

รัฐธรรมนูญอิตาลี

The Constitution

The Constitution of the Italian Republic was approved by the Constituent Assembly on 22 December 1947 and came into force on 1 January 1948 (and was amended in April 1993). The fundamental principles are declared in Articles 1-12, as follows:

Italy is a democratic republic based on the labour of the people. The Republic recognizes and guarantees as inviolable the rights of its citizens, either as individuals or in a community, and it expects, in return, devotion to duty and the fulfilment of political, economic and social obligations.

All citizens shall enjoy equal status and shall be regarded as equal before the law, without distinction of sex, race, language or religion, and without regard to the political opinions which they may hold or their personal or social standing.

It shall be the function of the Republic to remove the economic and social inequalities which, by restricting the liberty of the individual, impede the full development of the human personality, thereby reducing the effective participation of the citizen in the political, economic and social life of the country.

The Republic recognizes the right of all citizens to work and shall do all in its power to give effect to this right.

The Republic, while remaining one and indivisible, shall recognize and promote local autonomy, fostering the greatest possible decentralization in those services which are administered by the State, and subordinating legislative methods and principles to the exigencies of decentralized and autonomous areas.

The State and the Catholic Church shall be sovereign and independent, each in its own sphere. Their relations shall be governed by the Lateran Pact ("Patti Lateranensi"), and any modification in the pact agreed upon by both parties shall not necessitate any revision of the Constitution.

All religious denominations shall have equal liberty before the law, denominations other than the Catholic having the right to worship according to their beliefs, in so far as they do not conflict with the common law of the country.

The Republic shall do all in its power to promote the development of culture and scientific and technical research. It shall also protect and preserve the countryside and the historical and artistic monuments which are the inheritance of the nation.

The juridical system of the Italian Republic shall be in conformity with the generally recognized practice of international law.

The legal rights of foreigners in the country shall be regulated by law in accordance with international practice.

Any citizen of a foreign country who is deprived of democratic liberty such as is guaranteed under the Italian Constitution, has the right of asylum

within the territory of the Republic in accordance with the terms of the law, and his extradition for political offences will not be granted.

Italy repudiates war as an instrument of offence against the liberty of other nations and as a means of resolving international disputes.

Italy accepts, under parity with other nations, the limitations of sovereignty necessary for the preservation of peace and justice between nations.

To that end, it will support and promote international organizations.

The Constitution is further divided into Parts I and II, in which are set forth respectively the rights and responsibilities of the citizen and the administration of the Republic.

PART ONE

Civic Clauses

Section I (Articles 13-28). The liberty of the individual is inviolable and no form of detention, restriction or inspection is permitted unless it be for judicial purposes and in accordance with the provisions of the law. The domicile of a person is likewise inviolable and shall be immune from forced inspection or sequestration, except according to the provisions of the law. Furthermore, all citizens shall be free to move wheresoever they will throughout the country, and may leave it and return to it without let or hindrance, Right of public meeting, if peaceful and without arms, is guaranteed, Secret organizations of a directly or indirectly political or military nature are, however, prohibited.

Freedom in the practice of religious faith is guaranteed.

The Constitution further guarantees complete freedom of thought, speech and writing, and lays down that the Press shall be entirely free from all control or

ensorship. No person may be deprived of civic or legal rights on political grounds.

The death penalty is not allowed under the Constitution except in case of martial law. The accused shall be considered not guilty until he is otherwise proven. All punishment shall be consistent with humanitarian practice and shall be directed towards the reeducation of the criminal.

Ethical and Social Clauses

Section II (Articles 29-34). The Republic regards the family as the fundamental basis of society and considers the parents to be responsible for the maintenance, instruction and education of the children. The Republic shall provide economic assistance for the family, with special regard to large families, and shall make provision for maternity, infancy and youth, subject always to the liberty and freedom of choice of the individuals as envisaged under the law.

Education, the arts and science shall be free, the function of the State being merely to indicate the general lines of instruction. Private entities and individuals shall have the right to conduct educational institutions without assistance from the State, but such non-state institutions must ensure the their pupils liberty and instruction equal to that in the state schools. Institutions of higher culture, universities and academies shall be autonomous within the limitations prescribed by the law.

Education is available to all and is free and obligatory for at least eight years. Higher education for students of proven merit shall be aided by scholarships and other allowances made by the Republic.

Economic Clauses

Section III (Articles 35/47). The Republic shall safeguard the right to work in all its aspects, and shall promote agreement and cooperation with international organizations in matters pertaining to the regulation of labour and the rights of workers. The rights of Italian workers abroad shall be protected.

All worker shall be entitled to remuneration proportionate to the quantity and quality of their work, and in any case shall be ensured of sufficient to provide freedom and a dignified standard of life for themselves and their families.

The maximum working hours shall be fixed by law, and the worker shall be entitled to a weekly day of rest and an annual holiday of nine days with pay.

Women shall have the same rights and, for equal work, the same remuneration as men. Conditions of work shall be regulated by their special family requirements and the needs of mother and child. The work of minors shall be specially protected.

All citizens have the right to sickness, unemployment and disability maintenance.

Liberty to organize in trade unions is guaranteed and any union may register as a legal entity, provided it is organized a democratic basis. The right to strike is admitted within the limitations of the relevant legislation.

Private enterprise is permitted in so far as it does not run counter to the well-being of society nor constitute a danger to security, freedom and human dignity.

Ownership of private property is permitted and guaranteed within the limitations laid down by the law regarding the acquisition, extent and enjoyment of private property. Inheritance and testamentary bequests shall be regulated by law.

Limitation is placed by law on private ownership of land and on its use, with a view to its best exploitation for the benefit of the community.

The Republic recognizes the value of mutual co-operation and the right of the workers to participate in management.

The Republic shall encourage all forms of saving, by house purchase, by co-operative ownership and by investment in the public utility undertakings of the country.

Political Clauses

Section IV (Articles 48-54). The electorate comprises all citizens, both men and women, who have attained their majority. Voting is free, equal and secret, and its exercise is a civic duty. All citizens have the right to associate freely together in political parties, and may also petition the Chambers to legislate as may be deemed necessary.

All citizens of both sexes may hold public office on equal terms.

Defence of one's country is a sacred duty of the citizen, and Military service is obligatory within the limits prescribed by law. Its fulfilment shall in no way prejudice the position of the worker nor hinder the exercise of political rights. The organization of the armed forces shall be imbued with the spirit of democracy.

All citizens must contribute to the public expenditure, in proportion to their capacity.

All citizens must be loyal to the Republic and observe the terms of the law and the Constitution.

PART TWO

Sections I, II and III (Articles 55-100). These sections are devoted to a detailed exposition of the Legislature and legislative procedure of the Republic

Parliament shall comprise two Chambers, namely the Chamber of Deputies (Camera dei Deputati) and the Senate of the Republic (Senato).

The Chamber of Deputies is elected by direct universal suffrage, the number of Deputies being 630. All voters who on the day of the elections are 25 years of age, may be elected Deputies.

The Senate of the Republic is elected on a regional basis, the number of eligible Senators being 315. No region shall have fewer than seven Senators. Valle d'Aosta has only one Senator.

Three-quarters of the seats are allocated on the basis of a simple plurality and the remaining one-quarter by proportional representation.

The Chamber of Deputies and the Senate of the Republic are elected for five years.

The term of each House cannot be extended except by law and only in the case of war.

Members of Parliament shall receive remuneration fixed by law

The President of the Republic must be a citizen of at least fifty years of age and in full enjoyment of all civic and political rights. The person shall be elected for a period of seven years (Articles 84-85).

The Government shall consist of the President of the Council and the Ministers who themselves shall form the Council. The President of the Council, or Prime Minister, shall be nominated by the President of the Republic, who shall also appoint the ministers on the recommendation of the Prime Minister (Article 92). Section IV (Articles 101-113). Sets forth the judicial system and procedure. Section V (Articles 114-133). Deals with the division of the Republic into regions, provinces and communes, and sets forth the limits and extent of autonomy enjoyed by the regions. Under Article 131 the regions are enumerated as follows:

Piemonte (Piedmont)	Marche
Lombardia (Lombardy)	Lazio
Veneto	Abruzzo
Liguria	Molise
Emilia-Romagna	Campania
Toscana (Tuscany)	Puglia
Umbria	Basilicata
Calabria	Trentino-Alto Adige
Sicilia (Sicily)	Friuli-Venezia Giulia
Sardegna (Sardinia)	Valle d' Aosta

The final articles provide for the establishment of the Corte Costituzionale to deal with constitutional questions and any revisions which may be found necessary after the Constitution has come into operation.

* In June 1997 a parliamentary commission on constitutional reform, which had been established in January, announced its recommendations which included: a directly-elected President for a six-year term with responsibility for foreign and

defence policy; a reduction of the Chamber of Deputies from 630 to 400 members and of the Senate from 315 to 200 members; greater financial autonomy for the regions; and a second round of voting for seats allocated on the basis of a simple plurality. The recommendations required approval by both the Chamber of Deputies and the Senate prior to endorsement at a national referendum.

These five regions have a wider form of autonomy based on constitutional legislation specially adapted to their regional characteristics (Article 116). Each region shall be administered by a Regional Council, in which is vested the legislative power and which may make suggestions for legislation to the Chambers, and the Giunta regionale which holds the executive power (Article 121).

รัฐธรรมนูญสเปน

The Constitution

The Constitution of the Kingdom of Spain was approved by popular referendum of 6 December 1978, and promulgated on 29 December 1978.

According to the final provisions, all the fundamental laws of the Franco regime are repealed, together with all measures incompatible with the Constitution.

The following is a summary of the main provisions:

PRELIMINARY PROVISIONS

Spain is established as a social and democratic State whose supreme values are freedom, justice, equality and political pluralism. National sovereignty and power reside with the Spanish people, the political form of the State being a parliamentary Monarchy.

The Constitution is based on the indissoluble unity of the Spanish nation, and recognizes and guarantees the right to autonomy of the nationalities and regions.

FUNDAMENTAL RIGHTS, DUTIES AND FREEDOMS

Standards concerning fundamental rights and freedoms recognized in the Constitution are to be interpreted in accordance with the Universal Declaration of

Human Rights and other international treaties and agreements of a similar nature ratified by Spain.

All Spaniards are equal under the law and no Spaniard by birth may be deprived of his nationality. The age of majority is 18, suffrage is free and universal and every person has right to public service.

The main freedoms listed are described below, bearing in mind that the Constitution contains the proviso that on person group or action pose a threat to public order and safety. Free entry to and exit from Spain, freedom of thought, belief and expression are guaranteed, as is the right of access to state and public communications media by significant social and political groups and to administrative archives and registers by individuals, except in matters concerning that state security and defence, and the private life and home of the individual, which are inviolable.

The Constitution states that there is no state religion but that it will maintain co-operation with the Roman Catholic Church and other religious groups

Freedom of association is guaranteed, except for criminal, paramilitary and secret associations, all associations being bound to inscribe themselves in a public register; the right to form trade unions and to strike is also guaranteed, military personnel being subject to special laws in these cases.

Every person has a right to work for a just remuneration, including paid holiday, under conditions of safety, hygiene and a healthy environment. The State is to run on the principles of a market economy. Taxation is determined according to means and consumer protection is encouraged by the State. Social security

payments are provided for and it is stipulated that special care be taken of the handicapped and the elderly.

In criminal matters, the death penalty is abolished except under military criminal law in time of war. Extradition functions of the principle of reciprocity but the terms do not apply to political crimes; acts of terrorism however, not being considered as such. All persons are presumed innocent before trial, and a habeas corpus clause provides for a detainee to be freed within 72 hours of arrest or brought before a court.

THE CROWN

The King is the Head of State, the symbol of its unity and permanence, and the highest representative of the Spanish State in international relations. The person of the King is inviolable. His decisions and acts must be approved by the Government, without which they are deemed invalid, and responsibility for the King's actions is borne by those who approve them. The Crown is hereditary descending to the sons of the Sovereign in order of seniority or, if there are no sons, to the daughters. Persons marrying against the wishes of the King or Cortes (national assembly) are excluded from the succession. The Constitution lays down the procedure for establishing the Regency.

The King's duties are as follows:

To approve and promulgate laws;

To convene and dissolve the Cortes Generales and to call elections and referendums (according to the Constitution);

To propose a candidate for the presidency of the Cortes and dismiss him;

To appoint the members of the Cortes of the proposal of the President;
To issue decrees approved by the Council of Ministers, and to confer civil and military posts and grant honours and distinctions in accordance with the laws;
To be informed of the affairs of State, and to preside over the Council of Ministers when he deems it necessary on the request of the President of the Government;
To command the Armed Forces;
To grant mercy according to the law (which may not authorize general pardons);
To accredit ambassadors and other diplomatic representatives;
To express the State's assent to bind itself to international treaties;
To declare war and peace on the prior authorization of the Cortes.

THE CORTES CENERALES

(National Assembly)

The Cortes represent the Spanish people and comprise the Congress of Deputies (Lower House) and the Senate (Upper House).

The Congress has a minimum of 33 deputies and a maximum of 400, elected by universal, free, equal, direct and secret suffrage. Each province forms one constituency, the number of deputies in each one being determined according to population and elected by proportional representation for four years, Ceuta and Melilla having one deputy each. Elections must be held between 30 and 60 days after the end of each parliamentary mandate, and Congress convened within 25 days of the elections.

The Senate is based on territorial representation. Each province elects four senators for four years. Each island or group of islands forms one constituency.

Gran Canaria, Mallorca and Tenerife return Three senators each, the others one each. The Autonomous Communities return, in addition, one senator, plus one more for each million inhabitants, appointed by the legislative assembly of the community.

Each House lays down its own rules of procedure and elects its own president and governing body. Each year there are two ordinary sessions of the Cortes, of four and five months each, and a standing committee of 21 members in each House looks after affairs while the Cortes is in recess or during electoral periods. Plenary sessions are normally public, Measures are adopted by a majority in both Houses providing that a majority of the members is present. If agreement is not reached between the Congress and the Senate, a joint committee must attempt to solve the differences by drawing up a text to be voted on again by both Houses. In the case of further non-agreement, the issue is decided by an absolute majority vote in Congress. Members may not vote by proxy.

LEGISLATION

Laws may not be retroactive.

Organic laws concern the development of fundamental rights and public freedoms, the approval of statutes of autonomy, the general electoral system, and other matters specified in the Constitution, Any approval, modification or repeal of these laws requires an absolute majority in Congress. The Cortes may delegate the power to issue measures called Legislative Decrees with the status of law to a governmental legislative body. In urgent cases the Government may issue provisional measures in the form of Decree-Laws not affecting the fundamental

laws and rights of the nation, which must be voted upon by the Cortes within 30 days.

All laws must be sanctioned by the King within 15 days of their approval by the Cortes.

Provision is made for the popular presentation of bills if they are supported by 500,000 reputable signatures. Petitions to the Cortes by public demonstration are prohibited.

THE GOVERNMENT

The Government is the executive power and is composed of a President proposed by the King on the Cortes' approval and voted into office by Congress by absolute Majority. If no President is elected within two months, the King will dissolve the Cortes and convene new elections with the President of Congress's approval.

The President of the Government designates the Ministers.

The council of State is the supreme consultative organ of the Government.
(An Organic law will regulate its composition.)

Further articles provide for the procedure for declaring a state of alarm, emergency or siege.

