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#### RESEARCH ARTICLE



# The bottom-up approach: essential to an apprehension of local autonomy and local governance in the case of Switzerland

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#### **ABSTRACT**

Local autonomy has been the subject of increasing scrutiny in recent decades. The many studies published, based on indicators on the macro level, show that local autonomy in Switzerland is comparatively high, although its degree varies depending on the canton, the dimension of autonomy and the public policy involved. Some scholars criticise this reductive formal approach. Therefore, this article considers the cantonal legal framework but also follows a bottom-up and sectoral approach. It analyses local autonomy through its various dimensions and its relationship with the choice of governance arrangements for delivering a public service, calling the macro results into question. Methodologically, it is based on interviews in 16 Swiss municipalities selected according to the executive councillors' perception of autonomy in sport and public-transport policies collected in a comprehensive survey. It emphasises the differences between formal, perceived and effective autonomy and enriches the debate on the various methodological approaches thereto.

**KEYWORDS** Local autonomy; local governance; sport; public transport; comparative local government; Switzerland

#### Introduction

Local autonomy has been the subject of increasing scrutiny in recent decades, with many comparative studies being published. Furthermore, it has been advocated as a key tool of good governance by many international institutions, such as the Council of Europe, the World Bank, the Organisation of Economic Co-operation and Development and the European Union. In parallel, disciplines such as law studies, economics, sociology and political science intensively suggest definitions of the concept, discuss its basic characteristics, or describe indicators that can be used to measure it, according to their specific prism. However, because of its interdisciplinary and multi-dimensional nature, and also because of the extreme heterogeneity

of territorial profiles and local government systems, there is no commonly agreed upon theoretical framework describing the core elements of local autonomy, nor is there a single, broadly accepted way of measuring degrees of local autonomy (Keuffer 2016).

Addressing the need to invest in the development of more comprehensive databases and statistics in order to grasp the main challenges of European local government and governance (Bouckaert and Kuhlmann 2016), institutional indicators have been developed to measure local autonomy comparatively (Ladner et al. 2019; see also Sellers and Lidström 2007; Wolman et al. 2010). These studies, which consist in determining the extent of decentralisation of politico-administrative systems through national constitutions and laws at the macro level, correspond to a 'formal approach' towards local autonomy in the classification of Fleurke and Willemse (2004, 524). In the view of these scholars, this formal approach is reductive in many respects:

- Local autonomy is a 'potential' hypothetically deduced by expert judgment through questionable top-down indicators, instead of being directly measured by focusing on actual local practice;
- Local autonomy is normatively considered as a mechanism by which the positive effects of decentralisation occur, without the actual effects of decentralisation – which depend on the concrete policy area taken into account - being subjected to empirical scrutiny;
- The concept of local autonomy is used to cover local practice, but the context in which this practice takes place has evolved towards integration of non-governmental actors in inter-organisational local networks to such an extent that it must be analysed through the concept of local governance.

With the aim of submitting the results of studies based on macro indicators of local autonomy to local actors and enriching the debate on different methodological approaches to this key feature of local government, this article sets out to analyse the complex relationship between local autonomy and local governance in an approach that considers not only the formal framework but also practice in the field. Our intent is to answer the following two main research questions: 1) How do the various dimensions of local autonomy influence the choice of local governance arrangements in sport and public-transport policies? 2) How does the local governance mechanism set up for delivering a service impact local autonomy dimensions?

The field of study is Switzerland, for different reasons. Firstly, while Swiss local governments in general enjoy far-reaching local autonomy in comparison with other European countries, an in-depth analysis reveals a more complex and interesting picture. Ladner et al. (2019) show, on the one hand, that the degree of local autonomy is differentiated according to dimensions of the concept under scrutiny: while it is comparatively high for legal,

financial, organisational and political dimensions, it is low for functional

dimensions related to the provision of public services. On the other hand, it is differentiated according to the cantons (federal entities) and public policies considered, mainly because of the small size of the majority of local governments and the federalist system. Secondly, Swiss cooperative federalism is deeply marked by a long tradition of partnerships between the public and private spheres and multi-level cooperation mechanisms. Thirdly, a great diversity exists not only at the inter-cantonal level but also at the sub-cantonal level (Horber-Papazian 2006). Indeed, besides the diversity of local autonomy, which is defined by cantonal law, Swiss local governments are characterised by their demographic, socio-economic and financial diversity as well as the variety of problems to be solved and needs to be met. In this regard, fourthly, the spaces and modes of intervention of Swiss local governments have been questioned since the second half of the 1990s. It turns out that they have faced challenges, such as the increasing complexity and variety of tasks to be delivered, intensifying citizen pressure for effective public action, the growing population and its mobility, and the increasing gap between institutional and functional territory. These issues have led to an amplification of local government reforms and the emergence of new modes of local governance (Horber-Papazian and Jacot-Descombes 2013).

To investigate the questions raised, this article is divided into four parts. First, the theory section discusses governance and its application to the Swiss case, leading to the formulation of a general hypothesis. The second part focuses on the mixed-methods design that was set up to consider the specific features of the Swiss local context. The results showing the different governance arrangements and dynamics at the local level are presented in the third part, and then discussed in the fourth, concluding part.

