

# Federal Administration of Switzerland



## *Swiss Federal Constitution of 1874*



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# Chapter I: General Provisions

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Article 1 [Cantons] Together, the peoples of the 23 sovereign Cantons of Switzerland united by the present alliance, to wit: Zurich, Berne, Lucerne, Uri, Schwyz, Unterwalden (Upper and Lower), Glarus, Zug, Fribourg, Soleure, Basle (City and Rural), Schaffhausen, Appenzell (both Rhodes), St. Gall, Grisons, Aargau, Thurgau, Ticino, Vaud, Valais, Neuchatel, Geneva and Jura, form the Swiss Confederation.

Article 2 [Goals] The aim of the Confederation is to preserve the outward independence of the fatherland, to maintain internal peace and order, to protect the freedom and the rights of the confederates and to promote their common prosperity.

Article 3 [Cantonal Sovereignty] The Cantons are sovereign insofar as their sovereignty is not limited by the Federal Constitution and, as such, exercise all rights which are not entrusted to the federal power.

Article 4 [Equality] (1) All Swiss citizens are equal before the law. In Switzerland there shall be no subjects, nor privileges of place, birth, person or family. (2) Men and women have equal rights. The law shall provide for their equal treatment, especially as regards family, education and work. Men and women are entitled to equal pay for equal work.

Article 5 [Guarantees] The Confederation shall guarantee the Cantons their territory, their sovereignty within the limits set forth in Article 3, their constitutions, the freedom

and the rights of the people, the constitutional rights of the citizens as well as the rights and prerogatives conferred upon the authorities by the people.

Article 6 [Cantonal Constitutions] (1) The Cantons are bound to request the Confederation to guarantee their constitutions. (2) This guarantee shall be afforded provided a) these constitutions contain nothing inconsistent with the Federal Constitution; b) they ensure the exercise of political rights according to republican (representative or democratic) forms.

Article 7 [Treaties between Cantons] (1) All separate alliances and all treaties of a political nature between Cantons are prohibited. (2) The Cantons may, however, conclude agreements among themselves concerning matters of legislation, justice and administration, provided they bring such agreements to the notice of the federal authority, which is entitled to prevent the execution of the agreements if they contain anything contrary to the Confederation or to the rights of other Cantons. If this is not the case, the contracting Cantons may request the cooperation of the federal authorities for the execution of such agreements.

Article 8 [War and Foreign Affairs] The Confederation alone has the right to declare war and to make peace, as well as to conclude alliances and treaties, especially customs and commercial treaties, with foreign states.

Article 9 [Cantonal Treaties] Exceptionally, the Cantons retain the right to conclude treaties with foreign states concerning matters of public economy, neighborly relations

and police provided such treaties contain nothing contrary to the Confederation or to the rights of other Cantons.

Article 10 [Cantonal Foreign Affairs] (1) All official intercourse between the Cantons and foreign governments or their representatives shall take place through the agency of the Federal Council. (2) The Cantons may, however, correspond directly with subordinate authorities and officials of a foreign state with respect to the matters mentioned in Article 9.

Article 11 [Military Capitulations] No military capitulations may be concluded.

Article 12 [Duties of State Officials] (1) Members of the federal authorities, federal, civil and military officials and federal representatives or commissioners, as well as members of cantonal governments or legislative assemblies, may not accept pensions, allowances, titles, gifts or decorations from foreign governments. Any infringement of this prohibition shall entail the loss of mandate or office. (2) Whoever is in possession of such a pension, title or decoration may not be elected or appointed member of a federal authority, civil or military official of the Confederation, federal representative or commissioner or member of a cantonal government or legislative assembly unless before assuming the mandate or office he expressly renounces the benefit of the pension or title or has returned the decoration. (3) In the Swiss Army, no decorations may be worn and no titles conferred by foreign governments may be assumed. (4) All officers, non-commissioned officers and soldiers are forbidden to accept such distinctions.

Article 13 [Standing Army] (1) The Confederation may not maintain a standing army. (2) Without the consent of the federal authorities, no Canton or Half-Canton may maintain a standing armed force of more than 300 men, not including Police forces.

Article 14 [Military Disputes between Cantons] In the event of disputes arising among them, the Cantons are bound to refrain from taking any independent action and from arming. They shall submit to the settlement of such disputes as decided in accordance with federal regulations.

Article 15 [Military Assistance between Cantons] In the event of a Canton being suddenly threatened from without, its government shall seek the assistance of other Cantons while simultaneously informing the federal authority, this being done without prejudice as to the measures that authority may decide. The Cantons called upon are bound to give their assistance. The Confederation shall bear the costs.

Article 16 [Federal Military Intervention] (1) In the case of internal troubles or when danger threatens from another Canton, the government of the threatened Canton must immediately inform the Federal Council in order to enable it to take appropriate measures within the limits of its competence (Article 102 (3), (10) and (11)) or to summon the Federal Assembly. In urgent cases, while immediately informing the Federal Council, the government is entitled to seek help from other Cantons, which are bound to provide it. (2) Whenever the cantonal government is unable to summon help, the competent federal authority may intervene without being called upon; this authority is bound