THE JUDICIARY

Justice derives from the people and is administered in the name of the King by judges and magistrates subject only to the law. The principle of jurisdictional unity is the basis of the organization and functioning of the Courts, which are established in an Organic Law of judicial power. Emergency courts are prohibited.

The Judiciary is governed by the General Council of Judicial Power, presided over by the President of the Supreme Court and made up of 20 members appointed by the King for five years, of whom 12 are judges or magistrates, four are nominated by Congress and four by the senate, these eight being elected by a three-fifths majority from lawyers and jurists of more than 15 years' professional service.

The Attorney-General is appointed by the King on the Government's approval. Citizens may act on juries.

TERRITORIAL ORGANIZATION

The State is organized into municipalities, provinces and Autonomous Communities, all of which have local autonomy. The Constitution states that the differences between the Statutes of the Autonomous Communities shall not imply economic or social privileges.

THE AUTONOMOUS COMMUNITIES

The peripheral provinces, with their own historical, cultural and economic characteristics, are entitled to accede to self-government, but the Constitution states that in no case will the federation of the Autonomous Communities be permitted.

Article 148 lists the matters in which the Communities may assume competence, among which are; land use and building, public works and transport, ports, agriculture, environment, minerals, economic development, culture, tourism, social aid, health and local policing, all within the framework of national laws and policy and as long as nothing outside the regional boundaries is involved. Areas

solely under state control are listed in article 149. In the specific case of financial autonomy, revenue proceeds from the State and from each Autonomous Community's own taxes, and a State Compensation Fund acts to correct any imbalances between the Communities. State competence will always prevail over regional competence should conflict arise over matters not under the exclusive control of the autonomous Communities.

Although the state will delegate state power wherever possible, legislative measures must always be guided by state law. The State in the general public interest, may pass laws by absolute majority to establish the principles for the harmonization of measures taken by the Autonomous Communities, even concerning matters directly under their authority.

The institutional organization of the Communities is based on a Legislative Assembly elected by universal suffrage and proportional representation, a Governing Council with executive and administrative functions, and a President elected by the Assembly from its members and appointed by the King to be the supreme representative of the Community to the State, and the ordinary representative of the state in the Community, and finally a High Court of Justice, inferior only to the Supreme Court.

THE CONSTITUTIONAL COURT

This court monitors observance of the Constitution and comprises 12 members appointed by the King, of whom four are elected by Congress and four by the Senate by three-fifths majority, two on the proposal of the Government and two on the proposal of the general Council of Judicial Power. The members must satisfy

the conditions for membership of the aforesaid Council. They are appointed for nine years, with three members resigning every three years.

Three further articles establish the procedure for constitutional reform.

รัฐธรรมนูญสวิตเซอร์แลนด์

The Constitution

The Constitution (summarized below) was adopted on 29 May 1874.

Switzerland is divided into federated cantons which have sovereign authority except where the Constitution defines limits to their powers or accords responsibility to the Federal authority. After a referendum in September 1978, the Constitution was amended to allow for the formation of the canton of Jura, increasing the number of cantons to 23 (three of these are sub-divided and they are sometimes collectively referred to as the 26 states).

Principally, the Federal authority is responsible for civil, penal and commercial law, legislation concerning marriage, residence and settlement, export and import duties, defence, postal and telecommunications services, the mint, forestry, hunting and fishing, hydroelectric power, the economy, railways, important roads and bridges, social insurance, and international affairs.

Administration is largely in the hands of the cantons, and in the combined management of Federal authorities and cantons. The cantons derive their revenue from direct taxation.

The profits from Federal enterprises and customs duties are received by the Federal authorities.

COMMUNES

Each of the more than 3,000 communes of Switzerland has local autonomy over such matters as public utilities and roads, and grants primary citizenship.

Decisions are made by communal assemblies. The smallest communes have fewer than 20 inhabitants, the largest, Zurich, around 370,000.

CANTONS

The 26 cantons and half-cantons of the Swiss Confederation each have their own constitution and their own method of choosing the members of the cantonal assembly and cantonal government and the States Councillors who represent them at the federal level. Five cantons, Glarus, Appenzell Ausserrhoden and Innerrhoden, Obwalden and Nidwalden retain the Landsgemeinde, an assembly of all citizens of the canton held annually, as their decision-making authority.

Elsewhere, democracy is less direct, the secret ballot and the referendum having replaced the mass assembly.

FEDERAL ASSEMBLY

The Federal Assembly is the supreme governing body of the Confederation. It is composed of two bodies, the National Council and the Council of States, which deliberate separately. The 200 members of the National Council are elected directly, by proportional representation, every four years. The minimum age for voting and eligibility for election in the Confederation is 18 years. In 1971 women gained full political rights at federal level and in almost all the cantons (female suffrage had been introduced in all cantons by late 1990). The Council of

States represents the cantons, each of which sends two councillors. elected by the people in various ways according to the cantonal constitutions. Legislative and fiscal measures must be accepted by both houses in order to be adopted. and the Federal Assembly supervises the army, the civil service and the application of the law. exercises the right of pardon and elects the Federal Supreme Court, the Federal Insurance Court, the General who command the army in times of crisis, and the Federal Council.

FEDERAL COUNCIL

Executive authority is vested in the Federal Council. whose members are each in charge of a federal Department. Each year the federal Assembly appoints the President and Vice-President of the Confederation from among the Federal Councillors. Generally, the Councillors are chosen from the members of the Federal Assembly for four years after every general election.

REFERENDUMS AND INITIATIVES

Referendums are held on both cantonal and federal levels. In many cantons all legislation has to be accepted by a majority of the voters. and in some cantons major financial matters have to be submitted to the popular vote. In federal affairs the consent of majority of the voters and of the cantons must be obtained for amendments to the Federal Constitution, for extraconstitutional emergency legislation and for the decision to join collective security organizations or international bodies, but referendums are optional for other legislation. A petition from 50,000 voters is needed to bring about a national referendum, which and

accept or reject any legislation which has been passed by Parliament. The initiative gives voters in many cantons the right to propose a constitutional or legislative amendment and to demand a popular vote on it. A petition by 100,000 voters is needed to initiate a vote on an amendment to the Federal Constitution, but as federal laws cannot be proposed by means of an initiative, some constitutional amendments introduced in this manner concern relatively unimportant matters and participation of the voters is, on average, 30% to 45%. The initiative is also used by the political opposition to bring about changes in government policy.

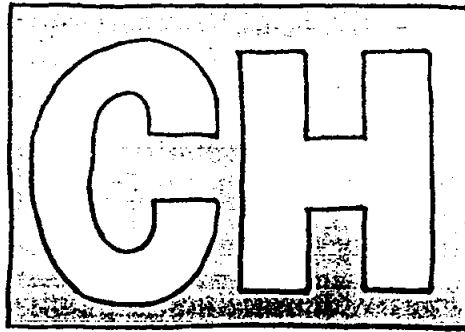
“ผนวก จ.”

สมาพันธรัฐสวิส

Its official and historical name is the

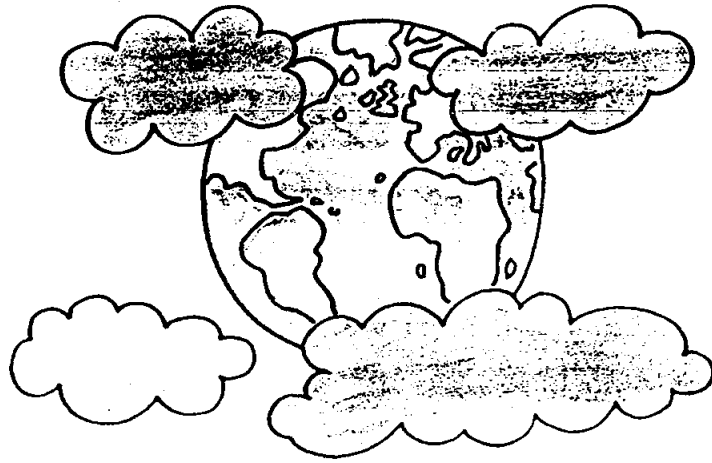
SWISS CONFEDERATION

symbolized by the letters

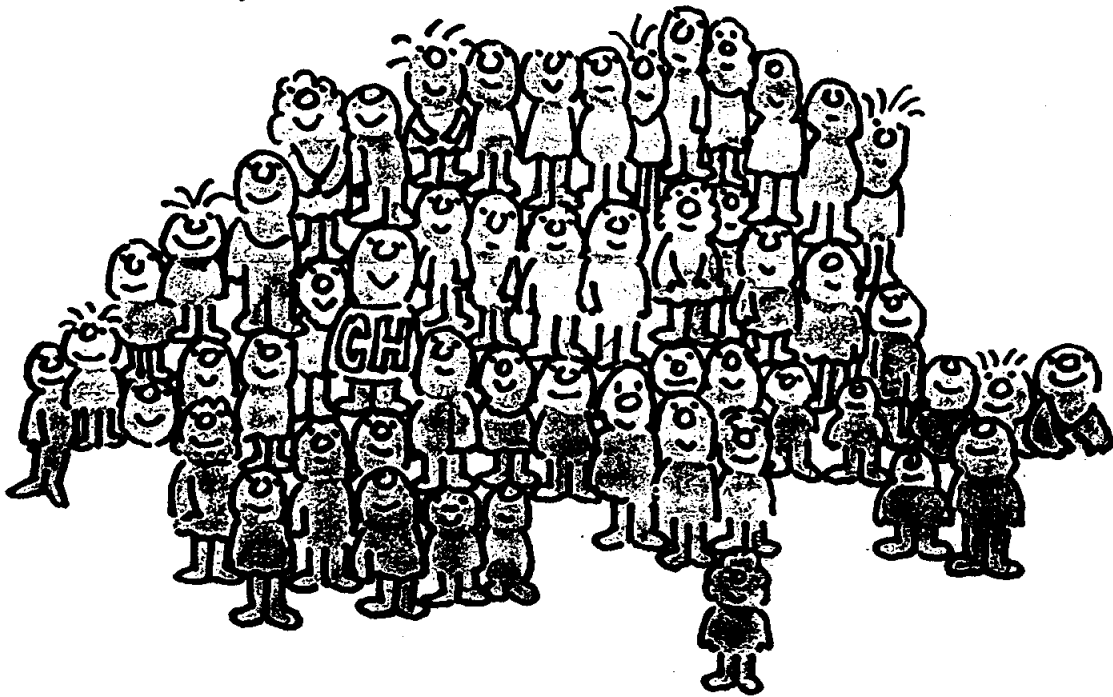


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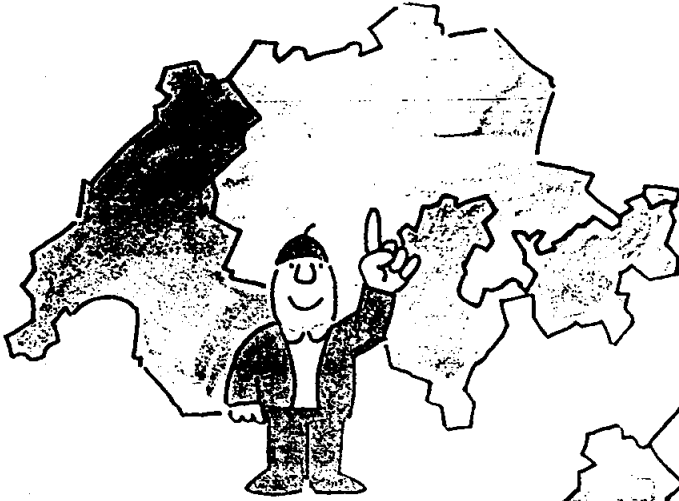




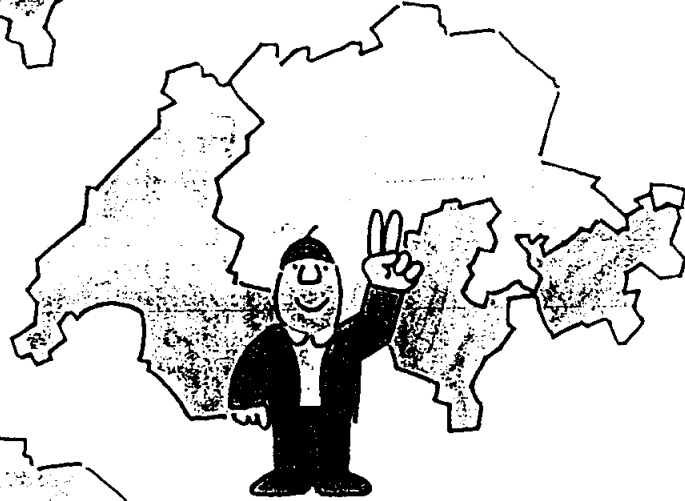
More than 170 States share our planet, and each State has its own characteristics. In the heart of Europe is a small country. Over six million men, women and children live in this country.



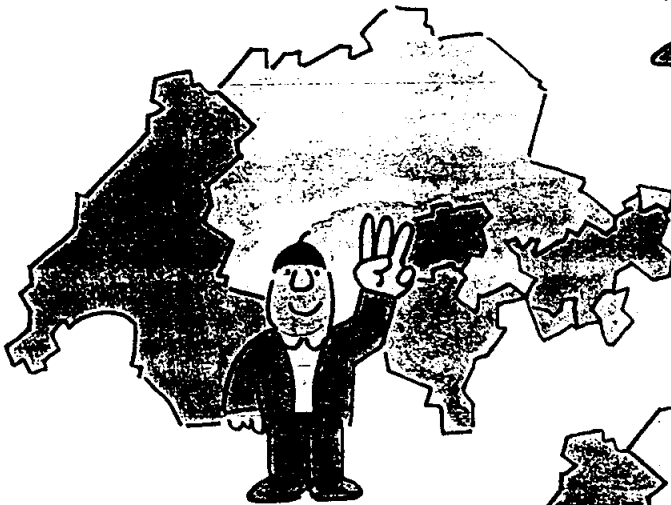
In fact, four languages
and four cultures
co-exist in Switzerland.
The German-speaking are
in the majority: three
out of every four citizens.



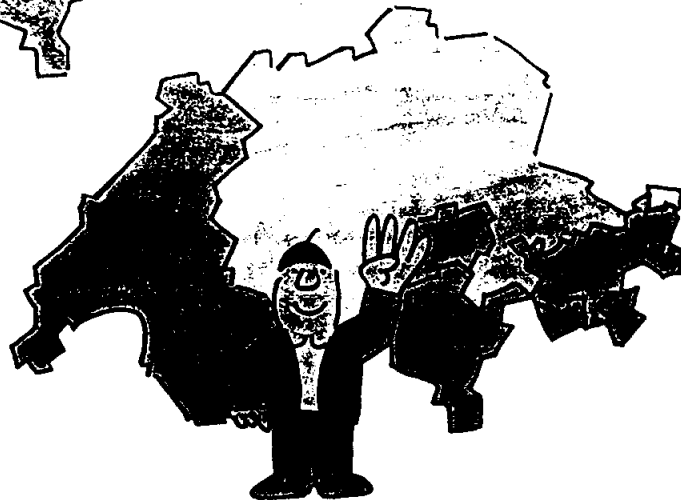
The Western part of the
country known as Romandie
is French-speaking.