#### Theoretical considerations

# Governance theories and the shift from local government to local governance

As mentioned in the introduction, governance theories are a pertinent place to begin. This follows the argument put forward by Fleurke and Willemse that research on local autonomy should observe developments occurring on the local tier and avoid the 'fallacy of the wrong level' (2004, 529). Governance theories focus on the entire system of governments, public agencies, nonprofit organisations and private firms as well as civil society and citizen groups that participate in public-sector decision-making and in public-service delivery (Pollitt 2016). In a more fragmented, pluralistic and complex society, the concept of governance has become widely accepted in social sciences as a framework for analysing the transformations of public action, since it can explain the effects and



causes of the institutional movement away from the hierarchical structural form of general-purpose government towards a pluralised constellation of taskspecific autonomous organisations operating outside direct government control in public-service delivery (Rhodes 1996).

This article mobilises governance theories as an analytical framework on the local level, where the transformation of the State has also been observed. Many European local political arenas have involved local associations, interest groups and private actors in policy partnerships, have widely adopted new public management (NPM) and public-private partnerships, and have introduced new forms of citizen involvement, so that the shift from local government to local governance has been an international phenomenon (Denters and Rose 2005).<sup>1</sup> Local governance benefits from other theoretical trends, such as multi-level governance, which emphasises the overlapping of competences, relationships and borders in both vertical (intergovernmental) and horizontal (state-society /market) dimensions, and stresses the interdependence of actors within networks and partnerships and the resulting coordination issues (Van Waarden and Van Kersbergen 2004). Kübler and Heinelt (2005) consider local governance to be also closely associated with the emergence in the scholarly debate on metropolitan governance of the wave of new regionalism as a new intellectual compromise between the metropolitan-reform tradition, which argues that institutional consolidation is necessary to achieve equity, and the public-choice school, which affirms that competition between fragmented autonomous authorities leads to effective and efficient service delivery. In their view, new regionalism has primarily placed emphasis on economic arguments regarding effective and efficient provision of area-wide public service, before addressing questions related to democratic quality. In this matter, cooperative forms of governance pose risks for self-government and representative democracy, since the role of traditional local government – through elected councillors who represent the people – is marginalised (Papadopoulos 2003). Because most do not take part in metropolitan decision-making, local authorities are expected to ensure the democratic functioning of governance by broadening their leadership through metagovernance (Sørensen 2006). With respect to the factors determining the emergence of new governing models, the metropolitan governance debate points out that institutional structure can be considered as an initial filtering process (that can be altered by incentive structures), which restricts possibilities for the actors, who in the end make their choice based on 'the dynamics of place' (Heinelt and Kübler 2005, 199).

# Local governance in Switzerland: co-existence of autonomous local governments and local governance in a multi-level system

In Switzerland, local governments are municipalities. Although task-specific municipalities are widespread at the local level (Frey and Eichenberger



1999), this article is focused on political municipalities, i.e., general-purpose jurisdictions present in all the cantons and constituting an important pillar of the Swiss political system. Since there has been no significant reform of the institutionally fragmented territories,<sup>2</sup> municipalities have remained the central institutional player for the provision of public policies at the local level, which they do by choosing the most suitable governance arrangement depending on the problem to be solved and its complexity, the situation, the policy, the constellation of actors and the extent of autonomy they enjoy (Leresche 2001).

Since local governance theories emphasise that actors' ability to exploit local conditions strongly depends on institutional structure, in order to understand the emergence of local governance arrangements it is necessary to identify the autonomy Swiss municipalities possess. In the view of Pratchett (2004), local autonomy can be scrutinised through three theoretical insights.

First, classical political approaches consider local autonomy as a vertically relative notion, primarily a matter of 'freedom from higher authorities' (Pratchett 2004, 363) corresponding to the degree of decentralisation of a politico-administrative system formalised in the legal framework. In Switzerland, local autonomy firstly depends on cantonal legislation<sup>3</sup> and can be operationalised through seven dimensions: political discretion, policy scope, financial autonomy, organisational autonomy, legal autonomy, non-interference and access (Keuffer 2018). However, it also denotes the effective local financial, administrative and political capacity to provide services and influence decisions through formal and informal channels (Horber-Papazian 2004). In this sense, it can be assumed that local authorities with a high degree of autonomy and resources in carrying out tasks are more inclined to shape, steer and provide them by themselves.

