# The Routes Project

Swiss National Report

(Host Country Point of View)

University of Lugano (Switzerland)

**Swiss National Report on the History of Migration**

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Abstract

*Switzerland should be considered a country placed at the crossroads of Southern and Northern Europe. Despite this geostrategic location, Switzerland has a long-standing tradition of neutrality and cultural diversity. 4 national languages –German, French, Italian and Romansch- are probably the best evidence of that. Its federal and decentralized political system makes possible the issuing of laws at cantonal level. Actually, nowadays, each canton is responsible for managing certain political aspects related to migration and integration issues. Despite its small size, Switzerland has one of the most elevated immigration rates of the entire continent. The 2000 census certified that the 22.4 percent of the total Swiss population (7.4 m.) was foreign born. The 20.5 percent (1.5 m.) are people with other nationality.*

*Switzerland has majorly been considered a destination country. That view does not correspond with the reality. It has become a destination country mainly from the end of the WWII onward. Since 1945, Switzerland, due to its intact productive sector and the economic post-war take-off, became increasingly a very attractive destination for employment-seekers from France, Germany, Italy or Spain. Over the latter half of the 20thcentury, violent political events in some areas of the World, pushed refugees from Yugoslavia, the Middle East, Africa and Asia. Totally integrated and affected by the global migration age, since the 90s, Switzerland started necessarily to forge ties with the EU. The development of such policies has facilitated migration flows back and forth fostering a more dynamic inter-state interaction. Both the economic structure and the population aging have imposed to Switzerland the same challenges the EU must face. That has provoked episodes of racism and anti-foreigner sentiments.*

1. Historical features

Over the last 400 years Switzerland has forged a very intimate relation with refugees. Since the 16th century, large numbers of Protestants escaping from the neighbour France, found relief in Swiss cities. Shortly they participated to the Swiss cultural, political and entrepreneurial life. Prestigious Swiss universities, established in the late 19th century should also thank the contribution of Germans who fled after liberal revolution of 1848-1849 failed. At that time, Switzerland was an emigration country. Many Swiss nationals migrated abroad due to poor life conditions in some regions. Given the peripheral location and the endemic poverty of their valleys, Ticino and Grisons cantons were among the hardest hit by the exodus of workers mostly since the XIXth century. Ten of thousands of people were pushed to seek alternatives away from home.  Swiss migrants departed for a season, for a few years or forever. They migrated from villages on foot, by car or train, before tackling the long ocean crossing. A journey full of danger that was even more insidious due to the existence of unscrupulous traffickers and smugglers. Among many destinations, both Australia and North America were the main destination countries of those adventurous groups of Swiss nationals. Many kilometres away from their villages of origin they found a new homeland where some of them settled business and created a wealth community.

The last major waves of Swiss emigration were after the great famine of 1816/1817, between 1845-1855, and between 1880-1885. In 1846, there was massive overseas emigration from the canton of Glarus. During the XIXth century, many Jurassiens and Neuchâtelois left Switzerland to start a new life in America.

Advertisements appeared regularly in local newspapers, placed by travel agencies based at Basle, Bern, or Belfort, in neighbouring France. These agencies offered organised crossings of the Atlantic from Le Havre for 80-100 Swiss francs, depending on the number of passengers. Food on board cost 40 Swiss francs, and consisted of biscuits, flour, butter, ham, salt, potatoes and vinegar. With this the emigrants prepared their own meals. In addition, there was the cost of transport to Le Havre (about 60 Swiss francs) and food for the 4 or 5 days spent in the diligence. Clippers such as the "Savanah" and the "Sirius" now crossed the Atlantic in less than 20 days, making the crossing far less of an ordeal than for the earlier pioneers

Towards the middle of the 18th century, a great number of the inhabitants of the valley of Lauterbrunnen emigrated to the United States, and in particular to the state of South Carolina. Worried at this depopulation, Bern ordered a commission to examine the problem and suggest an answer. Their "Responsaprudentum" of 1744 was less than complimentary. They announced that the inhabitants of Lauterbrunnen, Sigriswil, Battenberg, Habkern, Gsteig and Grindelwald were abandoning their fields and their work for delinquency, dragging their children down with them! Although some of the commission's more radical suggestions were not adopted - separating children from their parents until they were 9 or 10 in order to teach them a trade, for instance - one positive result was an encouragement of local craft and industry.

The majority of emigrants came from the agricultural cantons, and mostly preferred to continue a rural existence in their new homeland, rather than accept a subordinate place in the national industries. The colonies of New Glarus in Wisconsin and those founded by Italian-speaking emigrants from the canton of Ticino in California show this spirit of independence.

Sometimes the Swiss authorities took advantage of the situation to get rid of the local undesirables - the indigent poor and the work-shy - by placing them on a boat with the emigration subsidy in their pocket. It is doubtful whether this cheap and effective method of reducing population pressure on the local councils was appreciated at the unwilling emigrants' port of destination.

In parallel to the Swiss emigration phenomenon, groups of Italians started to cross the southern border. They were mainly summoned for participating as labour for the major infrastructure projects –mainly the railroad sector-developed during the late 19th and the early 20th centuries. Integration of those newcomers was nearly nil as they were living separately. Some scarce examples demonstrate the opposite due to restricting family reunion policies. Across the Swiss national territory this period was characterized by an increasing migration. Around the late 19th and early 20th centuries, foreign population increased by 41 percent in Geneva, 28 percent in Basel and 29 percent in Zurich. Germans were majority overcoming rapidly those immigrants arriving from France and Italy.

Before WWI Swiss foreign population prowled around 15 percent. Most of the immigrants came from neighbouring countries such as France, Italy and Germany as has been stated above. Three decades ago and on the eve of WWII foreign population in Switzerland dropped 5.2 percent. During the interwar period, and mainly until 1925, immigration related issues were administrated by single cantons. They operated in total autonomy but respecting the nature of the bilateral agreements signed between Switzerland and other states. Those agreements were subscribed with a very flexible mentality given that the Swiss government considered that by achieving those win-win agreements Swiss people might migrate easily as well.

