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Lex Friedrich: status quo

Swiss voters approved the 10th revision of the state pension scheme but rejected the popular initiative for expanding the pension scheme as well as the revision of the Lex Friedrich.

The relaxation of the Lex Friedrich – the law on acquisition of real estate by residents abroad – was rejected by 53.5% of votes. Once again Swiss voters have opposed a reform concerning the rights of foreigners representing a more open policy. Relaxation of the Lex Friedrich was supported by almost all economic associations and political parties, with the exception of the Swiss

Democrats. Brandishing the slogan of bargain selling of Swiss territory the latter was able to obtain in German-speaking Switzerland a majority big enough to counteract the vote of Italian and French speakers in favour of the reform of the Lex Friedrich. The consequence for the Swiss Abroad is that present legislation remains in force; they may acquire real estate in Switzerland in the same conditions as those applicable to Swiss citizens living at home.

Three voters in five were in favour of the 10th revision of the old-age and survivors' insurance law (AVS). The AVS system will therefore see an important change between now and January 1, 1997: individual pension rights, splitting of the income of married couples, education allowances, improved pensions



Education allowances make up one of the generally recognised improvements in the 10th revision of the state pension scheme. In calculating pension rights the years in which a mother or father – usually without other employment – have spent in bringing up their children will be taken into account. (Photo: Keystone)

for those on low incomes, introduction of a widower's pension, etc. The retirement age for women will rise to 63 on January 1, 2001, and to 64 on January 1, 2005. However, popular initiatives have been launched to modify the latter element, which was added to the revision during its passage through parliament. Thanks to this reform, Swiss Abroad women not in gainful employment will

be able to join the optional pension scheme even if their husband of Swiss nationality does not wish to do so.

Finally, Swiss voters and all cantons clearly rejected the popular initiative, "To expand the state old-age and disability pension scheme", which received only 27.8% of votes. Voter participation was rather low at just under 40%.

PAT

Commentary

Once again we are up against the famous language frontier on a matter relating to Switzerland's opening up: relaxing the restrictions imposed on non-residents acquiring real estate.

At the international level this June 25 No will again complicate the task of Swiss negotiators, eating into the last bit of credit they still have in Brussels. But this is a small problem compared with the trouble caused for our national cohesion.

In the constitutional facelift which Switzerland intends to make for the 150th anniversary of the 1848 constitution, the increasing uneasiness in

French-speaking Switzerland about being dictated to by the country's German-speakers will have to be taken into account. It might be possible, for example, to breathe new life into our federalism by introducing a cultural component enabling us to address the particular feelings and needs of minority regions (the French-speaking and Italian-speaking ones in the case of the Lex Friedrich). We can no longer ignore the evil which is destroying our national cohesion from within.

Many Swiss Abroad will have heaved a sigh of relief on hearing that the revised Lex Friedrich has been rejected. This means that they will continue to be unaffected by restrictions on acquiring real estate in their country of origin. So much the better! But let us hope that fears about retaliatory measures abroad against foreign nationals resident in Switzerland will prove unfounded.

With respect to state old-age and survivors' insurance, the Swiss have voted with the old adage in mind: a bird in the hand is worth two in the bush. The

modernisation and the substantial improvements included in the tenth revision of the scheme are now certain. But raising the pensionable age for women can still be reviewed. This process has already been started by way of popular initiatives; and in any case the whole problem of the changeover from working life to retirement will have to be reconsidered in the 11th revision. The trade union/Socialist initiative to extend the state pension scheme had no chance. But its relatively good showing in view of the fact that it was defended by practically no one – not even its authors – was because of the solution it brought to the retirement age question: flexible retirement after the age of 62 for both men and women. The results of the two votes concerning the pension scheme reveal a very critical attitude, perhaps even a negative one, on the part of voters to raising the retirement age for women. This was added at the parliamentary stage to the considerable and generally recognised improvements contained in the revision.

Pierre-André Tschanz

Press review

Leader writers in the Swiss press give about equal space to the rejection of the relaxed Lex Friedrich and approval of the 10th revision of the state pension scheme. Many papers comment on both. We are giving priority to the cultural divisions which were once again apparent on June 25.

Neue Zürcher Zeitung

The only possible way out of a situation which today appears a total deadlock is through national consensus. We must not only analyse the No of German-speaking Switzerland, but the Yes from the French and Italian speakers also holds a lesson. In the latter case the very question which splits the German speakers produces a wide-ranging consensus amongst regional leaders. This not only corresponds to the opinion of the great majority of voters but also

reinforces that opinion. As long as this process does not occur at the national level . . . Switzerland will continue to slide from one stalemate to another, and national cohesion will come under ever greater strain.

Der Bund

The short-term effects of the latest decision are obvious. Bilateral agreements with the EU on economic damage limitation will become more difficult if not completely impossible. This brings Switzerland's "go-it-alone" nearer – together with the other side of the coin, inner paralysis. Possibly a bad omen for constitutional reform, whose starting signal is being given today.

JOURNAL de GENÈVE

The mounting number of divisions will end by proving beyond a doubt that the two components of this country live in different cultural worlds. If we want to maintain that which unites us in spite of all, it would be wise to draw the necessary conclusions by revitalising federalism. And we could start by restoring to the cantons a number of powers in area planning, to say the least. If the German speakers put the virginity of their mountains above everything, let them allow us to consummate a marriage of reason with ours.

CORRIERE DEL TICINO

We must unfortunately take note that the trend towards withdrawal remains. After saying No to the EEA, the blue helmets and easier naturalisation for young foreign nationals, Swiss voters have again shown that they are in no hurry at all to take down frontiers and barriers against the rest of the world.

LA LIBERTÉ

In Europe this result will be perceived as an injustice dictated by a fear of all that is foreign. There is in fact no reason for Spanish, Portuguese and Italians to grant Swiss investors facilities without obtaining reciprocity. In Brussels, which considers the acquisition of real estate by foreign nationals as part of

VOTES

Referendum results

Popular initiative "To expand the state old-age and disability pension scheme (AHV/IV)"

YES 498,564 (27.8%)
NO 1,303,013 (72.2%)

All cantons

Modification of the federal law on old-age and survivors' insurance (the 10th AHV revision)

YES 1,106,065 (60.7%)
NO 717,171 (39.3%)

Modification of the federal law on acquisition of real estate by persons resident abroad (Lex Friedrich)

YES 832,324 (46.5%)
NO 959,794 (53.5%)

Voter participation: 39.6%

free movement of persons, this vote will be rightly seen as a new sign of withdrawal and another sharp disavowal of those responsible for Swiss policies.

Tages-Anzeiger

The 64/65 pensionable age laid down in the 10th revision of the state pension scheme is not satisfactory. Before the first stage of the rise in the pensionable age comes into force in 2001 a better solution must be found. All those concerned should come together quickly in a joint initiative. Attempts by single (initiative) groups to put themselves forward are inappropriate – they could lead to disastrous delays.

Basler Zeitung

Realistically, the left has only one "hope" left, to reach their aim somehow, i.e. correcting the deterioration in the pensionable age rules. But they cannot seriously want such a new departure; there would be sufficient pressure for a change in trend only if the number of unemployed were to climb so drastically that the question could be posed as to whether it was the ultimate wisdom for the elderly to (have to) remain glued to their seats while the young had no jobs.

PAT

Federal elections

October 22, 1995

General elections for the National Council