The second insight sees local autonomy not as an end in itself, but as the 'freedom to' (Pratchett 2004, 365) deliver public policies that respond to the needs of citizens. Within this framework, scholars have stressed the importance of adding the policy dimension to the institutional analysis of the local government system and autonomy (e.g., Wollmann 2008). In this article, sport and public-transport policies have been selected for two main theoretical reasons. On the one hand, several typologies emphasise their different profiles: sport is a social identity service and public transport an economic policy with impacts on space (Marcou 2010; Braun 2000). On the other hand, they are under-studied in a comparative perspective focused on local governance (Wollmann and Marcou 2010), although, in Switzerland, they are the products of very different politico-administrative structures and develop place-specific functions (Horber-Papazian and Terribilini 2000). The federal law on sport promotion prescribes the collaboration of the three institutional levels (Confederation, cantons and municipalities) as well as the



encouragement of private ventures, 4 whereas decision-making competences in regional public transport have been transferred from the Confederation to the cantons, with municipalities having only a strategic role to play in urban traffic (Sager 2013).5

The third apprehension – going beyond a top-down approach to local autonomy that does not take the bottom-up construction of Swiss federalism, local politics and the influence of local factors sufficiently into account analyses local autonomy (once the cantonal framework of which it is part has been defined) as a bottom-up phenomenon in which local governments 'reflect and develop a sense of place through political and social interaction' (Pratchett 2004, 366). This bottom-up perspective concentrates more on the political activities of communities in defining their own differences and considers local autonomy as a complex relational construct rather than a static commodity possessed by local governments (DeFilippis 1999).

The realisation of formally granted local autonomy (differing according to the task involved) can be thus apprehended through the expression of an own sense of place, <sup>6</sup> as perceived by citizens, elected officials or bureaucrats (Denters et al. 2016). In this respect, the municipal secretaries of all Swiss municipalities have not only perceived a linear decrease in local autonomy over the last 23 years, but have also concluded that municipal performance has reached its limits in all areas except culture (ZHAW and IDHEAP 2017).<sup>7</sup> These results, which raise the question of limits to municipal intervention, are corroborated by the restriction on municipalities' autonomy in funding new tasks and their investments. Municipalities' share of public expenses and public revenues stands at 23% for both, as against 28% and 29%, respectively, in 1990 (FFA 2018). The main reasons for this constant decrease are the cantonal reforms of inter-municipal financial equalisation mechanisms and increasing federal and cantonal regulations in many local-policy areas (Horber-Papazian and Soguel 1996).

Faced with the difficulty of managing increasingly complex tasks and with a reduction in financial resources and decision-making competences, many Swiss municipalities are choosing local governance arrangements. In its vertical dimension, local governance in Switzerland has been characterised by reforms of the division of tasks and expenses initiated by 23 cantons since the second half of the 1990s. Some of these reforms have led to a transfer of decision-making power from the municipalities to the cantons and a transfer of expenses to the municipalities; others reflect local political will and have resulted in the emergence of new governance mechanisms (Jacot-Descombes 2013). More multi-tiered governments – such as agglomerations or regions – have already emerged through voluntary intergovernmental interactions and are likely to develop in the near future, gaining benefit from incentives set by the cantons and the Confederation (Kübler, Sager, and Schwab 2005).8 In its horizontal dimension, the choice of a governance mode consists, for a Swiss municipality, in reaching agreement



among local actors - civil society, market, other municipalities - to deliver a service, and is characterised by a multitude of legal forms (Horber-Papazian 2001). Surveys of municipal activities show that the level of inter-municipal cooperation (IMC) has risen sharply since the 1990s in urban areas; from 2012 to 2017, IMC was again the governance arrangement that increased the most – in 56% of municipalities (ZHAW and IDHEAP 2017).

As regards the consequences of local governance on the authority of Swiss municipalities and their elected representatives, these have repeatedly been described as problematic (Steiner 2003). Kübler and Schwab (2007) show that the inclusiveness of municipal councillors varies according to the type of local institutional arrangement. In local government schemes, municipal councillors are included in both policy development and decisions. In multi-tiered government arrangements, policy decisions developed at the metropolitan level must very often be approved by traditional representative institutions before they can take effect. In linked functions governance schemes, there is usually an autonomous intergovernmental forum deciding on policy options and funding whose members are not directly accountable to the municipal councils. Finally, in complex network governance modes, municipal councillors are either involved in the approval of policy choices or entirely excluded from the decision-making process, which poses problems of democratic accountability. A study focused more specifically on municipal councillors' political influence in general, and within cooperation schemes in particular, goes in the same direction, empirically confirming that they perceive their role as being reduced to 'rubber-stamp' policies formulated at the metropolitan level (Plüss 2015, 265).

By postulating the current co-existence of traditional governmental structures with local governance dynamics, we thus make the general hypothesis that, first, Swiss municipalities with less perceived autonomy, within a formal (yet homogeneous) cantonal framework, are more likely to choose governance arrangements rather than an integrated (in-house) operational mode, and that these governance schemes vary with the dimensions of effective autonomy and with public policies concerned. Second, the setting up of governance mechanisms may, in turn, have a negative impact on municipal executive councillors' perceived autonomy. Regarding the factors identified by local governance theories as having an influence on the relationship between local autonomy and local institutional arrangements, it is important not to neglect other contextual factors stressed by metropolitan governance or neo-institutionalism (size and type of cantons and municipalities) and take them into account when making methodological choices.

