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THE ROSSI AFFAIR IN THE NATIONAL COUNCIL

The close of the present session of the Swiss Parliament witnessed a lively discussion, initiated by a statement of Federal Councillor Motta. Three interpellations and subsequently a fourth had been deposited for the purpose of obtaining official information with reference to Fascist activities along the Italo-Swiss frontier and to the steps to be taken to prevent foreign political organisations from interfering with the personal liberty of Swiss judged to be unfriendly to the Fascist régime. Federal Councillor Motta communicated in the first instance the contents of the note addressed to the Italian Government on Sept. 19th. The Note—a lengthy document—relates in detail the circumstances of Rossi's arrest and is couched in those amiable though not aimless terms to which the French language lends itself so admirably. One of the questioners, Nat. Councillor Maunoir (Centre, Geneva) declared himself satisfied, but not so the other two Socialist members, Zeli and Schmid, whose interpellations treated the subject in a much wider aspect. A fourth motion was at the last moment presented by Nat. Councillor Graber (Socialist, Neuchâtel) and gave rise to an animated oratorical duel with our Minister for Foreign Affairs, as will be gathered from the extract from the official report:—

Afin de pouvoir ouvrir une discussion générale sur l'affaire Rossi, les socialistes ont déposé une motion que développe M. Graber. Celui-ci demande au Conseil fédéral de présenter un rapport sur les menées fascistes en Suisse et sur les mesures qu'il a prises pour protéger notre indépendance. L'orateur est convaincu que les autorités fascistes ont su à l'avance ce que l'Impero allait publier et ce journal n'est point seul à tenir un langage violent à l'adresse de notre pays.

M. Graber examine ensuite l'attitude du Conseil fédéral. Celui-ci, dit-il, obtiendra dans ses négociations des promesses et par la suite de nouveaux incidents se reproduiront. Nous ne sommes pas sûrs, ajoute-il, que M. Motta ait à l'égard du fascisme toute la fermeté désirable. Cela n'a rien d'étonnant, car il a affirmé ses sympathies et son estime pour Mussolini.

M. Motta : Sur quoi vous fondez-vous ?

M. Graber : Sur ce que vous m'avez dit dans une cave à Sion.

(La cave est, comme on le sait, l'un des salons de notre démocratie.)

M. Motta : Vous mentez.

Nous voudrions, continue M. Graber, que l'Italie nous restituât Rossi, s'il est démontré qu'on l'a capturé sur notre territoire. Le moment est peut-être venu de faire jouer le traité d'arbitrage qui s'applique à tous les cas contestés; la Suisse doit réclamer son droit.

M. Motta répond qu'il ne peut pas accepter le postulat, qui compliquerait la tâche délicate que poursuit le Conseil fédéral. La Chambre ne voudra pas ouvrir une discussion générale sur une question aussi difficile. M. Graber a parlé du langage inconvenant de certains journaux italiens; ce langage est blâmable, mais il faut rappeler que M. Mussolini a pris les mesures qu'il s'imposaient. Il a dit lui-même qu'il y avait un intérêt fondamental pour l'Italie à ce que le Tessin restât partie intégrante de la Suisse. Aussi les manifestations grotesques de l'irrévérence ne sont-elles pas de nature à nous préoccuper.

Le Conseil fédéral condamne sévèrement l'attitude du journal *l'Adula*, mais il ne possède pas les moyens légaux pour sévir contre lui.

M. Motta s'élève enfin contre les accusations de M. Graber. Il tient à déclarer une fois pour toutes qu'il n'est jamais sorti de sa bouche un mot qui puisse être interprété comme une approbation des principes fascistes. Toute ma vie, dit-il, est l'affirmation de mon dévouement aux idées démocratiques et de liberté.

Jamais, conclut-il, il n'y a eu de divergence au Conseil fédéral au sujet de la politique étrangère. C'est pourquoi la campagne personnelle menée par les socialistes contre le Département politique ne peut s'expliquer que par des buts électoraux.

M. Welte (communiste) estime au contraire que la politique étrangère du Conseil fédéral est la cause de la situation difficile qui s'est créée. Il y a longtemps que le gouvernement aurait dû intervenir pour sauver le droit d'asile voilé par les fascistes. La seule conclusion qui s'impose, c'est la démission de M. Motta.

M. Schmid s'étonne que le président n'ait pas rappelé le représentant du Conseil fédéral à l'ordre lors de son apostrophe, qu'il trouve déplacée. Il rappelle qu'un changement s'impose au Département politique. De son côté, M. Zeli assure que M. Motta ne comprend pas l'opinion du pays, de son canton et la voix du peuple.

