendum has then been extended to "the ratification of major international treaties plus for "membership in supranational organizations". Although it can be historically shown that Swiss institutions where influenced by French revolution, the idea of direct participation and collective decision making has "deep cultural roots in Swiss history" (Linder 1994, 88). Jurg Steiner for example notes that in medieval times the pastures were communal property and therefore the decisions about these pastures were made communally. For example all the cow owners assembled "under the open sky" and voted the issues concerning their cows. Even today it is really interesting to see that in small rural cantons people regroup on the public place and vote by raising their hand in order to say yes or no to a proposition (Linder 1994, 88). When modern Switzerland was established in 1848 it was inspired by these principles. In the 19<sup>th</sup> century the representative system was seen strange to Swiss democrats whom it reminded the old regime too much. All the democratic forces called for "full democracy", law-making by the people and self government. This was also established in order to prevent political and economic power to be concentrated in the same hands. The democrats succeeded and the referendum and initiative were introduced in the cantons first and then later in the federation. The Swiss wanted a government through the people and noted that with direct democracy as law making "by the people", the people would find "the right way to social freedom" (Linder 1994, 88-89).

## 8.1 Referendum and Initiative

In Switzerland and in comparison to other countries where referendums take place, what is interesting to see is that it can, and is often, initiated from below. The main characteristic of these referendums is that they share the "property of not being under control of the political system". Therefore at any time a given number of citizens can launch a petition on a particular issue, which is then submitted to vote. The outcome of this vote is binding. Therefore "the initiative for the vote comes from a part of the electorate and not from the institutions" (Papadopoulos 2001, 35-36). This popular aspect has torn politician a part. Some say that this is "a call from ignorance to intelligence" (Voutat 2002, 130), as a deputy from Geneva argued early in 1874. Others argue that direct democracy will be beneficial for the citizens and will improve the democracy. The first one affirms that it blocks and paralyzes the government while the others argue that it increases the legitimacy of political decisions. This separation can be linked to the separations of direct democracy vs. representative democracy and by extension also of people vs. elites, progress vs. conservatism, etc (Voutat 2002, 130-131).

The referendums from below cause generally more uncertainty than the referendum "which can be anticipated because of constitutional provisions (mandatory referendum) or those decided by the political bodies" in a discretionary way. The final decision of these initiatives "escapes the elite" (Sciarini and Trechsel 1996, 5). Papadopoulos notes that the popular referendums raise the most questions and problems regarding "the compatibility and integration of the referendum phenomenon with constitutional representative governments" (Papadopoulos 2001, 37). It is also interesting to note that these referendums were not granted by political elites, but rather by pressure from reform movements in the mid 19<sup>th</sup> century after a number of cantons had adopted it. There can be two sorts of referendums from below;

- 1) **The optional referendum**. Here if 50.000 voters *sign a petition* against a bill, that has been got through the parliament, within 90 days, than the bill has to be approved by a majority in a "referendum vote in order to be enforced" (art. 141).
- 2) The popular initiative. Here if 100.000 *signatures are collected* within the period of 18 month in order to amend the constitution then a referendum

must be held. The initiative will be binding if it succeeds to collect a majority vote from the voters *and* the cantons (art 138-139).

The referendum and the initiative serve different purposes. The first one allows a "group of citizens to overrule an existing decision and the initiative permits to put new proposals on the agenda. Optional referendum in some sorts closes a political or legislative process whereas the popular initiative opens a process. We can observe that the referendum from below can be a useful "weapon" for those in order to modify the balance of powers and in favor of people that are outside the official decision making process (Papadopoulos 2001, 37). Therefore a compromise that has been secured by the elites can finally be rejected by the population in opposition with the "cooperation principle" that prevails among the elites (Sciarini and Trechsel 1996, 5-6). Wolf Linder notes three types of procedures which illustrate the concept of the constitutional system:

Table II. Legislative Procedures

Issue	Legal form	Deliberating authority	Participation by the people
Most important	Constitutional amendment	Parliament	Initiative, referendum (obligatory)
Important	Ordinary legislation	Parliament	Referendum (optional)
Of less importance	Regulation	Parliament executive power	-

(Source:Linder 1994)

Here we can see that since there are issues in which people do not make the decisions this system can be qualified as "semi-direct democracy". The most important issues go to the people and the less important go to the government. *The people's own decisions are seen as the purest form of democracy* (Linder 1994, 90). Here the principle of the sovereignty of the people is emphasized and "authentic" decisions by the people enjoy the highest legitimacy, whereas the parliament and the government can be seen as some kind of indirect democracy. The initiative and the referendum are considered as the most precious elements of the Swiss political system and there are not

many people in Switzerland who are against it even if the political participation is often very low and not exceeding 45% (Linder 1994, 90-91).