#### Method

The research design of this article is an explanatory sequential mixed-methods design: quantitative results are used to choose cases that a subsequent qualitative phase will analyse in depth (Creswell 2006). Cases under scrutiny are the Swiss municipalities, whose autonomy is formally defined by cantonal legislation. We rely on the cantonal index of municipal autonomy ('CIMA': Keuffer 2018, 436), updated for this article, to choose the most similar cantons possible in terms of municipal autonomy and external variables (following a 'most similar systems design with different outcome' approach: Anckar 2008, 390). Measuring formal municipal autonomy through its seven dimensions, together with the overall index, constructed by weighting them, led us to choose the two cantons of Fribourg (FR) and Vaud (VD). In addition to their comparable ratings in terms of formal municipal autonomy – FR scores 45 and VD 48 out of 100 in the CIMA (see Table A1 in appendix) – these two neighbouring cantons are both mainly rural, fragmented by a great number of small municipalities, endowed with a centralised politico-administrative system and characterised by a relatively similar political balance of cantonal parliaments and by their involvement in shaping incentive structures for horizontal and vertical cooperation in metropolitan areas.

Although the questions raised in this article do not presuppose any variance in the cantonal framework, they require a research design on the municipal level that is as different as possible as regards both variables under scrutiny (i.e., municipal governance arrangement and municipal autonomy). Choosing the extreme comparable cases ultimately allows the specificities of local politics to be highlighted: 'Comparable means: similar in a large number of important characteristics (variables) which one wants to treat as constants, but dissimilar as far as those variables are concerned which one wants to relate to each other. If such comparable cases can be found, they offer particularly good opportunities for the application of the comparative method because they allow the establishment of relationships among a few variables while many other variables are controlled' (Lijphart 1971, 687).

On the one hand, regarding municipal governance arrangements for delivering a service, sport and public-transport policies were chosen empirically because they represent tasks for which municipal executive councillors' perception of autonomy is on average highest for sport and lowest for public transport, both in Switzerland as a whole and in the cantons of Fribourg and Vaud (see Table 1). The data required for these findings stem from a national survey sent to all municipal executive councillors of Swiss municipalities in 2018 (ZHAW and IDHEAP 2018: response rate of 60.5%). On the other hand, with respect to municipal autonomy - inscribed in the cantonal framework and depending on local factors – we relied on municipal executive councillors' perception of autonomy, collected through the national survey mentioned above and aggregated (averaged) at municipal level. The choice of 16 municipalities in the cantons of Fribourg (FR1 to FR8) and Vaud (VD1 to VD8) was based - while controlling for the possible effects of municipalities' size and



Table 1. Municipal executive councillors' perception of autonomy in various tasks in Switzerland (CH) and in the cantons of Fribourg (FR) and Vaud (VD).

	CH (Mean)	CH (N)	FR (Mean)	FR (N)	VD (Mean)	VD (N)
Sport	6.57 (1.67)	2117	6.20 (1.60)	128	5.42 (1.84)	293
Public transport	3.65 (1.49)	2121	3.05 (1.34)	129	3.19 (1.50)	293
Total	4.92 (1.64)	2120	4.44 (1.50)	129	3.88 (1.56)	294

Operationalisation and source: ZHAW & IDHEAP (2018: question 39), tasks are primary school, spatial planning, security, social assistance, public transport, health, youth policy, elderly support, culture and sport (1 = no autonomy; 10 = high autonomy).

type – on perceived autonomy in sport and public-transport policies, so as to select the extreme study cases (see Table 2).

The analysis then ran through three phases. We first analysed federal and cantonal laws to determine the municipal decision-making competences within the two selected cantons in sport and public-transport policies. In a second step, we conducted semi-structured interviews in 2018 with municipal executive councillors in charge of the chosen policies. During the interviews, we asked them whether the municipality is the State actor responsible for service delivery and, if so, whether the service is provided by the municipality alone ('in-house') or, if several local actors are involved, which governance arrangement is in place, e.g., multi-tiered government (agglomeration or region), linked functions governance (IMC, cooperation with private agencies or with civil society) or complex network governance (joint-stock companies or webs of voluntary cooperation). We also asked them questions about the key dimensions of municipal autonomy and about their respective importance in governance arrangements, tracing with them the evolution of local service delivery. Finally, we examined additional data on municipal capacities to check the potential links between effective autonomy and the choice of governance mode.

#### Results

# The influence of the division of tasks and expenses on decision-making autonomy

Under Swiss cooperative federalism and its bottom-up institutional architecture, the division of competences between the three political levels respects the principle of subsidiarity, according to which tasks should be performed at the local level if possible. This implies that besides tasks delegated by the canton or Confederation, municipalities are in charge of their own tasks by virtue of their residual general competences, and this greatly determines their autonomy. In order to compare the current scope of municipal competences in the selected cantons in sport and public-transport policies and to distinguish between political (decision-making) and administrative (provision) responsibilities, it is therefore necessary to carry out a thorough legal examination by specific task (Grodecki 2007).

Table 2. Summary of empirical results.