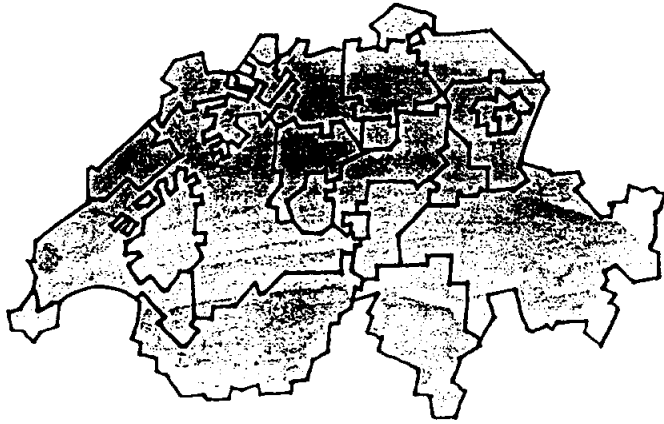


In the Grison mountains,
Rhato-Romansch is the
native language of one
per cent of the Swiss.

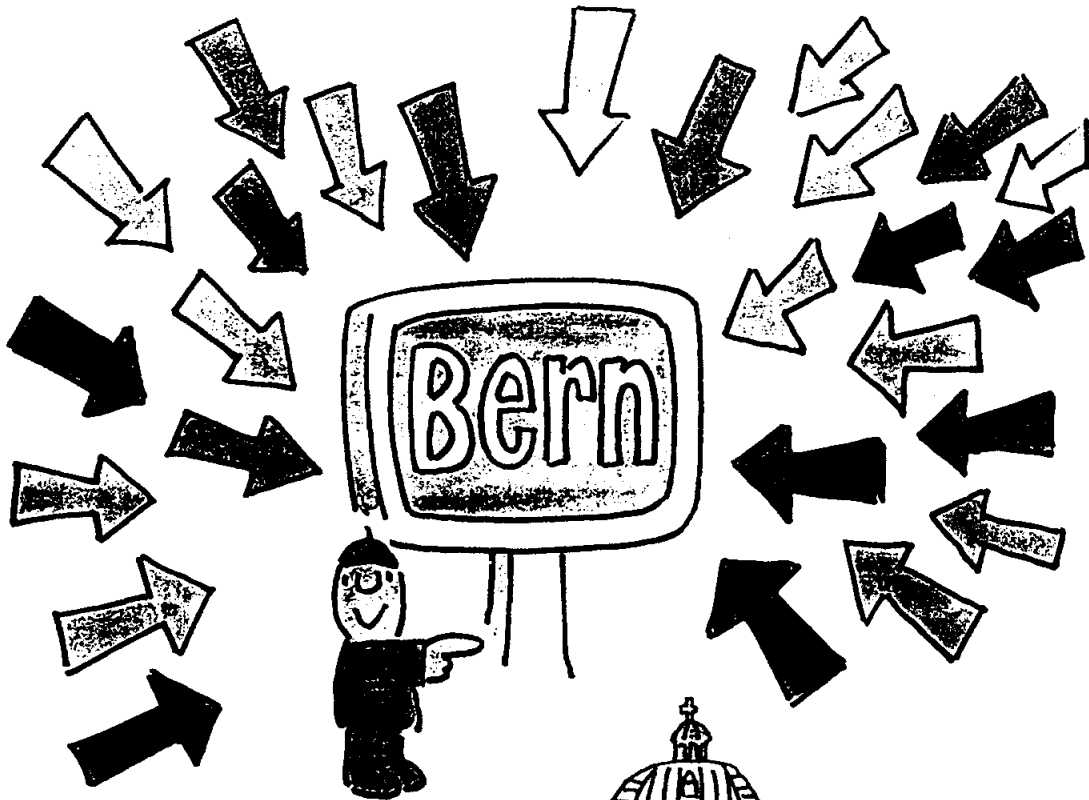


In the Ticino and
four valleys of Grison
south of the Alps,
Italian is spoken.





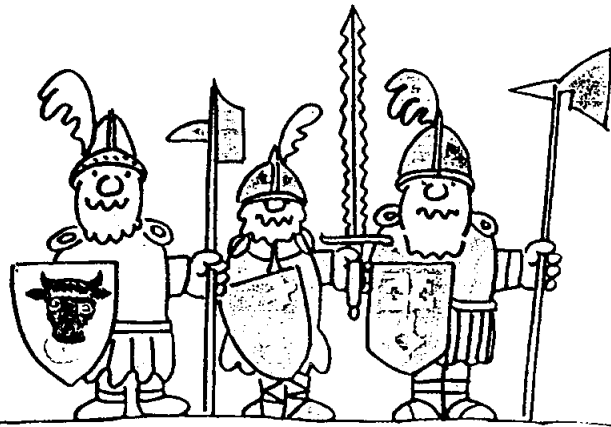
While Switzerland is divided into four regions according to language, politically it consists of 26 cantons. There are German, French and Italian speaking cantons.



The cantons were originally sovereign States which delegated some of their power to the central Government, with its headquarters in Berne. The building you see here is both the Houses of Parliament and seat of the executive government.

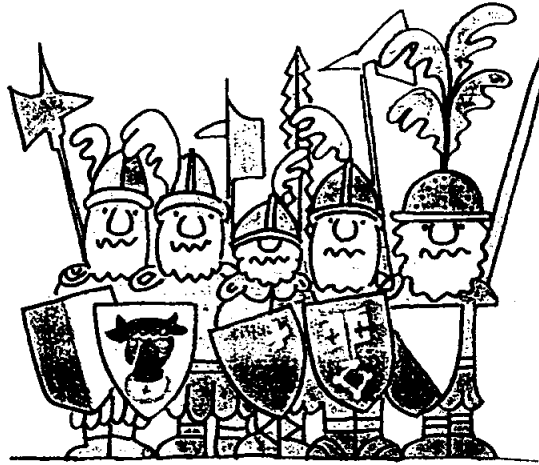


1291

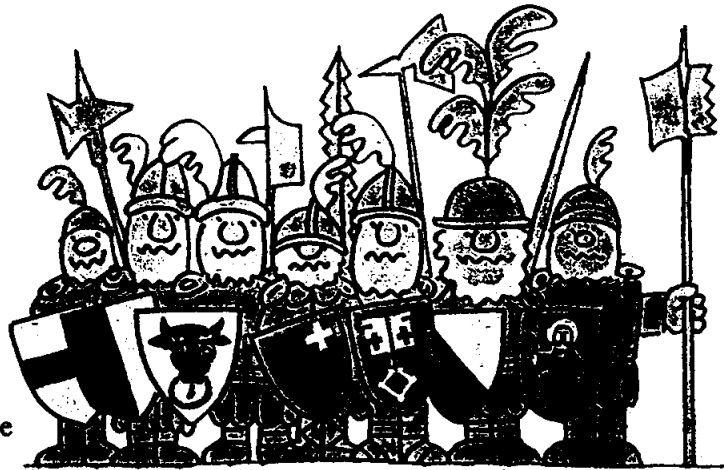


The Switzerland of today was formed over the centuries by the successive binding together of cantons. Everything began in 1291. Three alpine republics – Uri, Schwyz and Unterwalden entered into a defensive pact.

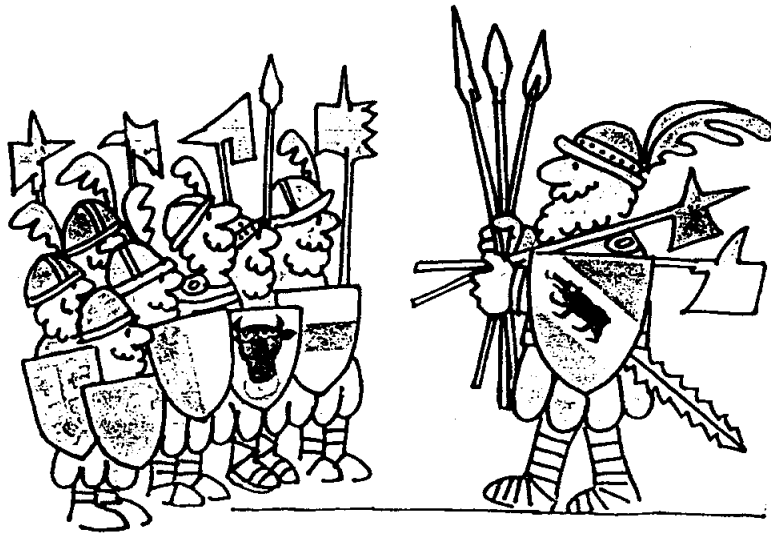
These three farming communities managed – and this was a unique event in Europe – to include city states in their confederation. First of all Lucerne, then prosperous Zurich ...



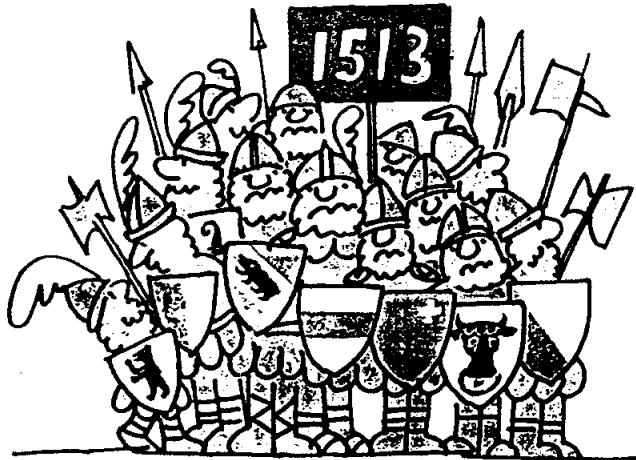
... then Zug at the same time as the Glarus valley.



1353 was another important year. The city of Berne, a true military power, entered what would become the Confederation of eight cantons. In addition to conquering territories, the confederates also accepted new members: Fribourg, Solothurn, Basle and Schaffhausen.

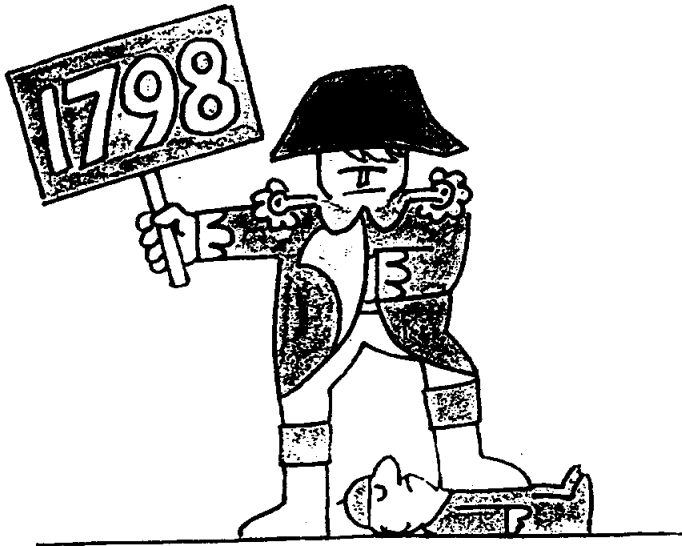


After the entry of the thirteenth canton, Appenzell, in 1513, the expansion came to a halt...

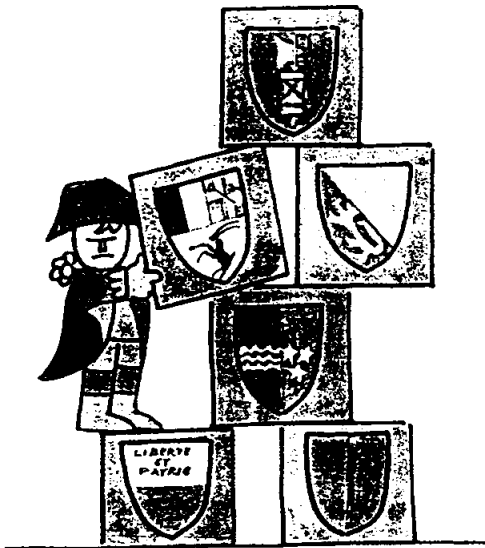


... because the Reformation divided Switzerland into two opposing camps. Managing the subject territories, the so-called "Common lord ships" remained the principal binding force of the Confederation.



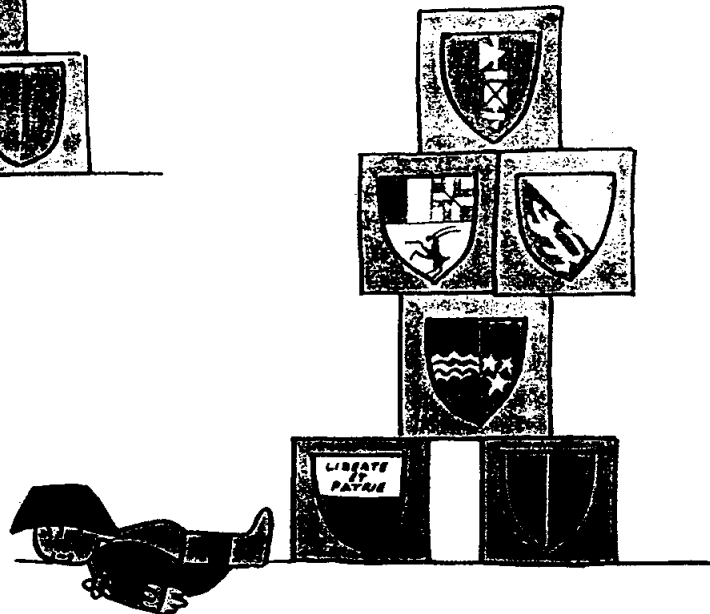


In 1798,
Switzerland came under
French authority.



Out of the formerly
subject territories and
the associated states,
Napoleon formed six new
cantons: Vaud, Ticino,
Aargau, Thurgau,
Saint-Gall and Grisons.

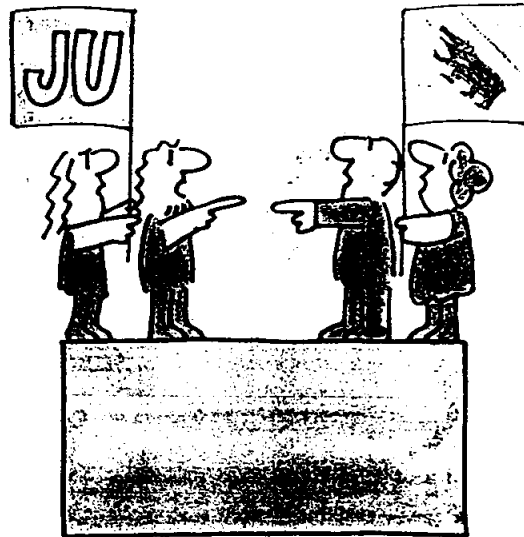
With the Fall
of Napoleon in 1815...



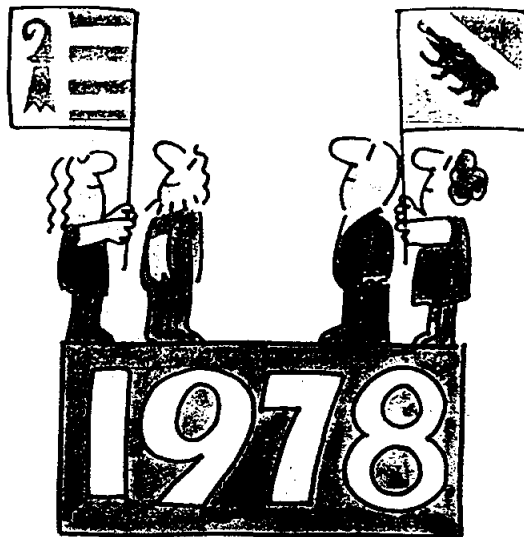
... the victors moved the Swiss frontier towards the west, they added the Valais, Neuchâtel and Geneva and gave the Jura to the canton Berne.