## 8.2 Political Negotiations Regarding the Referendum

The existence of the referendum has a great effect on the political elites and institutions. The different actors have to manage the risk that emerges from the possibility of a popular initiative. "The political system as a whole adjusts to the *pressure* caused by it" (Papadopoulos 2001, 39). Direct democracy is modifying the behavior of the political actors who have to use compromise and consensus to pass their bills for example. Papadopulos notes that this behavioural modification can be categorized in three distinct sections or actions:

- 1) Widening the executive formula, by including/encompass the parties likely to make *efficient* use of referendum against a bill.
- 2) To negotiate *ex-ante* in order to anticipate the "veto risk" and add amendments as soon as in the pre-parliamentary phase to incorporate the claims of different social actors who are, for example, known for winning majorities in referendums. The other alternative then is to drop the bill if those who initiated it observe a too big opposition from the start of the process.
- 3) To negotiate *ex-post*. This occurs when "the recourse to direct democracy cannot be avoided". This case often takes place where the claims of the "initiative promoters" can be "partially met in formal counter-projects".

Widening the grand coalition can be seen as a *disincentive* to using direct democracy" to negotiate *ex-ante* as an *anticipation* of direct democracy, and to negotiate *ex-post* as *management* of direct democracy (Papadopoulos 2001, 38-48). The constant danger of referendum leads therefore to the consensus or cooperation in Swiss Democracy. Neidhart note the interesting qualification of "negotiation democracy" while talking about the executive power in Switzerland. He observes that the "cooptation strategies" that the political elites have adopted over the years in order to reduce the "risk" of direct democracy, have transformed the referendum democracy into a democracy of negotiation and consensus. This is one of the most fundamental

findings in order to explain "the formation of consensual decision structures" at the different state level in Switzerland (Vatter 200, 185).

Further in their empirical analysis Sciarini and Trechsel reach the conclusion that the authorities are not totally unarmed against the referendum "menace". Throughout their observations they see that the negotiations *ex-ante* constitutes a strong argument to avoid "a sanction" referendum. Again this shows that the degree of consensus among the elites has to be high, and that direct democracy forces government to form bigger coalitions than the minimum winning coalitions which would be expected in a simple majority system. This is one of the explanations for the low participation in Swiss politics (Sciarini and Trechsel 1996, 22-23). It is also interesting to recognize the importance of the organization of the political system. Vatter notes that "the less perfectly a consensual system is organized, the sooner optional referendum and initiatives will be used by underrepresented minorities as alternative instruments of power distribution" (Vatter 2000, 186).

The different arguments above show the kind of fear that is expressed by the elite toward direct democracy and in extend to referendums and popular initiatives. (Vatter 2000, 186). This has also been one reason for the considered immobility of Swiss politics, the slowness of the whole system and the lack of innovation of the political system. Observations show that optional referendum is sometimes used to challenge bills that are not enough or too ambitious for one party and therefore the previous status quo is reinforced (Papadopulos 2001, 48-51). Nevertheless the negotiating actors use the referendum treat to impose their preferences but not often will they carry the referendum out. As soon as some of their claims have been accepted, "they are likely to join the large coalition, preferring the compromise to the status quo" (Linder 1994, 126). Here we can observe a shift in the definition of the referendum. "From being a popular right, it becomes a right of interest groups" (Linder 1994, 126).

We can also note the fact that if a referendum is not initiated, it does not necessarily mean that the project is optimal. The consensus could even have a cost in terms of "quality of the decision". This is illustrated by the fact that even if consensus does increase the success of a legislative bill the process is not exempt of "cost of transaction". And some issues have to be abandoned in order to satisfy everybody.