		7. Governance arrangement (for PT, distinction between	urban and regional traffic)	Multi-tiered government (region) / Confederation and	canton	Multi-tiered government (agglomeration) / Confederation and canton	Multi-tiered government (region) / Confederation and	canton	Multi-tiered government (agglomeration) /	Confederation and canton	Linked functions governance (IMC)	Linked functions governance (IMC and civil society)	Linked functions governance (IMC)	In-house delivery (integrated administrative	department)	Canton / Confederation and canton	In-house delivery / Confederation and canton	Canton / Confederation and canton	Complex network governance (joint-stock company) /	Complex network governance (joint-stock multi-level	companies)	Linked functions governance (IMC)	Linked functions governance (IMC and civil society)	Linked functions governance (IMC, civil society, private	agencies)	In-house delivery (integrated administrative	department)
	6. Political	intervention	capacity	1		1	0		+		1	0	0	+		1	1	1	+			1	1	0		+	
	5.	Administrative	capacity	0.38%		0.89%	0.20%		0.54%		0.21%	0.47%	0.40%	1.53%		0.36%	1.02%	0.42%	1.38%			0.71%	%98.0	%80.0		2.79%	
	4. Self-	financing	capacity	%9'07		2.8%	4.0%		15.2%		14.6%	12.3%	-2.3%	4.3%		12.3%	12.1%	18.0%	7.6%			-10.0%	16.7%	17.8%		6.5%	
		3. Legal decision-making financing	competences	Consultation for the	cantonal transport	plan and formulation of the traffic master	plan for local affairs;	financial contributions			Residual general	competences				Formulation of the	municipal master	spatial planning;	financial contributions			Residual general	competences				
2.	Perceived	municipal	autonomy	1 (PT)		3 (PT)	5.5 (PT)		5.8 (PT)		2 (SP)	3.5 (SP)	5.5 (SP)	7.8 (SP)		1 (PT)	3 (PT)	7 (PT)	7.4 (PT)			1 (SP)	3.5 (SP)	7 (SP)		9 (SP)	
	<ol> <li>Selected</li> </ol>	municipality,	size and type	(-)		<del>(</del> +	(-)		+		<u>-</u>	<u>+</u>	<u>-</u>	÷		<u>-</u>	<del>(</del> +	<u>-</u>	<del>(</del> +			<u>-</u>	<del>(</del> +	<u>-</u>		+	
	1. Se	munic	size aı	-		m	7		4		2	7	9	∞		_	κ	7	4			2	7	9		∞	
			Canton	FRIBOURG	(CIMA = 45)											VAUD (CIMA= 48)											

2015, Vaud statistics 2015); 5. Administrative capacity: Full-time equivalent/population (FSO 2018b), 6. Political intervention capacity: perception of a high (+), neutral (0) or low (-) degree Derationalisations and sources. CIMA: see Table A1 in appendix, 1. Size: extreme cases of high (+) or low (-) population (FSO 2018) and Types: FR1 = Suburban of low density, FR2 = Suburban of low density, FR3 = Suburban of high density, FR4 = Urban of a medium-size agglomeration, FR5 = Rural in central location, FR6 = Rural in central location, FR7 = Suburban of medium density, FR8 = Urban of medium-size agglomeration, VD1 = Rural in central location, VD2 = Suburban of low density, VD3 = Urban of a small agglomeration, VD4 = Urban of a medium-size agolomeration, VD5 = Rural in central location, VD6 = Suburban of low density, VD7 = Urban of a large agglomeration, VD8 = Urban of a large agglomeration (FSO 2018a); 2. Perceived muniajad autonomy: see Table 1; 3. Legal deaison-making competences: own legal examination; 4. Self-finanding capacity. Self-financing\*100/current financial income (Fribourg statistics (interviews with municipal executive councillors), 7. Governance arrangement: interviews with municipal executive councillors; Note: Municipalities are sorted according firstly to the canton, secondly to the policy concerned (Public Transport = PT or Sport = SP) and thirdly to perceived municipal autonomy.



In the canton of Fribourg, the division of competences between the canton and municipalities is explicitly based on the principle of subsidiarity, but also implicitly on a dual distinction between competences conferred by law and competences that municipalities decide to assume and whose outsourcing is allowed under certain conditions. 10 Regarding public transport, the law mentions municipalities only as regards their consultation for the cantonal transport plan, their competence in the formulation of the traffic master plan for local affairs, their financial contributions to investments and operation, and the possibility for them to create a regional transport community. 11 Taking the form of a regional association of municipalities, the agglomeration is defined as a corporation under public law that has both a horizontal (internal collaboration among municipalities) and a vertical dimension (external collaboration with the canton and the Confederation) and no fiscal autonomy. 12 Sport policy is legally more decentralised in the sense that the cantonal law explicitly stipulates the subsidiarity of municipal intervention (see Table 2).<sup>13</sup>

The law on municipalities of the canton of Vaud explicitly distinguishes delegated municipal competences from a list of own municipal competences in which public transport and sport are not mentioned.<sup>14</sup> The law on public transport distinguishes regional from urban traffic, in particular concerning municipal financing. It also stipulates that the organisation of regional public transport is delegated to the canton, which must take municipal master spatial planning into account.<sup>15</sup> Regarding sport, the law sets out the principle of coordination of the canton with the Confederation and the municipalities for all related activities, but the federal and cantonal intervention is limited since municipalities have residual general competences (see Table 2).<sup>16</sup>