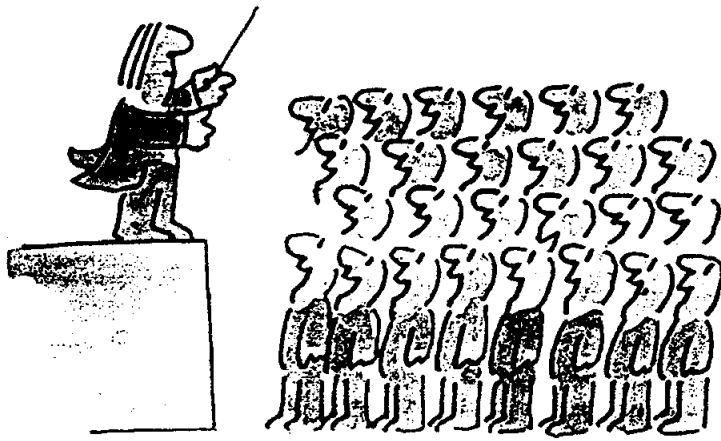


But some French-speaking Jurassians did not feel part of Berne at all. After a long political battle...

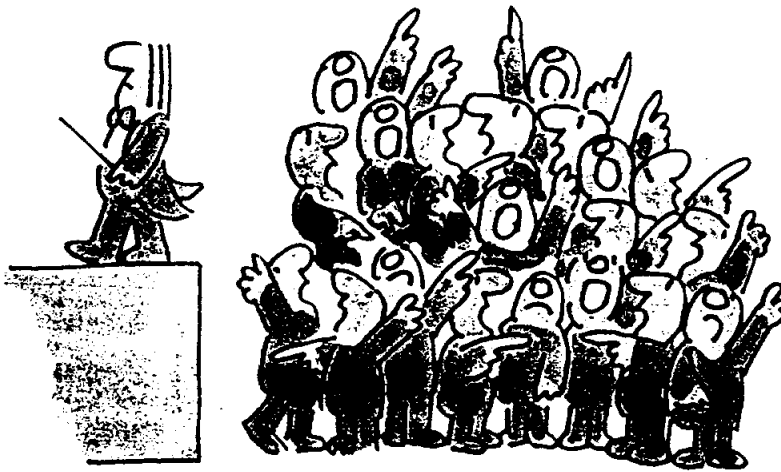


... the Swiss Confederacy accepted the creation of a new canton named the Jura. One part of the French-speaking Jura nevertheless stayed with Berne.





How can
26 cantons live
together?
The secret lies
in the institu-
tions which
Switzerland
established
a century
and a half ago.

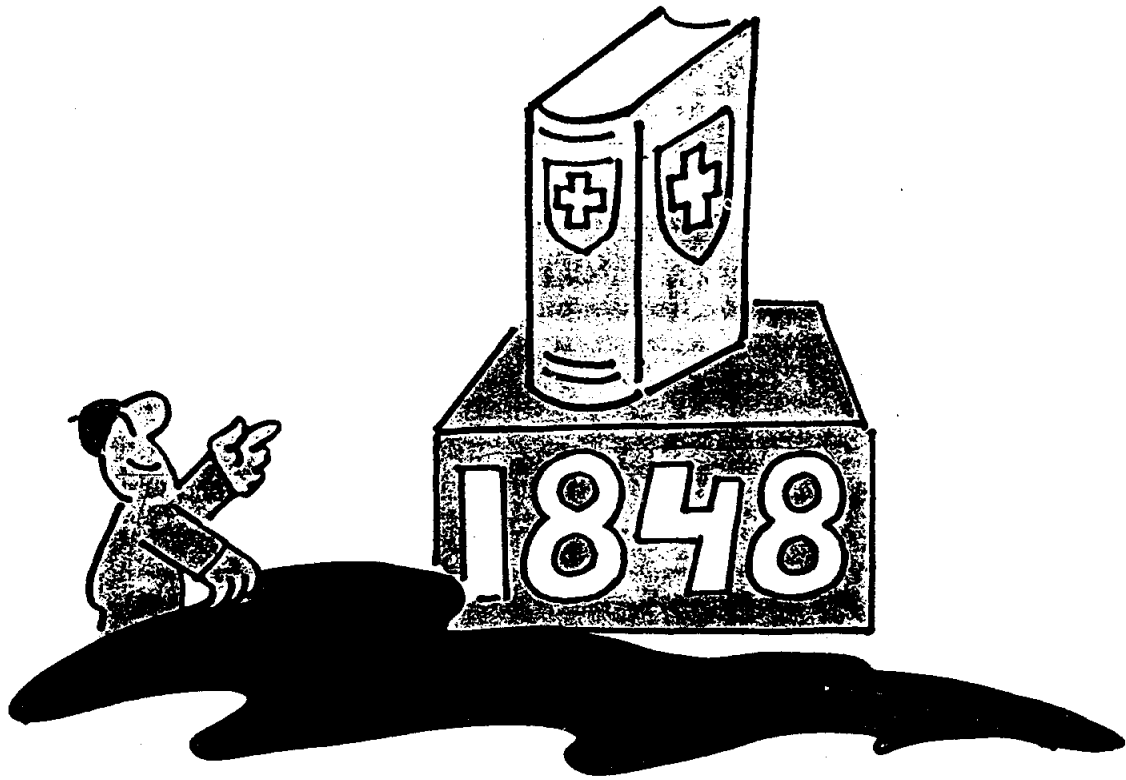


The early
XIXth century
witnessed the
confrontation
between the
radical party,
partisans of
liberalism and
national unity
and of the
conservatives who
wanted to preserve
absolute cantonal
sovereignty.
After a brief
civil war,
the radicals wor
and promulgated
the Constitutor
of 1848




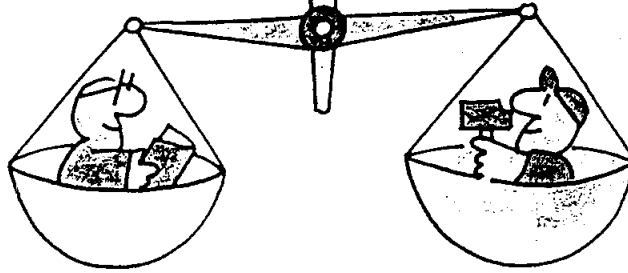


THE CONSTITUTION FROM 1848

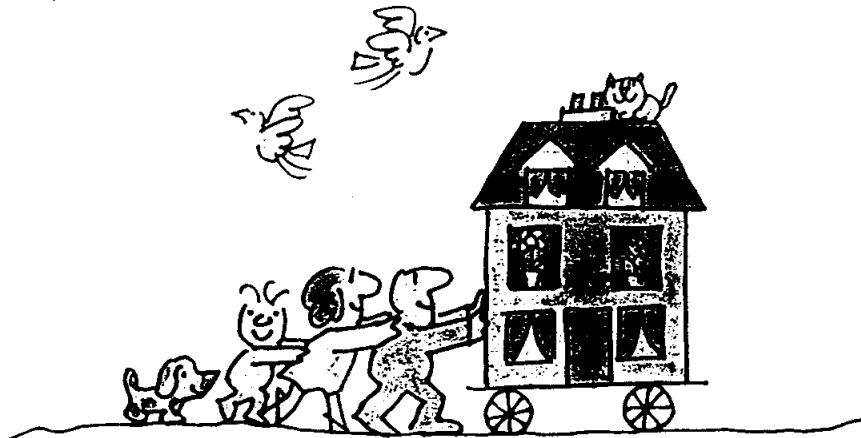


THE BIRTH OF MODERN SWITZERLAND

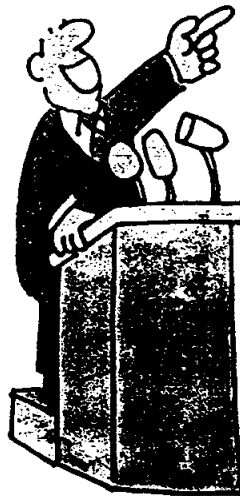
This Constitution  sets forth the
fundamental rights of citizens:



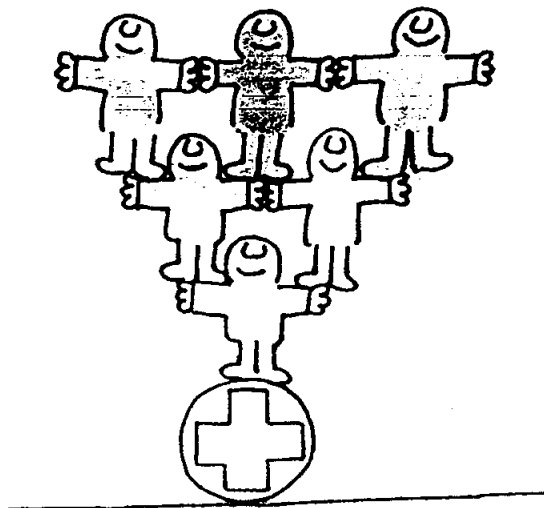
for example equality before the law ...



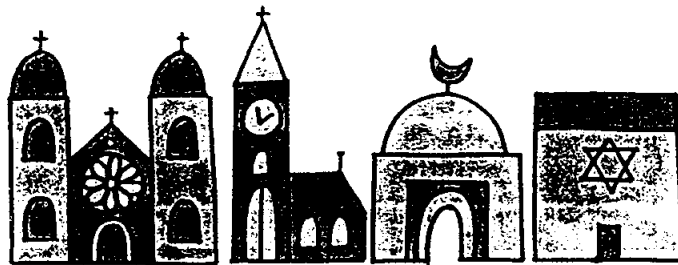
... the right to settle anywhere in the country ...



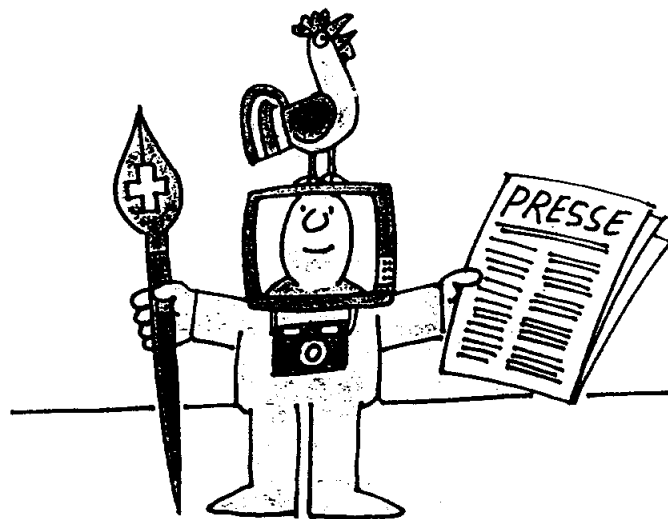
... freedom of speech ...



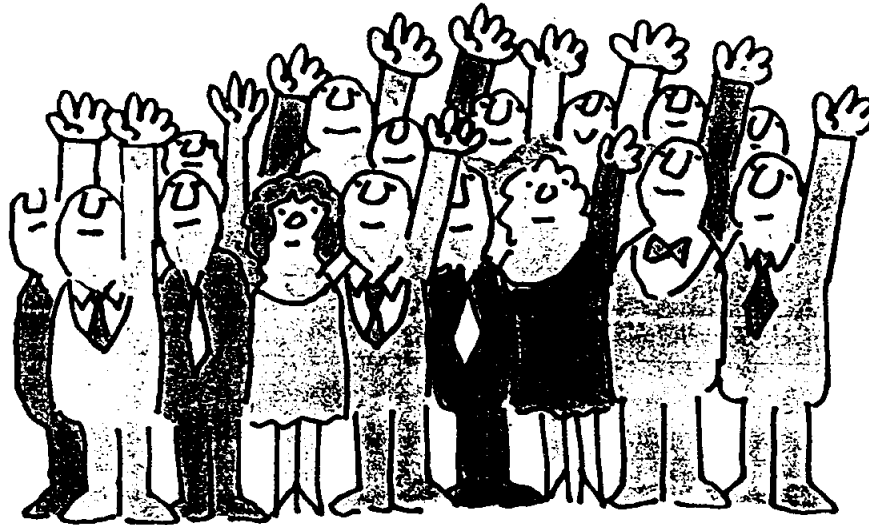
... freedom of association ...



... freedom of worship ...

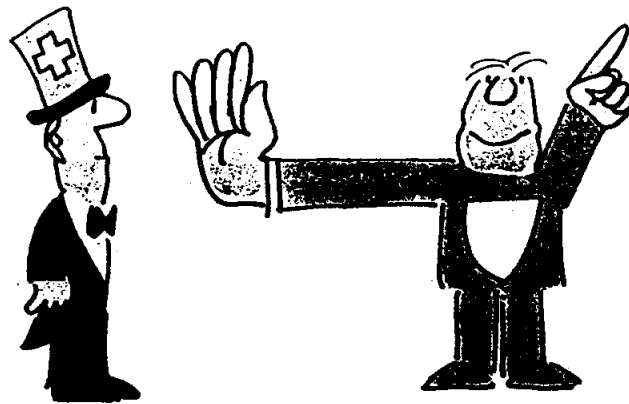


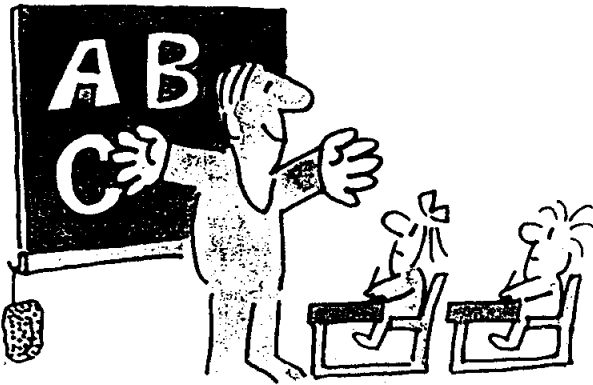
... and freedom of the press.



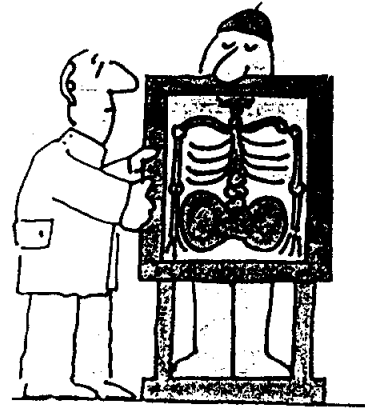
The modern Swiss State is the result of a compromise between centralists and federalists. Not only must a majority of citizens agree in order to change the Constitution, but also a majority of cantons.

The cantons retain their power in all the fields that the Federal Constitution does not attribute to the Confederation.

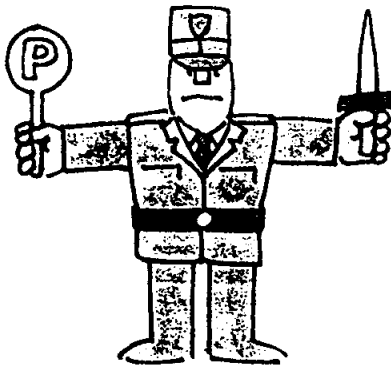




For example, in education...