Referendum is then becoming a weapon of negotiation and the groups that can threaten to initiate referendum can use it to blackmail. By doing so they are assured of having impact on the legislative power and guarantee their personal interest. This is why the consensus cannot always be considered as an optimal solution since these groups have "institutionalized veto positions", which means they have the power to oppose reforms that are hurting their personal interests and to impose "limited" solutions mostly close to the status quo (Sciarini and Trechsel 1996, 8). The negotiations lead to the fact that "no single winner takes all, everybody wins something" and this is a quite accurate overall definition of the Swiss political system (Linder 1994, 124).

## 8.3 The Elite's Management of the Referendum Tool vs. the Mass

One other question that should be asked is to see if the political elites are losing the control over the political decision process because of the direct democracy institutions. Today some people are blaming direct democracy for isolation and lack of adjustments which is characterized by slowness and stagnation of the system. These critics emerge from economists mostly but also from some politicians and medias. Nevertheless it should be said that the people are generally in favor of direct democracy while it gives a feeling of control over the political elites. On the other side the elite "increasingly believe that direct democracy is threatening Switzerland's governability and adaptability to international factors" (Papadopoulos 2001, 51). Papadopulos notes that Switzerland is confronted with institutional crisis, but also with crisis of conflict management. When adjustment problems are addressed, the political elite is in great difficulty to overcome "nostalgic popular opposition" (Papadopoulos 2001, 51-52).

Sciarini and Trechsel observe that the augmentation in popular voting cannot only be attributed to the augmenting referendums and initiatives. They observe that mandatory voting, which are initiated by the authorities have also augmented and also influence the popular voting. Also they note that this evolution has taken place in order to meet the "complexification" of the society and the globalization of economics and politics which is leading to an increase in particularistic demands (Papadopoulos 2001, 49). The different results they obtain in their research tend to refute the thesis that the elites are losing their power in the outcomes of the political processes. Further they see that the outcome of a referendum depends on the consensus reached in the parliament

and that, as said before, the referendum menace acts as an integrating factor and favors collaboration. The elite can therefore shape the outcome and diminish the risk of success of a referendum (with a large enough consensus). In fact they argue that the weight of the elite in the decision making process could be obtained by other means than the reduction of popular rights and direct democracy. The goals could be reached by a modification of the comportment of the actors "without modifying the institutions" (Sciarini and Trechsel 1996, 28-31).

Finally the (semi) direct democracy in Switzerland shows that it is possible to participate in politics beyond the occasional election of elites. Also we can see that the population is willing to express their preferences even on complicated political issues. Power sharing has led to the institutional system of concordance. On the other side the intense consensus among the elite has "altered" the political participation of ordinary Swiss people. The cooperation and integration has led to the fact that referendum has often been avoided. "The indirect effect of the referendum on the legislation process have become more important than the direct votes" (Linder 1994, 131). At last we can note that the people's participation in elections is reduced because of the all-party government and the extreme consensus among the government makes it impossible for an opposition party to be brought to power (Linder 1994, 130-131).

#### 9. Federalism in Switzerland

Switzerland is composed of 26 (total) cantons and half cantons which are "sovereign in all matters except those delegated to the federal government" (art. 3). In the beginning Switzerland was only an ensemble of autonomous and sovereign cantons. The question that arose was then to find out how to create a single political unit and to guarantee political autonomy and create a common market for the growing industry. The answer came in 1848 with the Swiss Constitution which proposed the "creation of a central authority by the cantons" (Linder 1994, 38). Therefore the cantons had to pass on a part of their previous sovereignty. In many ways, one can say, that the Swiss Constitution resembles that of the United States. Also with the Constitution of 1848 Switzerland became the first continuously functioning democracy and also the first modern federation in Europe. The Swiss federal system is composed of the federation, the cantons and the communes. Each level has "specific and limited" powers and is

cooperating with each other (art.44.1-3). Also they are "bound to guarantee" democratic election of the different authorities and the decision making process. The citizens elect authorities on all three levels (Linder 1994, 38-40).