Enfin M. Graber ajoute que le Parlement doit sauvegarder son indépendance et exiger un rapport du Conseil fédéral. Il regrette que M. Motta l'ait accusé de faire un discours électoral et il le prie de respecter la dignité des socialistes.

M. Brügger prononce quelques paroles pour reprocher à l'extrême-gauche son inconscience.

Elle veut qu'on se montre ferme en politique extérieure et elle ne cesse de dénigrer l'armé.

It is evident that Federal Councillor Motta was severely heckled, hence his unusual—not to call it unparliamentary—refutation of the suggestion that he entertained sympathies and a high respect for Mussolini—a world-wide sentiment which is no offence. He was not convincing in his statements and seemed to us to avoid the point at issue. His assertions were not punctuated by any applause but the house obviously did not wish to prolong a discussion which, in view of pending delicate diplomatic negotiations, would have rendered his position extremely difficult. By a vote of 74 to 31 the further consideration of the motion was rejected.

CORRESPONDENCE.

The Editor is not responsible for the opinions expressed by Correspondents and cannot publish anonymous articles, unless accompanied by the writer's name and address, as evidence of good faith.

MILITARY EXEMPTION TAX AND THE SWISS ABROAD.

To the Editor of the *Swiss Observer*.

Dear Sir,—I noticed from your issue of the 1st Sept. that the *National Zeitung* is deploring the readiness with which the majority of the Swiss resident in New York cut themselves adrift from Switzerland, even intellectually. The paper appears to think that it is our system of education which is at fault.

Through the kindness of one of my friends I had the experience of reading an article on "Military Exemption Tax and the Swiss Abroad," published last February and occupying half the front page on two consecutive issues of the *Dovere*, the official daily of the Liberal-Radical party of the Ticino. The article was really a part re-print of a similar one published by the *Schweizerische Juristenzeitung*, over the signature of a Zurich lawyer, and had also appeared in the *Repertorio di Giurisprudenza Patria*.

I was rather surprised to notice from it that the U.S.A. is something of a storm-centre against the regulations and administration of the Military Exemption tax. The paper mentioned, among other things, the fact that a very large proportion of the Swiss in the U.S.A. simply take no notice whatever of this tax. They make no returns, they do not pay a cent, nor do they waste time about it. The bulk of the remainder declare in their returns half or less than half their actual income, because they consider the incidence of taxation quite unfair.

The article originated from the fact that the Swiss Choral Society of New York desired to take official part in the festival of Lucerne, but were faced with the predicament that many of their members were earmarked at the Legation as persons to whom no passport would be given. As many of them were, however, entitled to American passports they desired to know whether they would be safe from molestation during their stay in Switzerland. A Zurich society which took the matter up evidently found that this was not so certain. What they eventually did I do not know, but they have in any case helped considerably the cause of the Swiss abroad.

The Zurich lawyer, writing in the *Schweizerische Juristenzeitung* in this connection, very pointedly criticised the Federal Council over the administration of the tax and took the "famous Ordinance" to task, giving open currency to the opinion that this measure constitutes a breach of the Federal Constitution. He further mentioned that, as the regulations concerning passports, contained therein, are not based upon any provision of the constitution nor of the law and are merely arbitrary rules set up by the Federal Department of Finance, they could and should be withdrawn without much loss of time.

I was rather glad to see that the opinions set out in the article in question are so similar to those I myself expressed in your paper a few years ago, that the Zurich lawyer also mentions the fact that the Ordinance does in reality reduce the status of the Swiss abroad to that of "Heimatloser," which is, of course, opposed to the most fundamental principles of our constitution. How can the *National Zeitung* possibly expect self-respecting citizens to digest cheap platitudes and after-dinner-patriotism, when our own Government acts upon the principle that we are not even Swiss. The force which disintegrates the Swiss colonies abroad comes mainly from Berne, and the effect will be much more apparent in years to come, if no stop is put to it.

Some may think that the issue of the legality of the Ordinance has been clouded by the fact that the Federal Tribunal has, in at least a couple of individual cases, upheld the refusal of a passport. Nothing, however, would be further from the truth. A court of law usually decides merely upon the arguments brought forward, and the individuals in question, besides being substantially in the wrong, either backed the wrong horses or acted without qualified legal advice. The Federal Tribunal have, however, made it as clear as possible that they do not consider the Ordinance a valid regulation, unless backed by the constitution or a Federal Law. The Tribunal decided (with apparent regrets) that, although they did not consider that the Federal Constitution rules out the possibility of passports being refused, such a refusal can take place, in any

case, only in the identical circumstances in which a citizen living in Switzerland could be sent to prison for wilful and unjustified refusal to pay this tax.

