

Four years of Legislation

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FOUR YEARS OF LEGISLATION

The political power in Switzerland rests on four pillars: By electing Parliament, *the people* have the first word and, by possessing the right of Referendum, the last. *The Cantons* have equal rights with the people in all changes of the Constitution. *The Federal Council* is the highest executive authority according to the Constitution. But it is with *the Federal Assembly*, the "Bundesversammlung", that the highest powers rest. Its President, the President of the National Council, holds the highest office in the country, for, as Chairman of the United Federal Assembly which elects the Federal Council, the Chancellor, the Federal Judges and the General (see last issue of the "Swiss Observer"), he ranks higher than the President of the Confederation.

The Members of Parliament, the representatives of the people, come from all walks of life. They are farmers, industrialists, tradesmen, managers and directors of private and co-operative undertakings, architects, engineers, teachers, doctors, lawyers, journalists, members of cantonal executive bodies and of municipal councils, and union officials. Excluded are only the clergy, a remnant from the religious conflicts prior to the acceptance of the first Constitution in 1848.

The National Councillors receive a *per diem* allowance, and just as the time Parliament is sitting has increased from originally only one annual session in December to a total of approximately three months' attendance, the cost of Parliament has gone up from Fr.96,470.— in 1850 to over a million in 1920 and to Fr.1,740,953.— last year. This includes the cost of the Federal Chancellery, but not the allowances to the members attending the sessions of the Council of States which are paid by the Cantons.

At the end of the thirty-sixth legislative period on 4th October, the President of the National Council, *Monsieur le Conseiller National* André Guinand (Radical), a lawyer from Geneva, reviewed the achievements of the past four years.

The National Council held sixteen ordinary sessions with a total of 284 meetings. All the work could be accomplished without any extraordinary meetings.

In this period seven amendments to the Constitution were made, forty-eight decrees, thirty-five binding decisions and 294 simple decisions. In addition, some 450 motions, postulates and interpellations were considered.

The most important constitutional amendments concerned pipeline installations for the transport of liquid or gaseous fuel, the new basis of the National Council

with a fixed number of two hundred seats, a more liberal system of scholarships, as well as new finance regulations.

In the economic field the decree concerning peaceful use of atomic energy, the watch statute and the new vocational training bill should be mentioned. Important decrees affecting agriculture concern investment credits, cattle tuberculosis and milk production.

As regards national defence, the military reorganisation and the new troop classification have been accepted, also the armament programme and the vital civil defence measures.

Considerable efforts were made in social legislation. The labour laws and, perhaps one of the most important one of the century, the revision of the sickness insurance law have been successfully dealt with. The fifth revision of the Old Age Insurance (A.H.V.) fell into the first half of the legislative period, and the revision of the military insurance has nearly been completed.

In several other fields important decisions were taken by Parliament, e.g., the federal decrees concerning the new Swiss national roads, films, and Technical Assistance to the developing countries.

Finally, Parliament has improved its own legislative apparatus.

During the last period the United Federal Assembly held ten meetings, in which six new members of the Federal Council had to be elected and eight new Federal Judges. This shows how many changes took place in the Government within four years.

The President of the National Council referred to the difficulties facing Government and Parliament during the last period, because the Federal Council had been constituted according to proportional representation corresponding to the three large parties (Social Democrats, Liberals and Conservatives) and their representation in Parliament. The coalition of the Government could therefore be supposed to rest on 173 National Councillors out of 196. The question was whether political discussion and deliberation was thus not carried right into the Government and whether the Federal Council could still represent the country as a closed and united body, which had hitherto been its strength. On the other hand, the question was also justified whether Parliament was thus deprived of the element of lively and contradictory debate because there was, as it were, no opposition. But there is no doubt that the Federal Council continues to be an authoritative and united body which can count on public opinion as before. In its new composition the Federal Council has done no less excellent or effective work than previously.

In Parliament, too, the new constellation has in no way weakened the strength of the debates; on the contrary, within the various parties a certain new individual independence has established itself, and the debates, judging from all accounts, have become, if anything, more varied and interesting.

In his closing speech, National Councillor Guinand addressed words of thanks to the Federal Council. He pointed out that one of the strong points of Swiss democracy was the fact that the constitutional bodies kept strictly to their place and function by respecting the competence of other organs and by foregoing actions of prestige. The balance of our nation, said the President, rested on the wisdom of the citizens, on the respect of the other man's point of view, but also on an honest and smooth co-operation by the various constitutional bodies. The harmony between the legislative and executive organs was a good example to the nation and had enabled legislation of great importance to the country.