Since there are many differences between cantons and that they claim to be autonomous the central power is limited. The most important areas are the foreign relations, to protect the Swiss independence and also to guarantee peaceful relations between the cantons. Nevertheless it has to be noted, that since the first constitution in 1848 the central power has increased in general even if the Swiss model shows preferences for the "decentralized autonomy" and the minimal state rather than strong state (ex. art 43a5). All the powers, authority and decisions that are not decided by the central power should be delegated to the cantons (Linder 1994, 40-42). Also any (major) centralization of power should be decided by constitutional amendment and therefore by the people via referendum as explained in the previous chapter. As Wolf Linder notes, one could observe that Switzerland, as the USA, "share a common institutional arrangement which characterizes federalism more as a system of noncentralization (rather) than one of decentralization" (Linder 1994, 42).

Most of the federal programs are implemented by the communes or cantons and there is no equivalent federal administration (Linder 1994, 55). Further and concerning the different regions Linder acknowledges this interesting fact: "Swiss federalism means regional solidarity, not competition" (Linder 1994, 61). Therefore the people are not necessarily moving to where the money is, but rather is the money coming to them and this favors decentralized economic and social structures. These are defined as the "equalizing policies of cooperative federalism" (Linder 1994, 61). The purpose is to help different regions rather than to make them compete against each others. This opposes the more economic vision of federalism which relates federalism to competition where many decentralized authorities compete against each other. This might be the case of the USA where states and regions inside states are seen to be more competing against each other and people moving from state to state or from region to region in order to find the best one. This phenomenon is not observable in Switzerland where people are more loyal and "emotionally attached" to their original Canton (Linder 1994, 63-64). Federalism in Switzerland can really be considered as an

"institutional arrangement that has enabled national unity while maintaining cantonal and regional autonomy" (Linder 1994, 153).

Even if the role of the state is restricted it can be said that the federation has substantial control over the cantons and the communes. This is for example represented by the fact that the federal law is superior to the communal law which is contrary to it (art49.1). Some other "key issues" of federal control are for example, the fact that cantonal institutions have to be conform with standards of federal law, the cantons have to guarantee their inhabitants with all the rights "provided for in the federal constitution" (art.46.1), and the cantons are "bound to respect and implement" federal laws (Linder 1994, 44).

#### 9.1 The Swiss Parliament

The Swiss parliament is composed of two chambers, the National Council and the Council of States named together the Federal Assembly (art.148). The parliament provides another characteristic of Swiss federalism which is the participation of the cantons in the decision making process of the federation. The National Council is composed of 200 members divided proportionally according to the population. The members are elected following the direct suffrage and the proportionality rule. Its members are elected for a period of four years. Each Canton forms one electoral district and each canton has the right to at least one seat (art. 149).

The council of States is following the principle of equal representation of all cantons and is therefore composed of two members from each canton and one in the case of half-cantons. Here the cantons themselves determine the mode of election they want to apply (art.150). It can be said that most of the members of the cantons are elected according to the majority rule. The candidate, as it is defined by the majority rule, must then win at least 50 % of the suffrages to be elected. This implies that small parties have often, if not always, difficulties to get their candidate elected (Linder 1994, 46). The Federal Assembly elects the seven members of the Federal Council (government), the federal Chancellor, the 39 members of the Federal Court, the Commander in Chief of the Army in times of war and other major federal bodies. The parliament is responsible for "all political decisions of general importance". Parliamentary legislation

is characterized with three sections, constitutional, legislative and regulatory acts. The two chambers also decide on budget and finance and approve international treaties. More generally, lawmaking in Swiss parliament reflects the equal importance of democratic and federal influence in all decision making. The bills must be passed by both chambers and every bill that is destined to become law must be approved by relative majority in both chambers (art. 156.2). This reflects the "absolute equality of both chambers in all matters of legislation". This is one of the strong elements of Swiss federalism (Linder 1994, 47-48).