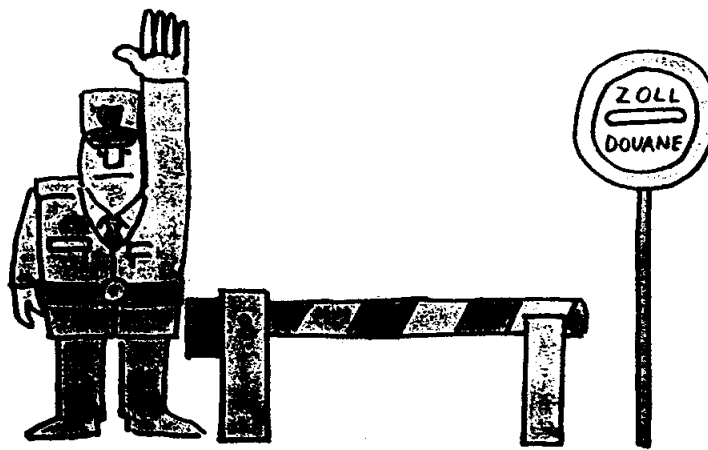
... or in health policy.



The police are also basically cantonal, as is the organization of the judiciary.



As of 1848, the various cantonal currencies were replaced by the Swiss franc.



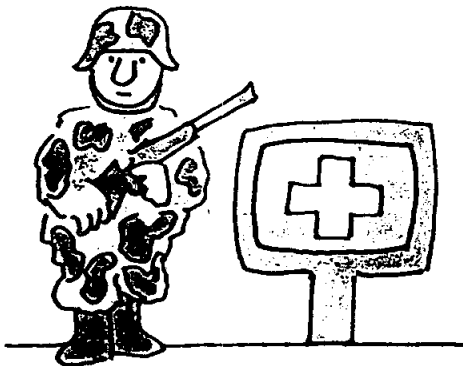
Customs became a federal matter...



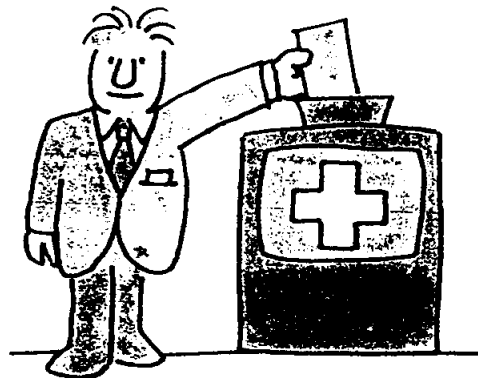
... as did the postal system ...



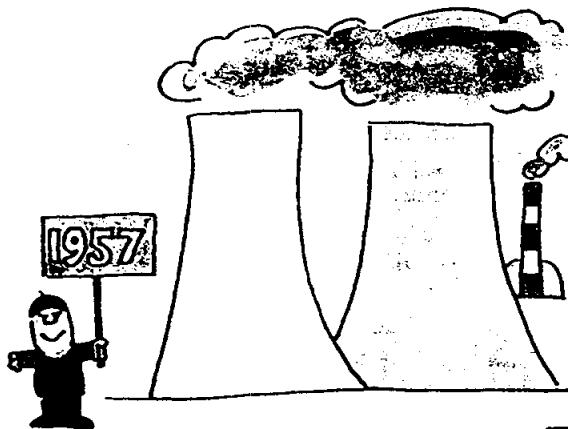
... and, of course, foreign policy.



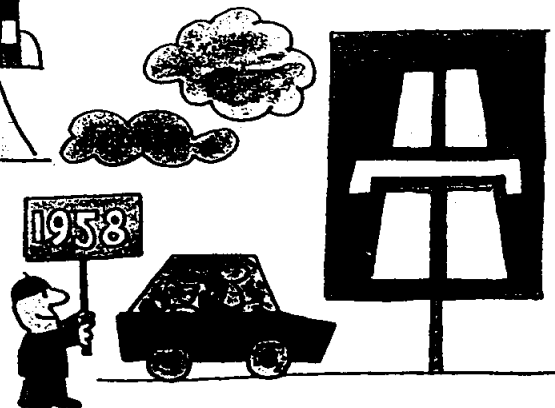
As to the army, today it is the quintessential federal institution.

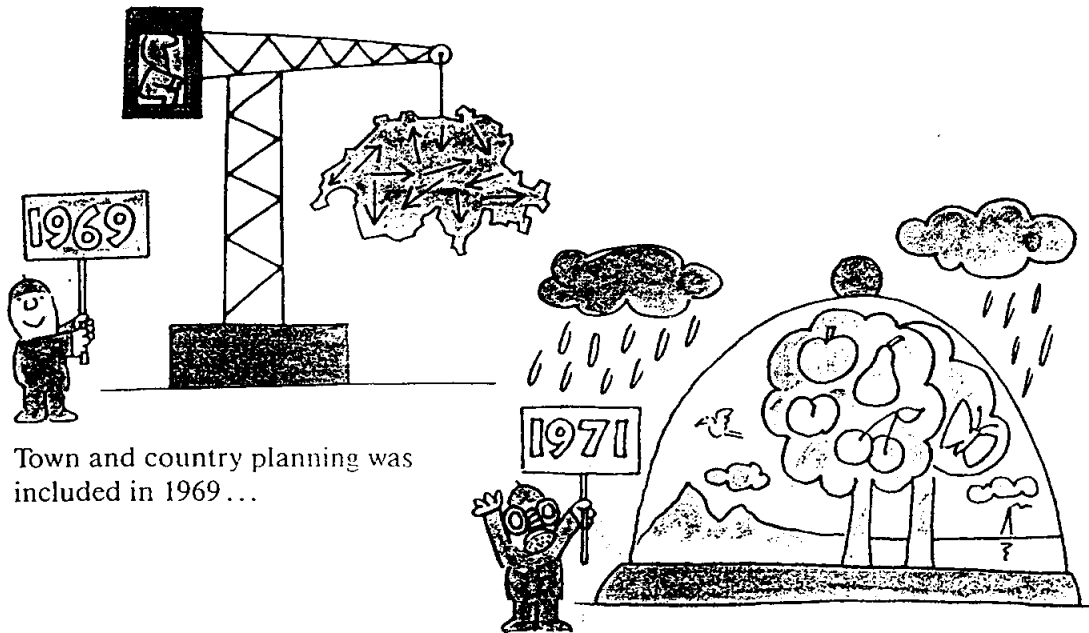


Thanks to constitutional amendments, the Confederation has continued to give itself new powers.



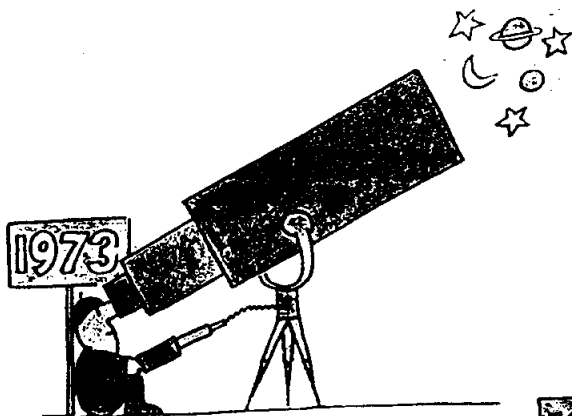
For instance, in 1957, nuclear energy. In 1958 it was decided to create the national road system to build highways.



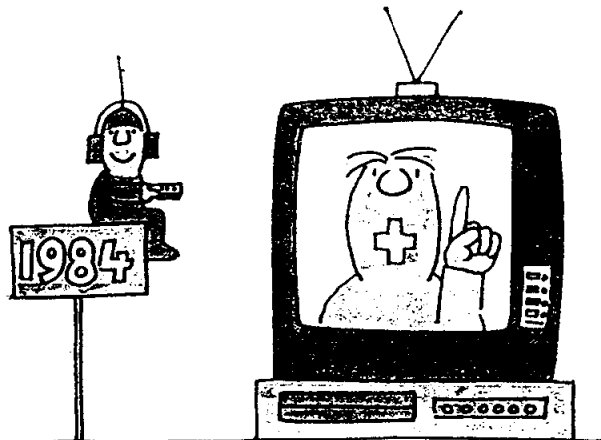


Town and country planning was included in 1969...

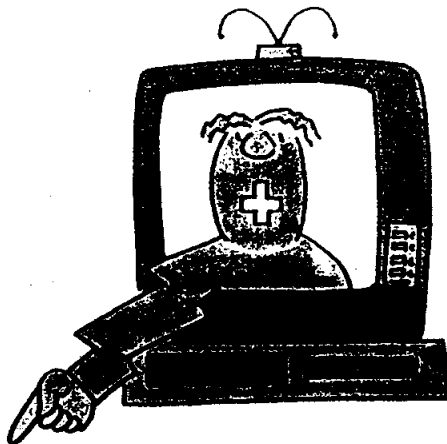
... followed by environmental protection in 1971...



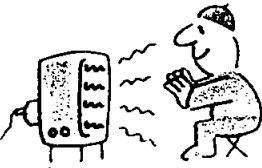
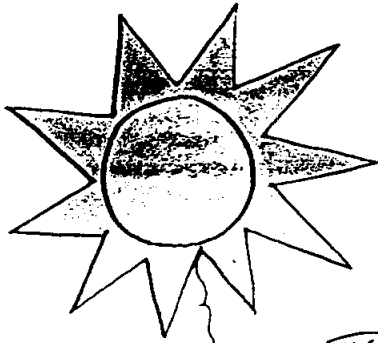
... scientific research and development in 1973.



It was not until 1984 that the constitutional status of radio and TV was settled.



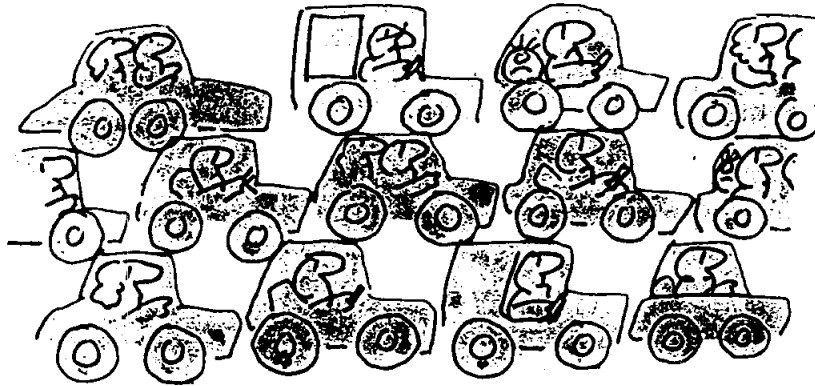
Since the recession of the 70's, the focus has switched from the reform of the entire constitution to political issues of a more practical nature:



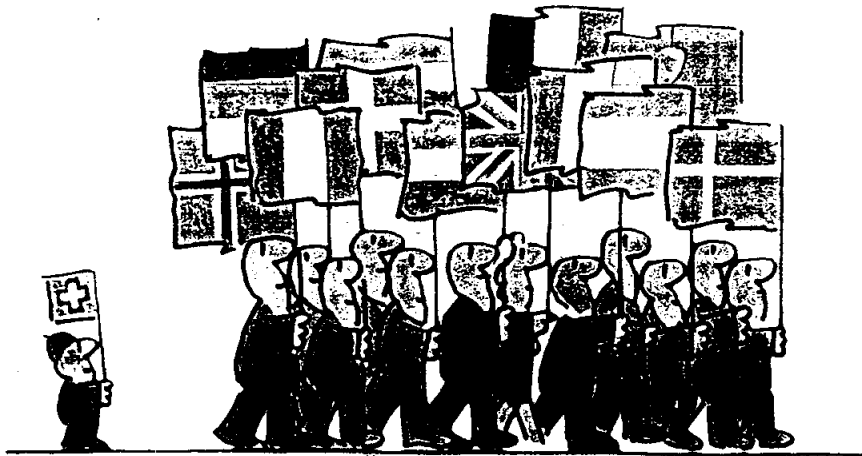
... energy ...



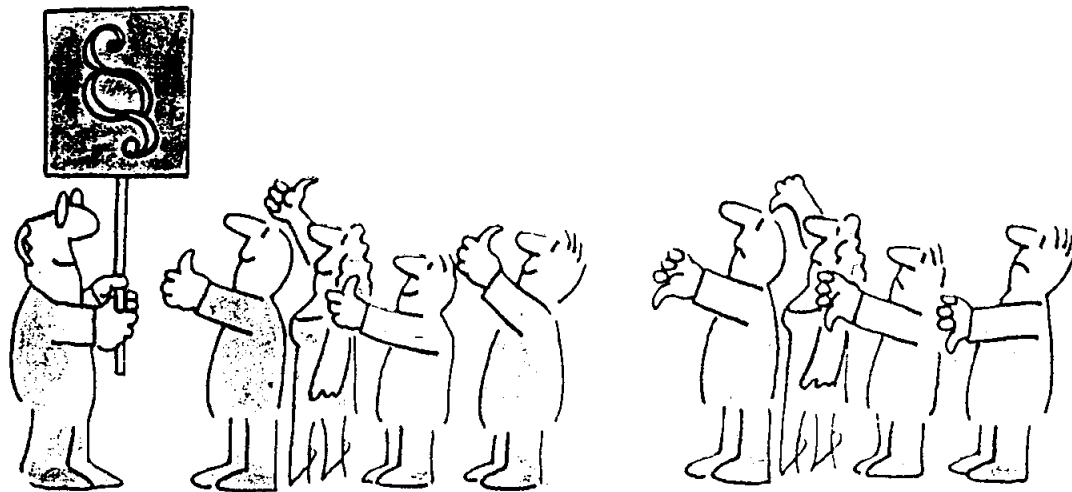
... social security ...



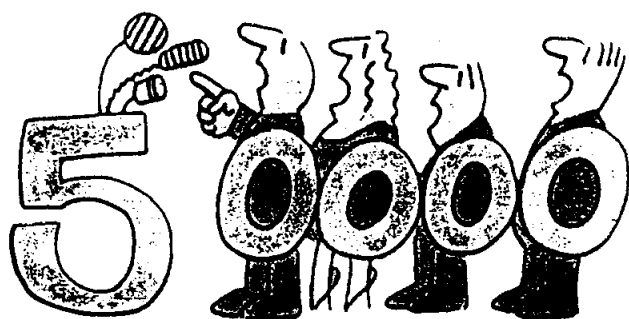
... transport ...



... relations with Europe.