Since 1925 the Swiss constitution was enriched with a new article. This new disposition gave the federal government to manage immigration issues on the national level by providing the legal elements for the federal foreigners police and the Law on Residence and Settlement. This law entered into force in 1931. This new law was aiming at maintaining order rather than regulating migration efficiently. National interests were defended and inherent risks of “over-foreignization” reduced.

**Table 1. Swiss Demography. 1798-1941.**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Year** | **total** | **male** | **female** | **Swiss** | **foreign** |
| 1930–1941 | 4,066,400 | - | - | - | - (8,7% ) |
| 1920–1930 | 3,880,320 | - | - | - | - (10,4% ) |
| 1910–1920 | 3,753,293 | - | - | - | - (14,7% ) |
| 1900–1910 | 3,315,443 | - | - | - | - (11,6% ) |
| 1888–1900 | 2,917,754 | - | - | - | - (7,8% ) |
| 1880–1888 | 2,831,787 | - | - | - | - (7,4% ) |
| 1870–1880 | 2,655,001 | - | - | - | - (5,7% ) |
| 1860–1870 | 2,510,494 | - | - | - | - (4,6% ) |
| 1850–1860 | 2,392,740 | - | - | - | - (2,9% ) |
| 1837–1850 | 2,190,258 | - | - | - | - (- ) |
| 1798–1837 | 1,664,832 | - | - | - | - (- ) |

Source: Swiss Federal Statistics Office.

**1.1 Post WWII Labour Migration.**

Just after the end of WWII when Europe was totally prostrated economically, morally and politically destroyed, Swiss economy skyrocketed. Within such an optimistic context of economic boom, Swiss take-off needed hands to shore up that growth. To do so, Swiss government signed an agreement with Italy in order to facilitate the entrance of immigrant workers, guest workers. They were mainly absorbed by the construction sector, although machine and textile factories were summoning some of them also. At the beginning those guest workers were entitled to work over one year, even though the contract was extendible and renewable sometimes. A very similar agreement was signed also with Spain some years later, in 1961.

In the spirit of limiting longer stays, the residence period for getting permanent resident increased from 5 to 10 years. Restrictions for family reunion were equally issued. This system was called “rotation model” and aimed at sending back home those who were previously working and substitute them with new labour. Over the 60’s the Swiss economic growth continued sustainably and the federal government’s guest-worker rotation system became less audited. Italian government pressed Swiss authorities asking for more flexible family reunification laws. The objective was notably achieved but international pressures were also needed. At the same time Switzerland declined its attraction as some other countries such as Austria or Germany or even France became more inviting. Internationally speaking, for instance, the Organization for European Economic Cooperation (OEEC) issued and introduced standards for family reunification. The International Labour Organization (ILO) pressed Switzerland into adopting more “humane” family reunification policies and practices. The well known Swiss intellectual Max Frisch commented on that regard that Switzerland was recruiting labour but arrived human beings.

Responding to those pressures, the Swiss government started to accept the international criticism and started to substitute the rotation system by introducing a more integrative scheme in order to facilitate family reunification. In addition new system made immigrant workers eligible for promotions based on merits and that limited labour market segmentation.

The oil crisis that hit the entire world in 1973 was a test for Switzerland also. Due to the economic slowdown, large numbers of workers were made redundant and left the country because they were not entitled with an appropriate unemployment insurance. This legal situation permitted Switzerland to send back home those unemployed workers. As the economic situation improved new guest workers arrived from other destinations such as Portugal, Turkey or Spain.

General legal dispositions for immigrant workers improved after the precedent economic situation. In the late 70’s Swiss government conceded temporary workers almost the same rights as guest workers who came enjoying longer contracts. That gave the possibility of transform seasonal permits into permanent residency permits leading also to accept family reunification.

This policy did not make decrease the number of seasonal immigrants. Collateral effects of that new policy were: easiness for getting permanent residence permits and salary dumping. On average between 1985 and 1995 the number of issued seasonal permits amounted to 130.000 per year. Seasonal permits were abolished by 2002. Prior to that when the worldwide economic slowdown reached Switzerland over the early 90’s, both unskilled and aging guest workers were mostly affected by unemployment. This context provoked an unknown level of structural unemployment and poverty in the Confederation.

**1.2 Evolution of Asylum Policies.**

Switzerland is very well known for being a traditional country of asylum, even though sometimes some episodes of the contrary were witnessed. For instance after WWII, Swiss government acknowledged that federal authorities were responsible for denying and avoiding admission of large numbers of Jewish refugees. According to the maintenance of the Swiss hosting tradition, in 1955 was signed the Geneva Convention on the Status of Refugees (1951). Over the next couple of decades, Switzerland was characterized by a liberal policy of welcoming refugees, mostly communists, from Eastern Europe. After the Hungarian uprising of 1956, by 1965, 14.000 Hungarians were settled permanently in Swiss territory and in 1968, 12.000 Czechoslovakian did the same. Most of those refugees were very well-educated individuals who had not substantial difficulties in obtaining refugee status.

The seventies presented different dynamics. Many Chilean dissidents escaped from Augusto Pinochet’s fierce dictatorship. Their arrival to Switzerland provoked a number of reactions and discussions about their status as asylum seekers. Successive asylum seekers were also accepted in Switzerland. By applying a yearly quota system, between 1979 and 1982 there were hosted nearly 8.000 Cambodians and Vietnamese refugees. However, their integration was much more difficult.

These events boosted the necessity of creating a new federal asylum policy. It was issued in 1981 and codified precedent practices. This new policy gave the Swiss government policymaking powers and distributed responsibilities among cantonal authorities, specifically addressing issues such as welfare, repatriation or education. That has provoked the existence of differences among cantons.

Just after the implementation of such asylum policy a couple of trends developed: The number of applications skyrocketed – prior to that, during the 70’s applications remained steady, 1.000 per year-; second, the larger number of new refugees, came from non-traditional parts of the world: Sri Lanka, the Middle East, Turkey, Africa or Asia.