## 9.2 The Linguistic Factor

In general, each canton or half canton has a linguistic demarcation. The Cantons are either, French, German, Italian or Romansch speaking, these are the four official languages as recognized in the Constitution (art. 4). Nevertheless some Cantons are bilingual such as the cantons of Bern, Fribourg, and Valais. The canton of Grison is even trilingual since a small part of the population is speaking Romansch, which can be described as a Latin dialect (Schmid 1981, 20). The distribution is represented as follows and according to the last official counting in 2000, German speaking: 4.64 millions, French speaking: 1.485 millions, Italian speaking: 0.471 millions and Romansch speaking: 0.035 millions. Here we can see that Romansch is really an isolated language and that many foreign languages are more spoken than Romansch in Switzerland, such as Portuguese (0.089 mil.), English (0.073), Serbo-Croate (0.111), Albanese (0.094) or Spanish (0.077), the total population being 7.288 millions. Italian, Spanish and Portuguese speaking people represent the first wave of immigration, which were in majority general workers and construction workers. The second immigration wave came from the Yugoslavian war in the 90'. This is why these languages are so highly represented (Swiss Federal Statistical Office 2010)

The distribution and the concentration of the different languages have "given rise" to the principle of territoriality, which means that each cantonal territory has the right to "protect and defend its own language and to insure its survival" (Schmid 1981, 21). This principle is not expressly guaranteed by the constitution but is tacitly accepted. The whole idea that emerges here is that no language should try to dominate the other one and no language should try to be the more official Swiss language even if the

German speaking population is predominant. Each canton can define its language and edicts cantonal laws and decides the school teaching language in accordance with the "linguistic sovereignty" (Schmid 1981, 21).

The principle of territoriality shows that at the cantonal level, the different cantons use their official language (or languages) and have no strict legal obligation to use the other languages although in real life alternative and compromise is tried to be respected. In contrast with this principle is the "principle of personality" which takes place in the relationship of individuals and the federal government. According to the Constitution and as the article 31.2 states for example, the government has to adapt to the official language of the citizens canton (in accordance with the four official languages). "Each person ... has the right to be immediately informed in a language that she or he understands..." (art. 32.1). This again tends to shows us the strength of the different cantons and their linguistic cultures since the government can't dictate one official language. This is also illustrated by the fact that all governmental texts are published in the official languages and all texts have "equal status" before the courts. Also the members of both parliament Houses are free to speak the language of their choice. However, it has to be noted, that Italian is not spoken by a majority of French and German speaking people and therefore this language might suffer in the "public and governmental sphere". But "on the paper" everybody is equal (Schmid 1981, 21-24).

## 9.3 The Religious Factor

Religion is also linked to federalism in Switzerland. The two principal religions are Catholicism and Protestantism. The official numbers as noted in the year 2000 are, for Protestantism: 2.569 millions and for Catholicism: 3.047 millions. Other major religions are the Christian Orthodox: 0.131millions, Islamic communities: 0.310 millions, and without religion (atheist): 0,810 millions for a total population of 7.288 millions (Swiss Federal Statistical Office 2010). However with religions the territoriality principle does no longer apply despite that it was the case until 1848 and the apparition of the Constitution. Before 1848 it can be considered that there were two Confederations, one Catholic and the other Protestant. Nowadays the majority of the Cantons recognize the two major Churches. Article 15.1 of the Swiss Constitution states

the liberty of faith and conscience and that no one can be forced to adopt one religion or faith (art. 15.4). Also public instruction *should* be neutral of any faith, although it might be religiously influenced as in the Catholic rural regions for example. Nevertheless students of all faith have to be able to get instruction that does not offend their religion. The important fact here is the notion of "does not offend". This compromise allows Catholic cantons to "preserve their identity without either, offending the principle of the separation of school and Church, or having to establish a two school system" (Schmid 1981, 26-28).

More generally, Schmid (1981) notes that throughout the federal system institutional arrangements regarding language and religion do provide the preconditions of the well being of the minorities and enables the protection of the different cultures. This allows the Swiss people to live in "homogenous territories even though they are citizens of a highly diversified nation" (Schmid 1981, 29). Federalism as practiced in Switzerland, and the Swiss Constitution provide an ingenious and clever set of checks and balances by giving the cantons substantial power and by respecting their autonomy (art. 47, also see art. 44, 45). Also it provides the limits to a "horizontal segmentation" of political and further, social life. Issues that would be less effectively treated at the national level are managed at cantonal or communal level (Schmid 1981, 29).

#### 10. Conclusion

In conclusion, we can say that the analysis of the Swiss political system, and some of its most important particularities, supports both the strength and the limitations of rational choice theory.