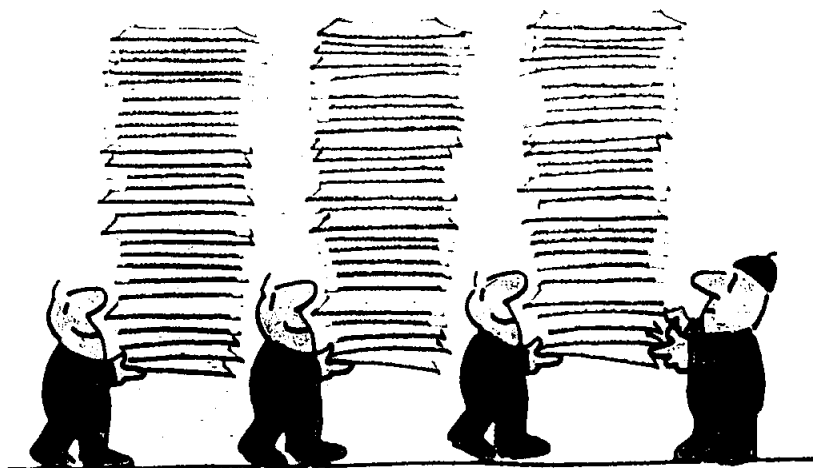


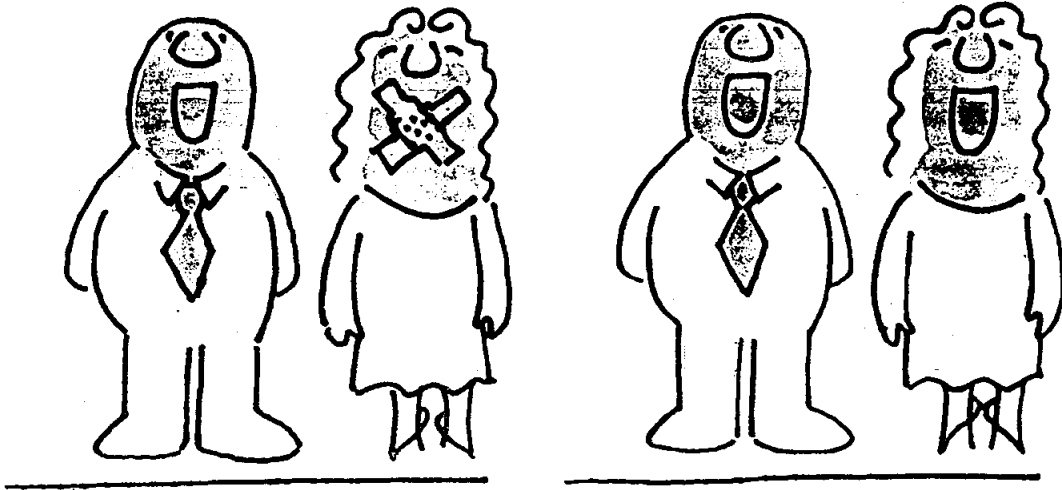
Swiss citizens don't only have the right to elect their parliament, but also to intervene in the law-making process by proposing or vetoing new laws.



The right of referendum allows 50000 voting citizens to request that a law passed by parliament be put to a popular vote. In approximately every second referendum the people vote against a law.

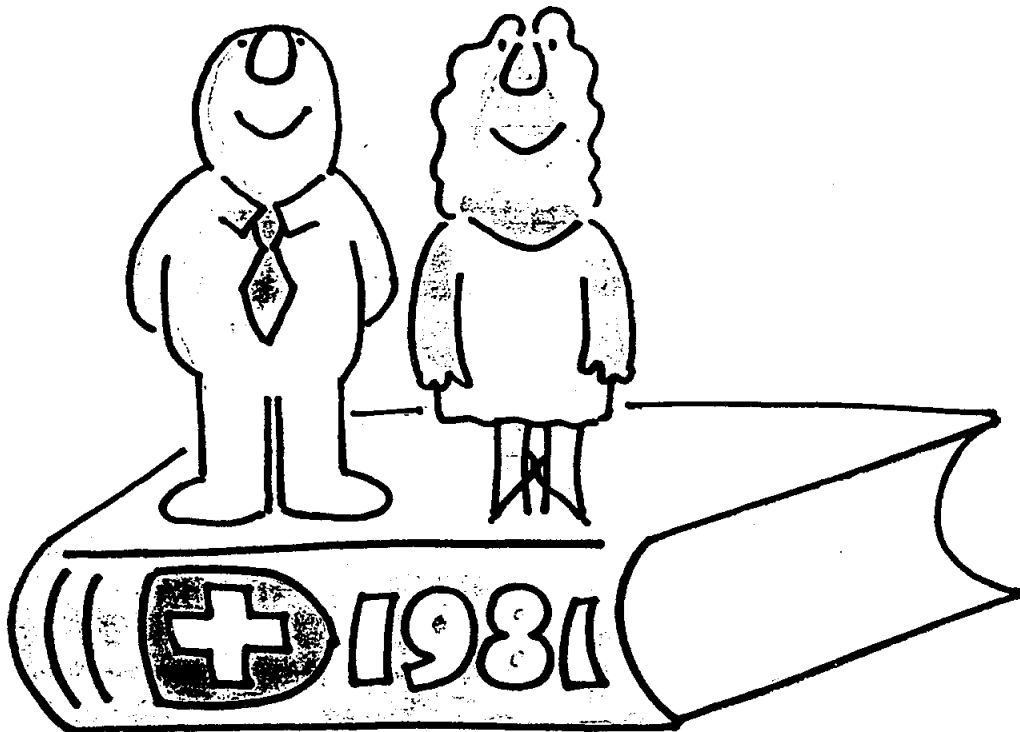
With 100000 signatures, voters can propose an initiative or an amendment to the constitution. Until now only one in ten such initiative has been approved because a counter-proposal enacted by parliament is usually preferred.



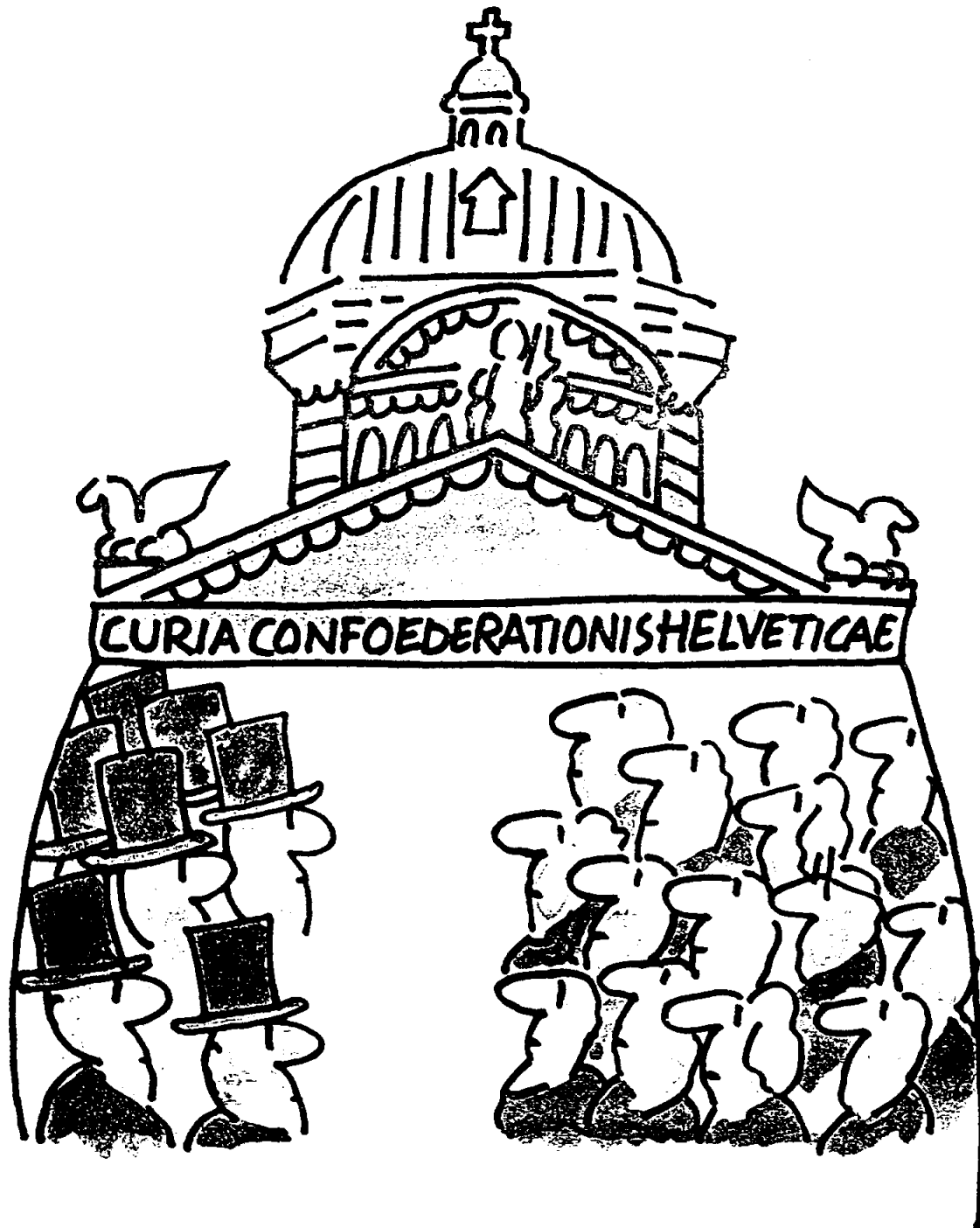


Swiss women had to wait until 1971 before male citizens gave them the right to vote.

1971

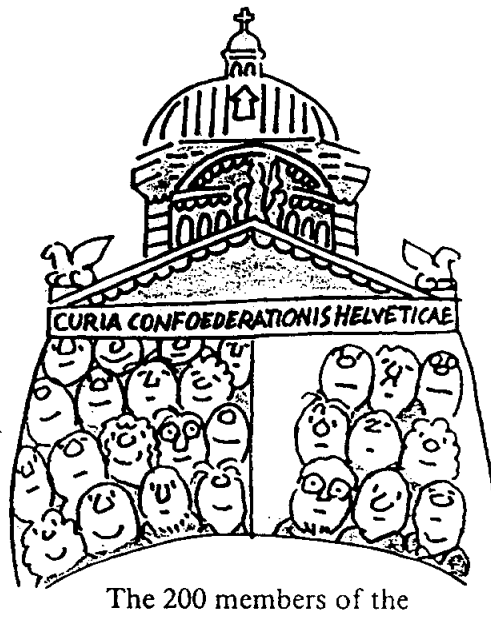


Ten years later, they were instrumental in incorporating the principle of equality for women and men into the constitution.

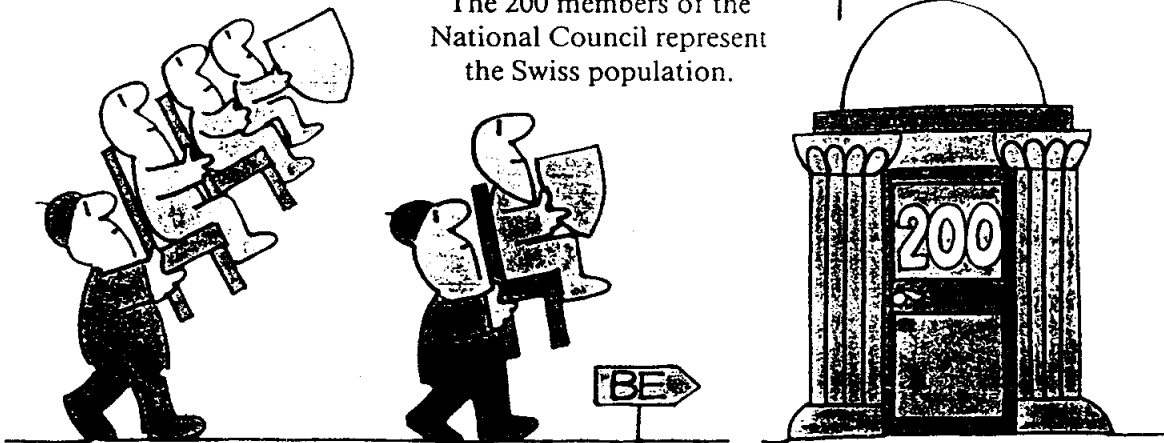


THE PARLIAMENT BUILDING
IS THE CENTER OF LEGISLATIVE
AND EXECUTIVE POWER

In order to reconcile centralists and federalists, in 1848 a bi-cameral Parliament was created modeled after the American system and consisting of the National Council and the Council of States.

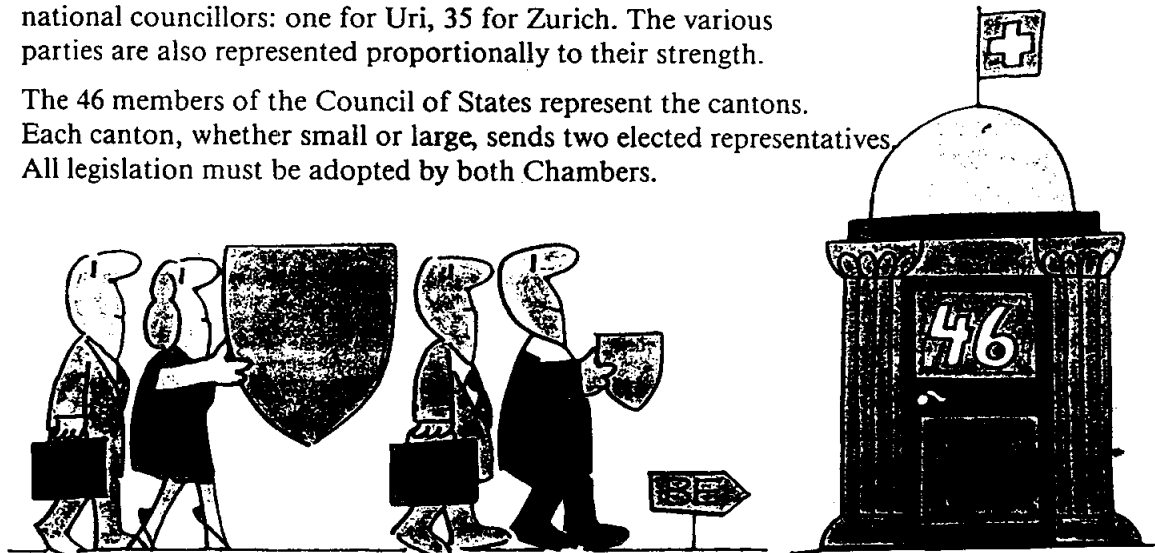


The 200 members of the National Council represent the Swiss population.



In proportion to its population, each canton elects national councillors: one for Uri, 35 for Zurich. The various parties are also represented proportionally to their strength.

The 46 members of the Council of States represent the cantons. Each canton, whether small or large, sends two elected representatives. All legislation must be adopted by both Chambers.



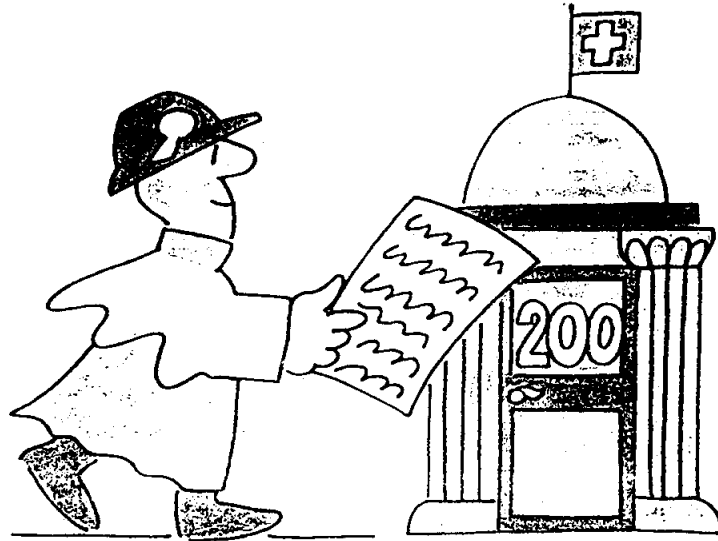
The process begins with the Federal Council submitting a bill to parliament.

