

**PUBLICATIONS OF THE  
UNIVERSITY OF PENNSYLVANIA,  
NO. 8. THE FEDERAL  
CONSTITUTION OF  
SWITZERLAND**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649281282

Publications of the University of Pennsylvania, No. 8. The Federal Constitution of Switzerland  
by Edmund J. James

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd.  
Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

[www.triestepublishing.com](http://www.triestepublishing.com)

**EDMUND J. JAMES**

**PUBLICATIONS OF THE  
UNIVERSITY OF PENNSYLVANIA,  
NO. 8. THE FEDERAL  
CONSTITUTION  
OF SWITZERLAND**



PUBLICATIONS  
OF THE  
UNIVERSITY OF PENNSYLVANIA.

---

POLITICAL ECONOMY AND PUBLIC LAW SERIES.

EDMUND J. JAMES, Ph.D., Editor.

---

NO. 8.

THE FEDERAL CONSTITUTION

OF

SWITZERLAND.

TRANSLATED

BY

EDMUND J. JAMES, Ph.D.,

Professor in the University of Pennsylvania.

---

PHILADELPHIA.

1890.

---

For Sale by Porter and Coates, Philadelphia.

PRICE FIFTY CENTS.

UNIVERSITY  
LIBRARY  
PRINCETON, N.J.

## INDEX TO CONSTITUTION.

	PAGE.
PREAMBLE . . . . .	10
FIRST DIVISION.	
GENERAL PROVISIONS.	
Article 1. Enumeration of Cantons . . . . .	11
“ 2. Purposes of the Union . . . . .	11
“ 3. Sovereignty of the Cantons . . . . .	11
“ 4. Equality before the law—Prohibition of privileges.	12
“ 5. Guaranty of Cantonal and popular rights . . . . .	12
“ 6. Guaranty of Cantonal Constitutions . . . . .	12
“ 7. Right of Cantons to make treaties or agreements . . . . .	12
“ 8. Power to declare war, conclude peace, and make treaties . . . . .	18
“ 9. Cantonal treaties with foreign countries . . . . .	18
“ 10. Foreign intercourse shall take place through the Federal Council—exceptions . . . . .	18
“ 11. Military Capitulations . . . . .	13
“ 12. Decorations, titles, pensions, etc., from foreign governments . . . . .	13
“ 13. Standing army . . . . .	14
“ 14. Cantons forbidden to enforce their own rights against other Cantons . . . . .	14
“ 15. Sudden danger from foreign countries . . . . .	14
“ 16. Domestic disorder . . . . .	14
“ 17. Free passage of troops . . . . .	15
“ 18. Military service—Pensions—Support of armies—Exemption from military service . . . . .	15
“ 19. Federal Army—Military rights of Cantons . . . . .	15
“ 20. Military legislation . . . . .	16
“ 21. Constitution of army corps . . . . .	16
“ 22. Federal right to take arsenals, barracks, etc. . . . .	16
“ 23. Federal right to undertake or forbid public works . . . . .	17
“ 24. Federal functions in water and forest police . . . . .	17
“ 25. Federal laws as to hunting and fishing . . . . .	17
“ 26. Construction and management of railways . . . . .	17

(RECAP)

H:  
FBI  
NO. 2

FEB 10 1939

170120

	PAGE
Article 27. Public instruction . . . . .	17
" 28. Customs duties . . . . .	18
" 29. Principles underlying the system of customs . . . . .	18
" 30. Income from customs, compensation and indemnities . . . . .	18
" 31. Freedom of Trade and Industry, exceptions . . . . .	19
" 32. Import duties levied by the Cantons . . . . .	19
" 33. Conditions of practicing the liberal professions . . . . .	20
" 34. Laws for protection of laborers in factories—Emigration agents—Private insurance companies . . . . .	20
" 35. Gambling houses . . . . .	31
X " 36. Post and telegraph—Income—Tariff of charges—Inviolability of secrecy . . . . .	21
" 37. Roads and bridges—Subsidies to Cantons for the Alpine highways . . . . .	21
" 38. Coinage . . . . .	21
" 39. Issue of bank notes . . . . .	22
" 40. Weights and measures . . . . .	22
" 41. Gunpowder monopoly . . . . .	22
" 42. Sources of revenue of the Union . . . . .	22
" 43. Citizenship—Elective franchise . . . . .	22
" 44. Expulsion of citizens—Naturalization and expatriation . . . . .	23
" 45. Right of domicile and settlement . . . . .	23
" 46. Civil rights of newcomers—Double taxation . . . . .	24
" 47. Determination of meaning of settlement and sojourn . . . . .	24
" 48. Costs of care of sick and burial of dead of other Cantons . . . . .	24
" 49. Religious liberty—Freedom of conscience . . . . .	25
" 50. Free exercise of religion—Security of public order, —Protection against encroachments of the church—Church disputes—Erection of bishoprics in Switzerland . . . . .	25
" 51. Jesuits and other ecclesiastical orders . . . . .	26
" 52. Establishment of monasteries and orders . . . . .	26
" 53. Civil Condition—Cemeteries . . . . .	26
" 54. Marriage laws . . . . .	26
" 55. Freedom of the press . . . . .	27
" 56. Freedom of association . . . . .	27
" 57. Right of petition . . . . .	27
" 58. Right to constitutional trials—Ecclesiastical jurisdiction . . . . .	27

	PAGE
Article 59. Locus of suits for debt—Imprisonment for debt . . . . .	27
“ 60. Equal protection of the laws . . . . .	27
“ 61. Enforcement of civil judgments . . . . .	28
“ 62. Abolition of right of deduction and purchase . . . . .	28
“ 63. Freedom of migration . . . . .	28
“ 64. Legislation in reference to civil ability, trade, exchange in personal property, copyright, bankruptcy, etc.—Enforcement of such laws . . . . .	28
“ 65. Death penalty for political crimes—Corporal punishment . . . . .	28
“ 66. Laws as to forfeiture of political privileges . . . . .	29
“ 67. Extradition of criminals . . . . .	29
“ 68. Rights of the homeless . . . . .	29
“ 69. Sanitary legislation . . . . .	29
“ 70. Expulsion of foreigners . . . . .	29

SECOND DIVISION.

