

# Letter from Switzerland

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# LETTER FROM SWITZERLAND

by **Gottfried Keller**

## TOWARDS A NEW CONSTITUTION

The Swiss Federal Constitution is 104 years old and has undergone 82 revisions. It is moreover written in a language which is difficult to understand for the man in the street. It is, in other words, super-annuated. In view of this, the need for a new, modern, more streamlined Constitution was felt as early as the middle-sixties and after about six years of preliminary work, a Committee of 46 men and woman from all political parties and walks of life, presided over by Federal Councillor Furgler, has now been deliberating during the last three years and has recently come up with proposals for a new basic law of the land.

These proposals have been published and given wide publicity in a press conference. There will now be a public debate, lasting about three years, and if everything goes well, the draft constitution may reach the two federal chambers thereafter and the people – for final approval or rejection – towards the middle or late eighties. The draft contains, in simpler language than hitherto, much of what the citizen is already constitutionally guaranteed, but also a number of novelties.

Capital punishment, for example, is now also abolished in wartime – during World War II 17 Swiss traitors were, as will be remembered, executed by firing squad – which may, or may not, be a good

thing. Whereas hitherto all the Swiss citizens were equal before the law, in the new constitution all human beings are in this position, which now includes all the aliens who reside here.

After one year's legal residence in one place the aliens will also receive the right to take up domicile anywhere else inside the country. Protection of the environment and consumer protection are writ large, as befits the present times, and the Confederation is charged with aiming at full employment. The sovereignty of the cantons is further reduced – which, in view of the federalistic structure of the country, may well prove a stumbling block in due course.

The voting age is reduced to 18 years, which again may not be popular, and a civil service in lieu of the compulsory military service is also postulated, although this idea has been rejected in a nationwide vote as late as 1977. Another novelty concerns the right of the citizen to initiate: whereas hitherto the individual, with the necessary number of signatures, was only able to initiate changes or additions in the federal constitution, if the new proposals are adopted this right will be extended to initiate laws.

The two half-cantons of Basle are to have their status raised to Cantons, sending two Councillors of State to Berne, but the militia character of the

two chambers of the Federal Parliament is to remain, and the Federal Council is to remain a seven man executive, not nine or eleven, as some people proposed.

These are but some of the aspects, contained in 118 articles. One important one remains to be mentioned: man and woman, male and female, are to have the same rights as well as the same remuneration for the same work. At last, I feel tempted to add. On the whole one gets the impression that an outdated, old-fashioned piece of clothing of the Swiss body politic has been re-tailored and adapted to the present time.

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