First considering the strengths, it can be observed that the different political parties are better off when they are participating in the government. Therefore it is in their interest to be a part of the consensus. It is their self-interest that dictates them to participate in the coalition government. The example of the far right SPP shows us that even if their political ideas are not in the same vein as the other parties they fought to become a more important part of the government in asking to be arithmetically represented with two seats in the Federal Council (executive government). Further this

tends to explain the fact that political entities seek power and their programs tend to be designed "to maximize votes in elections" (Linder 1994, 116).

The statement noted above can be emphasized with the direct democracy aspect of the Swiss political system while rational choice theory seems to be quite appropriate in explaining the process. Papadopulos notes for example that, regarding direct democracy, political elites tend to try to lessen the risks and uncertainty while campaigning and therefore will negotiate or try to influence the electors in order to achieve their goals and to achieve the greatest expected utility. The status quo that is often the result in Swiss politics is then rational to everybody according to the minimax principle illustrated by Elster and Heath for example. Therefore for a party to cooperate might then maximize his utility. The cost of being part of the consensus, and therefore to have to negotiate, is then lower than the benefit that the party will get in the future. Also political parties will come up with arguments that are maximizing the advantages of their supporters. A good example is the SPP's 2010 campaign against foreigners. They are using a same theme that they know is working in Switzerland now in order to get political success and more political strength for the upcoming notional elections in 2011. This anti-foreigner vote was initiated through popular initiative but was in fact a SPP campaign. This in fact tend to show the difficulty for the parties to be totally devoted to the cooperation principle since parties like the Social Democrats and the SPP are often playing the double game of participating in the government and the opposition in order to fulfill and follow their personal interest (Sciarini 2004).

Olson's argument is also accurate in a certain measure since the Swiss case tends to confirm that every party has personal incentives in participating in the group which here means the coalition government. The parties help to bear the cost or the burdens involved in the government achievement but in return they expect personal interests. These interests are for example some ministries, or more power in the lawmaking process. Parties will collaborate to a certain point but will always keep their personal interest in mind. As Riker noted the parties will choose the way which outcome fits them best. So if a party is personally better off in not participating in a consensual decision there are many chances that the party will find some ways to counter those decisions with using the referendum tool although it might be through popular initiative (and therefore hiding their direct implication). Even if the Swiss case seems to be

initially sincerely motivate by pure cooperation and coalition, the more recent aspect of the Swiss politics tend to confirm what Olson and others had predicted (Olson, 1971).

# 10.1 Criticism of Rational Choice

One basic critic that emerges is the fact that rational choice theory is only another way of using a style of analysis and theories, which have proven to be right in economy, in social life. As economists note the individuals involved in politics are the same as are treated in economic theories and therefore they are, and have to be, rational as much as the second group (Hindess 1989, 44). Another argument against rational choice theory is the fact that this theory might seem to select what is essential and to dismiss factors that seem to have some real importance on one individual choice. Also the theory presupposes that all actors within a certain category are rational on the same basis and that a specific decision rule is always followed. Rational choice theory tries somehow to impose what is rational and misses more sociological and psychological aspects. It is also interesting to see that most of the critics emerge from these scholar faculties against the economists who are (mostly) the advocates of the rational choice theory (Hindess 1989, 50-55). Another major point is the critic of the individualistic vision and that social ends should only be defined by references to the ends of actors (see Olson). Here what emerges is the fact that human individuals are not the only actors and that firms, political parties or governments for example are other type of actors and that they have to be considered on other basis than individual. This is opposing Anthony Downs vision who wants these bigger entities to be considered as individuals since they are ruled by them and therefore they are "reducible to human individuals" (Hindess 1989, 57-58).

There is also a sociological critique which claims that individual behavior depends on social structures and that rational choice has difficulties in eliminating "taken-asgiven" structural factors. Here again the critics underlines that it is not possible to report everything to the individual alone. This critic concerns themes such as norms, ideologies and rules and conventions. For these three themes, the main critique is the same. It consists in saying that rational choice theorists shape reality to *fit* their model and theoretical assumptions and dismissing more social values such as norms and values for instance. As Ward notes in his critic, "the rational choice picture of the

political world is a distorted reflection of a reality only approached in capitalism, generating forms of understanding of the political realm which prevent all but shallow criticism of the social status quo" (Ward 2002, 78).