Unlike the precedent groups of refugees and asylum seekers, these new groups had not the same educational background. Being mostly unskilled refugees from non-European countries, difficulties for accessing to the market were even tougher. The increasing trend of non-Europeans seeking for asylum provoked vivid political and social debates over the 80’s. Many of them were catalogued as bogus asylum seekers.

The 1981 law was revised in some occasions in order to establish stricter mechanisms aiming at decreasing the percentage of asylum requests. Numbers speak on that regard. Prior to the 1981 law, positive answers averaged 86 percent. This average halved between 1980 and 1984: 47 percent. Between 1985 and 1990 this average dropped dramatically and amounted to just a mere 6 percent. Despite this decreasing trend, a large number of asylum seekers remained in Switzerland due to humanitarian reasons or under protection. They had temporary restrictions to access the job market depending on cantonal decisions and family reunification was banned.

In the 90’s a new event shocked European politics. The developments in the former Yugoslavia pushed away large numbers of people. Mainly people from Bosnia and Kosovo fled from their countries looking for refuge in Switzerland given that they had family links and contacts due to the labour migration occurred over the 60’s. Between 1990 and 2002, the Swiss Confederation received a total of 146.587 applications. 10.000 out of that number were granted with refugee status whereas 62.000 received temporary protection. These episodes of increasing applications coincided with a period of economic recession and public and politic debate took advantage of that.

The Swiss government tried to implement faster mechanism to process applications, but after quite a good number of attempts a totally new asylum law was issued in 1999. The new law became much more restrictive and introduced new practices to reject asylum requests. This disposition affects to those who have been living illegally in the country prior to request the status of refugee. In addition to that, the new law allows for collective temporary protection in cases of war. Even though the Swiss government never used this disposition, both refugees from Kosovo and Bosnia were granted temporary refugee status.

A large number of asylum seekers from Kosovo and Bosnia were compelled to leave Switzerland once those conflicts ended both in 1995 and 1999. A generous return programme was established to help those who decided to go back to their homeland. These helps consisted of financial and technical support. Even though it is difficult to estimate how many people returned to Bosnia or Serbia, it is likely that numbers might fluctuate between 40.000 and 60.000 whereas some 10.000 people – mainly from former Yugoslavia- with refugee status remained in Switzerland.

**1.3 Immigration Today.**

Since the 50’s migration flows, trends and both national and international contexts have greatly changed.The evolution since that year has fluctuated from 5.9 percent of foreign population in 1950 to a 15.9 percent in 1970 and a 21.6 percent by 2002. Within the whole European Union just Luxembourg overcomes Switzerland. It is clear that by considering these statistics, Swiss economy relies very much on foreign labour. In that sense, about the 25 percent of the Swiss workforce is composed by immigrants. They are mainly distributed in the hospitality sector -50 percent- and in the building sector, nearly 30 percent. Following statistics issued by the Swiss confederation is possible to appreciate that between 1970 and 2000 the number of Spanish or Italian immigrants decreased as numbers of Turks, Portuguese of Yugoslavians increased. India, Sri Lanka and India are main countries of origin. Whereas Sri Lankans have traditionally been linked to asylum processes, both Indians and Chinese have come as students.

The main group of immigrant population in Switzerland were of working age by 2000. The bulk of immigrants over the age of 50 is pretty much smaller than among Swiss nationals. This means that the relation of foreign men and women can be considered more tight. Considering this demographic structure, economic aspects should be taken also into consideration. Immigrant workers in Switzerland send back home a considerable amount of remittances. Tracing back precedent contexts, by 1963, the Swiss Committee calculated that remittances achieved 1.5 billion CHF.peryear. 4 decades after, in 2002, the Swiss National Bank estimated remittances amounting to 2.4 billion USD.

**Table 2. Swiss Demography. Evolution 1950-2009**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **year** | **total** | **male** | **female** | **Swiss** | **foreign** |
| 2009 | 7,785,800 | 3,830,600 (49.2% ) | 3,955,200 {50.8% } | 6,071,800 (78.0% ) | 1,714,000 (22.0% ) |
| 2008 | 7,701,900 | 3,786,700 (49.2% ) | 3,915,200 (50.8% ) | 6,032,100 (78.3% ) | 1,669,700 (21.7% ) |
| 2007 | 7,593,500 | 3,727,000 (49.1% ) | 3,866,500 (50.9% ) | 5,991,400 (78.9% ) | 1,602,100 (21.1% ) |
| 2006 | 7,508,700 | 3,679,400 (49.0% ) | 3,829,400 (51.0% ) | 5,954,200 (79.3% ) | 1,554,500 (20.7% ) |
| 2005 | 7,459,100 | 3,652,500 (49.0% ) | 3,806,600 (51.0% ) | 5,917,200 (79.3% ) | 1,541,900 (20.7% ) |
| 2004 | 7,415,100 | 3,628,700 (48.9% ) | 3,786,400 (51.1% ) | 5,890,400 (79.4% ) | 1,524,700 (20.6% ) |
| 2003 | 7,364,100 | 3,601,500 (48.9% ) | 3,762,600 (51.1% ) | 5,863,200 (79.6% ) | 1,500,900 (20.4% ) |
| 2002 | 7,313,900 | 3,575,000 (48.9% ) | 3,738,800 (51.1% ) | 5,836,900 (79.8% ) | 1,477,000 (20.2% ) |
| 2001 | 7,255,700 | 3,544,300 (48.8% ) | 3,711,300 (51.2% ) | 5,808,100 (80.0% ) | 1,447,600 (20.0% ) |
| 2000 | 7,204,100 | 3,519,700 (48.9% ) | 3,684,400 (51.1% ) | 5,779,700 (80.2% ) | 1,424,400 (19.8% ) |
| 1990 | 6,750,700 | 3,298,300 (48.9% ) | 3,452,400 (51.1% ) | 5,623,600 (83.3% ) | 1,127,100 (16.7% ) |
| 1980 | 6,335,200 | 3,082,000 (48.6% ) | 3,253,300 (51.4% ) | 5,421,700 (85.6% ) | 913,500 (14.4% ) |
| 1970 | 6,193,100 | 3,025,300 (48.8% ) | 3,167,700 (51.1% ) | 5,191,200 (83.8% ) | 1,001,900 (16.2% ) |
| 1960–1970 | 5,429,061 | - | - | - | - (10,8% ) |
| 1950–1960 | 4,714,992 | - | - | - | - (6,1% ) |

Source: Swiss Federal Statistics Office. 2009.