The laws on public transport of both cantons prescribe the need to coordinate decisions in public-transport policy with the objectives of spatial-planning policy, which entails an overlapping of coordination instruments. For example, the traffic master plan, which has spatial implications, is in fact part of the municipal spatial plan. The latter delimits zones and land-use in detail in accordance with the cantonal master plan. It is therefore the pivotal tool through which municipalities map out their spatial, political, social and economic future across all policies (including sport policy). The most recent reform of the federal act on spatial planning led to decision-making competences being transferred to the Confederation and cantons, and financial charges to the municipalities.<sup>17</sup> This trend – which has also been observed in reforms of the division of competences and expenses between canton and municipalities – largely explains why municipal secretaries and interviewed executive councillors perceive that municipal autonomy has decreased in recent decades.

The legal difference between municipal competences in sport and publictransport policies is also reflected in the decentralisation of subnational expenditures. Indeed, the proportion of actual municipal expenditures in comparison with actual cantonal and municipal expenditures (i.e., taking into account



transfer payments between the cantonal and the municipal levels) amounted in 2015 to 85% (FR) and 83% (VD) in sport and to 44% (FR) and 53% (VD) in public transport; this traditional measure of fiscal decentralisation also shows that the two selected cantons spend proportionately more than the national average of 76% in sport and 33% in public transport (FFA 2018a).

### The relationship between the dimensions of municipal autonomy and public-transport and sport governance

In public-transport policy, the municipalities of the canton of Fribourg are only responsible for local infrastructures and consulted for bus and train schedules. This lack of decision-making competences with respect to more critical aspects of urban traffic, perceived as such by the interviewees, led all the study cases to choose multi-tiered government, as the form of regional transport community provided by law suggests (see Table 2). For rural municipalities, the governance arrangement is the region and interviews indicate that the main factor influencing the variation in perception of municipal autonomy is the capacity for political influence in supramunicipal entities. Indeed, this is said to be lower in FR1, for which decisions are made in a regional conference where all the municipalities of two districts<sup>18</sup> are represented, than in FR2, for which the legal form is a multipurpose jurisdiction constituted by all the municipalities from the district (with a weighting of votes according to municipal population). For urban municipalities, the governance arrangement is the agglomeration, but the importance of formal and informal channels of political influence is also stressed by the municipal executive councillors. The agglomeration has been established by 10 municipalities, but it replaces them for regional and inter-urban transport services, tasks devolved by its statutes. In this perspective, perceived municipal autonomy is generally weak, but lower in FR3 than in FR4: FR3's municipal executive councillor complains of worse consideration of its claims in the agglomeration's strategic decision-making, whereas for FR4's executive councillor the agglomeration makes for a better match between the circles of users, beneficiaries and financiers.

Municipalities VD1 and VD2 have almost no legal decision-making competence in public-transport policy. Although this responsibility falls to higher levels of government according to their executive councillor, both perceive a quite different degree of autonomy since they place central importance to the quality of services that citizens finally enjoy. Larger municipalities are responsible for some tasks in urban transport – which should be distinguished from regional transport. VD3 is in sole charge of an urban-transport bus line, imposed by the canton under spatial-planning regulations to serve a neighbouring municipality. With a relatively low self-financing but high administrative capacity, the municipal executive councillor wants surrounding municipalities to collaborate (at least



financially) for the urban line, because they benefit from it. However, the interviewee perceives little leverage for political initiatives, and perceived autonomy is also relatively weak. VD4 is also part of an important regional dynamic. In terms of urban traffic, the governance arrangement is a complex network that takes the form of a joint-stock company owned by the three centre cities, seven suburban municipalities and private stakeholders. According to the municipal executive councillor, the weight of the various municipalities in decisions taken by the company's governing body depends on their financial contribution, determined in proportion to the population and the services delivered. In terms of regional traffic, municipal decision-making competences are much weaker since governance takes place in three multi-level complex network arrangements, in each of which the municipality's word counts for less. In a nutshell, the accumulation of prerogatives in terms of urban and regional traffic explains that VD4 as a core city is integrated into multi-level complex governance networks and has the highest perceived municipal autonomy in public-transport policy among the selected municipalities.

In sport policy, where municipalities have the right to regulate and manage a large part of public affairs according to the subsidiarity principle and have little contact with the canton, whether or not governance arrangements are set up depends mainly on municipalities' capacity to exercise this right effectively, and particularly their administrative capacity. Municipalities act as holdings, in the sense that they mainly deliver services through their own staff but also rely on formalised interactions to mobilise other organisations for this purpose (Bouckaert 2015), depending on financial and human resources available as well as on the type of task. VD8 and FR8 are two core cities that implement a municipal sport policy (i.e., objectives and target population decided by the municipality) through their own professionalised administrative department. According to both municipal executive councillors, the department may on occasion make use of agencies from the voluntary sector or rely on publicprivate partnerships for large infrastructures, but the hierarchical structure remains. FR8, however, considers itself less autonomous than VD8, stating that it lacks staff and money to implement the municipal policy which administrative and self-financing capacity data seem to confirm. The other municipalities of the cantons of Vaud (VD5, 7 and 6) and of Fribourg (FR5, 7 and 6) do not have the critical size and administrative capacity for operational in-house delivery, so they collaborate with local actors, mainly other municipalities. According to all the municipal executive councillors interviewed, this leads to a loss in decision-making, which is delegated to the supra-municipal system, but to an increase in financial and administrative capacities thanks to economies of scale. Conversely, in the minds of the interviewees, municipal autonomy depends on a cost-benefit calculation taking into consideration the allocation of municipalities' financial contribution under the IMC, as well as the capacity of the municipality to influence the decision in this matter. To sum



