

Letter from Switzerland

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Letter from Switzerland

As is well known the Russian author Solzhenitzyn has been deprived of his Soviet citizenship and deported to the West. Without entering into the political and psychological details of his case, which has attracted world-wide publicity, it may nevertheless be of interest to examine the question whether the Swiss authorities could, under similar circumstances, act similarly and deprive a Swiss citizen of his citizenship.

The answer is that this could not happen to a Swiss citizen born in Switzerland. But it could, theoretically, happen—according to Article 48 of the “Burgerrechtgesetz” (law concerning the rights of citizens)—to a Swiss with dual nationality. If such an individual’s behaviour is judged to be “of considerable disadvantage to the interests and the prestige of the country” and if the authorities of his native Canton agree, then the Federal Justice—and Police Department in Berne can declare him deprived of his Federal-, Cantonal- and Borough citizenship.

Moreover according to Article 41 of the same law the naturalisation of foreigners, which means their being granted Swiss citizenship, can be revoked within five years, if they have been given Swiss nationality on the strength of false information or concealment of important material facts.

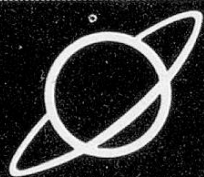
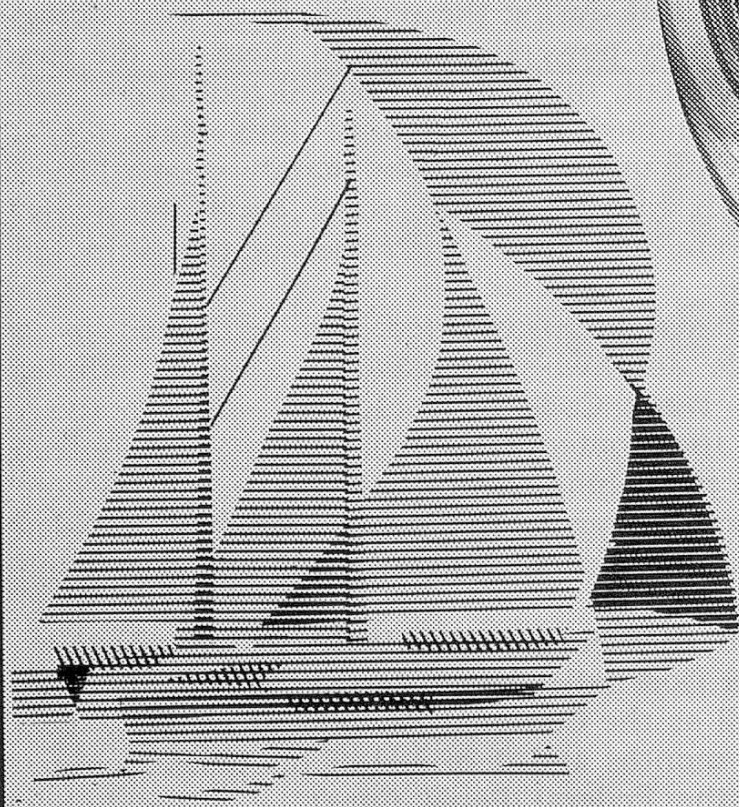
This is the position today. But during the second world war things were different. Under the plenary powers granted to them by the two chambers of the Federal Parliament, the Federal Council took a decision on 18th May, 1943—which remained in force until 18th May, 1947—enabling it to expatriate quite a number of people, mainly sympathisers with Nazi-Germany. In actual fact 51 people, some Swiss born and some with dual nationality, were deprived of their Swiss citizenship and deported across the frontiers.

Could a native Swiss citizen be prosecuted and sentenced by a Swiss court for having made anti-Swiss propaganda abroad? Under Article 266 bis of the Swiss Penal Code he could, for either actively endangering the security of the Confederation, or for making untrue and distorted statements and publishing them, be prosecuted, convicted and sentenced to imprisonment for up to five years. All this provided that the Federal Council has authorised such prosecution and does itself not act on mere suspicion.

The last case of this kind goes back to April, 1953. A Swiss Communist, Emil Arnold by name, journalist by profession and member of the Federal Parliament as well as the Cantonal Parliament in Basle, was actually imprisoned for eight months and deprived of his parliamentary mandates for two years by the Federal Penal Court. He had, while attending a journalists’ meeting in Budapest in 1951, made a short speech. In it he had said that Switzerland was a centre of American espionage and pro-war propaganda. Moreover he had said that the freedom of the press did not really exist in Switzerland, that the Confederation was re-arming to a degree which was out of all proportion

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and that it had actually given up its traditional policy of neutrality.

These statements, made in Budapest during the cold war, were in 1953 sufficient to secure prosecution, conviction and sentence. According to available legal opinion this would not be possible and a "Case Arnold" could not happen any more. But happen it did and Emil Arnold is still alive to tell the tale, aged 77.

This short letter provides the answer to a question, which is being asked in a number of Swiss papers at present. The question being: "Could a case Solzhenitzyn happen in Switzerland?"

New Crystal Oscillator

A specialised Swiss firm at Neuchatel has just added to its already very wide range of crystal oscillators a new temperature compensated oscillator (TCXO), type B-2111. This new crystal oscillator, which is available in the range of frequencies between 3 and 10 MHz, offers many advantages such as, for example, its small size, instant frequency stabilisation, as well as low power consumption, combined with excellent stability over a wide range of temperatures. These oscillators are particularly well suited for use in portable telecommunications equipment, measuring instruments, synthesizers, airborne communication and navigation systems as well as in any other digital equipment requiring an accurate time base. (SODT).

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