It is also important to take into consideration the Swiss age structure introducing also the variable represented by foreigners.

**Table3 . Age Structure.**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **age** | **total(in thousands)** | **percent** | **Swiss (in thousands)** | **foreign (in thousands)** |
| 0-10 | 838.4 | 11.0% | 633.6 | 202.3 *(24%)* |
| 11-20 | 879.6 | 11.6% | 712.0 | 172.2 *(19%)* |
| 21-30 | 926.8 | 12.2% | 674.0 | 272.7 *(29%)* |
| 31-40 | 1,136.8 | 15.0% | 782.9 | 342.7 *(19%)* |
| 41-50 | 1,197.4 | 15.8% | 942.1 | 282.4 *(29%)* |
| 51-60 | 970.1 | 12.8% | 814.9 | 164.1 *(17%)* |
| 61-70 | 740.8 | 9.8% | 661.5 | 102.4 *(14%)* |
| 71-80 | 515.0 | 6.8% | 473.2 | 47.9 *(9%)* |
| 81-90 | 258.2 | 3.4% | 252.6 | 13.5 *(5%)* |
| 91+ | 45.6 | 0.6% | 44.4 | 1.9 *(4%)* |

Source: Swiss Federal Statistics Office.

**1.4 Switzerland and the EU.**

Despite Switzerland does not belong to the European Union, some political practices have been developed in order to facilitate exchanges of diverse nature. Population movements constitute a priority element of such political relations. Maintaining a dynamic labour market benefits both parts. In June 2002, a Bilateral Agreement on the Free Movement of Persons between European Member States and Switzerland was signed and put into force. Regardless the degree of professional competence and educational background, foreign nationals, following a quotas scheme, can be granted with a number of permits.

In July, 2004, individual admission audits regarding working conditions and salary for non-Swiss nationals were eliminated and were substituted by mechanisms to avoid salary dumping that might affect the labour market. Swiss nationals conversely, would not need special permissions or bureaucracy to live and work in any EU Member State. Between 2008 and 2009, both parts, Switzerland or the EU can decide whether or not continue with this agreement, otherwise the agreement continues indefinitely.

The consequences of such agreement have been diverse. On one side, EU nationals migrating to Switzerland passed from 34.000 in 1997 to 49.800 in 2003. That means the 46 percent. It is obvious that market conditions and salaries make of Switzerland a very attractive destination country, so reciprocal migration movements of Swiss nationals to EU Member States does not occur often.

As Switzerland signed more flexible agreements with the EU, laws regarding immigrants from overseas countries became more restrictive.

**1.5 Switzerland and Overseas Countries.**

Living or working in Switzerland for immigrants coming from overseas countries has become increasingly difficult. If Swiss employers aim at appointing someone coming from non-European countries he/she ask permission to the canton’s labour market office. This office can issue the permit or not depending on what the Federal authority decide. An eventual new employee can be hired if it has been previously proved and demonstrated that there are not Swiss nationals or Europeans that might cover that vacancy. Most of times, permits are just granted to executives, specialists or other highly skilled immigrant workers coming from outside the EFTA. Initially, that permit is issued for one year and it can be renewed upon yearly basis ten times. After 10 years following this rolling system a permanent resident might be released.

Composition of those immigrants is variable. In 2000, 15.000 highly skilled migrants coming from overseas countries entered Switzerland. Nearly the half of those, 6.700, came from Eastern European countries, 4.000 from the Asian regions and 2.400 respectively from Latin America and African countries. Changes of job or inter-cantonal movements have to be previously consulted and approved. Self-employment is not an easier path for entering Switzerland to non EU-EFTA citizens.

**8. Naturalization.**

Legal dispositions to become Swiss national are clearly defined. Individuals who have been residents in Switzerland for 12 years can apply for naturalization. It can be considered that those individuals that have been living in Switzerland before their 20 years of age, residence years have double value. Integration widely understood, is one of the most important requirements when immigrants apply for naturalization, and,this is audited by the Swiss government. Successful cases might obtain the Federal Naturalization Permit from the Federal Migration Office.

Three stages have been established regarding naturalization process. By passing successfully these stages the Confederation grants the Swiss nationality. In addition, cantons have their own and particular specificities that have to be fulfilled also by the applicant. After getting the federal naturalization permits, issued also by communities and cantons, applicant can receive the Swiss citizenship, but there is not any legally protected right to become naturalized either by a community or a canton. Legal differences among cantons can be enormously different. For instance Nidwalden imposes 12 years residing in the canton whereas in Geneva just 2 are enough.

Over the last 20 years, three referendums have been celebrated regarding these issues (1983, 1994 and 2004). Swiss voters rejected systematically that children of immigrants would have been entitled to follow an easier process of naturalization. The reason for voting against those open-minded policies lies on the fact that by accepting an automatic naturalization it would have been eliminated the communities’ decision-making power, what is consider the cornerstone of the Swiss political process.

Just in 1992, Switzerland allowed dual citizenship. It was between 1991 and 2001 when the number of naturalizations growth from 8.757 to 37.070. Quickest naturalizations of foreigners have been those of Bosnians, Kosovars and of those from the former Yugoslavia. Political participation is not restricted to those who have been naturalized as Swiss. In some cases, for instance in the French Switzerland, foreigners who have lived in the region for a good number of years can participate on local, community and cantonal politics.