In its most vital provisions the Ordinance is, however, in flat contradiction with the law in question, and the judgment was no doubt intended to give the Federal Council a strong warning to hasten to put matters right. My own opinion, from what I have heard from friends and acquaintances, is that at least 95% of the refusals of passports have been made illegally, and that if all those who would have been entitled to damages had known the way to go about it, the Federal Council would have had to pay more in damages for wrongful refusal of passports than the total of military exemption tax collected from abroad, since the Ordinance has been in force.

If I am rather interested in this subject it is because on the 6th September, 1927, I was refused a passport by the Chancellor of the Swiss Legation in London. Luckily it was done in circumstances which gave not even the faintest right to the authorities to refuse a passport. Having gone home on a "sauf conduit" (on the 1st of August, 1914, I left for Switzerland without a passport at all) I met with further trouble in Bellinzona, and nearly came to blows with one of the members of the Cantonal Government. When subsequently I started claiming my bit of justice, instead of realising that a grave wrong had been done, the bureaucrats became more Prussian than ever.

London and Bellinzona joined hands against me, and in due course the Federal Military Tax Office in Berne made common cause with them. As the Councillor of State of the Ticino, with whom I got into bitter antagonism, is supposed to be an outstanding lawyer, thinking perhaps he could defeat me rather easily, he decided on "neck or nothing," which no doubt greatly pleased the other bureaucrats. Instead of having a "walkover," however, the lesser authorities merely deprived themselves of the chance they had of putting matters substantially right, as far as they were concerned, and leaving me to fight the Federal Council about the Ordinance.

It is much too early to go into details, but although the whole matter has been before the Federal Council since the beginning of last November, and the investigations were practically completed that same month, they have not yet had the pluck to give a decision. I know they are working hard to discover a valid reason to decide against me, and as I have treated the Federal Council, from the very beginning, as the chief enemy I naturally do not expect any mercy. As the decision of the case will automatically decide the fate of the Ordinance and as I have intimated to the F.C. that if they decide even only one question, out of about half-a-dozen, contrary to what I have asked them to do I shall refer the whole matter to the Federal Tribunal, the position is no doubt rather difficult for them.

There is, however, no doubt that, taken on the whole, the Ordinance is getting badly battered, and I think that all those who are treated unfairly should make it a matter of duty to obtain justice, or at any rate to stir up as much trouble as possible.

O. BRAGA.

SWISS MERCANTILE SOCIETY.

EDUCATION DEPARTMENT.

In connection with the scholastic programme the following lectures were given by the students during last week:—

W. Wilhelm, Zurich: "Sentimentality." F. Eggstein, Zurich: "A Talk about Democracy and Politics." R. Lerch, Lucerne: "Conservatism." P. Praxl, Adliswil: "Advertisements in Papers." E. Perrudet, Neuchâtel: "English Sport." Jacob Blaser, Zurich: "Swiss Maid-Servants." Henry Scholer, Basle: "Artificial Silk Manufacture." Miss Susy Spycher, Langenthal: "London and its Parks." Miss Jeanne Cand, Montreux: "In the Swiss Mountains." Miss Liliane Schenk, Lausanne: "A Few Days at the Seaside." M. Knecht, Uzwil: "Leather Trade." A. Felder, St. Imier: "Bachelors' Tax." G. Steinemann, Berne: "The State of Civilisation in the Next Century." E. Boller, Wangen a/Aare: "Wonders of the Microscope." Max Gut, Oerlikon: "Stock Exchange." Ch. Terraz, St. Imier: "Are Universities full of 'fils à papa'?"

The debating classes dealt with the following subject:—

"Does the Swiss educational system satisfy you?" Proposer, Miss Vogler; Opposer, Mr. Walder.

"Are you in favour of games of chance?" Proposer, Mr. Hui; Opposer, Mr. Ernst.

"Are our modern comforts detrimental to our physical strength?" Proposer, Mr. Schaad; Opposer, Mr. Baumann.

"Does our younger generation believe less in religion?" Proposer, Miss F. Brauchli; Opposer, Mr. E. Boller.

Friday: A very interesting and well-attended lecture with lantern slides was given by E. Reginald Taylor, Esq. on "The Pyramids and Sphinx."

Saturday: The School visited the Victoria and Albert Museum.