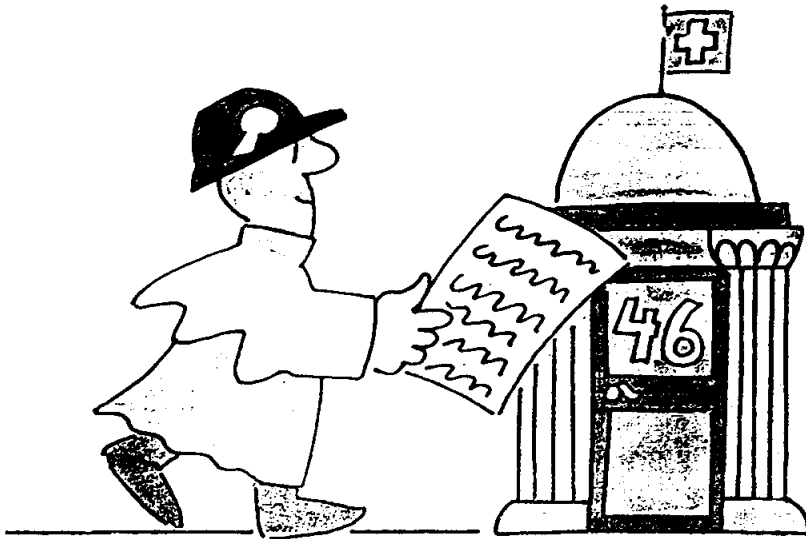
Each bill is assigned to one of the two councils. If the National Council is given priority ...

... its bureau appoints a number of councillors to form a committee, representative of the parties, of the languages and of the various lobbies.

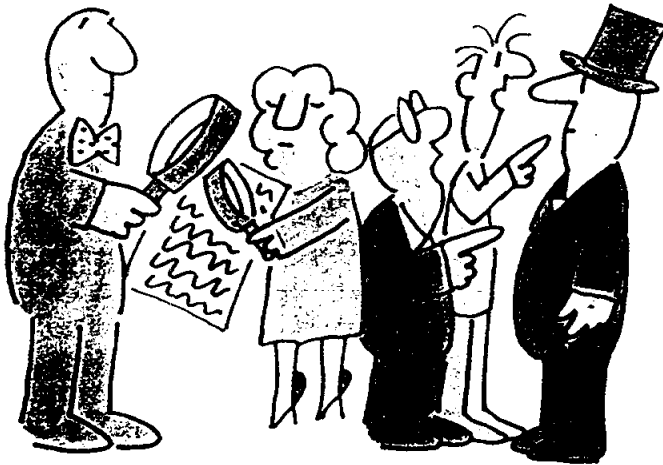
This committee examines the bill in all its details. It hears experts, civil servants and the federal councillor in charge of the problem.

The modified bill then goes before the National Council. The members discuss it on the basis of a folder which juxtaposes the proposals of the Government and of the parliamentary committee. The council members can still submit.



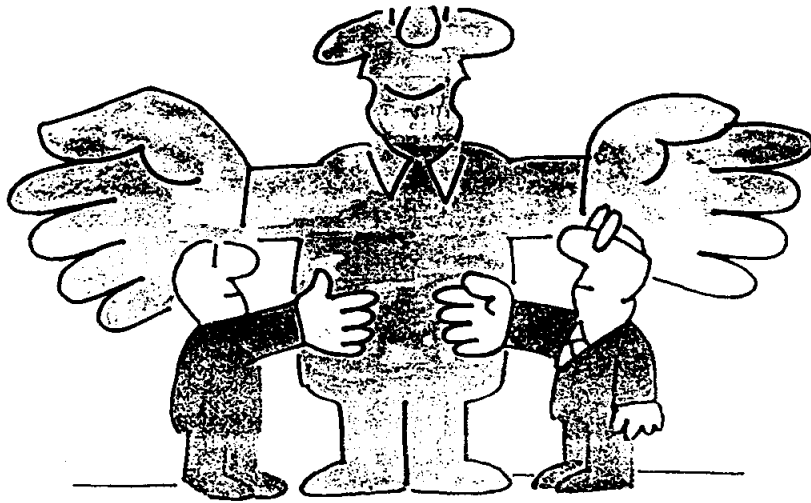


The same exercise takes place before the second chamber (in this case the Council of States).

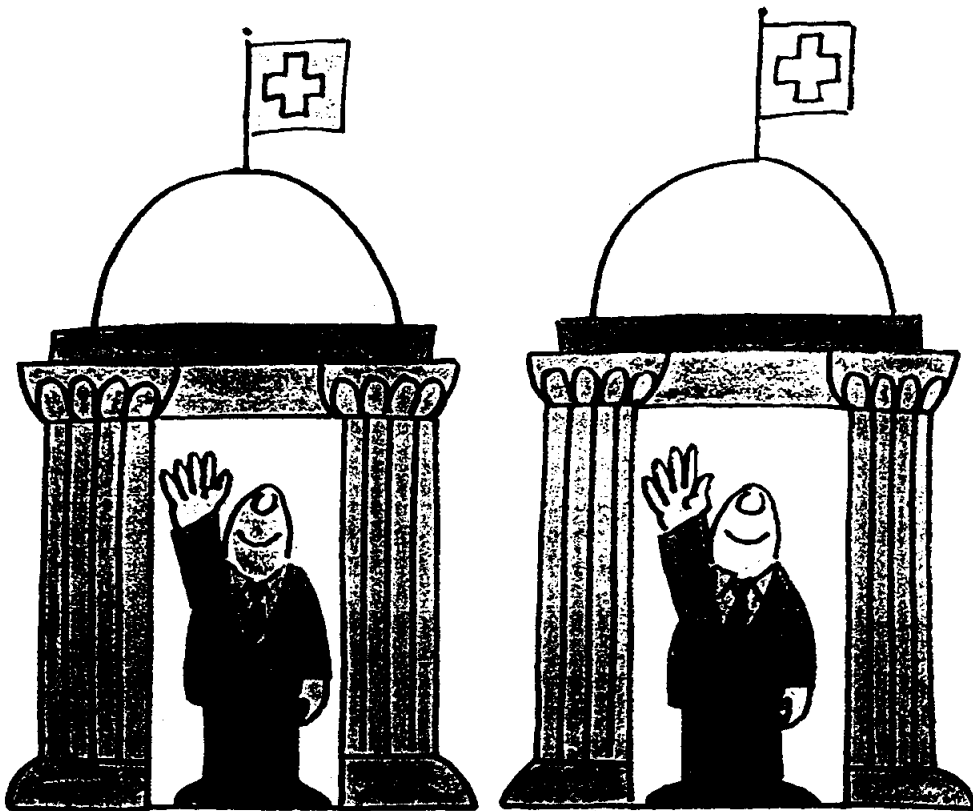


If the two draft versions are not in agreement the committees meet again and try again until all differences have been eliminated.





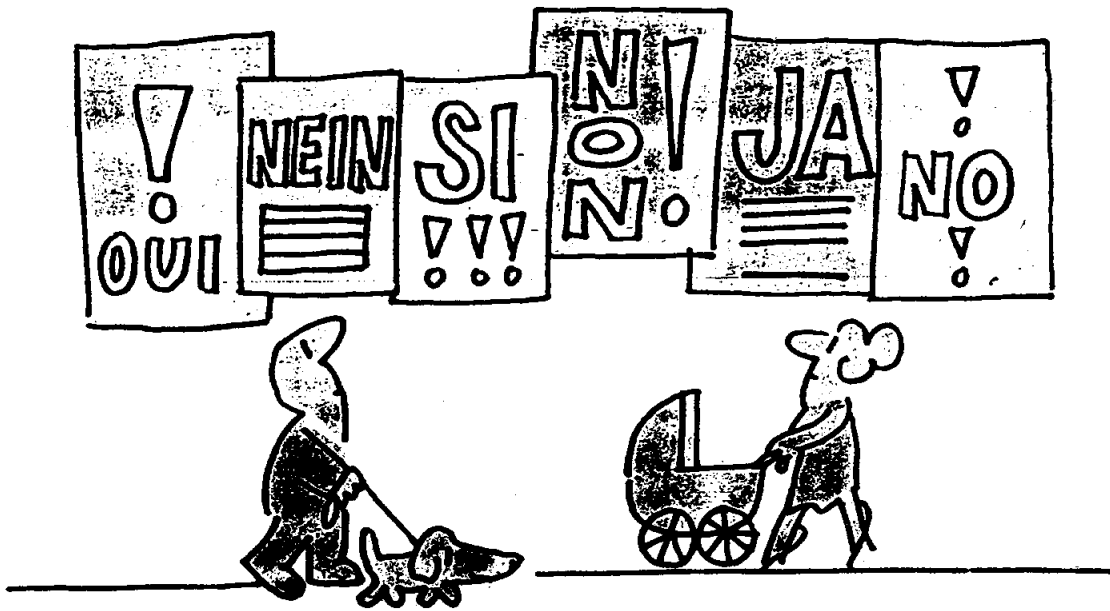
In the case of continued disagreement, a conciliatory conference is convened.
This has only been necessary 14 times in 140 years.



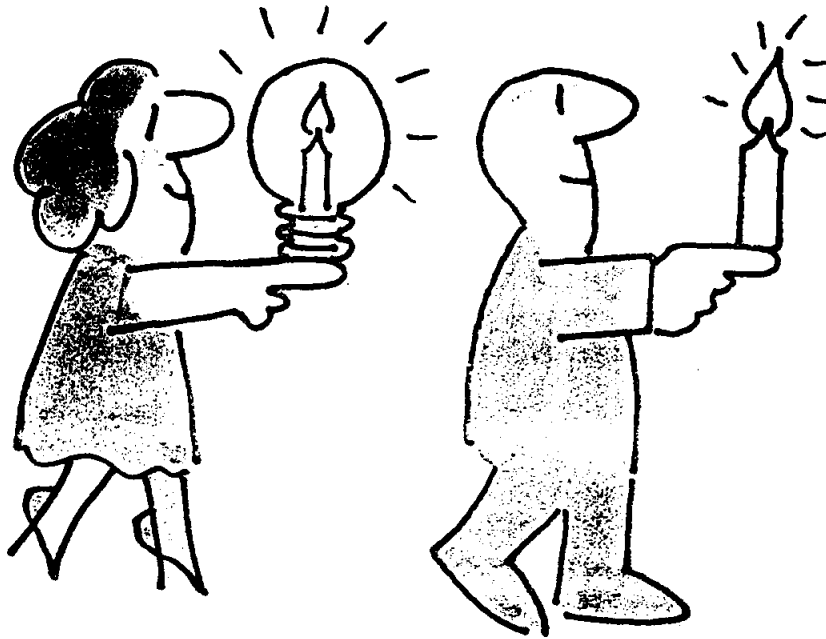
When both councils agree to adopt the same working,
a final vote is taken.



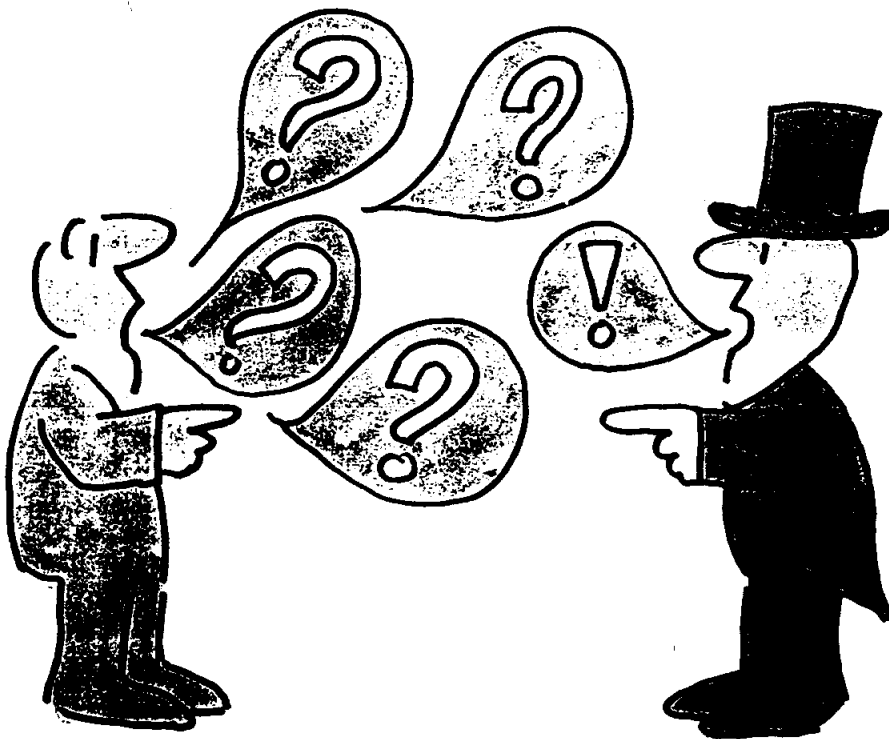
If the law is not contested by a referendum,
it becomes effective.



If it is a constitutional article, the people and the
cantons must vote on it.

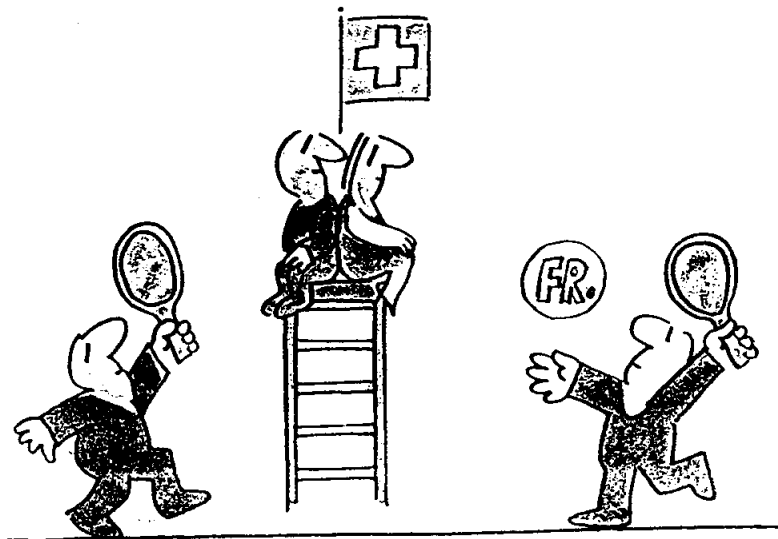


Each parliamentarian can introduce new ideas.



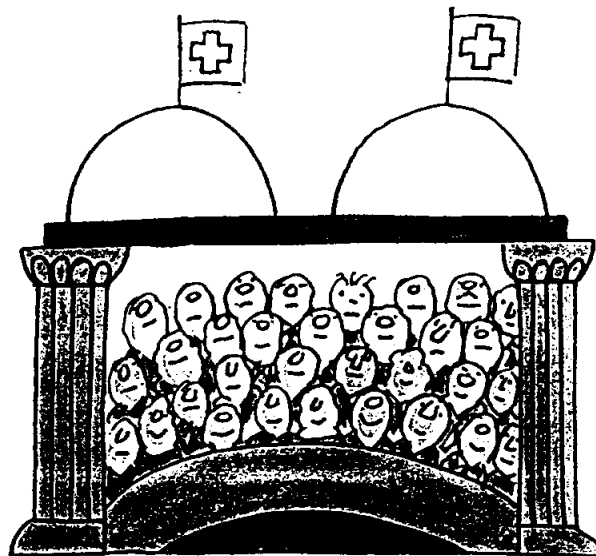
Each parliamentarian can exercise his right of control by asking for explanations from the Government.