**Table 4. Naturalizations.**

|  |  |  |  |
| --- | --- | --- | --- |
| **year** | **naturalizations** | **fractionofresidentforeigners** | **fractionofcitizens** |
| 1990 | 8,660 | 7.6‰ | 1.6‰ |
| 1991 | 8,760 | ‰ | ‰ |
| 1992 | 11,100 | ‰ | ‰ |
| 1993 | 12,900 | ‰ | ‰ |
| 1994 | 13,700 | ‰ | ‰ |
| 1995 | 16,800 | ‰ | ‰ |
| 1996 | 19,200 | ‰ | ‰ |
| 1997 | 19,200 | ‰ | ‰ |
| 1998 | 21,300 | ‰ | ‰ |
| 1999 | 20,300 | ‰ | ‰ |
| 2000 | 28,700 | ‰ | ‰ |
| 2001 | 27,600 | ‰ | ‰ |
| 2002 | 36,500 | ‰ | ‰ |
| 2003 | 35,400 | ‰ | ‰ |
| 2004 | 35,700 | 23.4‰ | 6.0‰ |
| 2005 | 38,400 | 25.7‰ |  6.4‰ |
| 2006 | 46,700 | 30.9‰ | 7.8‰ |
| 2007 | 43,900 |  27.4‰ |  7.3‰ |
| 2008 | 44,400 | 28‰ |   |

Source: Swiss Federal Statistics Office.

2. The legal aspect

**2.1 Integration Processes and Policies.**

As has been said above, Switzerland abandoned its rotation systems in the early 60’s and betted for introducing a more sustainable integration model. Despite the introduction of such model that follows a number of philosophical and practical requisites, outcomes reflect that there is still a long way ahead. Since the 70’s the Swiss Confederation’s main integration policy has responded to the objective of improving legal status of newcomers by: facilitating reunifications and by providing more secure status for immigrants. At that time, and following that reformist trend, it was created the Federal Commission for Foreigners (FCF). This commission bolsters a good coexistence of immigrants and is integrated by municipalities, cantonal institutions and socio-cultural associations. The FCF publishes also documents where useful recommendations and opinions on migration related issues are done.

The Integration Article that was approved in 1999, established the first bricks for constituting a federal integration policy and at the same time, reinforces FCF’s role. Integration policies in Switzerland are very much backed by the confederation as demonstrate the figures. The Swiss confederation has invested over the last 10 years –since 2001- between 10 and 12 mio. CHF on that regard. These programmes include language courses or training courses for immigrants. Given that cantonal and communal politics are also very active and have the political instruments to implement a wide array of policies, integration programmes are also supported at cantonal or municipal levels.

Even though it is true that religious organizations are among the most important agents for boosting integration processes, there is large number of minor associations that pursue the same objective very actively. But to what extent all those efforts have been materialized into consistent results? It is true that as soon as the economic indicators perform adequately it results much easier to promote any kind of open integration policies. Conversely, as soon as the economy starts to show negatives indicators, political forces, by using a very populist approach, take advantage of that context and situation. Very often immigrants are the scapegoat of those narrow-minded and opportunistic political parties. Quite often also, episodes of xenophobia are reported.

**2.2 Xenophobic Reactions and Actions for the Future.**

Switzerland has a dual role as an international player, where, although not the purpose of this paper, the concept of neutrality should be revisited. On one hand, it is recognised as a neutral country, but at the same time, hosts a large number of international organisations with relevant impact worldwide. Specifically, the country has 25 ‘headquarter agreements’ with 25 international organizations of the UN system, although, until 2002, Switzerland did not belong to the UN system, and nearly 250 NGOs acting as consultants and advisers (Swiss Department of Foreign Affairs, FDFA). In addition, 153 nations have permanent representations in the Confederation. This international vocation has its reflex at a demographic level given that Switzerland has one of the highest percentage of immigrants and non-citizens of the continent in relation to its population. According to the 2000 census, 22.4 percent were foreign born and 20.5 percent had foreign nationality.

Despite the high levels of immigration in Switzerland episodes of racism and xenophobia have been recurrent over the last decades. Since 1970, Swiss voters have faced eight popular initiatives regarding migration related issues and two related to asylum policies. Popular initiatives differ from referendum in the sense that they offer the possibility to present and discuss new ideas. It can be understood as a way for testing how public opinion might react about one issue. This can lead to introducing or reforming any legal issue. It can be used freely by social organisations or interest groups, regardless their political orientation. 7 out of these 8 initiatives have intended to reduce the presence or the rights of foreigners living in Switzerland. Although these were not successful, they have played an important role influencing and impacting on Swiss public opinion.

In spite of this international *ethos* and neutral political projection, the European Commission against Racism and Intolerance (ECRI), in its first country report, highlighted that ‘*the division between welcome and unwelcome non-citizens is more noticeable than in other countries (and) racial prejudices and xenophobia have been increasing over the last decade*’ (ECRI 1998-27). This report elaborated some recommendations in order to reduce episodes of racial discrimination and racism and to improve the overall situation of social and civic dialogue within the country. Deep reflections on the United Nations Convention on the Elimination of all Forms of Racial Discrimination (CERD) represented one of the cornerstones of the report. It was ratified after a Referendum in 1994, but article 14 was not still accepted in 1998 (ECRI 1998, p. 7).

It would be necessary to underline that the CERD entered into force on the 4th of January 1969 (OHCHR). In addition, by 1998 Switzerland had not ratified some other important conventions such as the European Social Charter, the UNESCO Convention against Discrimination and Education, the European Charter for Regional or Minority Languages or the Framework Convention for the Protection of National Minorities (ECRI 1998, p. 7). However, these facts are directly correlated and were affected by the characteristics of Swiss law at Federal or Cantonal levels. Conversely, on the first of January 1995, after a referendum enacted anti-racist criminal legislation (ECRI 1998, p. 8).