up, municipal executive councillors who are involved in IMC structures, network governance arrangements and political arenas, and who demonstrate political initiative, are better able to guide decisions in the interest of their municipality. They de facto compensate the transfer of de jure decision-making competences and consequently perceive a higher degree of municipal autonomy.

#### Conclusion and discussion

This article aims at apprehending municipal autonomy through its various dimensions and the choice of governance arrangements for delivering a public service in Switzerland. Using an approach that is formal (considers the cantonal legal framework) but also bottom-up (focused on actual municipal practices) and sectoral (adding a policy-area orientation), on the one hand, it calls the results of studies that rely on top-down macro indicators into question by contrasting them with data obtained in the field. On the other hand, it shows the complex relationship between each dimension of municipal autonomy and local governance arrangements in sport and public-transport policies.

Macro studies point out that Swiss municipalities enjoy far-reaching autonomy in comparison with those elsewhere in Europe, although their autonomy is rather low regarding functional dimensions related to the provision of public services because of the federalist system. Since municipal autonomy is quaranteed by cantonal legislation, each canton defines the types of municipalities it recognises, their tasks and their resources, which leads to great diversity. Besides the tasks delegated by the canton or the Confederation that they must assume, municipalities have residual general competences in accordance with the principle of subsidiarity. Since the second half of the 1990s, however, municipal spaces and modes of intervention have been questioned: performance limits reached due to the increasing complexity of tasks, transfer of decision-making competences to the cantons, increasing gap between institutional and territorial spaces. The results presented in this article confirm that, concerning many public policies, such as public transport, municipalities mainly act as delivery agencies of cantonal regulations, under cantonal supervision. This gradual centralisation of decision-making competences, and the decrease of municipal room for manoeuvre through increased regulatory constraints and financial charges result from reforms of the division of competences between canton and municipalities and from the transfer of competences to the Confederation and the cantons in spatial-planning policy especially. Spatial-planning policy is related to the land and its use and as such is not only pivotal for municipal authorities but also by nature transversal to all the policies that impact space. The loss of autonomy in spatial spanning and in financial self-reliance largely explains why both municipal secretaries and municipal executive councillors have generally perceived a decrease of autonomy over the years.



The interviews point out that in response to pressures and decreasing autonomy, many Swiss municipalities have chosen new governance arrangements. Results show that within the same cantonal formal framework Swiss municipalities with high perceived autonomy are more likely to deliver services by means of an in-house operational mode, which confirms the first part of our general hypothesis. But this article goes further in highlighting which dimensions of autonomy have a link with the choice of a governance scheme. In policy fields in which municipal legal decisionmaking competences are high, such as sport, municipalities' effective financial and administrative capacity are the primary factors in deciding whether they provide services alone or rely on other organisations (other municipalities or agencies from the private/voluntary sector). In this regard, the municipal executive councillors met unanimously agreed that municipalities are very sensitive to the possibility of offering services to the population through their own structure and staff. However, collaboration between several municipalities is highly developed and is increasingly taking place at supra-municipal level, because this enables linked municipalities, by pooling their administrative and financial capacities, to offer services they could not deliver alone. In public-transport policy, weak municipal legal competences have mostly led to a vertical transfer of decision-making, regardless of their capacities or perceived autonomy, which is generally low.

Another contribution of this article is to underline what impact local governance has in turn on municipal executive councillors' perception of autonomy. In this respect, the second part of our general hypothesis postulating a negative influence is partially confirmed. For the majority of interviewees, participation in supra-municipal structures means shared decision-making competences and thus a decrease in municipal autonomy. Some of them, who succeed in achieving an effective degree of autonomy by relying on political influence in governance networks, political parties and supra-municipal arenas, believe however that such structures reinforce municipal autonomy. The factor having the strongest effect on the variation of perceived municipal autonomy, then, is the perception of being able to exert political influence on decisions taken in collaborative governance arrangements.

