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Federal referendums of December 4, 1994

# Yes to the sickness insurance law and the compulsory measures

**With a respectable participation of 43%, Swiss voters supported government policy three times – which is not always the case. 51.8% said Yes to the new law on sickness insurance; 76.5% said No to the sickness insurance initiative; and the compulsory measures in the legislation on foreign nationals were approved by 72.8%.**

The main factor of uncertainty was the outcome of the first of these votes, and this lasted until the end. But it finally has become possible to amend the 1911 law. In spite of many positive points, the last few years have brought to light a number of social problems caused by the old law stemming mainly from the explosive rise in health costs.

It is noteworthy that with the sickness insurance law there was no breach between the language areas: the French and Italian language areas and part of the German-speaking area voted alike. If any distinction can be made, it is between regions with experience of the principles of the new law at the cantonal level and those without. The first gave a clear Yes to the law, while the second

were generally against. Canton Jura was at the head of the list of those in favour (with 83.8% Yes), followed by Neuchâtel, Geneva and Ticino; the lowest Yes vote came from Appenzel Inner Rhodes (21.3%), with Thurgau, Upper Unterwalden and Schwyz only slightly higher. The cantons in the Zurich area also voted No, in contrast to the Berne and Basle areas.

The Social Democrat and trade union initiative found a majority in no canton, however. It had some success in Canton Jura (with 41.7% Yes) and – to a lesser extent – in Geneva (37.9%) and Neu-

## Commentary

It may reasonably be said that on December 4 Swiss voters made the right decisions. A few remarks.

First: A large majority of those who voted – nearly four-fifths – were against dropping the existing sickness insurance system of premium payments in favour of a «European» one based on wage deductions. The latter was the aim of the initiative put forward by the Social Democrats and the trade unions. Opposition to the proposal was founded on the massive state intervention required, the fear that nationalised medicine would lead to lower quality and the restricted choice which might result. The probable negative consequences of the initiative for an economy now slowly emerging from recession was another factor.

Second: Even so, however, a majority of voters – though slight – were in favour of making a few changes to the sickness insurance system to ensure social justice. This is the aim of the new law, which introduces an obligation to charge the same premiums for all, old and young, men and women. It also extends the benefits provided by basic insurance

and targets subsidies towards the needy rather than helping everybody. The almost one in two voters who said No to the law were afraid that premiums would rise for those no longer benefiting from the subsidies. This would particularly hit middle income groups.

Third: A broad majority said Yes to the compulsory measures in the legislation on foreign nationals. All the cantons were in favour; Zurich overwhelmingly so, but also Geneva if to a lesser extent. There was one overriding reason for this: a desire that the authorities should be forced to grapple with the hundreds of foreign drug traffickers without papers who stalk the more or less open drug scenes. Politically speaking, this is a legitimate argument which turned out more convincing than the understandable legal hesitations which some people felt about the content of the new provisions. The new law applies not only to foreign nationals staying in Switzerland illegally but also to asylum seekers evading repatriation – and many people feel that these two categories should not be lumped together. But the authorities are now expected to proceed against drug dealers rapidly and decisively. Inability to act can no longer be used as an excuse.

Giuseppe Rusconi

### Advantages for returning Swiss Abroad

The premium equalisation contained in the revised law on sickness insurance will work favourably for older Swiss Abroad who wish to return to Switzerland and are not members of a Swiss sickness fund. Expect more on this in the next issue of Swiss Review.

châtel (34.6%). Its worst defeat was in Appenzel Inner Rhodes (with only 8.2% Yes) and in other half cantons of central Switzerland. It was also decisively rejected in Aargau, St. Gall, Lucerne and Zurich (all with No votes above 80%).

The result on the compulsory measures in the legislation on foreign nationals was eagerly awaited. The main points of interest here were the size of the Yes vote and whether any cantons would say No. The bill was in fact accepted by an overwhelming majority in all cantons. Zurich – the home of Letten – gave an 80.6% Yes vote. Even in Geneva – where the government, almost all parties, and many different organisations had recommended a No vote for legal reasons – the bill was approved by 52.3% of voters. With the exception of Canton Jura (with 56.6% Yes), the rest of the French-speaking cantons gave Yes votes of over 60%. Ticino agreed with a 72% Yes.

It is therefore undisputable that the compulsory measures meet with approval throughout the country – and not just in Zurich. The majority of voters have had quite enough of misdeeds going unpunished in recent years – particularly in drug dealing.

**Drug clampdown at Zurich's Letten station. The new compulsory measures in the legislation on foreign nationals should allow the authorities to tackle foreign drug dealers with greater efficiency. (Photo: Keystone)**



## Press review

As one might expect newspaper comment on the December 4 referendums is about equally divided between the sickness insurance issue and the compulsory measures in the legislation on foreign nationals. Here is a brief selection.

### Giornale del Popolo

It was clear to all that the Swiss health system needed a powerful solidarity injection. (...) The special interest distorting lens of the doctors' lobby, a group of sickness funds, and some cantonal governments was not sufficient to mask the reality from voters.

### TRIBUNE DE GENÈVE

The voter Yes of this weekend is a call to maintain high-quality medicine for everyone, and it shows that the majority of Swiss are ready to pay the price. The result is the more encouraging in that the solidarity expressed by the electors is also nationwide. (...) On the other hand, the decisive rejection of the socialist and trade union initiative is explained mainly by fear of endangering an economic recovery which is still fragile.

### LNN LUZERNER NEUESTE NACHRICHTEN

The positive result is surprising. On the one hand it is a very complicated bill whose practical consequences cannot be seen down to the last detail even by committed supporters. But when they are off balance Swiss voters tend to say No. The fact that they did not do so this time is the first surprise.

### Der Bund

Many voters obviously understood that the law in force has had its day; they are now ready to try something new. The horror scenario painted by opponents in the referendum campaign did not catch on with the majority. And voters could not help noticing that a section of those against had their own interests uppermost in their minds.

## Referendum result

**Federal law on sickness insurance**  
YES 1,020,763 (51.8%)  
NO 950,164 (48.2%)

**Popular initiative "for sound sickness insurance"**  
YES 460,834 (23.5%)  
NO 1,502,483 (76.5%)  
All cantons

**Federal law on compulsory measures in the legislation on foreign nationals**  
YES 1,433,162 (72.9%)  
NO 534,588 (27.1%)

**Voter participation: 43%**

## JOURNAL de GENÈVE

The tragic thing about the tidal wave in favour of the compulsory measures was that the ethical and moral arguments counted for almost nothing. All the cantons, all of them, approved. And this triumph smells strongly of xenophobia. (...) Sunday's massive Yes is a serious defeat for humanitarian principles.

## Neue Zürcher Zeitung

The fact that the bill (compulsory measures) received above-average support may be attributed not least to those groups which turned the referendum into a matter of principle. The impact of activists who twist political priorities and are hardly involved at all in consultative democracy seems to be growing. (...) Up to a certain point direct democracy can live with this, but the "cost" should not be ignored.

## L'EXPRESS

There is nothing to justify the reproach of xenophobia which is sure to be levelled at the majority of voters: on the contrary, with a law which will prevent the right of asylum from being constantly turned into an ass the dangerous confusion between real refugees and those who break or circumvent the law will be reduced. So beyond the apparent paradox we may say that with this clarification Switzerland's humanitarian tradition will be anchored more firmly in the future.

RUS