The first ECRI report on Switzerland raised a key pedagogic question regarding the control and reduction of such racist or xenophobic behaviour. Hence, the media, given their social dimension, should show and channel accurate information regarding these sensitive issues; ‘*it would seem necessary to make the mass media in Switzerland aware of their responsibilities concerning problems of racism and intolerance*’ (ECRI 1998, p. 10). This responsibility, this social responsibility was, obviously, extensive to those who use the media to broadcast public discourse: the political class. It is noticeable that within this first national report, no references to Muslim communities and Islam were made. Only some events of anti-Semitism and comments on Roma/gypsy communities were reported. It will be interesting to demonstrate how the appearance of Muslim communities and Islam will be more prominent in the three successive reports.

A second report was elaborated by the ECRI in 2000 to assess how Switzerland was performing and improving points mentioned previously. By 2000, Switzerland ratified, amongst others, the Framework Convention for Protection of National Minorities and the European Charter for Regional and Minority languages (ECRI 2000-6, p. 5). This fact shows an evident interest in safeguarding the weakest links of the Swiss multicultural model. However, Switzerland did not declare any position regarding article 14 of the CERD and the ECRI urged the Confederation to sign some other legal dispositions such us the Revised European Social Charter, the UNESCO Convention Against Discrimination in Education, the European Convention on the Legal Status of Migrant Workers and the European Convention on the Participation of Foreigners in Public Life at Local Level (ECRI 2000, p. 5). This last convention could directly clash with one of the more solid principles of the rigid Swiss philosophy on migratory policies, but, conversely, this factor would be decisive in terms of integration and in terms of facilitation of social dialogue. Although it is true that, historically, some cantons gave the right to vote to non-citizens at local and cantonal levels. For example, in 1849, Neuchatel was the first in conceding this right and with different intensities followed by Jura (1978), Appenzel Outer Rhodes (1996), Vaud (2003), Graubünden (2003), Fribourg (2004), Geneva (2004) and Basel City (2006) (Information Platform Human Rights 2007).

Considering the context of the new millennium, one specific, important factor could help to contextualize and clarify some inherent aspects; in 2000, Switzerland adopted a New Federal Constitution. Its article 8 (2) expresses the following idea:

*‘No one must suffer discrimination on account of their origin, race, sex, age, language, social status, way of life, religious, political or philosophical convictions or because of any bodily, mental or physic deficiency’* (Swiss Federal Constitution 2000).

Article 15, entitled *Freedom of Faith and Conscience, says*:

*‘The freedom of faith and conscience is guaranteed. Every person has the right to freely choose his or her religion or non-denominational belief and to profess them alone or in community with others. Every person has the right to join or belong to a religious community and to receive religious education. No person may be forced to join a religious community, to conduct a religious act or participate in religious education’* (Swiss Federal Constitution 2000).

It is evident from these two articles that the Swiss Confederation is committed to preserving and observing fundamental principles, but some comments should be made in order to adjust divergences between theoretical points of views and practical concerns. Therefore, practically speaking and coming back to the 2000 report, ECRI highlighted a crucial aspect that can surely illuminate our argumentations. For instance, article 261 of the Swiss Criminal Code on racial discrimination (ECRI 2000, p. 6) was adopted for further discussion and to be implemented in the future. But there are some breaches where certain exceptions can be roughly filtered because this article does not apply ‘*when the racist insult in question involves wide categories of persons rather than single groups, as in the case of racist references to asylum seekers or foreigners in general’* (ECRI 2000, p. 6). Regardless, this article was finally included in the Swiss Criminal Code on the 1st of April 2009 (Swiss Criminal Code, p. RS311.0) expressing that:

*‘Whoever publicly, by word, writing, image, gesture, acts of violence or any other manner, demeans or discriminates against an individual or a group of individuals because of their race, their ethnicity or their religion in a way which undermines human dignity, or on those bases, denies, coarsely minimizes or seeks to justify a genocide or other crimes against humanity [...] shall be punished with up to three years imprisonment or a fine’*

The late adoption of this article (April 2009) is possibly part of the peculiar Swiss legal system, a country where Holocaust denial is not considered, explicitly, illegal. Putting aside this comment, and following the ratification of the CERD, the Federal Commission Against Racism (FCR) was implemented after a mandate emanated by the Federal Council the 23rd August 1995. However, coinciding with comments of the ECRI 2000 report, the strength of the FCR was still quite modest and further developments in terms of influence on the public sphere were highly desirable (ECRI 2000, p. 8).

Within this report, regarding vulnerable groups, only references to Semites, the Jenisch (Roma/Gypsys communities) or asylum seekers were considered. Muslim or Islam references were absent (ECRI 2000, p. 9). Obviously, this means that before the 9/11 terrorist attacks, Islam and Muslim communities were not considered as a threatening factor within the Swiss territory, despite the considerable dimensions of the Muslim community in the Confederation: 310.807 according to the 2001 Federal Census which represented 4.26% of the Swiss population (Swiss Federal Statistical Office). It is remarkable that the lowest proportion of Muslims is found in the Canton Ticino, situated in the Italian speaking part with 1.82%.

The ECRI, in its 2000 report, forecasted and underlined how future events of racism and discrimination could be prevented by saying that:

‘*Although open manifestations of racism are quite rare in Switzerland, ECRI is concerned that a climate of intolerance or xenophobia towards non-citizens and those who are different from the native Swiss population appears to persist (…) feelings of xenophobia and intolerance towards non citizens are not uncommon, and may even be increasing. Such feelings ma be exacerbated by discourses in public life which play on unwarranted fears of the population’* (ECRI 2000, p. 15).

This paragraph seems to say that some latent problems of racism or discrimination could worsen if public discourse and media treatment play a populist role in dealing with migration related issues. Obviously, this reflection shows to what extent public opinion, independent of educational level, can be affected and manipulated through the management of fear and threat, however general or specific.