FEDERAL AUTHORITIES.

I. FEDERAL ASSEMBLY.

Article 71. Vesting of supreme authority . . . . .	29
--	----

A. National Council.

“ 72. Constitution of National Council . . . . .	30
“ 73. Manner of election . . . . .	30
“ 74. Qualifications of electors . . . . .	30
“ 75. Qualifications of members . . . . .	30
“ 76. Length of term . . . . .	30
“ 77. Incompatibility of offices . . . . .	30
“ 78. Officers—Method of choice . . . . .	31
“ 79. Compensation of members . . . . .	31

B. Council of Cantons.

Article 80. Constitution of Council . . . . .	31
“ 81. Incompatibility of offices . . . . .	31
“ 82. Officers—Method of choice . . . . .	31
“ 83. Compensation of members . . . . .	32

C. Powers of Federal Assembly.

Article 84. General vesting of power . . . . .	32
“ 85. Enumeration of powers . . . . .	32
“ 86. Frequency of sessions . . . . .	33
“ 87. Quorum . . . . .	33
“ 88. Number of votes necessary for action . . . . .	34
“ 89. Laws, decrees—Submission to the people (referendum) . . . . .	34



	PAGE
Article 90. Legislation as to referendum . . . . .	34
“ 91. Instruction of representatives . . . . .	34
“ 92. Joint sessions . . . . .	34
“ 93. Right of initiative . . . . .	34
“ 94. Publicity of sessions . . . . .	34
<b>II. FEDERAL COUNCIL.</b>	
Article 95. Constitution of Federal Council . . . . .	35
“ 96. Method of election—Term of office—Vacancies . . . . .	35
“ 97. Incompatibility of offices . . . . .	35
“ 98. Federal President . . . . .	35
“ 99. Compensation of members . . . . .	35
“ 100. Quorum . . . . .	36
“ 101. Rights of members of the Federal Council in the Federal Assembly . . . . .	36
“ 102. Enumeration of functions of Federal Council . . . . .	36
“ 103. Division of Federal Council into Departments . . . . .	38
“ 104. Permission to summon experts . . . . .	38
<b>III. FEDERAL SECRETARIAT.</b>	
Article 105. Duties of Secretary—Method of choice—Term of office—Organization of bureau . . . . .	38
<b>IV. FEDERAL TRIBUNAL.</b>	
Article 106. Establishment of a Federal Tribunal—Trial by jury . . . . .	38
“ 107. Constitution of Tribunal . . . . .	39
“ 108. Qualification of judges—Incompatibility of offices . . . . .	39
“ 109. Secretariat of the Federal Tribunal . . . . .	39
“ 110. Civil jurisdiction of Federal Tribunal . . . . .	39
“ 111. Ditto . . . . .	40
“ 112. Criminal jurisdiction . . . . .	40
“ 113. Additional provisions as to jurisdiction—Supremacy of Federal Law . . . . .	40
“ 114. Power of Federal Assembly to extend the jurisdic- tion of the Tribunal . . . . .	41
<b>V. VARIOUS PROVISIONS.</b>	
Article 115. Seat of the Federal Authorities . . . . .	41
“ 116. National Languages . . . . .	41
“ 117. Responsibility of officers . . . . .	41
<b>THIRD DIVISION.</b>	
<b>REVISION OF THE CONSTITUTION.</b>	
Article 118. Frequency of revision . . . . .	42
“ 119. Method . . . . .	42

*Index to Federal Constitution.*

7

	PAGE
Article 120. Submission of the question whether it shall be revised. Who to revise in this case . . . . .	43
“ 121. Conditions of the revision going into effect . . . . .	43

TRANSITION PROVISIONS.

Article 1. Disposition of revenue from customs and post— Arrears in military services — Distribution of burdens of loss incidental to a change in system . . . . .	43
“ 2. Articles in conflict with this Constitution . . . . .	43
“ 3. Provisions as to Federal Tribunal . . . . .	43
“ 4. Period allowed for introduction of free public schools. 43	43
“ 5. Licenses to practice a learned profession . . . . .	43
Date of vote to submit this Constitution . . . . .	44
Federal resolution concerning the result of the vote. 44	44
Order of Federal Council concerning publication . . . . .	45

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that proper record-keeping is essential for transparency and accountability, particularly in the context of public administration and financial management.

2. The second part of the document outlines the various methods and tools used for data collection and analysis. It highlights the need for standardized procedures to ensure the reliability and validity of the information gathered. This includes the use of surveys, interviews, and statistical software to process and interpret the data.

3. The third part of the document focuses on the dissemination and communication of the findings. It stresses the importance of presenting the information in a clear, concise, and accessible manner. This involves the use of reports, presentations, and other communication channels to share the results with the relevant stakeholders and the public.

4. The fourth part of the document discusses the challenges and limitations of the research process. It acknowledges that there are various factors that can affect the quality and accuracy of the data, such as sampling bias, non-response, and data entry errors. It also notes that the interpretation of the results should be done with caution and should be supported by additional evidence.

5. The fifth part of the document provides a summary of the key findings and conclusions. It highlights the main points of the research and discusses the implications of the results for policy-making and practice. It also suggests areas for further research and provides recommendations for improving the research process.