

## CONTEMPORARY POLITICAL SYSTEM

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Faculty Name: Mrs. Deepa M

Contact Number: 94893 45565

### UNIT-IV

#### POLITICAL SYSTEM OF SWITZERLAND

##### Historical Development:

Since 1848 the Swiss Confederation has been a federal state. The federal state developed over seven centuries from a loose alliance of independent states (cantons). Switzerland is divided into 26 cantons, with the canton of Jura being formed only in 1979. With the adoption of the Federal Constitution on 12 September 1848, a number of central rights and duties which had previously been the responsibility of the cantons were transferred to the Federation. The cantons are sovereign, except where their sovereignty is limited by the Federal Constitution. The cantons exercise all rights which are not assigned to the Confederation (subsidiarity principle).

##### SAILENT FEATURES:

Features are: 1. The Preamble 2. A Written, Enacted and Adopted Constitution 3. A Rigid Constitution 4. Bill of Rights 5. Social Goals 6. Purpose of the State 7. Democratic Republican Constitution 8. Direct Democracy and Others.

##### AMENDMENT PROCEDURES:

(1) A proposal for a partial revision of the constitution can be made by the two Houses of the Federal Parliament. Thereafter, the proposal is submitted to the people in a referendum. If the majority of the people as well as of the Cantons approves the proposal, the amendment gets incorporated in the Constitution.

(2) The proposal for a partial revision of the constitution can also come from the people. If 1,00,000 of the Swiss voters submit a general proposal for a partial amendment of the constitution, the same is put before the people in a referendum. If it gets the approval of the majority of voters, the Federal Parliament drafts the amendment on the basis of the general

proposal made by the people through an initiative.

### **Plural Executive:**

The Swiss executive is plural or collegial. It means that it has no single head. The President enjoys nothing but a formal precedence over his colleagues and after a period of one year retires according to the principle of rotation by seniority.

### **Federal Council:**

The Federal Council is the seven-member executive council that constitutes the federal government of the [Swiss Confederation](#) and serves as the collective [head of state and government of](#) Switzerland. It meets in the west wing of the [Bundeshaus in Bern](#). While the entire council is responsible for leading the [federal administration of Switzerland](#), each councillor heads one of the seven federal executive departments. The position of [President of the Swiss Confederation](#) rotates among the seven councillors on a yearly basis, with one year's Vice President of the Federal Council becoming the next year's Confederation President. [Guy Parmelin](#) has been the incumbent officeholder since 1 January 2021.

### **The Federal Legislature:**

The Federal Assembly is the legislative power of Switzerland. Its two chambers – the National Council and the Council of States – have the same powers but meet separately. The National Council, or “lower chamber”, represents the people and comprises 200 members who are elected by popular vote for a four-year term. The number of representatives sent by each canton depends on the size of its population. The Council of States, or “upper chamber”, represents the cantons and comprises 46 members, who are also elected directly by the people for a four-year term. Regardless of their population size, the cantons send two deputies, with the exception of the six half-cantons of Appenzell-Ausserrhoden, Appenzell-Innerrhoden, Obwalden, Nidwalden, Basel-Stadt and Basel-Land, which send one deputy each.

### **National Council and Council of States:**

The Council of States is the Higher Chamber of the Swiss Parliament. It was established by the Federal Constitution of 1848. It is the result of an institutional compromise between «centralisers», who wanted to give the new Federal State a unicameral Parliament, and «federalists» who were attached to the former Tagsatzung (the Swiss Diet), in which each Canton was represented on an equal basis by ambassadors with limited powers. It led to the creation of a Chamber offering an egalitarian representation to the Cantons, but whose

members vote freely without consulting cantonal governments.

### **Judicial System:**

The federal judiciary of Switzerland consists of the Federal Supreme Court, the Federal Criminal Court, the Federal Patent Court and the Federal Administrative Court. The Federal Supreme Court in Lausanne is established in the Swiss Federal Constitution as the supreme judicial authority of Switzerland.

### **Federal Tribunal:**

The federal judiciary of [Switzerland](#) consists of the [Federal Supreme Court](#), the [Federal Criminal Court](#), the [Federal Patent Court](#) and the [Federal Administrative Court](#). These courts are charged with the application of Swiss federal law through the [judicial process](#). The Federal Supreme Court in [Lausanne](#) is established in the [Swiss Federal Constitution](#) as the supreme judicial authority of Switzerland. It is the court of appeal for all decisions of the [cantonal](#) courts of last instance, and also for most decisions of the three federal courts of first instance.

### **Direct Democratic Device:**

Direct democracy is one of the special features of the Swiss political system. It allows the electorate to express their opinion on decisions taken by the federal parliament and to propose amendments to the Federal Constitution. All Swiss citizens aged 18 and over have the right to vote in elections and referendums.

### **Cantonal Governments:**

The 26 cantons of Switzerland are the [member states](#) of the [Swiss Confederation](#). The nucleus of the Swiss Confederacy in the form of the first three confederate allies used to be referred to as the [Waldstätte](#). Two important periods in the development of the [Old Swiss Confederacy](#) are summarized by the terms [Acht Orte](#) ("Eight Cantons"; from 1353–1481) and [Dreizehn Orte](#) ("Thirteen Cantons", from 1513–1798).

### **Political Parties:**

[Switzerland](#) is a [semi-direct democratic federal republic](#). The federal [legislative power](#) is vested in the two chambers of the [Federal Assembly](#), the [National Council](#) and the [Council of States](#). The [Federal Council](#) holds the executive power and is composed of seven power-sharing Federal Councillors elected by the Federal Assembly. The [judicial branch](#) is headed by the [Federal Supreme Court of Switzerland](#), whose judges are elected by the Federal Assembly. Switzerland has a tradition of [direct democracy](#). For any change in the constitution, a [referendum](#) is mandatory for any change in a [law](#), a referendum can be requested ([optional referendum](#)). In

addition, the people may present a [constitutional popular initiative](#) to introduce amendments to the [federal constitution](#). The people also assume a role similar to the constitutional court, which does not exist, and thus act as the guardian of the rule of law.