Within the Swiss context, this increasing presence of issues regarding xenophobic or racist discourses coincided with the political discussion on new laws regarding asylum seekers and foreigners. At that time, ECRI encouraged Swiss politicians and opinion leaders to ‘*refrain from utilising such issues and to take a firm stand against any manifestations of intolerance or xenophobia towards citizens*’ (ECRI 2000, p 15). Although in the Swiss Constitution's articles 16 and 17 (Freedom of Opinion and Information and Freedom of Media), no restrictions regarding these sensitive issues are mentioned, specifically: ‘The freedom of the press, radio and television as well as other forms of public broadcasting of productions and information is guaranteed’ (Swiss Constitution. Art. 17.1), we can infer that some political statements could trespass legal boundaries regarding international dispositions. Hence, the advised figure of the Ombudsman would have partially guaranteed these kind of posterior episodes.

The third ECRI country report was published in 2004, three years after 9/11, at a time when Islam, terrorism and security-related issues were connected, as we stated above. Some progress was made regarding the precedent situation when on the 2nd of June 2003 a clear declaration of Article 14 of the CERD was released, but some other dispositions mentioned above were not ratified so far. As was stated before, the new Federal Constitution (2000) contains specific dispositions to fight any form of discrimination, racism or xenophobia, but the ECRI recommended Swiss authorities ensure that these new dispositions are correctly and broadly disseminated among the population, otherwise the effect could be minimized (ECRI 2004, p. 8). At that time, it was evident that the Swiss government took some measures to restrict advances of right wing parties which were gathering more political relevance. Moreover, by 2002, the Federal Service to Combat Racism was created with the scope of aiding and alleviating the work developed by the Federal Commission Against Racism.

Interestingly, and very much linked with the international scenario presented in the point before, the third ECRI country report on Switzerland underlines, for the first time, that Muslims, the second largest religious community in the country with 300,000 members (Federal Census 2000), are among targeted groups. This report states (ECRI 2004, p. 12):

‘*Representatives of Muslim communities have indicated that although hostility towards Muslims may not be overtly expressed, problems exist when Muslim communities try to organize places of worship, meeting places or burial grounds, as some local authorities are reluctant to grant planning permission for such projects’.*

Despite being the first time ECRI reports that Muslim communities are among targeted or vulnerable groups, it is noticeable that, already by 2004, the ECRI recommended Swiss authorities strengthen their efforts towards reducing and combating discrimination against this group, specifically considering the practice of their religion (ECRI 2000, p. 20). Public opinion regarding this group started to be more and more apparent since that moment and the Swiss government, being aware of this escalation, reinforced their strategies to disseminate correct messages to the population in order to erode myths and prejudices. However, very often just an image or a populist political campaign or slogan can be capable of destroying months or years of awareness raising. By reading these ECRI reports on Switzerland, we can observe that the climate of opinion regarding foreigners was worsening since 1999 despite these political and governmental efforts in combating discrimination and xenophobia. Equally, an increasing ‘*general stigmatization of black Africans*’ was reported (ECRI 2004, p. 22).

To sum up this overview, it is interesting to note that the fourth ECRI report on Switzerland coincides with a very special socio-economic and political context. The economic crisis was beating markets and societies all over the world. Politically speaking, migration policies have become more restrictive. The European parliamentary elections in 2009 revealed the rise of the right-wing and security and international counter-terrorism measures dominate the political panorama. Within this context, public opinion is much more vulnerable and irresponsible public discourses grasp this occasion to increase their overall influence, achieving great, and sometimes unsuspected, results.

Considering these facts in Switzerland, some other advances were evident during 2008. The New Law of Foreigners is an example. It aims at increasing measures for integrating foreigners at local levels, enabling an improvement in public life. This legal disposition coincides with the fact that federal authorities showed their opposition to certain ‘*intolerant parliamentary motions and request for referendum, such as the request for a referendum aimed at banning the construction of minarets*’ (ECRI 2009, p. 8). These actions and reactions started to be a politically correct opposition to certain propositions, coming specially from the right wing.

Since 2007, the Swiss People’s Party, started to produce caustic and racist billboards in a number of political campaigns. As has been recognized by ECRI since 2007, and given the highest score obtained by UDC during the parliamentary federal elections (with 29 percent), this party demonstrates a ‘*dangerous polarization in political discourse’* (ECRI 2009, p. 8). Evidently, this slanted discourse entailed xenophobic or racist responses. The ‘*Chronologie Racism’* 2007, revealed that the number of racist events increased 30 percent. Thereupon, this trend has grown and the political radicalization has used a number of threatening symbols to achieve their populist objectives.

In 2007, during the federal election political campaign, an image of three white sheep kicking a black one out of the Swiss territory emerged. This was the publicity used by UDC to defend their proposal of expulsing foreigners who commit crimes in Switzerland. In 2008, there were two more examples of this kind of ‘political’ behavior. UDC, yet again, to defend their proposal against the free mobility within the European Union and the inclusion of Romania and Bulgaria in the European space, designed a billboard in which black crows were picking on a Swiss map. The decision to use black crows was explained by Tony Brunner, UDC national president: ‘*The crows are birds of prey, they are aggressive and burglars and they threaten the existence of other birds*’ (Swissinfo 2008)[[1]](#footnote-2). Moreover, some other political representatives of the UDC, like the national counselor, Yvan Perrin, defined Bulgaria and Romania as the ‘European third world’.

During the same year, another initiative was launched by the UDC aimed at promoting ‘democratic naturalizations’ processes since they believe in a direct correlation between the number of foreigners and the number of crimes. The images selected for this political proposal showed a number of avid hands, with skins of different colors, evidently belonging to foreigners, trying to grab Swiss passports. At the same time, the populist party ‘LegadeiTicinesi’, from the Swiss Italian-speaking region, plastered the canton with similar images, although their impact was more reduced given their geographical influence.

The table below shows these billboards chronologically and elaborates how the population voted against these proposals. We can observe how the UDC exploited this way of doing racist political communication and although their proposals did not succeed, these images of dangerousness, of threatening—this sowing of icons and images—have had an effect on public opinion and at the end, they harvested an ‘unexpected’ success, according to electoral forecasts, during the referendum against the construction of minarets, despite federal and cantonal legal measures to combat racism and discrimination.

