What to expect from Switzerland's five referendums on 27 September

On 27 September, Switzerland will hold referendums on five different topics. **Sean Mueller** *presents a preview of the votes, which will include a proposal to end the country's free movement agreement with the EU.*

Things can be said to slowly normalise when the Swiss start voting again. A set of referendums scheduled for May this year had to be postponed due to the pandemic, but on 27 September citizens will finally be able to vote on five very diverse questions.

The most salient one concerns ending the free movement of persons, to which Switzerland has subscribed since 2002 without being an EU member. A popular initiative to that effect was submitted by the right-wing populist Swiss People's Party (SVP) and puts several other 'bilateral treaties' between the EU and Switzerland in jeopardy.

The second most important question relates to the army: should the government be allowed to purchase new fighter jets for up to 6 billion CHF (roughly £5 billion)? Question number three proposes a two-week paternity leave system, during which 80% of the pre-birth salary would be paid by the state. Both the fighter jet purchase and paternity leave measures had been approved by parliament but were subsequently challenged by a large enough number of citizens to enable the people to have the final say (an optional referendum).

The same applies to proposals four and five, which are even more peculiar to Switzerland: increasing federal tax deductions for children and childcare (to the benefit of those wealthy enough to pay taxes in the first place) as well as easing the protection of wolves (which have reappeared in Switzerland as of 1995). Here, I discuss only the first three issues.

Moving freely or moving backwards

In Switzerland, just as elsewhere, 'Europe' and immigration are closely connected topics. This is due not least to the permanent campaigning of right-wing populist parties such as the SVP or the regionalist *Lega dei Ticinesi*. What singles out the Swiss case is its strong de facto economic and social integration into the EU without full membership.

The government and most mainstream parties present this situation as combining the best of both worlds: retaining full sovereignty whilst trading seamlessly. In 2019, for instance, half of all Swiss exports were destined for the EU. Apparently this 'Swiss model' had inspired Nigel Farage, too. Many experts, however, argue the exact opposite: without EU membership, the Swiss have no say in shaping the rules which they then have to change 'autonomously' to align their regulatory framework with the *acquis*.

The whole construction is also very fragile, as this vote shows. The free movement of persons is a cornerstone of Swiss-EU relations in that it allows citizens of both polities to live, work and study on the other side of the (mostly metaphorical) fence. At first sight, the SVP initiative comes across as quite harmless, since it would merely force the government to negotiate the end of *that* agreement within 12 months after the approval of the initiative; failing that, the agreement would have to be unilaterally cancelled within 30 days.

However, the agreement on the free movement of persons is linked to the other six treaties signed as part of the first package of Bilateral Treaties – ending one ends them all (a guillotine clause). These concern research, agriculture, technical barriers to trade, public procurement, overland transport, and civil aviation. The EU could also decide to cancel any one or several of the *other* bilateral treaties such as those relating to Schengen/Dublin or Erasmus+ (where, precisely, a mere interim solution is currently in force). So, the upcoming referendum is not just about halting the free movement of persons, but potentially also burying the Swiss model as such. It is also for that reason that 61% of voters currently state they will reject the SVP initiative.

Fighting for fighter jets – again

Still, a few years down the line, Switzerland could find itself not only without access to the European market but also without the tools to protects its own airspace. The 6 billion CHF outlay being put to the people now is in fact a reaction to the failed acquisition of 22 'Gripen' fighter jets in 2014, when 53% of voters said no – the first time ever this type of referendum had been successful in the defence domain. But government and parliament have learned their lesson: unlike six years ago, no specific type of jet is on the cards, thereby giving less ground to the opponents (or defeated corporations – we don't know, as there are no rules on campaign spending). It is probably also in an effort to win over the more army-sceptical female voters (currently 50% in favour; men: 64%) that Defence Minister Viola Amherd has suspiciously often been seen crossing the tarmac with the Air Force's only female pilot, Fanny Chollet.

A father role for the state?

The third question looked at more closely here would introduce paternity leave. Today, fathers only have the statutory right to one or two days off, compared to mothers' 14 weeks. If accepted, fathers would be entitled (but not forced) to 14 days and receive 80% of their previous salary by the state, capped at a maximum of 196 CHF per day. Fathers must have worked at least five out of the nine months before the birth of their child. Some 63% of voters are currently in favour – women more than men.

Beyond its substance, this question also permits a glance at the intricate workings of Swiss semi-direct democracy, i.e. the dialogue between citizens and representative institutions. For the reform proposal now on the table is in fact an indirect counterproposal to a popular initiative demanding four weeks paternity leave. Faced with such initiatives, parliament can not only accept or reject them but can also propose to achieve similar goals using another route.

In this case, instead of amending the federal constitution towards four weeks, parliament proposed a legislative change towards two weeks. The group in charge of the popular initiative subsequently withdrew their proposal on the condition that two weeks would enter into force. But since every legislative change is again subject to an optional referendum, this time coming from the right, the people may yet vote on four weeks if two weeks are now rejected. Those now utterly confused may be pleased to learn that yet another step is already in preparation: parental leave.

Fractions and frictions

All three issues discussed here map clearly onto the left-right spectrum: mainly SVP and other conservative right-wing voters will vote against the free movement of persons; only Socialist and Green voters really oppose buying new fighter jets; and support for paternity leave is equally waning the more one opposes state intervention in the economy in general.

However, as always in Switzerland there are not just parties but also regions and language groups to consider. The French-speaking region in particular is generally more in favour of Europe and the state but less enthusiastic about the army. Italian-speaking Ticino, in turn, has become *the* most Eurosceptic area of Switzerland and could well embrace the SVP initiative – as it did in 2014, when a record 68% of voters voted 'against mass immigration' (Switzerland overall: 50.3%). But the beauty of having five different questions decided the same day is this: you are more likely to experience at least partial success *and* to see others also get defeated…

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