The psychological critic states that empirical evidence shows that sometimes individuals act in an altruistic way and sacrifice self interest in favor of other, as in Switzerland different cultural regions and politics might do. Here an alternative could emerge (partly supported by rational choice theorists) that rational choice theory should prevail in the areas where self-interest dominates (Ward 2002, 75-79). Olson even suggests in his notes that his theory of self-interest is best appropriate to "economic interest" groups rather than philanthropic ones (Olson 1971, 65). Finally rational choice theory lacks to present enough empirical evidence. Also the preferences of the individuals are difficult to determine, to measure in an absolute value. This is a more political science based critic brought up by Green and Shapiro and also supported by many Swiss authors (Ward 2002, 80-82).

#### 10.2 Perestroika in Political Science

The original meaning of perestroika comes from a political movement within the communist party which intended to restructure the political and the economic system in the Soviet Union. This movement was notably initiated by Mikhail Gorbachev. The perestroika movement in political science, which emerged in 2000, can be seen as faculty people working towards restructuration in political science and towards methodological pluralism in contrast to the rational choices methodological individualism (Kriesi 2005, 250) and a broader acceptance by journals and scholars of non-quantitative methods (McGovern 2010, 726).

Although the perestroika movement and the consequences it engendered, might seem to be an intellectual debate and clash for the presidency of some of the American "block buster" political reviews (critic of the east coast monopoly). It still gave emergence to some new visions (Luke and Mc Govern 2010). As for example the election of women for the presidency of the APSA who identified themselves as part of the perestroika movement such as Skocpol for instance differing ideologically from Ostrom (one of the former president) and her well known economic and mathematical

analyze of political science (Luke and McGovern 2010, 729-730). The movement as said before lead also to the critic of more traditional theories about political science and more precisely against rational choice and the economic vision of political science as for example Downs idealized it in his book "Economic Theory of Democracy". Rudolph and Rudolph from the University of Chicago note that many political scientists suffered from economics envy, in regard of its scientific aspect notably. Economics could "access objective knowledge, knowledge that was said to be true, independent of time, place, and circumstances" (Rudolph and Rudolph 2010, 747).

Economists for most instigated the rational choice theory and pushed political scientist to find laws and rules that could be applied in every case without taking into account the context in which these actions are happening. The perestroika movement emphasizes that the word scientific has not only one definition and there is not only one model of science in the world. The critic is against the pure independence of the variables that is said to be true in the former political models and theories, and also that these variables are interacting in predicable ways. As we know the whole economic system collapsed between 2007 and 2008. This allows Rudolph and Rudolph (2010) to bring up a critic to the rational choice theory and the whole economic vision. By quoting Tolstoy they observe that it is not possible to make clear a simple thing to someone who is intelligent but who is "firmly persuaded" that he knows the truth, without a shadow of doubt of what is laid before him. This is the critics applicable to rigid aspect of rational choice that only the self interest and the personal benefits aspects (calculable) prevail and that it is independent from different aspects of social life such as history, ideologies, convictions, social structures or norms as seen before. Here the context is not taken into account and that is exactly the point of the critic (Rudolph and Rudolph 2010, 747).

#### 10.3 Swiss Particularities

For the Swiss case the context, history and even ideologies play an important role in defining the political system. Rational choice theory does not emphasize these aspects enough and therefore is limited in explaining the consensus that takes place in Switzerland. The autonomy and the respect of the different cultural and linguistic boundaries is a good example. As said before, the Swiss cantons are not in competition

with each other and the principle of solidarity prevails. By definition someone must then pass on self interest and participate in the political life. This throughout the federal institution is then in some sort transmitted to the political parties and their political behavior is therefore not dictated by self interest only. Parties might then sacrifice personal issues in order to reach harmony and respect of all the voices. One great observation is in fact that the power sharing in Switzerland does not lead to the competition for political power. Instead it "facilitates peaceful conflict-resolution among culturally different groups" (Linder 1994 36).