The overall results stress that the municipal level is also characterised by great diversity in terms of autonomy because of the possibility for municipal actors to construct and develop their own sense of place through political activities and the chance for the municipalities to take advantage of that formally granted autonomy to deliver tailored services. Consequently, this article illustrates with regard to theoretical insights into local autonomy that its formal dimension (autonomy as a right and capacity conferred by supra-local legislation), its effective dimension (autonomy as the local capacity to provide services) and its perceived dimension (autonomy as a means to be proactive through political

activity and to express the singular features of a place) are all essential to assess local practices. The fact that these complementary facets are complex to analyse only quantitatively emphasises the importance of field analysis in gaining a better understanding and explanation of local autonomy and governance. Indeed, taking the concept of local governance as a starting point enriches the debate on methodological approaches to apprehend local autonomy by showing that macro indicators used in a formal top-down approach do not capture all the complexity of the local reality: vertically, the multiple local decision-making levels that function simultaneously (local, inter-local, regional, multi-tiered) are not considered; horizontally, decentralisation to agencies from the private sector, to organisations from civil society or to other local governments under various schemes is not integrated; functionally, a distinction is not systematically made between policies; concretely, proactive political interventions and initiatives are too often overlooked although they contribute to a fundamental leverage of local autonomy; conceptually, local autonomy varies not only from one country to another, or from a federal entity to another, but also from one local government to another, and is in any case not a fixed notion that can be defined, operationalised and captured once and for all. This justifies a bottom-up approach to local autonomy.

#### Notes

- 1. Some scholars perceive a Post-NPM movement in some European countries since 2010 in favour of re-municipalisation and the development of horizontal collaborations with local government as coordinator (e.g., Wollmann, Koprić, and Marcou 2016).
- 2. As of 1 January 2017, there are 26 cantons and 2255 municipalities in Switzerland for a population of 8.4 million inhabitants (FSO 2018).
- 3. Federal Constitution of the Swiss Confederation of 18 April 1999 (Status as of 1 January 2018), 101, art. 50, par. 1.
- 4. Federal Act on the Promotion of Sport and Exercise of 17 June 2011 (Status as of 1 January 2018), 515, art. 2.
- 5. See e.g., the Federal Act on railways (742.101) and its ordinances.
- 6. The focus of place is also suggested by metropolitan governance as a comparative analytical framework for combining the influence of local government vertical relationships with higher levels of government and horizontal relationships with society as well as for considering place-specific actor constellations and attachment to the institutional territory (Kübler and Heinelt 2005).
- 7. Regarding the perception of local autonomy, the average scores of municipal secretaries collected in the national monitoring are 4.83 in 1994 (N = 1549), 4.78 in 2005 (N = 2003), 4.62 in 2009 (N = 1317) and 4.60 in 2017 (N = 1780) with a range from 1 to 10 (10 = high autonomy); regarding municipal capacity limits, we say that they are reached when at least 12% of municipal secretaries perceive they are 'reached' or 'exceeded' (public transport = 17%; sport = 13%), min N = 1285, max N = 1788, 'not a municipal task' = missing (ZHAW and IDHEAP 2017: question 2).



- 8. In particular, the Federal 'agglomeration policy' often quoted as an example of multi-level governance – is the instrument under which the federal government can offer financial support for any urban policy project in Swiss metropolitan areas.
- 9. In Switzerland, separation of powers between executive (government) and legislative (parliament) bodies also exists at the local level. We consider that the executive councillor, being responsible for the delivery of public policies, is the elected municipal representative best placed to answer questions about autonomy, governance and decision-making levels. While in small municipalities executive councillors are generally in charge of operational affairs, in larger municipalities they are responsible for strategic affairs and are very often at the head of a specialised administration; this is why interviews were also conducted in these cases with department heads.
- 10. Constitution of the canton of Fribourg of 16 May 2004 (Status as of 8 June 2010), 131.219, art. 52-54 and Law on municipalities of the canton of Fribourg of 25 September 1980 (Status as of 1 January 2018), 140.1, art. 5, par. 1.
- 11. Law on transports of the canton of Fribourg of 20 September 1994 (Status as of 1 January 2016), 780.1, art. 2, 10, 15-17 and 30.
- 12. Law on the agglomerations of the canton of Fribourg of 19 September 1995 (Status as of 1 January 2017), 140.2, art. 2, 15, 37 and 41.
- 13. Law on sport of the canton of Fribourg of 16 June 2010 (Status as of 1 July 2015), 460.1, art. 2.
- 14. Law on municipalities of the canton of Vaud of 28 February 1956 (Status as of 1 February 2018), 175.11, art. 2 and 3.
- 15. Law on mobility and public transports of the canton of Vaud of 11 December 1990 (Status as of 1 December 2013), 740.21, art. 6, 7, 14, 15, 17 and 18.
- 16. Law on physical education and sport of the canton of Vaud of 18 December 2012 (Status as of 1 August 2013), 415.01, art. 1, par. 3.
- 17. Federal Act on Spatial Planning of 22 June 1979 (Status as of 1 January 2018), 700, art. 8a and 15.
- 18. As intermediate administrative levels between the canton and the municipalities, the seven districts of the canton of Fribourg are headed by prefects, who represent the cantonal government. Their responsibilities include the encouragement of regional and inter-municipal collaborations, administrative coordination and supervision of municipalities as per the Law on the prefects of the canton of Fribourg of 20 November 1975 (Status as of 1 January 2018), 122.3.1, currently under revision.

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No potential conflict of interest was reported by the authors.

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