Monsieur Guinand, himself resigning from the National Council, expressed his wish that those M.P.s who would return to Berne after the elections would find the same spirit of co-operation, the will to work well and the same friendly *ambiance* which had dominated Parliament during the past four years. On behalf of the people, he also thanked all those who would not return in December. He declared the thirty-sixth legislative period as closed with the following words: "A Parliament retires, a new one will soon take over. On the calm and eternal stream of Swiss Democracy we have steered the boat of politics for a short distance. We can leave it in the knowledge that we have done everything in our power to steer it well".

(Based on news received by courtesy of the Agence Télégraphique Suisse and "Neue Zürcher Zeitung".)

WHICH SWISS NATIONAL ANTHEM

The "Young Church" in Switzerland organised a song camp at Gwatt on the Lake of Thun this summer. A resolution was sent to the Federal Council asking it to consider whether the "Beresina" song would not lend itself as Swiss National Anthem. The young people considered that whilst "Trittst im Morgenrot daher" which is the new temporary Anthem was an improvement on the old "Rufst Du, mein Vaterland", it was a difficult song to learn and also easily spoilt by unkind punning. The "Beresina" song with its simple text and real historic background would be a better National Anthem.

When the Maennerchor Zurich sang "Mein Schweizerland, wach auf!" at the British Red Cross Centenary at the Festival Hall on 8th May last, a number of people thought that it was the Swiss National Anthem. And indeed, its words and music are most impressive. The original text was composed by Dr. Fritz Rohrer (1848-1932). Karl Attenhofer (1837-1914) composed the first tune for it (as sung at the Festival Hall), and Hans Huber (1852-1921) put the words into music at a later date.

Many other suggestions for a new Anthem have been made, but in many quarters the opinion is strong that a competition should be held to find a new Anthem. Perhaps the Swiss National Exhibition next year will provide the right moment for a change.

THE DEATH OF TWO PUBLIC FIGURES

With the death of Minister Dr. h.c. Walter Stucki a great man has died. When he retired from the service of the Confederation on 31st December 1954, one of the many appreciations written at the time contained a passage that Minister Stucki's life was a piece of Swiss history covering forty years of economics and foreign policy.

He was born on 9th August 1888 in Berne and originated from Konolfingen (Berne). He studied law in Munich, Paris and London and entered government service in 1917 as Secretary-General of the Department of Public Economy. The obituary notice of "The Times" says that:

"Eight years later he became head of the trade division of this department; a post in which he conducted talks leading to the conclusion of agreements with several countries. He was also president of the economic council of the League of Nations. In 1935 he was elected to the National Council as a representative of the Radical Party.

"After being appointed Minister in Paris in 1938 he later became prominent in exercising his good offices for humanitarian purposes as Swiss envoy to the Vichy Government.

"In 1945 he was given the post of head of the political affairs section of the Political Department, in which capacity he led Swiss delegations for talks with the Allies on postwar financial problems, including a mission to Washington for negotiations on German assets in Switzerland. In 1946 he resigned from this post at his own request.

"He was afterwards entrusted by the Federal Government with special missions covering international conferences of special significance for Switzerland's economic development. In 1954 he went into semi-retirement though continuing to hold several public offices such as president of the supervisory commission for the Washington agreements.

"He was the author of *From Pétain to the Fourth Republic*, published in 1947."

Minister Stucki died on 8th October in a hospital in Berne. He had been a sick man for some considerable time. With him Switzerland loses a great personality to whom the country owes much. He combined worldly adroitness and well-bred broad-mindedness with stable loyalty to his country, and he corresponded exactly to the picture of "Elder Statesman".

A Memorial Service took place at the Heiliggeist Church in Berne on 11th October at which the former Federal Councillor Dr. M. Petitpierre, who had been working closely with the deceased for fifteen years, gave an appreciation.

Late this summer Switzerland lost a former Federal Councillor, Dr. Ernest Wetter, who had a very varied and interesting career. He was born in Winterthur in 1877, became a teacher and later studied economics in Paris, Zurich and London. He was a writer and lecturer and entered the Federal Department for Public Economy in 1920. He held various offices and was a member of the National Council from 1929 to 1938. On 15th December that year the Federal Assembly elected him Federal Councillor in succession to Bundesrat Meyer. He was President of the Confederation in 1941 and resigned two years later.

[A.T.S.]