

**Zeitschrift:** Helvetia : magazine of the Swiss Society of New Zealand  
**Herausgeber:** Swiss Society of New Zealand  
**Band:** 14 (1949)  
**Heft:** 6

**Artikel:** Swiss federalism [continued]  
**Autor:** [s.n.]  
**DOI:** <https://doi.org/10.5169/seals-942889>

### **Nutzungsbedingungen**

Die ETH-Bibliothek ist die Anbieterin der digitalisierten Zeitschriften. Sie besitzt keine Urheberrechte an den Zeitschriften und ist nicht verantwortlich für deren Inhalte. Die Rechte liegen in der Regel bei den Herausgebern beziehungsweise den externen Rechteinhabern. [Siehe Rechtliche Hinweise.](#)

### **Conditions d'utilisation**

L'ETH Library est le fournisseur des revues numérisées. Elle ne détient aucun droit d'auteur sur les revues et n'est pas responsable de leur contenu. En règle générale, les droits sont détenus par les éditeurs ou les détenteurs de droits externes. [Voir Informations légales.](#)

### **Terms of use**

The ETH Library is the provider of the digitised journals. It does not own any copyrights to the journals and is not responsible for their content. The rights usually lie with the publishers or the external rights holders. [See Legal notice.](#)

**Download PDF:** 30.01.2025

**ETH-Bibliothek Zürich, E-Periodica, <https://www.e-periodica.ch>**

nationalisation in France. In Germany, the Allies are carrying out an economic policy in regard to Switzerland which is in no way reasonable. The many international conferences being held about such matters could well give a false idea of the reality, since they encourage the idea that economic nationalism is dying while in fact, it is stronger than ever. The paper "Action" comes to two conclusions. Rather than to list the innumerable international economic agreements signed since the war, it would be more practical to list the number of them being carried out, effectively.

What has happened about the freedom of trade proclaimed at Havana? The World Trade Charter exists only on paper. Furthermore, the American Congress has not even ratified it. And how can all the measures taken overseas to put a brake on Swiss exports, for instance, be justified in the light of the principles laid down by the various international conferences? The relativity of the various international agreements is more than obvious. It is quite easy to see why Switzerland remains reserved about these matters, because, if she had formed her trade policy according to the principles set down by these agreements, she would be ruined today. Experience shows that circumstances are unfortunately stronger than principles. The Swiss Business Journal maintains that the classification non-essential, has become a weapon used by several countries these days. It is a weapon which is a dangerous threat to Swiss industry, which is largely founded on liberal principles. Certain countries are abusing those liberal principles to get rid of their non-essential products on us, but on the other hand, they shut the door on some Swiss products by calling them non-essential. This paper considers that if Switzerland is not given the right to sell her products freely, then other countries should not unload their products on her, products which she can also classify as non-essential.

As I see it, the lesson to be drawn from these quotations is that Switzerland wants to collaborate, and to help, but she refuses to be made a fool of.

---

---

XX  
XX  
SWISS FEDERALISM.  
XX  
XX

(Continued)

HOME COMMUNE.

Swiss citizenship is primarily communal. Every Swiss has a home commune. It is true that to obtain Swiss citizenship the consent of the Confederation must first be obtained. What really matters, however, is the decision of the commune to admit the new citizen. The commune is the cell in the organism of Swiss democracy. All public activity has its origin here, and it is in every sense of the word a school of citizenship. For here, in the local self-government of the communes, every citizen can take part in discussion and share in work. In the preamble to the bill of March 27th, 1943, the government of the Grisons said quite rightly: "The commune is the prototype of the democratic organisation. The small space of the commune is the given field of pure democracy; here every citizen co-operates in every decision and all governing bodies are elected by the people's vote. Here the individual can see the sources and the significance of every decision, here he can see for himself the consequences of what he has done." The free commune is from the outset a vital element of the Confederation. It is from the commune that the Confederation draws its strength, and it is here that we can see the difference between Switzerland and countries which govern by means of a centralized bureaucracy. In Switzerland, the national will grows from below upwards and even state institutions are modelled on those which have stood the test on a smaller scale.

The commune, however, presupposes the liberty of the individual citizen. In its main features, that liberty has been guaranteed for the whole of Switzerland by the Federal constitution, in particular by the Proclamation of Liberties. All Swiss citizens are equal before the law and the constitution has expressly

abolished all privileges of place, birth, family or person.

What is meant by the liberty of the individual is that the citizen has a right to a personal sphere free of state control, to freedom of creed and conscience, freedom of the press and freedom of assembly. Freedom of trade and industry also enters into this category, but in this case the limits are in a state of constant flux and are under constant revision by the Confederation. The freedom of trade and traffic guaranteed by the Federal constitution of 1848 was first extended by the revision of 1874 to a freedom of trade and industry, which meant in those days that the economy of the country was from that time on free from guild and other privileges, and that freedom of movement all over Switzerland was guaranteed, the country having become a unified economic area by the establishment of the Federal state. The constitutional freedom of establishment also serves the same end, namely that every fully-qualified Swiss citizen may settle in any part of the country and may not be taxed higher than the citizens native to the place.

On completion of his twentieth year, every male Swiss becomes an active member of his commune, i.e., he obtains the vote in all communal, cantonal and federal affairs, and is himself eligible for election. At the same time he becomes liable for military service in the Swiss militia, which carries on the tradition of an armed people in modern form.

One of the peculiarities of the Swiss state is the combination of pure and representative democracy. It goes without saying that the citizen has to decide upon questions arising in the communes, especially in the practically self-governing Swiss communes, and that he can and in many cantons, must be present at the most important assemblies. There are a number of cantons in which this convocation of the citizens takes place annually in the form of a Landsgemeinde or folk-moot, as, for instance, in Unterwalden, Appenzell, Glarus and in certain communes in Schwyz. At the appointed time the citizens assemble in the public place of the capital of the canton. They can take part in the discussion, decide by show of hands which laws and financial measures are to be enacted, and elect the members of the government. Most cantons, however, have outgrown this form of direct democracy. All the same, the citizen has the last word everywhere, and his right to a direct participation in the life of the state goes far beyond the right to elect the officials of the legislature and executive, and in many cantons, the judicature. Here the cantonal constitution is the final authority. For instance, in the canton of Basle Country, every law enacted by the Cantonal Council, which is the cantonal legislature, must be submitted to the people for approval. In other cantons, the referendum may be brought into action. That means that, if a sufficient number of signatures is collected by the citizens among themselves, they have the right to demand that a law approved by the legislative assembly be submitted to the vote of the people.

And now we come to the referendum and the initiative, those features of Swiss democracy which are typical of its absolutely democratic nature and have been retained even in the Federal constitution. A bill approved by the Federal Assembly must, by the constitution, be submitted to the referendum. It enters into force only if no petition is made against it within ninety days. But, if a referendum is desired and a petition is submitted bearing the signatures of not less than 30,000 citizens, the final decision as to whether it shall become law rests with the people. The citizen has yet another means by which he can exercise the right of taking part directly in the affairs of his country, namely, the initiative. By this means the people, given a support of 50,000 signatures, can demand that the Federal constitution shall be amended, or totally or partially revised. In the cantons, the public can, with a proportionately smaller number of signatures, propose amendments to the constitution as well as the adoption of new laws. Should the Federal constitution be amended, not only is the consent of the majority of the people required in every case, but a majority of the "states," i.e., the cantons, must be obtained also. This "double majority" is ascertained by first determining the majority of all votes, and then the proportion of votes for and against the motion in each separate canton. If there is a majority of votes as well as a majority of cantons in favour of the amendment, it then becomes law.

---