**Table 5. Billboards/Political Campaigns.**

|  |  |  |  |
| --- | --- | --- | --- |
| **Billboard** | **Election proposal/Data** | **Result** | **Party** |
|  | To expulse foreigners who have committed crimes.2007 | No votation. | UDC |
|  | Against Free circulation EU and EU enlargement Bulgaria and Romania.8 February 2008. | FailedYes: 59.6 percent.No: 40.4 percent. | UDC |
|  | Promoting Democratic naturalizations.1 June 2008. | FailedYes: 36.2 percent.No: 63.8 percent. | UDC |

Source: Swiss Federal Chancellery.

To recap slightly, a comparison among the four reports illuminates how the treatment of the Muslim community and Islam as a targeted group evolved. Within the first and the second report (ECRI 1998 and 2000), there were no references to Muslim communities. Conversely and quantitatively speaking, 13 references appeared within the ECRI 2004 report and 39 in 2009, making it the most cited group, surpassing that of black people which had 35 references. This growth is evidence of how political discourse, used strategically against this group, can achieve political consensus and influence, avoiding any moral or ethical position. This overview now permits us to better understand how and why the outcomes of the referendum against the construction of new minarets was a political success.

**Table 6. Evolution Swiss Political Parties 1970-2007**

Source: Federal Statistics Office. Swissinfo.ch

Irresponsible political campaigns, from a social point of view have been developed with total impunity. For sure, these campaigns have damaged Swiss image abroad. UDC has experienced a notable growth over the last decade using this formula of attaching migration related issues to the image of dangerousness and criminality.

3. The experience of emigration

**3.1 Minarets Controversy: A Case Study.**

As was presented in the precedent epigraph, the political discourse of the Swiss right wing started to be overtly racist and xenophobic since 2006. Specifically, the controversy against the construction of minarets in Switzerland can be traced back to 2005 when the Turkish centre based in WangenbeiOlten (Canton of Solothurn) presented a project to build a minaret of 6 meters high. After a long administrative process, this minaret was finally erected in 2009, 4 years after the submission of the proposal. One year later, in 2006, and until 2008, members of the Swiss People`s Party and of the Federal Democratic Union promoted a popular initiative to impede the construction of such architectural elements. However, given that all cantonal parliaments found the proposal contrary to the principles of the constitution (Stüssi, 2008), it was not successful. In trying to achieve the expected political results, the Egerkingen Committee launched a federal popular initiative in 2007.

By analyzing the precedent facts, it is questionable to what extent press and media freedoms are still defendable by constitutional rights when such examples of explicit racism and xenophobia flood cities with absolute impunity. A clear contradiction exists between fundamental rights against racism and xenophobia on one hand, and press and media freedoms on the other. Conversely, it is important to underline that more than one year before the referendum, the Federal Commission Against Racism (FCR) released a report against this initiative by expressing in the first point that ‘*The People’s initiative against the construction of minarets should be rejected’* because, among other important aspects:

*‘The initiative violates religious freedom as protected by human rights, as well as the freedoms of religious belief and conscience enshrined in Article 15 of the Swiss Federal Constitution. A minaret ban would restrict the right of Muslims to practice their religion as individual and in groups (…) The initiative creates anxiety among majority communities and minorities. It restricts the rights of Muslims, giving rise to concerns within the Muslim communities about how much further such restrictions might go in future. Furthermore the advocates of the initiative are deliberating creating fear among the majority population of creeping Islamization, which is seen as constituting a threat. The fact that there are no serious integration problems with Muslims in Switzerland with regard with the practice of their religion is entirely ignored’* (FDR October 2008, p. 3-4)

Despite these federal manifestations, no further measures were taken, probably because it was assumed that this referendum would be rejected massively or because the strength of monitoring institutions was not strong enough. Considering the first theory, it is clear that there were no problems integrating Muslim communities in Switzerland as was been highlighted above by the FDR or by FulvioPezzati (Corriere del Ticino, 30 november 2009, p. 3). Considering the second theory, which could work in correlation with the first one, the ECRI recommended that consolidation and further development of the Federal Commission Against Racism, the Federal Service for Combating Racism and the Federal Commission for Migration Issues was needed and necessary (ECRI 2009, p. 9). That fact reveals the weakness of these institutions at a practical level. The table below shows the billboard and the outcomes of this referendum.

**Table 7. Minarets Billboard.**

|  |  |  |  |
| --- | --- | --- | --- |
| **Billboard** | **Election proposal/Data** | **Results** | **Party** |
|  | Referendum against the construction of new minarets. 29 November 2009 | Succeed. Yes: 57.5 percentNo: 42.5 percent | UDC |

Source: Swiss Federal Chancellery.

The characteristics of the Swiss direct democratic system possibly impeded political and social forces from emphatically blocking the referendum against the construction of new minarets. Allegedly, Swiss people did not question themselves deeply about the legitimacy of this political initiative. In any case, this proposal was completely symbolic and significant and surely followed the international trend to punish Muslim communities, Islam and international migration in general, especially considering the current economic and political context.

Finally, Switzerland, a multicultural and neutral country by definition, situated in the heart of Europe, votes for a constitutional ban of the construction of further minarets. 57.4 percent of the national voters in Switzerland approved this ban on the 29th of November 2009. The Swiss People's Party, the largest political party known for its anti-immigrant stance, which called the referendum and Schuler, one of the leaders of the Egerkingen Committee which authored the bill and a lawmaker from the conservative Swiss People's Party, declared in a telephone interview: ‘*the minaret is a political symbol against integration; a symbol more of segregation, and first of all, a symbol to try to introduce Sharia law parallel to Swiss rights’* (Lauter, 2009, para. 3). Although pre-election polls predicted a defeat of the referendum, it has been shown in many studies that these correlations are not positive across the board when it comes to political correct statements on issues of social policy, security, etc., versus anonymous voting procedures.

1. <http://www.swissinfo.ch/ita/index/Tre_corvi_contro_la_libera_circolazione.html?cid=7125092>

 [↑](#footnote-ref-2)