

51st convention of the Swiss abroad

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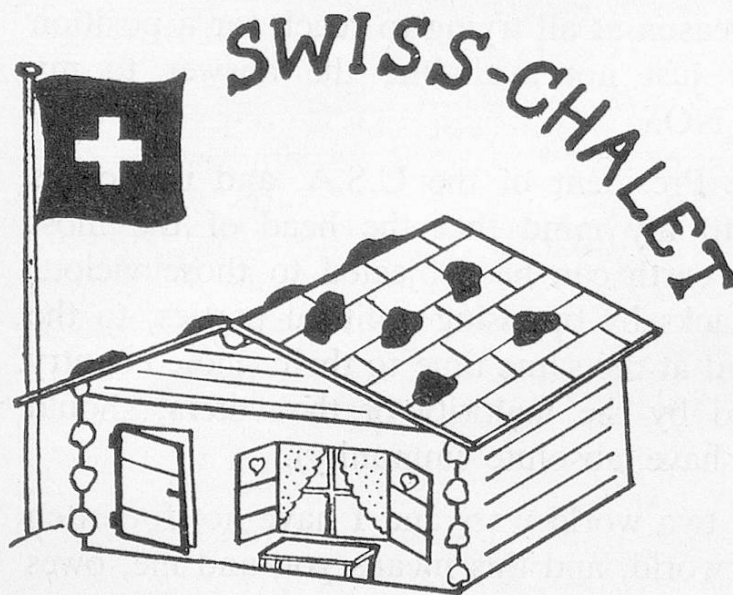
51st CONVENTION OF THE SWISS ABROAD

[Extract of the speech given by Bundesrat Kurt Furgler, reported by Walter Risi who attended the Convention, held in St. Gallen.]

IT IS NOW evident and clear that the Swiss authorities were aware of their special problems and well advised when in 1966 in Artikel 45bis of the Federal law declared that the new Constitution would have to consider the special problems of the Swiss Abroad. The measures which have been planned and taken into effect since 1966, whether in management, social insurance or compulsory military service, take heed of this rule. Step by step it became possible to bring the Swiss Abroad policy of the Government into balance.

With particular joy may I mention the new legislation in regard to responsibilities the Swiss Government accepts in the "Neue Bundesgesetz" toward the Swiss Abroad. Years ago already some Swiss colonies and in particular the commission of the "New Helvetic Society" (N.H.G.) wished the Government to take care of the Swiss Abroad in order to make it more uniform.

The Swiss people overwhelmingly accepted the new "Verfassungsartikel" and made it possible for the Government to instruct the Swiss Justice Department in 1970 to prepare regulations and forms for the new law. Already, two years later, in September



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1972 was a draft regulation ready to be presented to both houses of the Swiss Government and they duly passed the regulation for care for the Swiss Abroad.

Both houses of the Swiss Government accepted the draft six months later in March 1973 without a single vote against. This can be looked upon as a vote of sympathy towards the "Fifth Switzerland". With this new law the care for the Swiss Abroad becomes mostly a thing of the Government. The Kantons, however, have to pay for the costs, which according to an agreement with other States—like France and West Germany—for help to Swiss citizens, Switzerland has agreed to repay. All other costs, including the costs of "Wiedereingliederung" of returned persons, becomes a matter for the Government.

Through this modern law, the "Bedürftigen" for the first time have the right for care and help, guaranteed by the State.

To qualify as a genuine case of Swiss Abroad one must be domiciled abroad or reside outside of Switzerland for more than three months. A person only temporarily living abroad does not qualify. Further "Bundesbeschlüsse", which at the moment are under consideration, are to give relief to cases where the first qualification does not exist.

With the ratification of this new law, which is foreseen to be law at 1st January 1974, Mr Furgler declared that in his opinion the goal has been achieved or at least a very important step forward in respect of the Legislator has been done.

A study commission set up to look into the political rights of the Swiss Abroad, and after long and diligent discussions and deliberations they said that the Swiss Abroad can no longer be deprived of their political rights and that measures would have to be implemented for them to enjoy the same rights as "Bürgers" at home. However, in the view of the commission, the Swiss Abroad would have to come home to vote. Such a solution may be for the first moment a little discriminating, because it could only be enjoyed by a privileged few which could afford a trip home, whereas the others, not by right but circumstances, would not be able to vote.

However, the commission looks at it another way in this respect. Artikel 45bis of the Constitution tries to explain the special case of the Swiss Abroad: Whoever votes is taking part in an act of sovereignty. Each State exercises its own "sovereign right" according to its own wishes and measures. Each State, just as an example, can allow or forbid foreigners to vote. Switzerland does not allow any political exercises on its territory in any shape or form. Why? In 1972 Switzerland was "home" for almost one million foreigners, not including seasonal workers. The percentage of foreigners to the total population is therefore 16.5% of

our total population, which includes 545,000 Italians, 115,000 Spaniards, 114,000 Germans, 43,000 Austrians and 19,000 Turks. It is obvious that the number of residents of these States in Switzerland is much higher than the number of Swiss residing in those other countries. Only in the case of Frenchmen residing in Switzerland are the numbers reversed: 53,000 compared with 91,000 Swiss living in France.

If we would grant our Swiss Abroad the same voting rights as if they were at home, would we not be obliged to give the same rights to any others living in Switzerland? The consequences of this could easily be assessed—the above figures would speak a clear language. In the interest of everyone, such a thing where foreigners fight out their political differences must be avoided at all costs, as we cannot afford our normal way of life to be disturbed.

Only these few examples show that cautious proceedings are most desirable, if not essential. In addition, the granting and functioning of political rights from abroad could lead to discrimination against Swiss people. In fact the normal functioning of this would be dependent on the outlook of the local authorities. One country perhaps would allow it, another only under restrictions, and more others would not allow it at all. No doubt a not too desirable situation to strive for.

Some Swiss Abroad circles hold the opinion—proof of the many diverse views—that the granting of voting rights to Swiss Abroad would not be acceptable, because the compatriots living outside Switzerland would in many cases not be informed enough and would not have the maturity necessary for balanced voting gained from discussions with other compatriots. How one thinks in this respect can be debatable, but the Study commission says: the fact that it is necessary for a Swiss abroad to come to Switzerland to vote is some guarantee that he possesses more intensive connections with Switzerland and has at least to a degree the possibility to assess our political problems.

This proposed solution does not claim to be perfect but it at least is a tremendous step forward, because it presents concrete political, acceptable proposals. It is balanced and gives something to all points of view, some contradictory, which were brought forward.

It is of the utmost importance that we realise that Democracy is no one-way road where one only asks to receive, but one must be prepared to give to take part in the activities of the State and accept responsibilities. Without individual responsibilities in private and towards the State there will be no freedom, which is the noblest attribute of Democracy.