This is also emphasized by the fact that no winner takes all, everybody takes something. Here the zero sum game does not apply. The whole political system as showed before was made of concessions and is still made of them. In Switzerland which is represented by different cultures living in different cantons, purely egoistic actions and policies would lead to total immobilism in politics since everyone could use and misuse the referendum "weapon". While being stimulated by self interests only one would be sure to lose (Papadopoulos 2001). Political parties and people do not need personal incentives to participate as affirmed by Olson earlier. As Schmid observes accurately, Switzerland represents a "mosaic of great complexities" (Schmid 1981, 20). Consensus and cooperation among political entities will then be the way to create and maintain a stable and viable governing force that takes into account all these differences (Schmid 1981, 20).

The Magic Formula established in 1959 with the integration of the Socialist party has led to the end of the partisan dealings. This enlarged the socio-politic base of the government and reduced the opposition to a "negligible value". Here Riker can be refuted where we can see that his principle of minimum-winning coalition does not apply. Riker supposes that while forming coalitions the different parties involved will take as much participants "just as large as they believe will ensure winning and no larger" (Riker 1968, 33). The game theorists and those of rational choice would focus more on the individual interest and not see the global win in the stability. For them the loss of one is opposed to the win of the other. Further Riker notes that "among rational players with perfect information, only minimum winning coalitions occur" (Riker 1968, 46).

The Swiss case shows another image and the occurrence of a maximum-winning coalition. This can be illustrated by the fact that in 1959, before the complete integration of the Socialist party the three parties in power (Radicals, Christian Democrats and Swiss People's party) had 64% of the 240 seats in the parliament. This percentage was already winning but the Socialists were still integrated and the percentage shifted to 85% which made the opposition negligible. It can be observed more generally that every coalition tend to incorporate more than just the minimum winning but the Swiss case is particularly welcoming. Jürg Steiner Swiss politologue notes that the error made by the coalition theories in the case of Switzerland is that they see the political world through a too narrowly utilitarian scope which is characterized by the action of maximizing the profit and minimizing the costs (economic/rational choice theory). He adds that these coalition theories are occulting values and other ideological references as the perestroika movement also notes (Burgos, Mazzoleni and Rayner 2009, 47).

To continue the more recent critic we can look at an essay by Hanspeter Kriesi in the Swiss Political Review. Kriesi notes that there has been resistance within the political science against the invasion of economics. The resistance is mainly motivated by methodological reason as political science is not enough scientific to appreciate the economic principles. Also an interesting point of view is that this economic importation lacks general realism and presents a "limitation of theoretical scope" (Kriesi 2005, 249). This leads to the affirmation that rational choice works best where there is not much evidence. The critic against rational choice is the most perceptible in fields where researchers have a lot of data such as "mass political behavior and public opinion". (Kriesi 2005, 249-250). Further a more general critic emerges based on sociological writings such as Durkheim, Parsons and Habermas who criticize the fact that the notion of "homo economicus" is taken as role model in the theory of action. They add more sociological values to the whole analyze such as habits and emotions (Weber), norms (Parsons) or cognitive and cultural elements (Habermas) for example. For this sociological approach of politics the "homo economicus" has to be considered as a special case of a broader concept of "homo sociologicus". This shows us that a much larger scope of how we see and how we analyze the human behavior can be used. (Kriesi 2005, 257).

Lastly, we can observe situations where the economic principles such as costbenefits analyze do simply not apply. One good example is terrorism where the fact of paying terrorist to stop does not ideally work. Because the benefits are more socially, culturally and ideologically based; the promise to go to paradise if a terrorist blows himself up is greater than any monetary compensation (Moreau and Yousafazi 2010, 35). In Switzerland, Swiss Germans, who are in (great) majority in the country, do not seek by all means to create all German parties or focus only on their population and maximize their benefits. This can help to illustrate the failure of the economic principles applied to politics as "the truth" (Kriesi 2005, 258).

Kriesi in more general term argues, as a political sociologist, in favor of more realistic models and more variable models than the rational choice and the economic theory offers in general. He notes finally that more empirical and realistic oriented theories on human behavior will tend to "less parsimonious and less elegant models". There is a price in terms of theoretical rigor that will have to be paid for "more empirical content" in order to explain accurately the real socio-political life (Kriesi, 2005, 264).

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