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The Swiss Observer

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hour Mass.

*regards future Swiss legislation, it is
by no means certain that the country
would adopt an eventual proposal to
amend the Constitution to the effect
that all Swiss mothers' children
automatically become Swiss.*

*The same considerations apply,
by the way, in the purely Swiss
context of acquiring Cantonal and
Communal citizenship. The Gov-
ernment has just published a
whitepaper on a new marriage law
based on the principle of equal rights
and obligations for both partners; it
felt nevertheless unable to confuse
the clear-cut present situation of one
citizenship per family (the father's)
for reasons of equality (which may
appear in this case as rather formal).
That is how the Government feels
about it, but the Swiss voters will
have the last word. So, the question
remains still wide open.*

LETTERS TO THE EDITOR

*After reading the November 1979
issue of the SWISS OBSERVER I
have deduced that, if all those years
ago had I not legalised my union with
an Englishman, my children would
be illegitimate but would be Swiss
citizens. How sad.*

*Any Swiss wanting to return to
Switzerland seem also to be faced
with formidable difficulties which I
find intimidating. Is this deliberate
policy?*

*I find it increasingly difficult to
accept the exclusion of my very able
family from any Swiss rights. How
can I engender in them any interest
in my so-called 'heritage'?*

*Perhaps you could emphasise the
difficulties which women in my
situation face, particularly when
younger. Perhaps the SWISS
OBSERVER could help a little to
decrease the alienation.*

Mrs. A. S. F.

Dear Mrs. F.,
Thank you for your letter with regard
to the question of citizenship of
children born by Swiss mothers
married to foreigners.

It appears that the rights of a
Swiss woman are severely curtailed
once she decides to marry a
foreigner and to leave the native soil.

I put your particular plea to the
legal adviser of the Swiss Embassy
in London and would like to pass on
his considerations on the subject,
hoping that they may help all of us
who are in the same boat to
understand the reasons for this
legislation as it stands at present a
little better. I also hope that it might
help you in particular to know that
you are by no means struggling on in
isolation.

The wide interest the citizenship
question finds was clearly illustrated
by the vast amount of letters the
Secretariat of the Swiss Abroad
received last year on this subject
(around 2500).

*The Swiss authorities are quite
aware of the somehow paradoxical
situation created by the ruling that
children born out of wedlock by
Swiss mothers (at home or abroad)
become Swiss citizens, whereas
they acquire only their father's
foreign nationality, if born by a
married Swiss woman. Formerly, an
illegitimate child lost its Swiss
nationality when its Swiss mother
subsequently married the foreign
father — a loss which may seem
even harder to bear than the fact of
never having acquired Swiss citi-
zenship at all. But as we are now
moving towards an era of more
equality between the sexes, those
instances of discrimination against
Swiss mothers (as regards the
citizenship of their children), which
were not prescribed by the Constitu-
tion, have been abolished recently.
The only case where this was not
possible, because the Constitution
clearly rules it out, is when children
of a married Swiss mother and a
foreign father are born abroad —
obviously a situation frequently
occurring.*

*As much as the desire of Swiss
mothers (married abroad) to see
Swiss citizenship bestowed upon
their children can be understood, it
must not be forgotten that dual
nationality is not in all respects a
desirable condition. It has advan-
tages as well as drawbacks, and
Governments generally tolerate it at
best, intent to treat it as the
exception rather than the rule. As*

On this month's front cover:

H.E. Ambassador Claude Caillat on his way to Buckingham Palace to present his Letters of Credence from the Swiss Federation to the Queen.