The Parliament is responsible for controlling financial management and exercising overall supervision of the administration.

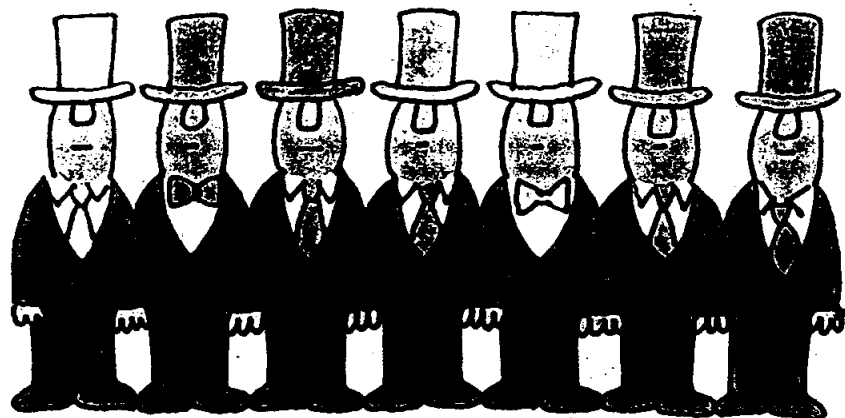


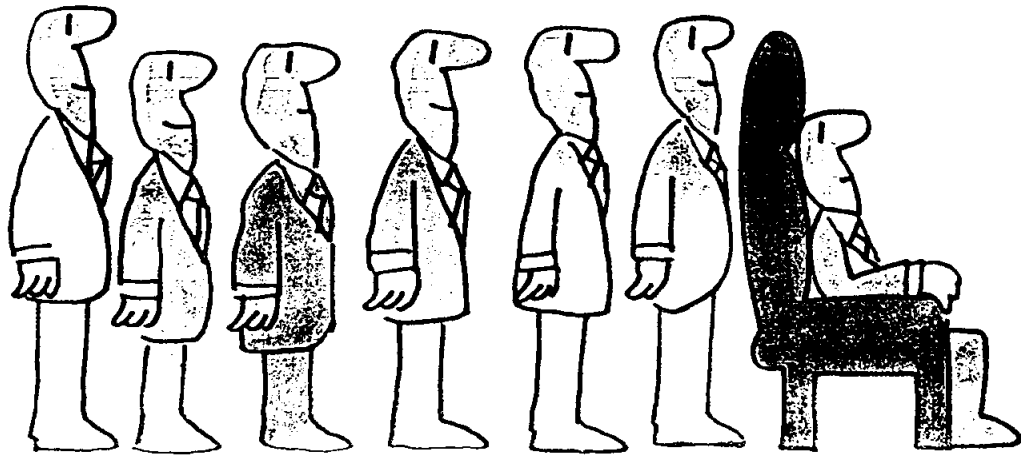
The members of the Swiss Parliament are not full-time politicians, and the chambers are only in session 12 weeks a year.

As a rule, once in every session, the National Council and the Council of States sit jointly: this is the united Federal Assembly.



The Federal Assembly elects the Cabinet which is called the Federal Council and consists of seven federal councillors.

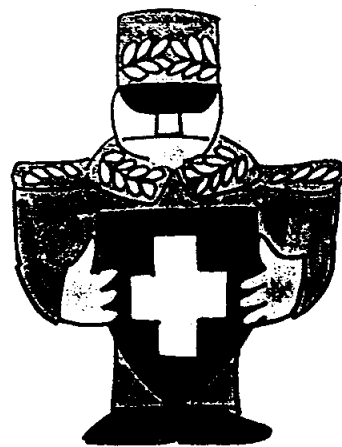




Every year the Federal Assembly appoints one of the seven federal council members in turn as President of the Confederation. He chairs the weekly meetings of the Federal Council, but has no more power than his colleagues.



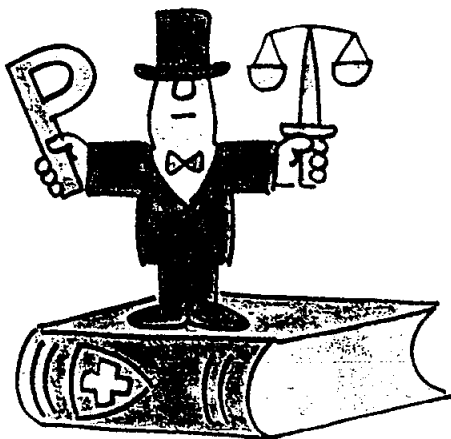
The Federal Assembly also elects the Chancellor of the Confederation, the judges at the Federal Court and, in the event of a threat of war, the Commander-in-Chief,



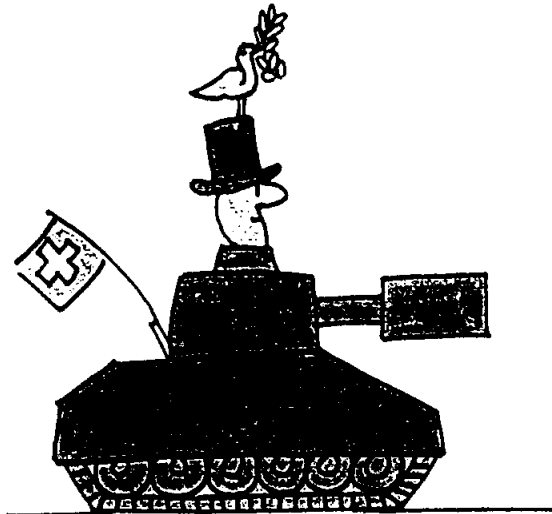
Each federal councillor
heads a department.



The Federal Department
of Foreign Affairs ...

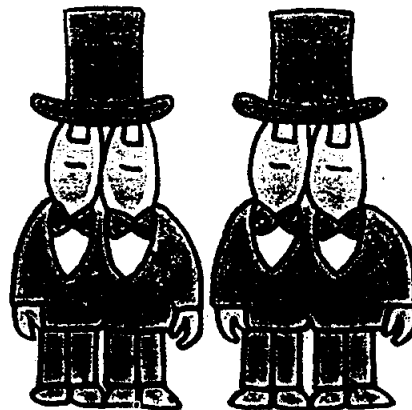


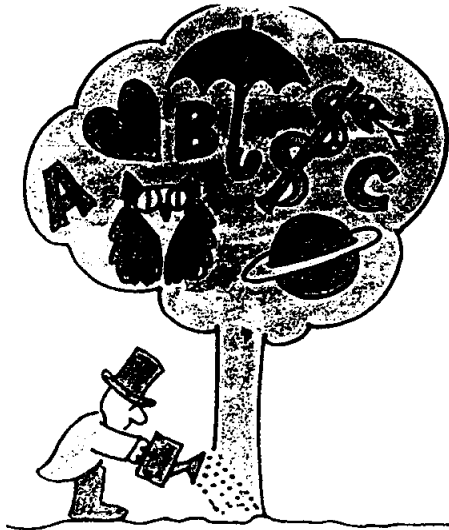
... the Federal Department
of Justice and Police ...



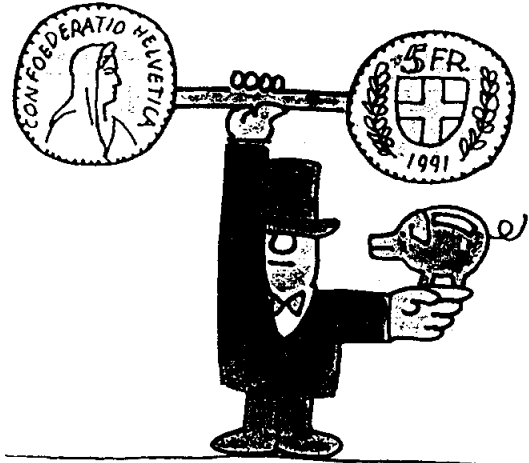
... the Federal Department of Defense ...

The four major parties all are represented
in the Federal Council: two members each from
the radical party, the Christian-Democrats and
the Social-Democrats and one from the
Swiss People's Party, a co-existence which
implies the capacity for compromise.

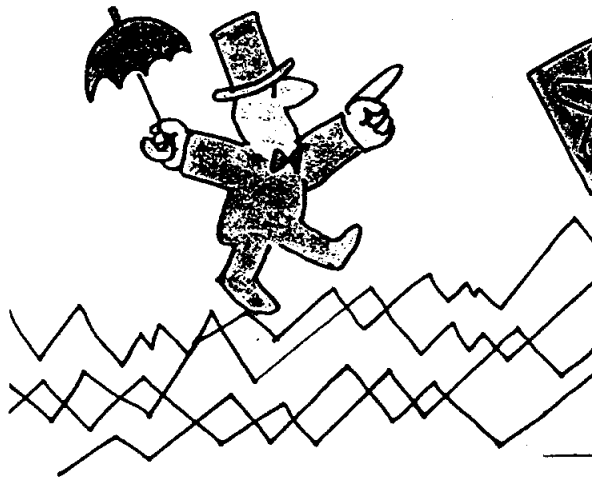




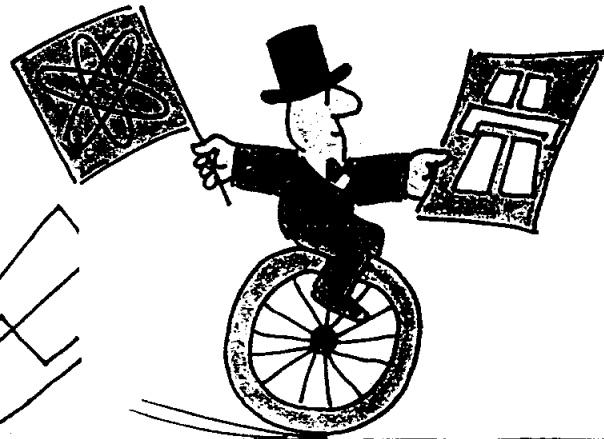
... the Federal Department of the Interior ...



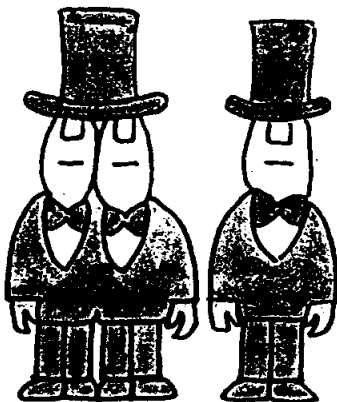
... the Federal Department of Finance ...



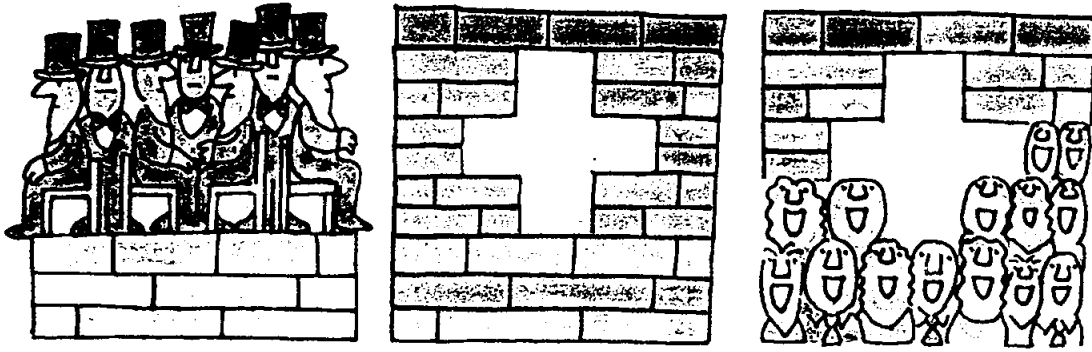
... the Federal Department of Economic Affairs ...



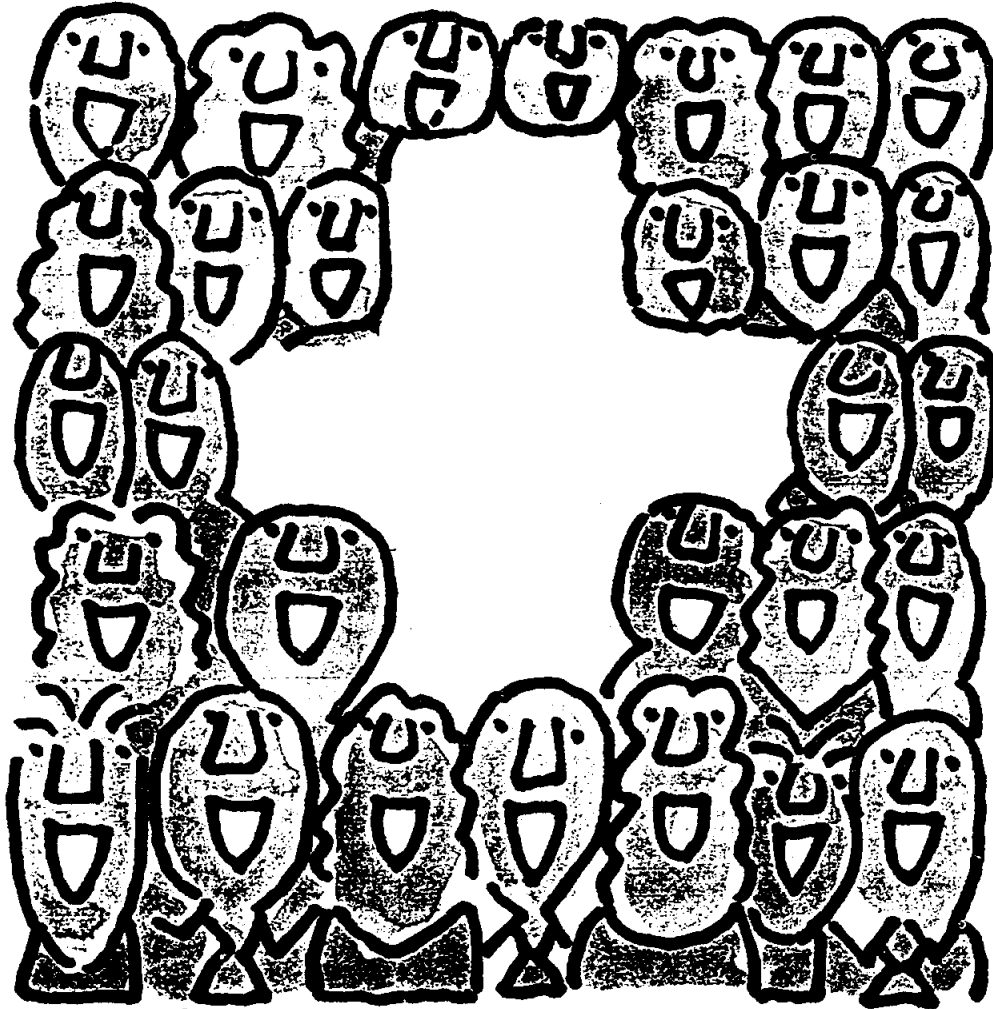
... the Federal Department of Transportation, Communications and Energy.



In Switzerland, there is thus no majority and opposition as such. Nor do politicians always toe the party line. Often a bill presented by the Federal Council is disavowed by Parliament or by the people - this is considered to be quite normal and a federal councillor does not resign for this reason.



Thus the Swiss government is one of the most stable in the world.



Any real opposition basically comes from the people. Thanks to their rights, they have, if they so choose, the last word.